

# PRIORITY OF ACCESS POLICY

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## Best Practice – Quality Area 6 & 7

### PURPOSE

This policy will provide guidelines to ensure:

- That children who face a range of disadvantages will have access to early education and care than other children.
- That children at risk of vulnerability are given, every opportunity to high quality education and care.
- It is clear who will be approached first on the services waiting list for any available spots.
- That CKCC acknowledges that the Australian Government removed legal priority of access requirements from July 2<sup>nd</sup>, 2018, however we want to ensure that our service continues to adhere to best practice.

### POLICY STATEMENT

#### 1. VALUES

Camberwell Kindergarten and Child Care Centre Inc. is committed to:

- Ensuring that children who will benefit the most from access to early education and care are given the first opportunity to enrol at the service.
- Ensuring that children who are likely to be excluded from early education are given priority at our service.
- Having a clear process to determine who vacant places are offered to when there are more families who want them than there are places available.

#### 2. SCOPE

This policy applies to the Approved Provider, Persons with Management Control, Nominated Supervisor, and Person in day to day charge, staff, parents, guardians, and children.

#### Background and legislation

##### Background

The Australia Government removed legal priority of Access from July 2<sup>nd</sup> 2018, which introduced a new child care package, including the new Child Care Subsidy. The subsidy replaces the previous Child Care Benefit and Child Care Rebate and is paid directly to services.

The Child Care Subsidy is supported by a Child Care Safety Net which aims to give the most vulnerable children a strong start, while supporting parents into work.

##### Legislation and standards

- A New Tax System (Family Assistance Administration) Act 1999.
- A New Tax System (Family Assistance) Act 1999.
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic).
- Children, Youth and Families Act 2005 (Vic).
- Disability Discrimination Act 1992 (cth).
- Education and Care Services National Law Act 2010.
- Education and Care Services National Regulations 2011.

- Equal Opportunity Act 2016 (Vic).
- Family Assistance Law.
- Family Assistance Legislations (jobs for families' child care package) Act 2017.
- National Quality Standard, Quality Area 2: Children's Health and Safety
  - Standard 2.3: Each child is protected
  - Element 2.3.4: Educators, co-ordinators and staff members are aware of their roles and responsibilities to respond to every child at risk of abuse and neglect

## DEFINITIONS

The terms defined in this section relates specially to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor etc to refer to the General Definitions section of this manual.

- **Activity Test** – is one of the 3 factors that determines the amount of Child Care Subsidy a family is entitled to. The number of hours of subsidised child care that families have access to per fortnight is determined by a 3-step activity test. (refer to the Australian Government Department of Education and Training Fact Sheet)
- **Disability** – a physical, or mental condition that limits a person's movements, senses or activities.
- **Non-English-speaking background** – a person who meets all these criteria, they are a non-overseas family, they arrive in Australia less than 10 years prior to the reference year and a language other than English is spoken at home.
- **Priority** – the fact or condition of being regarded or treated as more important than others.
- **Socially isolated families** – is a state of complete or near complete lack of contact between an individual and society. It differs from loneliness, which reflects a temporary lack of contact with other humans.
- **Single parent families** – are families with children under the age of 18, headed by a parent who is widowed or divorced and nor remarried or by a parent who has never been married.
- **United Nations Convention on the Rights of the Child** – is a human rights treaty, which sets out the civil, political, economic, social, health and cultural rights of children.

## Sources

- Australian Children's Education and Care Quality Authority (ACECQA). Guide to the National Quality Framework 2018.
- Australian Early Development Census. [www.aedc.gov.au](http://www.aedc.gov.au)
- Belonging, Being and Becoming – The Early Years Learning Framework for Australia. <http://www.education.gov.au/>
- Child Care Provider Handbook. [www.education.gov.au/child-care-provider-handbook](http://www.education.gov.au/child-care-provider-handbook)
- Childcare and Early Childhood Learning – Productivity Commission Inquiry Report Volume 2.
- Early Childhood Australia Commitments to Action.
- Priority of Access Guidelines for Child Care Services. Instruction Sheet 10 (Australian Government Department of Educational and Training).
- The Disability Standards for Education 2005.
- United Nations Conventions on the Rights of the Child. <http://www.unicef.org/>

## **Services policies**

- Acceptance and Refusal of Authorisation Policy.
- Child Safe Environment Policy.
- Delivery and Collection of Children Policy.
- Enrolment and Orientation Policy.
- Inclusion and Equity Policy.

## **PROCEDURES**

### **The Approved Provider and Persons with Management Control is responsible for:**

- Ensuring they are satisfied with this policy and that it follows the requirements of any funding agreements in force and in line with any requirements under Family Assistance Legislation and is updated as required and is known to the Nominated Supervisor or person in day to day responsibility of the service.

### **The Nominated Supervisor and the Persons in Day to Day charge and responsible for:**

- Setting up systems so that a waiting list is maintain that clearly identifies children who received priority under this policy.
- Offering vacancies according to this policy.
- Give families information about eligibility for CCS including the activity test.
- Give families a copy of this policy when they put in a waiting list application.
- Give families information about eligibility for child care subsidy including the activity test.
- Provide information to families about childhood vulnerability, the length of our waiting list.
- Persons responsible for the day to day will assist the Nominated Supervisor to follow this policy in allocating spaces for the services from the priority listing.
- Keep updated with any new legislation to make amendments with this policy and forward to the Approved Provider.

### **Persons Responsible and other educators are responsible for:**

- Reading and complying with the Priority of Access Policy.

### **Parents/guardians are responsible for:**

- Reading and Complying with the Priory of Access Policy.
- Apply to Centre link to ensure they meet the “activity test”.
- Inform the Nominated Supervisor or Person Responsible for the day to day that they are eligible for priority of access under this policy.
- Inform the Nominated Supervisor, Person Responsible for the day to day if their priority of access changes while they are on the services waiting list.

## **EVALUATION**

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- Regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Monitor the implementation, compliance, complaints and incidents in relation to this policy.
- Keep the policy up to date with current legislation, research, policy and best practice.

- Revise the policy and procedures as part of the service's policy review cycle, or as required.
- Notify parents/guardians at least 14 days before making any changes to this policy or its procedures (Regulation 172(2)).

## **ATTACHMENTS**

- Attachment 1: Priority Listing
- Attachment 2: Requiring a child to vacate a place.
- Attachment 3 – How will we do it?
- Attachment 4 – Replacing a child who requires care under Priority 1.

## **AUTHORISATION**

The policy was adopted by the Approved Provider of Camberwell Kindergarten and Child Care Centre Inc. on 07/11/2018.

**REVIEW DATE: 07/11/2020**

## **Attachment 1 – Priority for filling vacant places**

The priority of Access Guidelines must be used by approved services to allocate available places where there are more families requiring care than places available.

When filling vacant places, a service must fill them according to the following priorities.

- Priority 1 – a child at risk or serious abuse or neglect.
- Priority 2 – a child of a single parent who satisfies, or of parents who both satisfy the work training, study test under section 14 of the New Tax System (Family Assistance ) Act 1999.
- Priority 3 – any other child

Within these main priority categories, priority should also be given to children in:

- Aboriginal and Torres Strait islander families.
- Families which included a disabled person.
- Families which include an individual whose adjusted taxable income does not exceed the lower income threshold of \$43,727 for (2015 – 2016) or who or whose partner is on income support.
- Families form a non-English speaking background.
- Socially isolated families.
- Single parent families.

Note: Where a service is funded by an employer to provide a child care solely or primarily for the children of the employer's employees the service may give priority of those children.

## **Attachment 2 – Requiring a child to vacate a place**

Under the Priority of Access Guidelines, a child care service may require a Priority 3 child only to vacate a place to make room for a higher priority child. The service can do so if:

- The person liable for the payment of the child care fees was notified when the child first entered care that the service follows this policy and;
- The service gives the person at least 14 days' notice of the requirement for the child to vacate the place.

### **Attachment 3 – How will we do it?**

1. The sessions/days available and age groups are identified. Families whose request for care, and child's age, match the vacancy are identified from the waiting list. (Regulations prescribe the number and age of children in any room in a children's centre).
2. Priority is then allocated to any child at risk of serious abuse or neglect referred by a relevant agency.
3. Next, current service users are considered.
  - Families who want additional care for currently enrolled child/ren.
  - Siblings of currently enrolled children.
4. Families on the current waiting list, prioritised according to need, using the following criteria:-
  - Children in Aboriginal and Torres Strait Islander families.
  - Children in families which include a disabled person.
  - Children in families with lower incomes (set to CCS threshold point).
  - Children in families from a non-English speaking background.
  - Children in socially isolated families.
  - Children of single parents.
  - Children in families that have recently arrived in Australia.

Priority will be assessed taking each of above factors into account and making a judgement based on the information available. The factors are not ordered.

5. Any other family on the current waiting list, prioritised according to the criteria in Step 4.

#### **Attachment 4 – Replacing a child who requires care under Priority 1.**

If no available place is for a child / ren under priority in an age group the following steps will be followed;

- CKCC will ask a family / ies to vacate a place for the priority 1 child / ren.
- The family / ies will be chosen according;
  - One parent at home not working.
  - One parent studying.
  - Last enrolment to take up a place in the room.