

What is licensed child care?

Is it child care?

"Child care" is care of a child:

- provided by someone other than a relative/guardian.; and
- at a place other than the child's home; and
- for reward.; and
- "in the course of a service for regularly providing child care".

NO

The care is outside the scope of the legislation - eg a person cares for her sister's children every Monday; or a person cares for 10 children every day but doesn't get any form of payment.

YES

Is it a child care service?

A service for regularly providing child care that is not excluded.

NO

What is not a child care service?

The care is not regular, or is a type of care excluded by the legislation.

Examples of types of care excluded by the legislation:

- "a service for providing primary, secondary or special education";
- "a service principally conducted to provide
 - therapeutic services;
 - residential facilities;
 - instruction in a particular activity, eg dance, music or a sport;
 - tutoring, coaching or religious instruction;
 - a recreational activity, eg a camp or party".
- "a service for which, ordinarily, the children in care are entirely or mostly different on each occasion child care is provided, eg resort care for children of guests of the resort".
- "a service in which the only child care provided is:
 - holiday care
 - adjunct care
 - care of children who are at least 12 years old".
- "a licensed care service or foster care under the *Child Protection Act 1999*".

YES

How many children does the service care for at any one time?

If 6 or fewer children, then the service is a **STAND ALONE SERVICE** and is not required to be licensed but must meet set standards, eg stand alone care (previously known as independent home based care), or caring for 6 children in a hall every Thursday.

The standards are:

- "carer 18 years".
- "limits on number of children".
- "suitability notice" (criminal history check)
- "public liability insurance".

If 7 or more children are cared for at any one time, a person must have a **LICENCE** to conduct the service eg services now known as long day care, limited hours care and family day care, school age care etc.

This fact sheet has been prepared by the Department of Communities to assist users of the *Child Care Act 2002* and the *Child Care Regulation 2003* in understanding the requirements of important provisions. If there are any inconsistencies between this document and the legislation, the legislation must be followed. You should refer to the legislation to properly understand its requirements.

For a list of Department of Communities regional office contacts please call the Child Care Information Service on 3224 4225 or freecall outside of Brisbane 1800 637 711.

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