

Question 1:

The child care sector encompasses children aged birth to 12 years and therefore feedback is directly related to 7.1 (Children).

Question 2:

Annex A – Child Care Services – proposed regulated activities refer to child care services defined under the Child Care Act 2001 – this should detail what the act says as the current definition outlined in Annex A leaves room for interpretation eg. Childcare? It mentions Family Day Care Schemes but leaves out In-Home Care and Occasional Care etc.

The second paragraph which outlines ‘commercial babysitting or child minding’. The definition of babysitting or child minding is antiquated and should be reworded to reflect contemporary terminology and the importance of the role of early childhood educators.

Question 6:

All persons in contact with vulnerable persons either supervised or unsupervised should be required to participate in the checking process. Persons who are in a responsible and/or leadership position but do not necessarily have contact with vulnerable persons eg. Board of management should continue to participate in a checking process to support the ‘fit and proper person’ definition under the Childcare Act 2001. As such persons in this capacity are responsible for many policy decisions and vision of the service and therefore it is vital that the checking process continue.

Question 7:

All persons in contact with vulnerable persons either on a voluntary basis or as an employee should be subject to the checking process. Under the current training structure in Tasmania, students as young as 15/16 years of age may be engaged on placements within childcare services. Although supervised, it is vital that they also participate in the checking process. This supports families sense of security that all persons in contact with their child/ren undertake a formal checking process and that the service has effective policies in place to support the safety of children.

Question 8:

Agree with the 7 day in a 12 month period exemption for people in contact with vulnerable people for infrequent or short periods. Although it is vital for any regulatory body to undertake the checking process even if they have contact for infrequent periods, given their role as a regulatory authority. This should also apply to training organisations eg. Supervisors of students and mentors eg. RTO’s, PSC and/or PSSP role. It should be clearly defined that persons should be fully supervised at all times.

Question 9:

All persons in contact with children in the childcare sector should participate in the checking process.

Question 10:

As above

Question 11:

Although the point made is valid, vulnerable persons must be protected and therefore it is paramount that employers also undertake a checking system to support the safety and security of vulnerable persons if they are employing or supervising persons under the age of 18.

Question 12:

Having exemptions (other than those where other forms of checking are already in place) waters down the protection system.

Question 13 & 14:

Currently within the childcare sector, individuals are responsible for organising the safety screen assessment (no charge) themselves and the current system is supported in continuing.

Employer's responsibilities are to sight the original safety screen assessment. The proposed changes of attending a Service Tasmania Outlet for a Photo places unnecessary burden both in terms of time, cost and supplying proof of identity. Persons working in the childcare sector receive low remuneration (nil for volunteers and students) for such a vital role and increased cost burdens will be another barrier to recruitment and retention.

The average cost is estimated to be \$100 (Part 18.3) and this is to be worn by the individual is not supported as the current system through the Department of Education Grievance Unit is free of charge. For a self employed Family Day Care Educator and persons residing at the residence and/or are frequent visitors could indeed place a high financial imposition and indeed be a barrier for the future recruitment of Family Day Carers.

There is no time guarantee and even a potential timeframe for completion of the checking system. Although the current system does not stipulate a guarantee time, feedback to the Department of Education Grievance Unit has been taken into consideration over the years and currently a short timeframe of return is in place. Given the changes to a completely different portfolio (Health rather than Education), is the same timeframe guaranteed.

Question 15:

The requirement for services to provide

- a declaration that the applicant has been offered, or is working in, a position which is likely to require that a check be undertaken;
- the contact details of the employer or organisation; and a signature of a responsible person in the organisation.

The proposed changes place additional administration burden on services already stretched to administration capacity and therefore impacting on the ability to support strong pedagogy. The sector currently is in crisis in relation to recruitment and retention and therefore this additional administration requirement will definitely impact with many services undertaking recruitment tasks (both permanent and casual) consistently to ensure they continue to meet the standards.

There may also be confusion with the definition of responsible person eg. A responsible person from within the organisation and a responsible person as defined with the Child Care Act 2001.

Question 16:

Agree

Question 18:

In the case of family day care educators and/or other persons working within a childcare service that may have the responsible for transporting children – In this scenario driving records do inform the person's ability to undertake 'the inherent requirements' of the job, therefore should be included in the checking process eg. They may have several recent driving offences that increase the risk to the safe transportation of vulnerable persons.

Question 21:

The current safety screen assessment is valid for a three (3) year period and therefore, we do not agree with the proposed five (5) year period and relying on self disclosure. Under the current system childcare services make contact with the Department of Education Grievance Unit to ascertain whether the safety screen is indeed current, therefore this practice is already firmly in place.

Question 27:

The childcare sector is heavily regulated with a number of compliance checks in place. It is a requirement under the Child Care Act 2001 that persons in contact with children must be 'fit and proper' and therefore the compliance requirements of this have already been established. Adding another Government Department to the compliance checking system for child care services only adds to the administration burden and does not have any impact on quality or the safety of children in early education and care settings. Indeed under the Child Care Act 2001, this would potentially mean two (2) agencies performing the same role (a definite misuse of Tax Payers monies).

Question 28:

Currently the childcare sector comes under the umbrella of Education and the move to the Department of Health would complicate this process eg. Two different Departments governing components of the regulatory system.

Question 29:

Currently there is no charge within the childcare sector for a safety screen assessment and therefore a charge under the new system is definitely not supported.

Question 30:

The childcare sector currently has an effective and efficient safety screen assessment process in place.

Annette Barwick (Secretary)
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