

# Operational Policy

Department of Communities

Disability Services Queensland

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**Title:** Determining rest periods for child care licences  
**Policy No.:** 353-2  
**Category:** Child care and family support > child care

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**Date of approval:** 30 May 2007  
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**Office:** Program Management Directorate  
**Help Contact:** Office for Children 3224 4557

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## Authority:

Section 63 of the *Child Care Act 2002*

In respect of a licence to operate a centre based child care service, the Chief Executive may determine that certain periods of the day are "rest periods" during which different staffing standards apply.

## Objectives:

This policy aims to provide a guide to the department about the appropriate circumstances in which rest periods should be applied to a licence, and to ensure consistency in the way that requests for rest periods are determined across the State.

## Scope:

This policy refers to rest periods for centre based child care services. By including section 63 in the *Child Care Act 2002* and section 25 of the *Child Care Regulation 2003* it is acknowledged that some periods of the day in a child care centre may be rest times for children which may mean it is acceptable for different staffing standards to apply without compromising the safety and welfare of the children in care at the centre during that time.

## Principles:

In determining whether rest periods should be applied as a licence condition of a licence, the Department will ensure that:

1. the best interests of the children using the child care service is the paramount consideration; and
2. the licensee's representations in respect of the matters listed in subsection 63(3) of the *Child Care Act 2002*, together with all the relevant circumstances will be considered.

## Policy Statement:

The Department is committed to ensuring that specified rest periods will be approved in all circumstances where the licensee establishes that the safety of children will not be compromised and the criteria outlined in the legislation have been adequately addressed.

## Roles and Responsibilities:

The delegated decision maker will determine applications for rest periods on a licence based on the considerations and requirements in section 63 of the *Child Care Act 2002* and section 25 of the *Child Care Regulation 2003*.

## Delegations:

Regional Directors, Managers, Community Capacity & Service Quality and Manager, Statewide Quality Team for Childcare Licensing are delegated officers for the purposes of making decisions concerning rest periods on the licence.

## Links:

### Procedures

Determining rest periods for child care licences

**Related Policies**

Licensing child care services policy (434-1) and procedure (433-1)

**Related Legislation or Standard**

*Child Care Act 2002*

*Child Care Regulation 2003*

**Rescinded Policies**

Determining rest periods for child care licences (353-1)

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**Director-General**