

# Questions and Answers

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The following questions and answers are specific to this funding round. Please also refer to the [Frequently Asked Questions page](#) for general questions about applying for DSS grants.

New questions are added at the end of this document.

## **1. I cannot cover the whole region as specified in the Funding Round summary, can I still apply?**

An organisation will need to demonstrate how it will be able to deliver the Programme across the specified region of a state/territory or a whole state or territory.

## **2. I am not an approved Child Care Benefit (CCB) Provider, can I still apply?**

Interested organisations will not need to be a current CCB approved service but will need to be able to deliver the Programme across the specified region of a state/territory or a whole state or territory and meet the other service provider eligibility criteria.

## **3. I currently operate an approved CCB service, can I apply to deliver the programme?**

Organisations or legal entities operating an approved CCB service can apply to deliver the Programme.

## **4. The form does not recognise my organisation ID?**

If the form does not recognise your organisation ID or the name showing after you have pressed the "Verify number" button is incorrect, you will need to select "No" to Question 1 and fill in the appropriate additional fields in the Application Form.

## **5. Are not for profit organisations eligible to apply?**

Organisations which meet the eligibility requirements in 4.1 of the Programme Guidelines are eligible to apply.

## **6. What do you mean by community service field?**

Community service field covers a range of services for children and families for the benefit of the community. If you are not an approved CCB provider you will need to attach evidence to prove that you have been operating in the community service field.

## **7. Can I engage subcontractors after I have signed the funding agreement?**

Yes, however you will need to seek the Department's consent prior to signing them up. Your intention to sub-contract any part of the service provision should be declared in your application and organisations listed in the Application Form under '**Activity Delivery**'.

## **8. What is the service provider eligibility?**

Organisations submitting an application must meet the following eligibility criteria:

- must be a registered company/organisation that was established and has been operating for more than two years in the child care sector or other community service field and has provided the appropriate evidence of its legal status. (In the instance of a consortium, all members must meet the eligibility criteria of being in the sector for more than two years).
- owners/directors must meet fit and proper person requirements (as stated in the Programme Guidelines) and provide supporting evidence.
- have a proven track record (DSS will undertake a due diligence check based on the service provider's previous performance).

- where applicable, have a licence to operate an In Home Care service or capacity to apply for a license to be available by 1 January 2016<sup>1</sup>

## 9. What are the regions I can apply for?

The areas are divided into the greater capital city statistical areas:

- Greater Sydney
- Rest of New South Wales
- Greater Melbourne
- Rest of Victoria
- Greater Brisbane
- Rest of Queensland
- Greater Adelaide
- Rest of South Australia
- Greater Perth
- Rest of Western Australia
- Northern Territory
- Tasmania
- Australian Capital Territory

## 10. Where can I find the boundaries for the greater capital city statistical areas?

You can find them on the [Australian Bureau of Statistics website](#).

## 11. I would like to apply for more than one region, how many applications will I need to submit?

You will need to submit a separate application for each region you apply for.

## 12. What attachments do I need to include in my application?

You **must** attach the following to your Application Form under 'Eligibility Requirements'.

- **Attachment A – Evidence:** the evidence must demonstrate that you have been a registered company/organisation that was established and has been operating for more than two years in the child care sector or other community service field
  - Evidence supporting this can be:
    - a copy of their CCB Approval Certificate or
    - an extract from the Australian Securities and Investments Commission (ASIC) database and
    - any other legal documentation that demonstrates you have been a registered company/organisation that was established and has been operating for more than two years in the child care sector or other community service field
- **Attachment B – Fit and proper:** the evidence must demonstrate that owners/directors meet fit and proper person requirements (outlined below) and provide the following attachments:
  - **Attachment B.1** – proof of identity such as a drivers licence or passport
  - **Attachment B.2** – copy of a criminal history check (not older than 6 months) before submitting an application
  - **Attachment B.3** - a current working with children check, working with children card or working with vulnerable people check issued on the basis of a criminal history record check
- **Attachment C – Fee schedule**
- **Attachment D – Payment structure**

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<sup>1</sup> Tasmania and South Australia currently require services to be licenced to operate an In Home Care service.

The following documents should also be attached **only** if it is relevant

- **Attachment B.4** - if the applicant has lived and worked outside Australia at any time within the previous three years, an overseas criminal history statement made by the applicant
- **Attachment B.5** - details of any disciplinary proceedings or bankruptcy

Further details regarding the attachments are available from the Funding Round Summary.

### **13. What sort of evidence is required at Attachment A?**

Evidence to be included in **Attachment A** is required to confirm that the applicant is eligible to apply based on being a registered company/organisation that was established and has been operating for more than two years in the child care sector or other community service field.

If the company/organisation has been operating as a CCB approved child care service, a copy of their CCB Approval Certificate can be attached as evidence.

Where the company/organisation has not been operating as a CCB approved child care service, but has been part of the child care sector (such as a nanny service) or another community service field, evidence should include,

- an extract from the Australian Securities and Investments Commission's (ASIC) database to provide evidence of operation for more than two years
- any other legal documentation that supports they have been operating in the child care sector or other community service field

### **14. What sort of evidence is required at Attachment B to meet fit and proper person requirements?**

The evidence must demonstrate that owners/directors must meet fit and proper person requirements and are in line with the Education and Care National Law. You will need to provide **copies** of the following for all directors/owners:

- **Attachment B.1** – proof of identity such as a driver's licence or passport.
- **Attachment B.2** – copy of a criminal history check undertaken not more than 6 months before submitting an application.
- **Attachment B.3** - a current working with children check, working with children card or working with vulnerable people check issued on the basis of a criminal history record check.

In addition:

- if you have lived and worked outside Australia at any time within the previous three years, you will need to include an overseas criminal history statement as **Attachment B.4**,
- if you have had any disciplinary proceedings or bankruptcy made against you or any other directors/owners, you will need to provide a disciplinary proceedings statement or other evidence of bankruptcy as **Attachment B.5**.

### **15. What sort of evidence is required at Attachment C – Fee schedule?**

The fee schedule should list the fees you are charging (or intend to charge) a family for a nanny. This attachment should be no more than two pages long. This information will be assessed to determine whether the organisation is charging market rate fees.

Any increases to the fee schedule during the pilot period will need to be considered by the Department.

### **16. What sort of evidence is required at Attachment D – Payment structure for nannies?**

The payment structure for nannies should list the payment scales of a nanny and how you intend to engage nannies for the pilot period. This may include factors that impact a nanny's rates. This

attachment should be no more than two pages long and will be assessed to ensure the organisation is meeting the relevant Award and conditions.

### **17. What funding is available for this programme?**

Up to \$245.9 million<sup>2</sup> (GST exclusive) has been allocated for the Programme. This includes the subsidy amount, administrative payment to service providers and evaluation costs for the Programme.

### **18. If my application is successful, when will we receive funding?**

Funding commences from the date of the execution of the Grant Agreement.

### **19. How are payments made?**

Under the Programme, service providers will receive two types of payment, including:

- A subsidy payment, paid in arrears following a claim to the department (refer section 3.5 of the Programme Guidelines).
- An administrative payment, a proportion paid in advance, with subsequent payments paid on acceptance of agreed milestones (refer section 8.3 of the Programme Guidelines).

### **20. What are the contract conditions for this grant?**

A copy of the Department's Terms and Conditions relevant to this Programme is available as part of the Application Pack for this funding round.

### **21. Is the funding ongoing?**

No, the Programme is a pilot so funding is available from 1 January 2016 to 31 December 2017.

### **22. If my organisation is part of a group of organisations, can we submit a joint application?**

A joint application can be submitted. However, in order to manage the funds appropriately, if a joint application is successful, the Department will enter into a Grant Agreement with the nominated lead organisation. Additionally, the joint application must include details of each of the organisations that is part of the joint application under 'Activity Delivery' in the Application Form. The Department may request further information regarding the members of the consortium prior to any agreement being finalised.

### **23. What is a lead organisation?**

A lead organisation must be an incorporated body which is able to enter into the Grant Agreement.

If you submit a joint application, you must nominate a lead organisation for the application. The lead organisation for the project will, if your application is successful, sign the Grant Agreement, receive the funding and assume legal responsibility for performing the activities and meeting the outcomes under the Grant Agreement.

### **24. Would the Department prefer a consortia (joint) approach?**

Applications submitted from individual organisations will be neither preferred nor disadvantaged over applications from consortia, as long as they meet eligibility requirements and can demonstrate how they will deliver the service across the region.

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<sup>2</sup> This amount includes funding for the evaluation of the Pilot Programme.

## **25. Do nannies have to be employees of the service provider?**

Service providers can choose whether nannies at their service are hired as employees, or engaged as contractors, or a combination of both. Regardless of the employment arrangements, service providers must ensure that all nannies at their service meet all eligibility requirements, are suitable people to provide child care, and are aware of, and comply with, all relevant legislative obligations.

## **26. What administrative tasks will I be required to be undertaken?**

The Programme Guidelines (Chapter 5) outlines all the requirements that a service provider must undertake under the Programme.

## **27. When will I receive the administrative fee if I am successful?**

The administration fee will be equal to 5 per cent of the subsidy amount paid and will be made in advance of each quarter.

The first payment will be made on the date of the execution of the Grant Agreement. As no actual subsidies will have been paid at this time, it will be based on the number of children notionally allocated to your organisation.

Subsequent payments will be based on the subsidy amounts paid to you in the previous quarter. To account for the time taken to process subsidy amounts, the payment will be based on the first nine weeks of each quarter and extrapolated to represent the full quarter.

A final reconciliation will occur at the end of the two year period and may identify an overpayment.

## **28. Do nannies have to be ready to start in January 2016?**

This will depend on the needs of the families participating in the Programme. The Programme is expected to commence in January 2016.

## **29. Will I be able to negotiate any of the terms and conditions in the grant agreement?**

By submitting an application, you declare that you have read, understood and agree to the Grant Terms and Conditions.

## **30. When will I know the outcome of my application?**

You will be notified of the outcome of your application once the selection process has been completed. Due to probity reasons, it is not possible to provide advice on the progress of your application.

## **New Q&As – Added 16 September 2015**

### **31. What information technology is required to deliver the Nanny Pilot Programme?**

As outlined in section 5.8 of the Programme Guidelines, grant recipients must have systems in place to allow them to meet the data collection and reporting requirements of the Nanny Pilot Programme. The programme will utilise functionality that has been adapted from current CCMS software. A number of third party CCMS software providers have expressed an interest in adapting their software

for the Nanny Pilot Programme and these companies are listed below. You may wish to contact one of these software providers prior to submitting an application to ensure that you are able to meet the information technology requirements for the programme. Contact details for these providers can be found [here](#).

<b>Company</b>	<b>Software</b>
All Quality Child Care Pty Ltd trading as Austral Cloud	Austral CCMS
Oakbridge Investments Pty Ltd	ChildCareplus
Ventiv Pty Ltd	Fully Booked CCMS
Harmony Software	Harmony CCMS
HubCare ANZ Pty Ltd	Hubworks!
NúmeroPro Pty Ltd	Kidsoft
Economic Outlook Pty Ltd	Spike
Techbraid Pty Ltd	Symphony CCMS
Kindy Manager Pty Ltd	Kindy Manager

### **32. Where do I nominate the region I would like to apply for?**

Under ‘**Part 4 - Activity Details**’ of Application Form, the question requesting you to ‘**Provide a short title of your application for this activity**’ should include one of the following:

- Nanny Pilot Programme – Greater Sydney
- Nanny Pilot Programme – Rest of New South Wales
- Nanny Pilot Programme – Greater Melbourne
- Nanny Pilot Programme – Rest of Victoria
- Nanny Pilot Programme – Greater Brisbane
- Nanny Pilot Programme – Rest of Queensland
- Nanny Pilot Programme – Greater Adelaide
- Nanny Pilot Programme – Rest of South Australia
- Nanny Pilot Programme – Greater Perth
- Nanny Pilot Programme – Rest of Western Australia
- Nanny Pilot Programme – Northern Territory
- Nanny Pilot Programme - Tasmania
- Nanny Pilot Programme – Australian Capital Territory

For example the short title could look like, “**Organisation name - Nanny Pilot Programme – Australian Capital Territory**”

Once you reach the question relating to the coverage type the applicant proposes to deliver the activity, you must select the State or Territory of the region you are nominating for.

### 33. I cannot attach the documents to address the selection criteria, where do I attach the documents?

All the relevant documents required for the Application Form should be attached in 'Part 2 - Eligibility Requirements' under the question "Is the applicant able to provide documentation to support the legal entity type?"

Once 'Yes' is selected further options will appear which will allow you to upload **all** the attachments required for the Application Form. Please note that if all the required documents are not attached your application may not be assessed.

### 34. What do I put in 'Part 6 – Funding for the Activity'?

The funding is dependent on the region you are nominating for, the estimated proportion of funding by region is provided in the table below which is also in the Funding Round Summary.

<i>Jurisdiction</i>	<i>NSW</i>		<i>Vic</i>		<i>Qld</i>		<i>SA</i>		<i>WA</i>		<i>NT</i>	<i>ACT</i>	<i>TAS</i>
Category <sup>3</sup>	Greater Sydney	Rest of NSW	Greater Melbourne	Rest of Vic	Greater Brisbane	Rest of Qld	Greater Adelaide	Rest of SA	Greater Perth	Rest of WA	NT	A.C.T.	TAS
% of funding	21%	12%	18%	6%	10%	11%	5%	2%	8%	2%	1.5%	1.5%	2%

### 35. Where do I list the details of my subcontractors?

Under 'Part 5 – Activity Delivery' of the Application Form, once you have confirmed that you are planning to deliver the Activity as part of a consortium or use subcontractors, a further option will appear which will allow you to add the legal name and ABN of your consortium members and/or subcontractors.

### 36. The form will not allow me to add more consortium members or subcontractors?

You will need to upload an additional attachment under Part 2 of the Application Form and clearly label the attachment as Additional consortium/subcontractor details.

### 37. Do you have any guidelines around the maximum rates that may be charged to Families?

Selection Criterion 1 - Ability to plan for the Nanny Pilot Programme activities in the Programme Guidelines requires applicants to provide 'details of fees that will be charged for nannies, including any basis for variations, such as number of children, location of care and other circumstances.' As outlined in the Funding Round Summary, this information will be assessed to determine whether the organisation is charging market rate fees.

### 38. What is the maximum subsidy rate?

The maximum subsidy is \$5.95 per child per hour (85 per cent of the fixed hourly fee of \$7.00) and will be paid for families earning up to \$60,000 per annum. Subsidies will be paid directly to service providers and passed on to families as a fee reduction towards the cost of using a nanny. For example, if a nanny fee is \$25 per hour for a family that is eligible for the maximum subsidy (85 per cent or \$5.95) with 3 children the total subsidy amount will be \$17.85 (\$5.95 x 3) and the family will be charged \$7.15 by the service provider.

Note that the programme is not intended to fully subsidise the cost of a nanny. As such, regardless of the number of children in the family eligible to receive a subsidy, the highest total subsidy for which a family can be eligible is 85 per cent of the total hourly fee of the nanny. In the above example, if the nanny fee is \$20, the total subsidy amount will be \$17 (85% of \$20), and the family will be charged \$3.00 by the service provider.

<sup>3</sup>The Programme Guidelines refer to the categories of metro and regional and remote.

### **39. How is the administrative payment calculated?**

Service providers will receive an administrative payment to acknowledge their role in administering the programme on behalf of DSS. The administrative payment is 5 per cent of the expected subsidy payments on behalf of the family. Funding will be paid quarterly, with the first payment being paid in advance and subsequent payments based on the subsidy paid to families and the acceptance of agreed milestones that will be negotiated with service providers. Further detail of the calculation of the administrative payment can be found in the “Draft Agreement Schedules” – Schedule 4 Grant Funds, Item 3 Payment of the Administration Fee (page 14).

### **New Q&As – Added 22 September 2015**

### **40. Are the requirements to be a nanny under the Nanny Pilot Programme in line with the Fair Work Commission?**

The requirements contained in section 7.1 of the Programme Guidelines relate to the eligibility of a nanny to take part in the Nanny Pilot Programme, not the legal requirements for the engagement of a nanny generally. Section 5.2 of the Programme Guidelines confirm the employment arrangements for nannies is a matter for the service provider and each nanny to agree upon, providing all legal requirements are met. Service providers requiring assistance in regard to their employees’ entitlements and employment conditions may wish to contact the Fair Work Ombudsman on 13 13 94 or go to their [website](#).

### **41. Will families be able to claim the Child Care Benefit (CCB) or Child Care Rebate (CCR) under the Nanny pilot programme as well as the \$7.00 subsidy?**

No, CCB and CCR are only available for care provided by a child care service that is approved by the Secretary for the purposes of Family Assistance Law. The Nanny Pilot Programme does not fall under these arrangements.

### **42. Does the Government take the right to utilise any legal contracts, marketing and public relations (PR) material we design?**

Clause 20.3 of the Draft Agreement grants an Intellectual Property license with only respect to “Agreement Material” and “Existing Material”. These terms are defined as below:

**Agreement Material** means all Material:

- (a) which you bring into existence in performing this Agreement; and
- (b) copied or derived from Material referred to in paragraph (a).

**Existing Material** means all Material in existence before the execution of this Agreement or developed independently of this Agreement that is:

- (a) incorporated in the Agreement Material; or
- (b) supplied with, or as part of, the Agreement Material; or
- (c) required to be supplied with, or as part of, the Agreement Material.

Any “contracts”, “marketing” or other “PR material” would only be subject to the licence where it is either “Agreement Material” or “Existing Material” as defined.

### **43. Where can I find the confidentiality forms and deed that are mentioned in the Draft Agreement?**

If required, a template of the confidentiality form will be provided to successful service providers.



#### **44. My service is not located in NSW, do I still need to have a Police Check conducted if I have a Working with Children check?**

Clause 26.3 of the Draft Agreement states that funding recipients “do not have to conduct a Police Check for a Person where they have a current Working with Children (NSW) check or an equivalent check in another jurisdiction that is current”. For funding recipients not located in NSW, recipients will need to ensure there is an “equivalent check” to the NSW Working with Children check. If so, the exemption to the requirement to conduct a police check can apply.

#### **45. Will the Work, Health and Safety (WHS) laws be modified to fit into a family home?**

The requirement in paragraph 27.2(b) of the Draft Agreement is to ensure that the funding recipient and its personnel are to “comply with the WHS Laws in relation to the Activity and related tasks performed by your personnel”. This provision does not modify laws, it simply requires any “WHS Laws” that would otherwise apply to be met as a contractual condition. Whether and how WHS Laws apply in a family home would ultimately be a question for funding recipients to consider and, if necessary, obtain their own legal advice on.

#### **New Q&As – Added 25 September 2015**

#### **46. Given one of the requirements for Nannies is to have a working visa that allows at least 12 months continuous employment, can 462 and 417 (Working Holiday and Work and Holiday) visa holders be hired? Usually these visa holders can only work for one employer for up to 6 months, however the Department of Immigration and Border Protection made a decision in July 2015 that Au Pairs can work for up to 12 months with these visas.**

Please refer to 5.2 Conditions of engagement of nannies in the Programme Guidelines where it states that, service providers must ensure that all nannies at their service meet all eligibility requirements, are suitable people to provide child care, and are aware of, and comply with, all relevant legislative obligations.

You will need to seek advice from the Department of Immigration and Border Protection to verify whether people on 462 and 417 visas allow employment on a continuous basis for 12 months or more.

#### **47. Can you please clarify how much funding has been allocated to Western Australia?**

Details of funding allocation are in section 8.1 of the Programme Guidelines with further information provided in the funding summary and Q34 above that shows 10% of the total funding has been allocated to WA. 8% to greater Perth and 2% to rest of WA.

#### **48. Can you please clarify what region is classified as ‘greater Perth’ and ‘rest of WA’?**

Section 8.1 of the Programme Guidelines states that funding will be notionally allocated by state and territory using the population size of 0-13 year olds, and taking into account demand and identified priority areas through the application process.

Q10 above refers queries regarding boundary information for greater capital city statistical areas to the [Australian Bureau of Statistics website](#).

**49. Of the \$245.9m that has been allocated for the whole program, what amount will be allocated for service support? Will indexation be applied to the grants?**

Section 8 of the Programme Guidelines provides information regarding funding for the Activity, including details for the administrative payment in section 8.3.

**50. Is there a cap on the fee Service Providers can charge families?**

Please refer to Q37 above.

**51. Is the grant payment allocated based on number of families or is it a fixed payment (are there KPI's associate)? As it is a Pilot Program is there concession if the service provider is unsuccessful in procuring families/nannies.**

Section 8.1 of the Programme Guidelines states that funding will be notionally allocated by state and territory using the population size of 0-13 year olds, and taking into account demand and identified priority areas through the application process. In addition Schedule 4 of the Draft Agreement Schedules outlines how the grants will be paid and how the administration payment is calculated.

As funding is provided in line with the terms and conditions in the draft Grant Agreement, no concessions are available. Clause 30 and 31 in the draft Grant Agreement outlines details related to terminating an agreement.

**52. What safety checks have been organised for the families?**

Please refer to question 45 above relating to WHS laws and section 5.4 of the Programme Guidelines relating to service providers having sufficient policies and procedures in place to ensure the safety of the nanny and children within the family home.

**53. Can my approved business now do the care or do I have to open a new one?**

Please refer to question 2 and 3 above.

**54. What happens if the family go over the ratio as a new child is born? Not everyone has maternity leave?**

Please refer to section 3.1.4 of the Programme Guidelines regarding ratio requirements for a nanny.

**55. Our present insurances can cover the nanny but do you want it separate?**

Please refer to clause 29 in the draft funding agreement that requires you to have current and adequate insurance appropriate to the Activity. Any additional requirements are specified in Item 11 of Schedule 1.

**56. What about families who work nights and the children are 13 or over. They should be covered too.**

Please refer to section 3.1.3 of the Programme Guidelines regarding age limits that will be applicable to subsidy payments.

**57. What happens if a school child is sick and is at home. Can the nanny say no to care and if she does the parents won't have accounted for that in their agreement?**

Please refer to section 5.2 of the Programme Guidelines that states that terms and conditions, including their remuneration arrangements, should be clearly defined in a written agreement between the service provider and the nanny.

**58. What about school holidays?**

Please refer to section 3.1.4 of the Programme Guidelines regarding ratio requirements for a nanny.

**59. Do families have to pay if they don't use care when booked?**

Please refer to section 5.2 of the Programme Guidelines that states that terms and conditions, including their remuneration arrangements, should be clearly defined in a written agreement between the service provider and the nanny.

**60. Can I use a bank account in my name?**

Please refer to clause 15.2 in the draft funding agreement regarding requirements for the Nominated Bank Account.

**61. Who can be referees?**

Please refer to Q12 in the Applications and Selections Processes section of the [Frequently Asked Questions](#) on the DSS website.

**New Q&As – Added 8 October 2015**

**62. Does the risk management strategy referred to in the Programme Guidelines reference the risk associated with hiring the nanny or the family or is it only about the risk strategy that DSS put in place for the application process?**

The Risk Management Strategy referred to in 9.3 of the Programme Guidelines relates to the application process. All DSS Grant Agreements are managed according to their level of risk. Organisations will be subject to a risk assessment prior to the negotiation of Grant Agreements.

**63. Do the policies put in place for the programme need referencing to the Education and Care National Regulations and Law or the National Quality Framework?**

The Nanny Pilot Programme does not operate under the Education and Care National Law and Regulations and the National Quality Framework, so there is no requirement to refer to these frameworks.

**New Q&As – Added 9 October 2015**

**64. Does the requirement for owners/directors to demonstrate fit and proper persons, as described in 4.1 of the Programme Guidelines, apply to board members?**

Board members are considered owners or directors of organisations so they will all be required to meet the fit and proper requirements.

## **65. What is the definition of a Subcontractor?**

As defined in the Draft Nanny Pilot Programme Grant Agreement a Subcontractor means any contractor, person or organisation who is engaged by you to undertake the relevant Activity (and any of that contractor's, person's or organisation's employees, agents and Subcontractors), including the persons or entities specified in Item 8 of Schedule 1. 'Subcontracts' has a corresponding meaning.

## **New Q&As – Added 14 October 2015**

### **66. My organisation will not have been operating for two years when I submit my application but it will be by January 2016. Am I still eligible to apply?**

Yes, Service Providers must be a registered company/organisation that was established and has been operating for more than two years in the child care sector or other community service field as at 1 January 2016.

### **67. My organisation is developing a new childcare (specifically nannying) service and are not eligible to apply for the pilot programme as we have not been operating for more than two years, is there any flexibility in this eligibility?**

To be eligible to apply for the Nanny Pilot Programme your organisation must be a registered company/organisation that was established and has been operating for more than two years in the child care sector or other community service field.

## **New Q&As – Added 16 October 2015**

### **68. What fee assistance are families eligible for?**

Please refer to the [Subsidies for Families Fact Sheet](#) published on the DSS website.

### **69. My service will run parallel to *In Home Care*: What are the main differences between the programmes, and the benefit to families to apply for the Nanny Pilot Programme as opposed to *In Home Care*?**

The Nanny Pilot Programme provides an additional care option that is more flexible and accessible for families experiencing difficulty in obtaining care due to non-standard hours, living in remote or rural areas, and other access issues, such as the need for multiple care types for their children. The programme provides subsidised care for up to 100 hours per fortnight.

### **70. Are families contractually obliged to use nannies through the Nanny Pilot Programme specifically once they apply? What stops them from going and sourcing their own nanny independently?**

During the Nanny Pilot Programme, families that have been selected to participate will need to use a nanny engaged by their service provider in order to receive subsidised care.

**71. Is there a specific time limit given for a Service Provider to find and secure a nanny for a family, following our notification of the details of that particular family from DSS?**

Please refer to Item 2 of Schedule 2 of the draft Grant Agreement Schedules

Item 2 - Your obligation to prioritise placement of Nannies (clause 7)

1. Within 10 Business Days of receiving notification from us that a Family has been prioritised to participate in the Activity you must:
  - (a) Contact the Family; and
  - (b) Advise the Family that prior to you being able to offer the Family a Nanny you must:
    - (i) Meet in-person with at least one parent or carer;
    - (ii) Obtain a copy of a current record of vaccination for all children to whom care will be provided in connection with the Activity;
    - (iii) Inspect the place where care is to take place; and
    - (iv) Enter an agreement with the Family.
2. Where practicable you must prioritise the placement of Nannies with Families in the order of priority that we indicate to you.

**72. Can you explain what constitutes being an owner / director? We are a not for profit organisation made up of a Board of Management with internal Members voted in as Board Members at our AGM.**

For the purpose of the Nanny Pilot Programme, an owner or director is a person that has direct power or capacity to:

- determine the outcome of decisions about the financial and operating policies of the entity; or
- control the membership of the board of directors of the entity.

**73. What is the estimate of the value that will go towards the evaluation of the programme from the total of \$246m or a range value?**

The amount that will be set aside for the evaluation of the programme is a minor component of the total funding for the programme.

**74. Do all members of a consortium or sub-contractors have to be in children or community services or can they be in support services such as accountants and recruitment agencies?**

As outlined in section 4.1 of the Programme Guidelines on page 13 "In the instance of a consortium, all members must meet the eligibility criteria of being in the sector for more than two years."

**75. What is the estimate number of Service providers that will be engaged per capital city e.g Greater Melbourne as this will help in Budgeting.**

As outlined in section 4.1 of the Programme Guidelines on page 13 - "DSS will engage a service provider or a small number of service providers per state/territory to deliver the Nanny Pilot Programme on behalf of the Government." We will not know the exact number of service providers until the application process has been completed.

**76. Is there anything stopping the successful provider from operating the Nanny Pilot Programme as per the Programme Guidelines and then having a separate business whereby a similar program is offered without funding or subsidies?**

Successful service providers may operate separate businesses whereby a similar program is offered without funding or subsidies.

**77. How do I complete Q15 in the Application Form “Provide a breakdown of the proposed DSS grant funding by the chosen coverage type/s”?**

Please refer to Question 34 above for further information on the breakdown of proposed DSS grant funding by the chosen coverage types.

**78. My organisation currently employ our family day care educators as independent contractors how would we complete Question 14 in the Application Form if we employ our nannies in the same way?**

Please refer to the definition of subcontractor in the draft grant agreement:

*'Subcontractor means any contractor, person or organisation who is engaged by you to undertake the relevant Activity (and any of that contractor's, person's or organisation's employees, agents and Subcontractors), including the persons or entities specified in Item 8 of Schedule 1. 'Subcontracts' has a corresponding meaning. A nanny being employed by you as an independent contractor is not considered a subcontractor for purpose of the application form.'*

**79. Does my organisation have to use the award wages for sub-contractors?**

As stated in the Programme Guidelines:

5.2 Conditions of engagement of nannies

Service providers can choose whether nannies at their service are hired as employees, or engaged as contractors, or a combination of both. Regardless of the employment arrangements, service providers must ensure that all nannies at their service meet all eligibility requirements, are suitable people to provide child care, and are aware of, and comply with, all relevant legislative obligations.

Terms and conditions, including their remuneration arrangements, should be clearly defined in a written agreement between the service provider and the nanny. The nature of the written agreement will vary subject to whether the nanny is an employee or an independent contractor.

Service providers must be aware that remuneration of the nanny is agreed between the service provider and the nanny, not between the nanny and families. Service providers should seek their own legal advice on setting terms and conditions for the nanny and must ensure such arrangements comply with employment and workplace relations legislation requirements, including their business model obligations. Service providers requiring assistance in regard to their employees' entitlements and employment conditions may wish to contact the Fair Work Ombudsman on 13 13 94 or go to their website <http://www.fairwork.gov.au/>

Please refer to Question 38 above for further information on the subsidy rate.