



Coronavirus (COVID-19)

Periods of local emergency and absences for child care providers and services

The Australian Government has amended Family Assistance Law and made minister's rules to support families and early childhood education and care services to manage COVID-19

If services have to temporarily shut down on public health advice a 'period of local emergency' applies under Family Assistance Law

Where services are directed to temporarily shut down

As a result of COVID-19, if services have to temporarily shut down because a public health official requires it, Child Care Subsidy and Additional Child Care Subsidy can continue to be paid for allowable and then additional absences.

Services directed to shut down because of COVID-19 should follow standard processes for activating a 'period of local emergency':

- Contact the Department of Education, Skills and Employment (the department) in your state or territory (see contact details below) to advise of the closure and period of closure. This should happen before reporting additional absences from sessions of care where a child's allowable absences have been exhausted.
 - In recognition of the impact of COVID-19, for the 2019-20 financial year, families are entitled to 62 allowable absences, rather than the standard 42 allowable absence days.
- The department will confirm the service has been closed in response to a period of public health advice in relation to COVID-19 and will activate local emergency provisions in the Child Care Subsidy System. Only after this time will families have access to additional absences for the closure.
- Additionally, a new amendment to Family Assistance Law means that providers are **not** required to recover the gap fee from families after Child Care Subsidy has been applied. For many services, this will simply mean **not** charging the gap fees to families. This provision only applies for period of

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directed closure, and once the period of forced closure expires, the requirement to recover the gap fee must be reinstated.

- The Government expects services to support families by **not** recovering the gap fee in the event the service is closed on public health advice.
- A legislative requirement is in place that providers must not increase fees during this period.
- Session reports must be submitted no later than 14 days after the end of the week in which a session (including an allowable absence) occurred. If this is not possible because of the circumstances around the closure, the service should contact the Child Care Subsidy Helpdesk via email on ccsheldes@desegov.au or call 1300 667 276.
 - It is a business decision for each child care provider whether or not they choose to charge families a fee while closed during a local emergency. There is no legal obligation for providers to charge fees during this time.

Contact details for state and territory offices

New South Wales & Australian Capital Territory CCSAssessments-NSWACT@desegov.au

Victoria CCSAssessments-VIC@desegov.au

Queensland CCSAssessments-QLD@desegov.au

Western Australia CCSAssessments-WA@desegov.au

South Australia ChildcareSA@desegov.au

Tasmania ChildcareTasmania@desegov.au

Northern Territory ChildcareNT@desegov.au

Where services stay open and children are not attending

It is a business decision for each child care provider whether or not they choose to charge families a fee while they are absent from sessions of care.

During the COVID-19 related event, the Government encourages services to consider what flexible arrangements they can offer families during this difficult time.

Where services stay open, but children cannot attend for COVID-19 related reasons, families have access to more allowable absences enabling Child Care Subsidy to keep being paid - 62 allowable absences in the 2019-20 financial year, rather than the standard 42 allowable absence days.

Once their allowable absences are exhausted, families can use additional absences for COVID-19 related reasons, including illness and self-isolation.

Where a service makes a business decision to close

If a service decides to close, and it has not been directed to do so by public health advice, subsection 8(4)(b) of the *Child Care Subsidy Minister's Rules 2017* provides that there is no entitlement to Child Care Subsidy for any fees charged while the service remains closed.

Further information

Please visit the Department of Education, Skills and Employment [Frequently Asked Questions](#) for more information for providers and services and [Coronavirus \(COVID-19\)](#) for the latest education and training sector fact sheets.

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