



Fact Sheet: For Families

Changes to Family Assistance Law from 10 October 2016 – Information for families

The Australian Government is bringing forward measures to strengthen the integrity of the child care payments Compliance Framework to ensure the delivery of high quality, flexible and affordable child care to families.

What are the changes?

The changes commence from 10 October 2016 and will ensure that child care fee assistance is not payable for:

- care where there is not a genuine liability to pay fees
 - this means child care services must charge a fee for child care
- care that is predominantly transport
 - such as a bus service or driving children to and from school
- Family Day Care (FDC) provided in the child's own home, or where the parent is present
- FDC or In-Home Care (IHC) provided by an educator to their own (or their partner's):
 - Family Tax Benefit child
 - Regular care child
 - biological child/ren
 - adopted child/ren
 - foster care child/ren
 - a child whom the educator, or the educator's partner, has a legal responsibility towards
 - brother, sister, half-brother, half-sister, step-brother or step-sister.

The changes are made through the following determinations:

- *Child Care Benefit (Session of Care) Determination 2016* available at www.legislation.gov.au/details/F2016L01427.
- *Child Care Benefit (Children in respect of whom no-one is eligible) Amendment Determination 2016* available at www.legislation.gov.au/details/F2016L01425.

Why are the changes necessary?

The Government is concerned about serious non-compliance and potential fraud by some child care services. It has taken a range of actions to address non-compliance and practices that do not align with the policy intent of child care fee assistance. An important feature of its strategy is to strengthen Family Assistance Law where appropriate.

The changes demonstrate the Government's determination that child care fee assistance will only be available to support eligible families to access genuine, high quality education and care from suitable child care services. They signal that fraudulent use of the significant taxpayer investment in child care will not be tolerated.

Who is affected by the changes?

These changes affect all approved child care services including approved FDC services, the educators who provide care on behalf of approved FDC or IHC services, and families with children in approved child care.

What should you do?

To make sure you do not become involved in claiming money you are not entitled to and may have to repay, you should:

- not accept any offers for Government-subsidised 'free' transport for your children to and from school
- keep a record of the days and/or hours that your child attends child care
- review the statements provided by your child care service that show the time your child was in care, the total fees and the amount of child care fee assistance paid. You should receive these statements at least every three months
- check the statements against your own records. If you do not receive statements, make sure you speak to your child care service
- report any unexplained child care fee assistance payments.

If your service refuses to provide statements or you are concerned about any unexplained child care payments, suspicious activities that could be illegal or fraudulent, you should contact the Department of Education and Training on 1800 664 231 or tipoffline@education.gov.au.

You can provide this information anonymously.

More information

More information, including fact sheets regarding the new changes are available at www.education.gov.au/ccpc.

Disclaimer

This fact sheet is intended to provide general guidance only and is not a substitute for reading the Family Assistance Law. Links to the relevant legislative instruments are provided in this fact sheet.