



Let me begin the New Year by wishing all of our members and those of you who read the employer update, a happy 2006. A big thankyou to all of the Treasurers and Committees who have already paid their 2006 membership as this assists in keeping the potential increases to a minimum; your assistance in prompt payment is appreciated.

CSEAQ – Changes its name after 32 years

For thirty-two (32) years we have been known as CSEAQ, Childrens' Services Employers Association Queensland - committed to providing quality services and support to what is now a significant membership of employers in the Kindergarten /Pre School, Child Care and Community Services sector.

While we are very proud of our achievements so far, we feel that it is time to change our name to better reflect our membership and the extent of our services today.

Following our Special General Meeting held at the Kenmore Tavern on the 7th December 2005, approval was given to alter both our current rules and our name we wish to advise from the CSEAQ to the ACSEA. We wish to advise our members that as from 20th March 2006, CSEAQ will change its name to ACSEA, Qld - Australian Community Services Employers Association, Queensland.

Stop Press

The Queensland Child Care Case

Commissions Critique

The Full Bench of the Queensland Industrial Relations Commission (QIRC) released its decision late last Friday afternoon in response to the LHMU application which sought a new classification structure and significant wages increases which averaged in excess of 122% coupled with having their claim backdated to 2004.

In response to the Unions ambit claims, the QIRC focused its concerns from the Union by going on record with the following comments;

"We reject the application made by the Liquor Hospitality and Miscellaneous Union, Queensland Branch, Union of Employees (LHMU) for the quantum of increases sought as excessive" and "We are concerned about the length of time this application has taken to reach a substantive hearing, particularly given that it is one where the argument for pay increases is compelling and in light of increases announced by the AIRC (albeit on different grounds) in January 2005"

The QIRC also went on to further say that it believed the claim went further than achieving equal remuneration, and put at risk the public interest consideration of ".....ensuring that child care retains its quality and remains both affordable and accessible."

One can appreciate the concern and frustration by the QIRC given that this case had been ongoing since 2004. Long before the full bench was convened, the ACSEA (formally the CSEAQ) had attempted to reach a reasonable outcome with the Union back in 2005. It is ironic that the Union now blames their own members for not achieving the result that even the QIRC thought to go on record as ... being excessive.

Increases

The increases are in range of \$55 p.w to \$77 p.w for one year Qualified Assistant, \$102 up to \$115 for two year Qualified Group Leader, three year Qualified Director receiving increases of \$150 up to \$208 per week.



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Classification structure

The Queensland Award classification structure remains unchanged and increases have been awarded on the existing structure. The addition of the Assistant Coordinator classification within the OSHC structure is the only change.

Phase in period

All increases are to be phased in over 2½ years i.e. 30 months. The first increase operative from 10 April 2006.

The average increase across the board is **18.38%**.

The phase in period identified by the full bench states that the increases will be phased in within 2 ½ years however in conflict with its own decision the full bench identifies that for most employees they will receive their increases within the first 12 months. The practical outcome is at odds with the intent and meaning of a practical phase in period of 2 ½ years.

For more information wage rates etc. please go to our web site www.cseaq.org

2005 in Review

It had been a great pleasure meeting many of you as I go around the State conducting seminars, and for those that I haven't had the pleasure of meeting yet I look forward to that opportunity.

In the early part of the year we were in the Queensland Industrial Relations Commission (QIRC) incorporating the exempted status Clause into the P&C Award. The staff were kept busy compiling orders for the new member products which we released (this has not abated). Based upon an internet virus (Trojan horse I'm told by my children) we had to re-badge ourselves and purchase a new web site as the old one became so corrupted it became inoperable. We also went to a new format/ new look newsletter which we hope you enjoy.

We also hired a new trainee, Rebecca who has worked tirelessly updating our membership base. The traineeship system is a work of art as prior to its inception as the advertisement states it was a lot of paperwork for very little in return.

The latter part of the year saw the CSEAQ attending Melbourne, and ACT Industrial Relations Commissions for the Federal Child Care Case, which is currently underway in both NSW and Queensland. It will be very interesting to see where it all ends up. Should there be no agreement with the Union then all Private Child Care will automatically fall into a Federal regime, and the Not for Profits will be left to pick up the pieces.

Again during the latter part of the year we were back into the QIRC to have the P&C Award altered again. The P&C Award was changed to enable many of our members to operate a more efficient business. Behind the scenes Catherine, Susan and Elizabeth have been working hard to meet your expectations and where possible exceed those expectations.

We have also been working away at delivering a new range of services next year which will hopefully make the task of being on a volunteer committee a little easier and less onerous. We will keep you posted on these developments as they mature.

In summary, and at the end of my first year of managing the CSEAQ, can I say how impressed I have been with the quality of Committees that go to make up the various segments of the industry we represent. This ranges from P&C's, Kindergartens, Long Day Care Centres, Disability groups, OSHC etc. My congratulations to you all, you do a tremendous job.

New service to members

Member Benefits Added Value

During the latter part of 2005, we have been able to form a relationship with Dell Computers. I am pleased to announce that our members will be able to purchase computers at a reduced price through a customised link.

Unlike some other organisations who purport to offer cheaper deals, we do not skim a commission based upon numbers sold.

This offer is available to both employers and employees. Please support this web link if you or your staff are thinking of purchasing a computer for either work or home

www.dell.com.au/epp

Coincidence, No laughing matter, don't leave anything out

Just before the end of last year, we were asked to assist two (2) of our members in different parts of the State with difficulties they were having with their Trainee/s.

In both circumstances the training body had withdrawn the services of the trainee concerned leaving the centres breaching child ratio numbers as per the Child Care Regulations (Section 30 Number of Carers).

On behalf of our member's we contacted the respective training bodies questioning the withdrawal of the trainee. We were told by the training body concerned that the trainee was withdrawn for safety reasons e.g. the trainee was being physically assaulted by the staff at the centre.

When contacting the members we were told that "they didn't think that information was important". The staff members concerned have been employed for 8 & 10 years respectively. If found guilty of assault by Police those employees will have their Blue Card withdrawn and never work in the industry.

We are not here to judge you rather to assist you. Please disclose all the information in relation to your concerns when contacting us.

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You should consider the PDS before making a decision about becoming a member.*

Blue Card / Reference Checking

Please be aware that recently one of our members hired two (2) staff. They felt that the "Blue Card" would act as a deterrent by way of assisting them managing their probationary period i.e. no blue card.... no continuance of employment. One of the new employees failed to turn up for work. It was later discovered he couldn't turn up for work because he had been sent back to prison (a reasonable excuse), he had breached a condition of his parole (this is not the joke section of the Employer Update). Fortunately on this occasion he was not a convicted paedophile. There but for the grace of god go we.

The learning experience here is proper reference checking would have revealed unexplained breaks in his employment history. Contact the ACSEA if we can be of assistance in Recruitment and Selection of staff.

New Web Site

In addition to our name change we will be changing our web address to www.acsea.org Based upon your positive feedback on the existing web site, it is encouraging to hear that you are in-fact using the information within the web site to benefit your own operations.

Our aim is to keep it contemporary and topical about all issues which effect or impact our members in the areas of Industrial Relations Human Resources, and Workplace Health and Safety. Let us know if you would like us to address a particular topic.

Further Changes to Child Care Laws

Commencement of Child Care Amendment Regulation (No. 1) 2005 and Standard Building Amendment Regulation (No. 4) 2005.

The amendments became operative on 16 December 2005. As the amendments to the Child Care Regulation 2003 and the Queensland Development Code: Part 22 – Child Care Centres have commenced, all services are now required to comply with the amendments.

The amendments to the Child Care Regulation 2003 make corrections and clarify requirements for the provision of home based care, qualifications for staff members of a child care service, requirements for excursions and escorting children in care to and from the child care service and provides for the provision of written information to parents.

The amendments are contained in the Child Care Amendment Regulation (No. 1) 2005 which can be accessed on the Office of the Queensland Parliamentary Counsel website at <http://www.legislation.qld.gov.au/LEGISLTN/SLS/2005/05SL316.pdf>

The revised version of the Queensland Development Code: Part 22 – Child Care Centres is more readable and measurable. It is now separated by the three service types, namely long day care centres, school age care services and limited hours care services. The amendments also include provisions that increase consistency with disability access provisions made by the Building Code of Australia, better access to shaded outdoor areas with natural landscaping, enable facilities to reflect the tendency to later toilet training and reduced use of cloth nappies, and limit the facilities that may be shared by co-located child care services.

The new version of the Queensland Development Code, Part 22 – Child Care Centres published on 16 December 2005 is the standard that now applies to centres where the building approval application was lodged on or after 16 December 2005. This standard also applies to a centre where building works were conducted and the required building approval application for the building works was lodged on or after 16 December 2005. The new version of the Queensland Development Code Part 22 – Child Care Centres is available from the Department of Communities.

For further information concerning the amendments please contact your local Community Support Officer from the Department of Communities Regional Offices.

Members should carefully consider these new building requirements if they are thinking about any alterations to their

existing building because the new requirements could impact on their plans.

Contact ACSEA if you encounter any difficulties.

Warning

I apologise in advance to all the diligent Committee members out there.

Since returning from annual leave I have been stunned by the following experience. Whilst I am fully aware that finding quality Committee members is difficult, recently I have had an experience when one of our members phoned and communicated that the employee had given themselves a pay increase back in November 2005, and that the committee member wanted me to sack the employee for fraud.

Upon obtaining more information about this particular matter I discovered that the Treasurer had authorised all cheques before they were presented to staff in the form of wages.

I asked "why didn't the treasurer pick up the increase in wages"

The answer was "Oh the Treasurer never checks anything"

Time to sack the Treasurer don't you think??

Moral of the story.....run it like it's your own business and you can't go wrong.



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Accounting Advice

Before drawing up any cheque do up a reconciliation statement before any of the two signatures (Committee members) sign the cheques. It assists the cheques signatures become informed about what it is they are signing for. Don't become offended or let egos get in the road if questions are asked about the reconciliation.... that's the sign of healthy accounting and proper management.

NSW Child Care Case

The much awaited NSW Child Care Case was handed down on by the Full Bench the 7th March 2006 I am happy to give you a brief snapshot of the findings.

The full bench awarded a 16% flat increase across the board to all classifications within the NSW Child Care Award. Whilst 16% may sound a large increase over a two year implementation phase in, it is inclusive of any and all state wage based increases either handed down by the NSW Industrial Relations Commission and or the Australian Fair Pay Commission.

Caveat demtium (buyer be aware) its not rocket science.

Late last year (2005) we came across an organisation attempting to align itself with one of our competitors, hoping to sway membership away from the ACSEA.

What they failed to disclose to their members was the fact that the new prospective membership would be more expensive than the ACSEA membership, combined with the undisclosed fact that ancillary services such as representation in the Queensland Industrial Relations Commission would come at a cost of \$160 - \$200 per hour.

ACSEA membership offers free representation providing your follow our advice first. Manuals offered by our competitor are for sale at between \$1000 - \$1500 each. The ACSEA also offers free education seminars and our competitors charge like wounded bulls.

You don't need to be terribly gifted here to work out who is doing whom a favour. 99.99% of all ACSEA members are still with us. For the remaining 0.01% we have already been told that it was a terrible mistake. Beware of snake oil salesmen, make sure you get ALL the facts before you BUY.

NEW SERVICE TO MEMBERS

Insurance

Understanding your legal liabilities—the flip side to duty of care

What happens if you do not meet your duty of care?

As you know it is the legal and ethical responsibility of every child care centre operator to take reasonable steps to keep children out of harms way. This duty of care is expressly spelt out in the



Child Care Act 2002 and the courts are very strict in upholding it; they demand centres are safe and devoid of dangers. When accidents do happen, a breach of duty of care can leave child care centre operators liable.

What assistance is ACSEA giving members in this area?

In order to ensure members receive comprehensive cover for their legal liabilities, ACSEA is pleased to announce that a new referral agreement has been reached with Guild Insurance to provide a highly comprehensive, profession-specific business and liability insurance policy to all ACSEA members.

Why Guild Insurance?

Guild has been tailoring insurance for child care professionals for more than 30 years, building a very strong reputation for their comprehensive policies, delivery of promises and personalised service. Charles Hardy, ACSEA Executive Officer said, 'We want members to have access to the best protection available and we want to deal with an insurer that will help us prevent adverse events—this is Guild's speciality.'

What are your public liabilities—what does Guild Insurance cover?

Guild covers you for accidental harm to children, staff or visitors that results from hazards on the premises you own or occupy. While such injuries are not caused by breach of your professional duty, you owe a further duty of care to all people on your premises to take reasonable steps to ensure their safety—this is your public liability.

Is the Guild child care insurance policy limited to liability cover?

In addition to the liability component of Guild's child care policy, you also gain comprehensive cover for damage to premises and contents, burglary, business interruption, employee dishonesty, equipment breakdown, money, glass, business contents while in transit and personal injury.

If you would like to find out more about Guild's products and services or managing your liabilities contact on Guild Insurance on 1800 810 213 or go to guildifs.com.au.

Guild Insurance supports the ACSEA through payment of referral fees for insurance you take out. Guild also offers domestic insurance products (home/motor) to all ACSEA members.

Guild Insurance Ltd. – AFSL 233791



School Age Care and Licensing

School Age Care services in Queensland are currently being licensed under the requirements of the *Child Care Act 2002* and *Child Care Regulation 2003*. There are 547 school age care services

that provide before and /or after school care and vacation care with approximately 50% of these services holding a licence.

Community Support Officers from the Department of Communities are conducting the licensing process that includes an assessment of the services building and facilities, policies, programs, staffing, qualifications, suitability, health and hygiene practices.

The licensee may be an individual or a corporation that includes an incorporated body such as a Parents and Citizens Association. The executive members of the association; i.e., president or chair, vice president, secretary and treasurer are required to hold a current positive suitability notice (blue card) to demonstrate suitability of the licensee.

The Commission for Children and Young People and Child Guardian is responsible for issuing blue cards. Each executive member of the volunteer committee must complete Form B Person carrying on a business blue card application form and mark the form "Volunteer Board Member". There is no fee for volunteers to apply for a blue card. For more information on blue cards visit www.ccypcg.qld.gov.au

With many committees holding their Annual General Meetings early in the year, the following procedure may assist a smooth transition of the licensing process;

Services that hold a licence:

Section 165A of the *Child Care Act 2002* (Act) allows licensees that are incorporated associations and operate community based services, where members of the management committee resign and new members are installed at an annual general meeting.

At the time the new executive members have taken their positions, an application for a suitability notice must be completed and lodged with the Commission for Children and Young People and Child Guardian as soon as possible.

This action allows the licensees to continue to satisfy the suitability requirements of section 26 of the Act.

To demonstrate compliance, a copy of the application (confirming date of the application) must be held by the licensee.

On receipt of all suitability notices, the licensee must provide the new members details including a certified copy of each notice or blue card to the Department of Communities.

Services that are undertaking the licensing process.

New executive members must make application to the Commission for Children and Young People and Child Guardian, for a suitability notice as soon as possible. New members details must be provided to the Department of Communities and the licence application will be decided when all executive members of the new committee hold a positive suitability notice.

Please contact your Community Support Officer for more details or visit www.communities.qld.gov.au

Subsidies and Grants For Special Needs/Disabled Children

The Commonwealth Government through the Department of Families, Community Services and Indigenous Affairs (FaCS) are currently offering two grant schemes focussed on helping children with high support needs to gain access to approved centre-based long day care (LDC), family day care (FDC), outside school hours care (OSHC) and multi-functional services.

The first subsidy on offer is the "Special Needs Subsidy Scheme" (SNSS). The aim of this subsidy is to help include children with ongoing support needs by subsidising the payment of salaries for additional staff and their training as required. A pivotal component of the SNSS is the creation of the Inclusion Support Plan created by the parents of the child, a representative of the service and the additional worker required. The amount of funding available is relative to the specified rate for each hour which the additional staff has been employed while the child has been in attendance at the service and is being cared for by any staff member up to \$14.82 per hour (the maximum hours per week is specified when the application is approved). The additional staff member is hired by the centre, without input in the selection process by the Department of Families, Community Services and Indigenous Affairs.

The second subsidy available is the Disability Supplementary Services (DSUPS) Program. The DSUPS is designed to provide access for children to child care services by providing additional training for current child care workers, specialised resources and limited relief staffing to facilitate access to appropriate care. It may also provide grants for minor equipment to assist in the child's care up to \$1000. The main purpose of the DSUPS is to provide the current staff with the skills and knowledge enabling them to care for children who require special attention. The maximum rate of DSUPS that can be claimed per hour for family day carers is up to 100% of the total fee charged for Child Care Benefit hours. Each eligible child is assessed using a graduated scale of payment from 25% representing occasional assistance through to 100% representing significant individual support. Historically a notional pool of 50 cents per place per week has been available to each service to use to pay individual carers the assessed amount above the fee for care. The Department of Families, Community Services and Indigenous Affairs distributes funding to eligible centres for both grants until its quotas are full, effectively making it a first come first served system.

These two schemes may seem to have relatively the same goals. This is why in the beginning of July 2006 the Federal

Government is replacing the two schemes with the "Inclusion Support Subsidy" (ISS). The ISS will build on the capacity of child care services to successfully include children with special needs through funding for additional staff, advice, resources, training or specialised equipment.

For further information on the current two subsidy schemes and the new Inclusion Support Subsidy and the full eligibility requirements please consult the Department of Families, Community Services and Indigenous Affairs website at:

www.facs.gov.au/internet/facsinternet.nsf/childcare/families-special_needs.htm

Or contact your local grants administration authority. See attached table.

Alternatively the Department of Families, Community Services and Indigenous Affairs, Brisbane Office can be contacted on 1300 653 227.

I thank Ryan Shields, work experience student (Griffith University), for his contribution to this article.



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Educational Seminar Series

We are pleased to announce our proposed educational seminar series for 2006. We are currently in the process of confirming venue locations and once those are confirmed we will let you know. If there are other topics you would like us to address please either contact either by phone, email or fax and we will see what we can do.

Seminar Tour Dates

Area	Day - Date
Brisbane North	6th June 2006
Toowoomba	7th June 2006
Brisbane South	22nd August 2006
Sunshine Coast	23rd August 2006
Brisbane West	5th September 2006
Gold Coast	6th September 2006
Cairns	18th July 2006
Townsville	19th July 2006
Mackay	20th July 2006
Rockhampton	1st August 2006
Gladstone	2nd August 2006
Bundaberg	3rd August 2006

Topics for the 2006 tour will include:

Diminished Performance

Employment life-cycle
Warnings / due process
Monitoring

Recruitment and Selection

Advertising
Interviewing
Reference Checking
Hiring

General Topics and handouts on

Awards/Pay Rates
Payroll
Industrial Relations Matters
Workplace Health & Safety

N.B. Venues are currently being confirmed

If you have not yet paid your membership fees you may like to deposit directly to our account. When doing so please send us a fax or email to advise, and use your invoice number as a reference to the bank.

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N.B. Please use your invoice number as a reference to the bank when making deposits electronically.

All invoices are now due and payable.



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