



Absences from care

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It is a condition of approval and continued approval for Child Care Benefit (CCB) purposes that services comply with Family Assistance Law.

Absences occurring at approved child care services are governed by the *A New Tax System (Family Assistance) Act 1999* (the Act).

Failure to meet these obligations is a criminal offence and may incur a penalty of up to \$6 600 for an individual and up to \$33 000 for a body corporate. A service that does not comply with these obligations may also be sanctioned under the Act.

CCB is paid in certain circumstances when a child is absent from child care and a fee is still charged for those sessions of care that the child did not attend. The Act specifies the two types of absences for which CCB can be paid – Initial 42 absence days and Additional absences days.

Initial 42 absence days

Each child is eligible to receive CCB for an initial 42 absence days per financial year. These absences can be used for any reason, provided care would otherwise have been provided on the absence day. No evidence of the absence circumstance is required for the initial 42 absence days.

Public holidays are included in the initial 42 absence days if the service would have normally provided care to the absent child on the public holiday, and if fees have been charged in respect of the absent child for the day.

If a child has already used their initial 42 days absence, no further absences should be reported, unless those absences are Additional Absences.

Additional absence days

Once a child has used all their initial 42 absence days, additional absences may be reported if the absence occurs for specified reasons, which are limited to:

- an illness (with a medical certificate), or another absence due to sickness of the child, a parent or sibling, supported by medical certificates
- an outbreak of infectious disease, when the child is not immunised
- a parent being on a rotating shift or rostered day off
- a temporary closure of a school or a pupil free day
- the service is closed due to a period of local emergency or because of the period of local emergency the child is unable to travel to the service
- shared custody arrangements due to a court order, a registered parenting plan, a parenting plan or a parenting order

- attendance at preschool, or
- exceptional circumstances. Note: Limited to 20 days across all services and can only be paid if the service holds evidence to show that 31 or more of the 42 initial absence days were taken for the reasons set out in the Child Care Service Handbook.

Services must collect and keep all documentation to support the reporting of additional absences. There is no limit on the number of additional absences, providing relevant supporting documentation is held and the absence day is a day on which care would have otherwise been provided.

IMPORTANT INFORMATION

You cannot report initial absences:

- **before the service starts providing care to a child OR**
- **after the service stops providing care to a child.**

Some services charge a fee for holding a place prior to a child entering care. This is a business decision for the individual service. Absences must not be reported for these days even if a fee is charged. Under the Act, a child is not considered to have commenced care until the first day the child attends the service and receives care.

Some services may continue to charge a family for a limited time after a child ceases care (for example, because the family did not give sufficient notice in accordance with a service's stated policy). Under the Act, a child is considered to have ceased care after the last day the child actually attended the child care service.

An absence day for CCB purposes can only be a day on which care would have otherwise been provided. The Act therefore does not permit CCB to be paid for days before the service has started providing care or after the service has stopped providing care and services can neither record nor report these days as absences.