



Queensland Education and Care Service

Application for service or temporary waiver

(Sections 92 and 99 of the *Education and Care Services Act 2013*)

Please read the following information before completing and submitting this application form.

Please ensure you are familiar with the requirements and obligations set out under the *Education and Care Services Act 2013* and the *Education and Care Services Regulation 2013*.

If you require further information about the obligations of approved providers under the Education and Care Services Act and Regulation or are unsure about the information required in this application, it is important that you visit the website <http://www.earlychildhood.qld.gov.au/ecs> or contact the relevant Regional Office for clarification.

Please ensure that the information you set out in this form is complete and correct.

Note: All references to the 'Education and Care Services Act' in this form are to be read as a reference to the 'Education and Care Services Act 2013' and references to the *Education and Care Services Regulation* as a reference to the *Education and Care Services Regulation 2013*. References to the 'Department' are a reference to the Department of Education and Training.

Application requirements and assessment

An approved provider for a Queensland education and care approved service may apply for a 'service' or 'temporary' waiver of a requirement applying to the service under the Education and Care Services Act if the requirement is prescribed under the Education and Care Services Regulation.

An application for a waiver may be submitted to the Department together with an application for a service approval, however the waiver will not be granted unless the service approval is granted.

Waivers can only be granted for certain matters. Please see Regulations 7 and 8 of the Education and Care Services Regulation.

The Department may request further information and/or inspect the Queensland education and care service premises as part of its assessment.

Applicants will be notified of the Department's decision to grant or refuse to grant the waiver within 60 days starting the day after a valid application and fee are received by the Department.

Important

Please make sure you need a waiver before applying. There is no reason to apply for a waiver if you are able to comply with the requirements under the Education and Care Services Regulation. Do not apply because you think you might need one in the future.

For example, before applying for a waiver of qualification requirements, you should check whether educators at your service can be counted towards the relevant requirements.

You can do this by checking:

- whether educators at your service already hold an approved qualification listed on the Australian Children's Education and Care Quality Authority (ACECQA) website, visit www.acecqa.gov.au
- whether educators at your service hold an approved qualification under the former Child Care Act 2002. These qualifications are recognised under the Education and Care Services Act and listed on the ACECQA website, visit www.acecqa.gov.au
- whether any educators who are currently studying can be counted as 'actively working towards' an approved qualification.

Important

- Your application will not be assessed until all necessary sections are satisfactorily completed, all requested supporting documents are attached, and any prescribed fees paid.
- Please write clearly in BLOCK LETTERS in black ink. Do not use correction fluid. The signatory must initial any corrections to this form.

Privacy statement

The Department is committed to ensuring that all actions taken in the administration of the Education and Care Services Act are in compliance with the Information Privacy Principles of the *Information Privacy Act 2009* (Qld).

The Department is collecting the information on this form for the purpose of assessing this application under the Education and Care Services Act. The information on this form may also be provided to other authorities or to other government agencies in accordance with the Education and Care Services Act.

The Department and the Queensland Government may publish information collected on this form in accordance with the Education and Care Services Act.



Part A: Provider details

1. Approved provider name

2. Provider approval number *(if you do not have a provider approval number yet, write "under assessment" here)*

Part B: Service details

3. Approved service name

4. Service approval number *(if you do not have a service approval number yet, write "under assessment" here)*

5. Please provide the address of the service

Address line 1

Address line 2

Suburb/Town

State

Postcode



Part C: Waiver details

6. Type of waiver sought *(Tick one)*

- Service waiver
- Temporary waiver (not more than 12 months)

7. Please tick the prescribed requirement of the Education and Care Services Regulation for which you are seeking a waiver.

PRESCRIBED REQUIREMENTS THAT MAY BE COVERED BY A WAIVER		
Regulation	Prescribed requirement	Please tick
28	Fencing	<input type="checkbox"/>
37	Nappy change facilities	<input type="checkbox"/>
29	Indoor space—general	<input type="checkbox"/>
30	Indoor space—additional	<input type="checkbox"/>
32	Outdoor space—general	<input type="checkbox"/>
31	Administrative space	<input type="checkbox"/>
33	Outdoor space—additional	<input type="checkbox"/>
34	Premises designed to facilitate supervision	<input type="checkbox"/>
42	First aid qualifications – temporary waiver only	<input type="checkbox"/>
53	General educator to child ratios	<input type="checkbox"/>
39	Educator qualifications – other than school age care	<input type="checkbox"/>
40	Educator qualifications – school age care	<input type="checkbox"/>
45	Supervision of educators under 18 years	<input type="checkbox"/>



8. Explain why the education and care service is unable to comply with the prescribed requirements of the Education and Care Services Regulation.

Examples (illustrative only)

- *The service is required to have two diploma qualified educators to comply with regulation 39(2)(a), but one diploma qualified educator has resigned and the approved provider has been unable to recruit a second diploma qualified educator.*
- *The service does not have sufficient outdoor space to comply with regulation 32(1) and is unable to access or acquire additional outdoor space.*

9. Please give details of any attempts made to comply with the requirements of the Education and Care Services Regulation.

Examples

- *The service has advertised in the local newspaper and on seek.com, but has not had any suitable applicants (copies of advertisements attached).*
- *There is no additional suitable outdoor space available to the service (copy of plans or map service location attached).*

10. Please supply evidence of attempts made to comply with the Education and Care Services Regulation.

For applications for a waiver of educator qualification requirements, you can attach the following types of evidence to demonstrate your attempts to comply:

- copies of advertisements for qualified staff in mainstream publications, including websites
- if an educator is studying towards an approved qualification, copies of their transcript
- transcripts or parchments for any other qualifications held by an educator that are relevant to children's education and care
- contact with agencies that offer qualified relief staff
- mentoring between qualified and unqualified educators
- if an educator has a qualification awarded overseas, evidence that they have applied to ACECQA for assessment of equivalence with an approved qualification
- links with other services or local training organisations

Attaching evidence to support your application will help ensure it is processed quickly by the department.

11. Please detail the steps being taken (or steps that will be taken) to protect the wellbeing of children being cared for by the service while the waiver is in force.

Examples

- *The service has employed another approved Certificate III level qualified educator (copy of academic transcript attached), and has established a mentoring relationship between the Diploma and Certificate III qualified educators.*
- *The service will conduct daily excursions (weather permitting) to the nearby park, and will increase elements of the natural environment in the indoor space at the service (map showing location of park, and sample of parents' authorisation for the regular outing attached).*

TEMPORARY WAIVER APPLICATIONS ONLY

Applicants for a service waiver → go to 14

- 12. Please state the period for which a temporary waiver is sought (not more than 12 months) and the reasons for seeking that period of time.**

Example

- *The service is seeking a waiver for three months so it can enrol a Certificate III level educator in an approved diploma course (details of course start date attached).*

- 13. Please detail the steps that will be taken while the waiver is in force, to ensure the service will comply with the requirements of the Education and Care Services Regulation by the time the waiver expires.**

Example

- *The service is supporting an approved Certificate III level educator to obtain an approved diploma level qualification, so that it can comply with the Education and Care Services Regulation by the time the waiver expires (statement of enrolment attached).*



Part D: Contact details

14. Contact person for this application

(Note: this will be the person who the Department may contact with questions relating to this application)

Title	First name
Last name	Mobile number
Phone number	Fax number
Email	

15. Postal address

Address line 1	
Address line 2	
Suburb/Town	
State	Postcode



Applicant declaration

I, _____ (insert full name of person signing the declaration)

of, _____ (insert address)

am, _____ (insert position/title of applicant)
for example, proprietor, director, partner, president

I declare that the information provided in this application (including any attachments) is true, complete and correct.

Signature of person making the declaration _____

Signed at _____ On the _____

Second applicant (if applicable)

I, _____ (insert full name of person signing the declaration)

of, _____ (insert address)

am, _____ (insert position/title of applicant)
for example, proprietor, director, partner, president

I declare that the information provided in this application (including any attachments) is true, complete and correct.

Signature of person making the declaration _____

Signed at _____ On the _____

Who may sign?

- The approved provider
- A person authorised to sign on the approved provider's behalf



Payment details

The fee required to be paid with a service or temporary waiver application is **\$104.00**.
(Note: The Department can waive/defer/refund fees in some circumstances)

Fees can be made by electronic funds transfer, cheque or money order.

Payment by electronic funds transfer

To pay your fee by electronic funds transfer please contact your regional office.

<http://www.qld.gov.au/education/childcare/contacts/pages/regional.html>

Payment by cheque or money order

Please make your cheque or money order payable to the Department of Education and Training.

Lodging your application

Please lodge your application along with all of the required documentation by posting or emailing to the relevant Regional Office, Department of Education and Training.

<http://www.qld.gov.au/education/childcare/contacts/pages/regional.html>

Enquiries

Contact the relevant Regional Office

<http://www.qld.gov.au/education/childcare/contacts/pages/regional.html>

Early Childhood and Community Engagement Division

Department of Education and Training

E-mail: ecis@dete.qld.gov.au

Phone: 13 QGOV (13 7468)

Website: <http://www.earlychildhood.qld.gov.au/ecs>

For office use only	
Date form received: ___/___/___	
Name of receiving officer:	Signature:
<input type="checkbox"/> Application fee received (see Schedule 1, <i>Education and Care Services Regulation 2013</i>)	
Please tick and provide details – (bank/branch/number/amount)	
<input type="checkbox"/> Cheque	
<input type="checkbox"/> Money order	
<input type="checkbox"/> Electronic funds transfer	
Payment receipt number:	