



PAYMENT OF SERVICE FEES AND PROVISION OF A STATEMENT OF FEES BY THE SERVICE POLICY

P4.0321.3

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DIVISION: Sport, Community and Activation

BRANCH: Community Outcomes - Family Day Care

CATEGORY: 3

PART 1 – INTRODUCTION

1. BACKGROUND

1.1 Camden Council Family Day Care (FDC) is a not for profit service. We strive to ensure the service's operational fees and charges maintain our financial viability and ability to continue to provide a high-quality standard of education and care into the future while maintaining affordability for families.

1.2 FDC educators registered with our service operate as sole traders and as such have the right to set their own fees and charges with accompanying terms and conditions within the scope of this policy and procedures.

1.3 The *Education and Care Services National Regulations* require Approved Providers to ensure their services have policies and procedures in place for the payment of fees and the provision of a statement of fees charged by the service.

2. OBJECTIVE

2.1 Through this policy and related procedures, we aim to ensure:

- Fee processes of both Camden Council FDC and the individual educators are clear and transparent.
- Information about fee payments and processes are easily accessible to families and the community.
- The setting of fees and process' for payment consider and abide by all legislative requirements and guidelines contained within the *Child Care Provider Handbook* and Camden Council policy for fees and charges.
- Records are managed efficiently and accurately.

3. SCOPE

3.1 This policy applies to:

- Camden Council FDC Service
- Staff
- Educators

- Children enrolled in an FDC Service and their families.

4. DEFINITIONS

- 4.1 **Approved Provider** means a person who holds a provider approval (*Education and Care Services National Law*). A provider approval authorises a person to apply for one or more education and care service approvals and is valid in all jurisdictions. The Approved Provider for the purposes of this policy is Camden Council.
- 4.2 **Australian Children’s Education and Care Quality Authority (ACECQA)** means means the independent national authority that assists governments in administering the National Quality Framework including the provision of guidance, resources, and services to support the sector to improve outcomes for children.
- 4.3 **Child Care Subsidy (CCS)** means the main Australian Government payment to assist families with the costs of education and care for their children. It is, with some exceptions, paid directly to providers to be passed on to families as a fee reduction. Families make a co-contribution to their fees and pay the provider the difference between the fee charged and the subsidy amount.
- 4.4 **Co-ordination Unit** means the Camden Council FDC principal office and main faculty for running the service from which staff work.
- 4.5 **Co-ordinator** means a member of the Co-ordination Unit employed by the Approved Provider to monitor and support the FDC educators registered with the service.
- 4.6 **Complying Written Arrangement (CWA)** means an agreement between a child care provider and an individual, to provide child care in return for fees that includes required information under the family assistance law for subsidised care.
- 4.7 **Educator** means an individual suitably qualified and registered by Camden Council FDC to provide education and care and refers to the educator as the business owner, educator assistant or relief educator.
- 4.8 **Family Day Care (FDC)** means a type of education and care service that is run from the educator’s own residence or an approved venue for the purpose of educating and caring for small groups of children aged 0-12 years.
- 4.9 **FDC Service** means the FDC education and care business of each individual educator or refers to Camden Council FDC service.
- 4.10 **Gap Fee** means for families entitled to claim CCS, the out of pocket cost left to pay to the educator for their childcare fees once their CCS entitlement has been calculated.
- 4.11 **Holding Deposit** means a payment made by families to an educator as a part of their enrolment agreement, where this forms part of the educator’s business practice as stated in their fee schedule. It is refunded to the family upon termination of care, or where a debt is incurred by the family it is retained by the educator to cover the debt.

- 4.12 **Nominated Supervisor** means a person appointed by the Approved Provider and who has given consent to be appointed to be in day to day charge of a service and must be contactable during the hour's educators are providing education and care.
- 4.13 **Notice period (fees)** means the length of time stipulated by a service to notify families before making any changes that will affect the fees charges or the way in which fees are collected. The notice period must be at least 14 days.
- 4.14 **Parent/Guardian** means the child's mother or father or other person responsible for the child through a court of law as their legal guardian and does not include a parent who is prohibited from having contact with the child.
- 4.15 **Service Operational Charges** means a fee or charge that contributes to Camden Council FDC services income.
- 4.16 **Staff** means employees of Camden Council FDC.
- 4.17 **Statement of Entitlement** means providers must provide every fortnight a statement to parents/guardians eligible for CCS for children enrolled in their service. This statement must include details of the sessions of care provided and the resulting fee reduction amounts. The provider will need to use information about entitlements and CCS payments for each child received in their payment advice (through their childcare software) to prepare these statements.

PART 2 - POLICY STATEMENT

5. PRINCIPLES

- 5.1 We are committed to providing all families the opportunity to enrol their children and aim to ensure the fees structure is fair and equitable and fees are affordable.
- 5.2 We value open communication with our families and ensure avenues are provided for this to occur between the family and co-ordination unit and the family and their educator.
- 5.3 Clear processes are in place for the review and determination of all fees and charges. Operational fees are reviewed in line with the Consumer Price Index (CPI). Educators determine their own fees, terms and conditions, and the Approved Provider retains and can provide a service wide Fee Range.
- 5.4 Notification period requirements for informing families of changes to fees are set and must be adhered to.
- 5.5 Families are informed upon enrolment about all relevant fees and charges and the Australian Government's CCS system.
- 5.6 Our fee structure is clear and transparent, and our systems and practices ensure that attendances are recorded accurately, payments are processed correctly, statements are provided to families and records related to the financial gain of the service are an accurate record. It is understood that falsifying records is a crime.
- 5.7 We prioritise good governance and quality management and ensure all CCS legislative requirements are met. Camden FDC and educators use software that is approved for this purpose.

6. CONSIDERATIONS

6.1 Considerations for action

- 6.1.1 The Approved Provider of the FDC service reviews operational fees and charges annually to determine the fee level required to meet budget predictions and ensure the financial viability of the service.
- 6.1.2 Educators set their own individual fees, terms and conditions called a fee schedule. Their fees are reviewed and determined annually in line with Camden Council FDC's fee review. Additional changes to an educator's fee schedule other than at this time will incur a fee. Educators must charge the same fee and apply the same fee rulings for each of their clients for the same service.
- 6.1.3 The service will comply with the Australian Government requirements to be an approved education and care service for the purposes of CCS including all requirements relating to reporting claiming and administering the subsidy.
- 6.1.4 Camden Council FDC fees and charges are provided to families in writing prior to enrolment.
- 6.1.5 Educators will communicate their fees to families upon enrolment. Families will be required to sign the fee schedule and will be provided with a copy.
- 6.1.6 Camden Council FDC provides enrolling families information relating to their CCS assessment, and parents/guardians are responsible to pay fees according to their assessment.
- 6.1.7 Educator fee schedules outline their fees for service and individual terms and conditions and must advise of all applicable fees including:
- Fee for all types of care the educator provides e.g. regular hours, casual care, before and after school care, vacation care, weekend care, overnight care, public holiday care.
 - Variations in fees e.g. fees for different age groups.
 - Late fees.
 - Holding deposit.
 - Auxiliary charges e.g. provision of food, laundry services.
- 6.1.8 Educators must charge families according to their fee schedule. The same fee and fee rulings apply for all equivalent care arrangements and fees cannot be changed or negotiated by families.
- 6.1.9 Educators cannot charge families for sessions of care where care is not available except in the case of a public holiday. The decision to charge for public holidays forms part of the educators' own terms and conditions and must be communicated on their fee schedule. Educators can only submit attendances for public holidays when all of the following apply:
- The intention to charge for public holidays is specified in the educator's fee schedule terms and conditions.

- The public holiday falls on a day the educator usually operates.
- The educator provided care either one day prior and/or one day immediately following the public holiday in that same week.
- The public holiday falls on the child's regular booked day as specified on their current CWA.

6.1.10 Enrolled families will be provided with a minimum of 28 days' notice of any changes that will affect the fee charges or the way in which fees are collected.

6.1.11 Child care fees and approved associated charges are not subject to GST.

6.1.12 To receive CCS families must meet the Australian Government's eligibility criteria. It is the responsibility of families to apply for and manage their personal information in relation to CCS.

6.1.13 A CWA states the agreed child care arrangement between the family and the FDC educator for each enrolled child and must be signed by the family upon enrolment.

6.1.14 Families are responsible for completing accurate attendance records for their child.

6.1.15 When a child is absent families must notify the educator as soon as practicable, and absences must be recorded on the child's attendance record.

6.1.16 Intention to terminate a position must be notified to the educator in writing in accordance with the educator's individual terms and conditions as outlined in their fee schedule.

6.1.17 Families may be charged full fees for absences that occur in conjunction with their termination of care and this will be determined according to the current CCS legislation and rulings at that time.

6.2 Considerations for fee payments and fee records

6.2.1 Educators as individual business owners must abide by the terms of an agreement between the Educator and the Approved Provider (Educator Agreement) and are responsible for organising and collecting the gap fee payment and other relevant payments as set out in their fee schedule; for example, a Holding Deposit from the parent/guardian.

6.2.2 Educators submit attendances to the co-ordination unit each week through the service software system and the co-ordination unit processes time sheets fortnightly. Attendance data will align with the families CWA and include any additional care. It is best practice for attendances to be authorised by the parent/guardian and educators encourage them to do so.

6.2.3 A Statement of Entitlement is issued by the co-ordination unit to each family each fortnight and includes details about the sessions of care provided, actual attendance and fees. It is the responsibility of the parent/guardian to check this record against the gap fee charged by the educator.

- 6.2.4 Parents/guardians are required to pay their educator fees in accordance with the relevant fee schedule for all care booked including when absent.
- 6.2.5 Educators determine the method by which families make payment of fees. Camden Council FDC recommends the use of electronic payments for transparency of transactions.
- 6.2.6 Educators will each have their own record keeping procedures for fees and are strongly encouraged to provide families with a dated receipt for each payment received.
- 6.2.7 Camden Council FDC and/or the educator reserves the right to terminate care where fees are not paid in accordance with this procedure. Families with debts may be refused care with an alternate educator until the debt is cleared.
- 6.2.8 Details for the implementation of this policy form part of the *Fee Structure* procedure.

7. ROLES AND RESPONSIBILITIES

7.1 Approved Provider

- Ensure that all legislative and regulatory requirements for fee payments are met.
- Ensure the service meets all obligations under the *National Quality Framework*.
- Ensure this policy and related procedures are in place.
- Take reasonable steps to ensure that the Nominated Supervisor, educators, and FDC staff follow this policy and its related procedures.
- Ensure the Nominated Supervisor and Co-ordination Unit have access to appropriate resources for the development, implementation, training and ongoing management of this policy and its related procedures.
- Ensure fees for the service are reviewed and determined in consultation with Camden Council fees and charges.
- Ensure the service has a fee schedule range within which educators can set their fee for service.
- Ensure educators have a fee schedule in place and that they charge families according to their fee schedule.
- Ensure a CWA is in place for each child which specifies the booked days (sessions) and hours required for each child's session of care. This ensures that all parties are fully aware of their commitment and obligations regarding fees and charges and responsibilities in relation to payment.

- Notify families at least 14 days before changing the policy or procedures if the changes will affect the fees and charges and/or significantly impact the service's education and care of children or the family's ability to utilise the service.

7.2 Nominated Supervisor

- Complete responsibilities as delegated by the Approved Provider.
- Implement this policy and related procedures.
- Ensure educators have a fee schedule and that fees fall within the service fee range schedule and fee rulings are fair.
- Ensure educators and the Co-ordination Unit communicate with families at enrolment about fees, including:
 - The amounts charged.
 - Payment periods and methods.
 - How the CCS or other government subsidy will be applied.
 - Notice periods.
 - How they can access copies of statements.
 - Appropriate action to take should they be experiencing financial hardship.
- Ensure educators provide a copy of their fee schedule to families upon enrolment and discuss payment processes specific to their service.
- Recommend educators retain records of financial transactions.
- Ensure educators have methods for ongoing communication with families about their account.
- Monitor the application of the CCS and other government subsidies.

7.3 Coordination Unit Staff

- Ensure they follow Camden Council FDC policy and procedures and implement and maintain all requirements under these and as directed by the nominated supervisor.
- As delegated by the Nominated Supervisor, monitor the implementation of this policy and procedures by educators.
- Facilitate induction and ongoing training of educators in this policy and procedures.

7.4 Educators

- Ensure they conduct themselves and their service practices in accordance with all legislative requirements and Camden Council FDC policy and procedures and as directed by the nominated supervisor.
- Are aware of and understand that in the case of a FDC education and care service the obligation of an Approved Provider is also the obligation of the FDC educator.
- Implement this policy and related procedures.
- As agents of the Approved Provider carry out the terms of the agreement between the educator and the Approved Provider (Educator Agreement) and organise and collect the gap fee payment and other relevant payments such as the Holding Deposit from the parent/guardian as outlined in their fee schedule.
- Develop a fee schedule and set their service fees and rulings within the service fee range.
- Educators' fees are specified under the requirements of the CWA prior to being signed by parents.
- All families using the same type of care are charged the same fee irrespective of the parent's affordability or other circumstances.
- Implement procedures for the payment of service fees.
- Provide families with a fee schedule and discuss the fees, terms, conditions, and process for payments at the enrolment interview including:
 - The amounts charged.
 - Payment periods and methods.
 - How the CCS or other government subsidy will be applied.
 - Notice periods.
 - Financial record processes specific to their service for example invoicing and receipting.
- Act as an agent and collect and retain the parent portion of the fees on behalf of the service. Collecting this portion of the fee, as well as any debt incurred by the non-collection of fees, will be the educator's responsibility.
- The schedule of fees developed by educators must contain statements setting out all fees, charges, conditions of payment in their services and must include the following:
 - Educator's working hours, including days.
 - Fees charged for standard and non-standard periods of care such as public holidays and weekend rates.

- If families require the educator to work additional hours, regardless of absent days, there will be a charge for the additional time.
- The parent is liable to pay full fees for care that is not covered by CCS entitlements.
- Educators are required to inform families as early possible if they are not available to provide care.
- Educators must seek written approval to use a relief educator. The arrangements for payment are agreed upon between the educator and relief educator and must be communicated to families as relevant.
- Educators are encouraged to give the service and parents at least two weeks' notice when taking leave.

7.5 Families

- Ensure they understand the service's fee requirements and expectations at enrolment and any ongoing changes.
- Meet the fee requirements.
- Raise any fee-related questions with their educator.
- Check their Statement of Entitlement sent from the co-ordination unit and communicate discrepancies.
- Adjust fee payments to the educator where a change has occurred to their CCS entitlement.
- Understand that fees are charged based on the signed CWA and approved timesheets for their child.
- Check and sign a CWA prior to their child starting care.
- Have an emergency back-up person for care should the educator be unable to work. Communicate with the co-ordination Unit about the possibility of alternative care if required.
- Be aware there is no charge for care when the educator is not available to work.
- Provide notice to their educator if intending to terminate a child's position in accordance with the educator's fees schedule terms and conditions.
- Follow up on CCS eligibility for their family. The service is responsible for adhering to the CCS legislation and changes may affect fee charges accordingly.

8. INDUCTION AND ONGOING TRAINING

- 8.1 Induction and ongoing professional development will be implemented for all educators and FDC staff, focusing on this policy and related procedures.

- 8.2 Educator induction will be implemented as a part of the registration process. Their ongoing training requirements and review of their service environments and practices occurs annually at the time of re-registration and as a need is identified.
- 8.3 Information will be shared with relief educators on induction and as relevant to the environments that they are working in.

9. MONITORING, EVALUATION AND REVIEW

- 9.1 This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this policy every three years.
- 9.2 Families, educators, and FDC staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.
- 9.3 In accordance with Regulation 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

10. SOURCES AND RESOURCES

- [ACECQA](#)
- [ACECQA Guide to the National Quality Framework](#)
- [Child Care Subsidy](#)
- [Child Care Provider Handbook](#)

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RELEVANT LEGISLATIVE INSTRUMENTS: *Children (Education and Care Services) National Law (NSW)*
Education and Care Services National Regulations
Family Law Act 1975
National Quality Standard | Australian Children's Education and Care Quality Authority (ACECQA)
Privacy Act 1988 (Cth)

RELATED POLICIES, PLANS AND PROCEDURES: Enrolment and orientation policy
Fee Structure procedure
Fees and Charges Schedule
Governance and management policy

RESPONSIBLE DIRECTOR: Director Sport, Community and Activation

APPROVAL: General Manager through the Executive Leadership Group.

HISTORY:

Version	Approved by	Changes made	Date	EDMS Number
1			February 2012	
2			February 2019	
3	ELG	Minor amendments. Name changed from Fees and Associated Charges	19/05/2022	22/221270