

New absences reasons

Currently, if a child is booked in to start at a service on a particular date but does not start on that day, no Child Care Subsidy will be paid until the child physically attends a session of care.

Similarly, a child care service is taken to have permanently ceased providing care for a child on the day the child last physically attends a session of care. If a family has confirmed their child's last day at a service, but that child does not attend their last booked session(s) of care, no Child Care Subsidy will be paid for any days after the child's last physical attendance at the service.

These current rules for absences before first/after last physical attendance are intended to prevent the inappropriate use of absence provisions by child care providers. However, it is apparent that the lack of any flexibility in the application of these rules can result in families being unfairly disadvantaged in some circumstances.

An amendment included in the *Family Assistance Legislation Amendment (Building on the Child Care Package) Act 2019*, which was passed by Parliament in December 2019, allows particular circumstances in which an absence may be eligible before a child's first, or after their last, physical attendance under an enrolment, to be prescribed in the *Child Care Subsidy Minister's Rules 2017* (Minister's Rules).

The new absence reasons

An amendment adding the following absence reasons will be made to the Minister's Rules in March 2020 so that absences will be paid before first/after last physical attendance for up to 7 days. (See clarification 1 below for more information). These are referred to as 'prescribed' absence reasons.

There are four new 'prescribed' absence reasons:

- 1) Service has changed ownership
- 2) Usual service closed and child attending different service under the same provider
- 3) Enrolment ceased incorrectly
- 4) Family tragedy

There is also a change in the treatment of when a child is ill is payable as prescribed in these circumstances:

- Child is ill
 - With or without medical evidence if under 42 days
 - With medical evidence if over 42 days

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These new prescribed absence reasons will pay for up to 7 days from the day of physical attendance at the beginning or end of an enrolment where the absence requirements are met, as long as the child has not used their allowance of 42 days per financial year.

If the child has used their allowance of 42 days per financial year, then any of the existing additional absence reasons will pay for up to 7 days from the day of physical attendance at the beginning or end of an enrolment where the absence requirements are met. As per current provisions, these additional absence reasons require the provider to retain documentary evidence, but no evidence is required to be uploaded to the system.

Current additional absence reasons:

- 5) Child is ill (medical certificate required)
- 6) Individual caring for child is ill
- 7) Partner of individual caring for child is ill
- 8) Individual who lives with this is ill
- 9) Child attending pre-school
- 10) Pupil free day
- 11) Court order or parenting order in place
- 12) Local emergency – service closed
- 13) Local emergency – unable to attend
- 14) Local emergency – child's carer does not wish child to attend
- 15) Not immunized against particular infectious disease and absence during grace period

If a child has already used 42 absences in the financial year, the absence will only pay CCS if the service selects an additional absence reason (for example 'Pupil free day'). If the child is absent before or after care, and the service selects a reason that is not an additional absence reason (for example 'Service has changed ownership'), CCS will not pay.

Absences on the same day as first or last attendance will now follow existing absences rules. i.e. if a child has not used their 42 absence days, the absence can be taken for any reason. If the child has used their 42 absence days, the absence will only pay CCS if it is for an additional absence reason.

These new absence reasons will only pay once the first physical session of care is established for the child. The expectation is that, where prescribed absences are submitted on session reports prior to the first physical session of care being recorded, payment will not initially be made to the service and, when the first physical session of care is later established, the system will re-assess (re-process) any prescribed absences that were submitted in prior session reports, and pay the provider if the prescribed absence took place within 7 days of the physical attendance.

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