

Children and Young People Childcare Services Assessment Requirement 2009 (No 1)

Disallowable instrument DI2009–12

made under the

Children and Young People Act 2008, section 774 (Assessing compliance with childcare services standards)

EXPLANATORY STATEMENT

1 Introduction and Purpose

This section outlines the purpose of the Childcare Services Assessment Requirements and the application of the requirements. The Childcare Services Assessment Requirements apply to Children's Policy and Regulation Unit and requires at least one formal assessment of each service's compliance in their licence period.

2 Legal Authority and Obligations

Childcare Services Assessment Requirements are made pursuant to section 774 of the *Children and Young People Act 2008*. This section allows the Minister to make requirements for the Chief Executive's assessment of licensed childcare services' compliance with the *ACT Childcare Services Standards*.

3 Authorisations and Delegations

An authorised officer of the Children's Policy and Regulation Unit may conduct compliance assessments of any licensed childcare service in the ACT. The Manager or Assistant Manager of the Children's Policy and Regulation Unit must approve all compliance assessments undertaken by authorised officers.

4 Definitions

Operational terms used in the Childcare Services Assessment Requirements Policy and Procedure are defined in this section, such as an authorised officer.

5 Principles

This section outlines the relevant legislative principles under the *Children and Young People Act 2008* that must be considered by all decision makers making decisions under the Act and all policies and procedures. It also outlines operational principles such as the use of proactive strategies to illicit compliance.

6 Policy and Procedure – summary of sections

Assessing Compliance (section 6.1-6.5)

This section describes the way in which authorised officers of the Children's Policy and Regulation Unit will assess compliance with the *ACT Childcare Services Standards*.

Frequency of Assessing Compliance (section 6.6-6.7)

Pursuant to section 774 of the *Children and Young People Act 2008*, each service must be assessed at least once during their licence period. The CPRU may fully or partially assess a service's compliance more than once in their licence period.

Conducting a Compliance Assessment (section 6.8)

A service representative must be informed at the time of the visit if an authorised officer intends to conduct a compliance assessment utilising the Compliance Assessment Checklist.

Using the 'Compliance Assessment Checklist' (section 6.9)

This section outlines the use of the Compliance Assessment Checklist. It may be used as a cumulative assessment of compliance throughout a licence period, as a one off assessment, as a strategy to illicit compliance, or as an audit tool.

Using the 'Record of Visit' form (section 6.10-6.13)

A record of visit must be provided to the service within a reasonable timeframe of any visit to the service by an authorised officer. This section also outlines how a record of visit form may be used.

Training (section 6.14)

The Manger and Assistant Manager are responsible for ensuring Children's Policy and Regulation Unit staff are trained in this policy and procedure.

Media (6.15-6.16)

This section reflects departmental policy regarding interaction with the media. Children's Policy and Regulation Unit staff may not provide information to the media unless approved by the Chief Executive, and must direct all media enquiries to the Manager, Media and Communications, Department of Disability, Housing and Community Services.

Information, Review of Decisions and Complaints (section 6.17-6.21)

This section describes the key principles regarding provision of information, and review of decision and complaints mechanisms as they relate to this policy and procedure.

7 Forms and Templates

The relevant forms and templates are listed in this section.

8 Related Policies and Procedures

Policies and procedures that may relate are listed in this section.