

"R" This is attachment "R" to the statement of

AT



Education & Communities
Office of Education

AT

[Redacted]

RML11/6351
DGL11/1756

Dear AT

I write in response to your letter of 15 November 2011 to the Hon Adrian Piccoli MP, Minister for Education regarding criminal charges against a staff member of an out of school hours care service. The Minister has asked me to respond on his behalf.

I understand that the charges in question are currently before the court, so you will appreciate that it would be inappropriate for me to comment on the particulars of the case.

I note that you are concerned about arrangements for the regulation of the out of school hours sector. This is currently a Commonwealth role, and is the responsibility of the National Childcare Accreditation Council. However, all Australian governments are co-operating in a new national regulatory framework which will eliminate overlaps and unnecessary divisions of responsibility in this important area.

From 1 January 2012, the New South Wales Department of Education and Communities will assume responsibility for regulating all outside school hours care services in New South Wales. Providers of outside school hours care will need to be approved by the Department through a process that will involve an assessment of the provider's fitness and propriety. The service will also need to be approved and will be subject to requirements to have a supervisor who has had approved training in child protection. The service provider will be required to ensure that staff are aware of the application of child protection laws and their obligations under them.

The main safeguard for ensuring that staff members of services are fit and proper remains the background check under the *NSW Commission for Children and Young People Act 1998*. Under the Act, before employing a person in child-related employment an employer is obliged to carry out a background check of the person to ensure he or she does not pose a risk to children and is not prohibited from child-related employment.

Responsibility for the administration of the Working with Children Check rests with the New South Wales Office of Communities. I have forwarded a copy of your correspondence to the Chief Executive of the Office, Ms Carol Mills, for her consideration and reply to you.

In your letter you mention your interactions with Caringbah Public School. I understand that you have been in direct communications with the Principal of the school on this matter.

If you would like further information about the regulation of outside school hours care services please contact Ms Lydia Hanrahan, R/Director Central Licensing and Regulatory Support on telephone number [REDACTED] or by email [REDACTED].

Thank you for bringing this matter to the Minister's attention.

Yours sincerely

[REDACTED]

Leslie Loble
Chief Executive
Office of Education
5 December 2011