Declaration Form
Licensees, Persons-in-Charge and Responsible Persons
CBC4, CBC5 & IHCC Use Only

See the end of this form for the Department of Education’s Personal Information Protection Statement.

Who completes the form?
In determining whether an applicant for a licence, or a holder of a licence, is a fit and proper person to hold a licence, the Secretary of the Department of Education must take into account a number of matters as outlined in section 15A(2) of the Child Care Act 2001. As part of this process, licence applicants/holders, persons in charge and responsible persons are required to provide information in this Declaration Form.

It is essential that you fully understand the legislative aspects of the role that you are taking on. Please ensure that you read the specified Information Sheets prior to signing this Declaration.

- Fitness and Propriety Information Sheet
- Duty of Care Information Sheet
- Legislative Authority and Responsibilities for Licence Applicants Information Sheet (only applicable for licensees/licensee representatives).

Please note that, in some circumstances you may be required to be further assessed.
Below are definitions of each of these specified roles. Please tick each role(s) that you fulfil.

☐ Licensee/licensee representative
A licensee is the person or organisation that applies for/holds a licence to operate or provide a child care service. Please note that:
- Where the licensee is a corporate body (e.g. a company, government agency or community based management committee), the Education and Care Unit requires this body to nominate at least two licensing representatives for licensing purposes. Each licensee representative is to complete a Declaration Form.
- Where the licence applicant is a single owner/operator, this person must complete a Declaration Form.
- Where an employee is authorised to apply for the licence, this employee must complete a Declaration Form.

Please complete sections: 1, 2.1, 2.3, 3.1, 4.1, 4.2, 5 and 6 (for licensees)
1, 2.1, 2.3, 3.2, 4.1, 4.2, 5 and 6 (licensee representatives)

☐ A person in charge of a child care service under a centre based licence is a person who:
- is physically at the centre/facility/premises where children are provided with child care by that service; and
- is in charge of the day-to-day running and supervision of that service /centre/facility/premises.

A person in charge in relation to an approved registration body (applies to IHCC only) is the person who is directly in charge of the day-to-day running and supervision of that service.
Please complete sections: 1, 2.2, 2.3, 3.3, 4.1, 4.2 and 6.

☐ A responsible person role under the Child Care Act 2001 is:
- An individual, other than the person in charge of the child care service, to whom is assigned by the licensee, the general responsibility for, and supervision of the operations of, the provision of the child care service under the licence; or
- Any other body or individual, other than the person-in-charge of the child care service, who has the authority to give directions and make decisions in respect of the management of that child care service.

People fulfilling this role include: Co-ordinators who have responsibility across a number of services (but who are not the licensee, nor the person in charge), third party managers, franchisees/franchisors, etc.

Please note – this role does not apply to those people who are licensees, persons-in-charge, those in a second-in-charge role or those acting in person-in-charge roles.

Please complete sections: 1, 2.1, 2.3, 3.4, 4.1, 4.2 and 6.

Where you may be fulfilling more than one role, e.g. a licensee and a person in charge, please ensure that you complete each section applicable to those roles.
What happens to the information provided?

Information obtained through this process:
- will remain confidential, however may result in the organisation which you are representing being notified should you not receive approval as a fit and proper person. Please note that this form will be filed and may be used to collect further information at a later date.
- may be used to seek further information from agencies within this State and other States and Territories.
- will be stored in a secure location until destroyed in accordance with the Archives Act 1983 and associated records management policies and guidelines.

Please ensure that all applicable sections of the form are completed.

Section 1 Personal Details

Full Name: _________________________________________________________________________________

Previous Name(s): __________________________________________________________________________

Address: _________________________________________________________________________________

__________________________________________          _________________________________________
(suburb)         (postcode)

Home Phone No: _____________________ Work Phone No: ______+________________ Facsimile: _______________

Email: _______________________________________________________________________________________

Mobile: _______________________________________________  Date of Birth: __________________

Name of the child care service or service operator (organisation) for which you are applying to either: hold a licence or: be a licensee representative, person-in-charge or responsible person:

______________________________________________________________________________________________

Have you ever resided or worked in any other Australian State or Territory (other than Tasmania) or any other country?

☐ Yes  ☐ No  If Yes, where _________________________________________________________________

Have you ever held a licence for and/or managed a child care service in any other Australian State or Territory (other than Tasmania) or any other country?

☐ Yes  ☐ No  If Yes, where _________________________________________________________________

Have you ever worked as a child carer in any other Australian State or Territory (other than Tasmania) or any other country?

☐ Yes  ☐ No  If Yes, where _________________________________________________________________

Do you give permission for the Department of Education to seek further information from other States and Territories if necessary?

☐ Yes  ☐ No
Section 2 Qualifications and Experience

Section 15A of the Child Care Act 2001 requires the Department to collect information on the relevant qualifications and experience of all persons specified in section 15A including the licensee/licensee representatives, persons-in-charge and responsible persons.

Please note that relevant qualifications and experience are NOT mandatory to fulfil the role of licensee/ licensee representative or responsible person.

2.1 Qualifications of licensee/licensee representatives and responsible persons

☐ I have no specific qualifications that may be relevant to the role of licensee/licensee representative or responsible person.
☐ I have qualifications that may be relevant to the role of licensee/licensee representative or responsible person. Please outline

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<th>Name of Institution</th>
<th>Name of Qualification</th>
<th>Date Awarded</th>
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Please go to section 2.3

2.2 Qualifications of persons-in-charge

☐ I have no approved qualification, (refer to licensing standard 2 – Carer Qualifications).
☐ I have an approved qualification, as per the licensing standards.
Please outline approved qualification, and any others that may be relevant to the role.

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☐ please attach a copy of your relevant qualification(s).

Please go to section 2.3
2.3 Experience of licensee/licensee representatives, persons in charge and responsible persons

☐ I have not been concerned in the provision, management or operation of a service or business which provides child care, or in the provision of child care, in Tasmania or elsewhere (ie, I have not been a carer, licensee, licensee representative, been involved in the management of a service, or owned a service, etc).

☐ I have been concerned in the provision, management or operation of a service or business which provides child care, or in the provision of child care, in Tasmania or elsewhere. (ie, I have been a carer, licensee, licensee representative, been involved in the management of a service, or owned a service, etc).

Please outline your experience.

Please include your current role.

<table>
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<tr>
<th>Position held</th>
<th>Name of child care service/organisation or employer</th>
<th>Address and contact number of child care service/organisation or employer</th>
<th>Dates of employment/involvement</th>
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If you wish to add any additional information: ____________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________
Section 3 Relevant knowledge of the act, regulations and standards

Please refer to Sections 10, 11, 12 and 29 in the Child Care Act 2001 prior to completing this section.

3.1 For licensees - (individual owner operators and employees authorised by the service operator to hold the licence)

I, ______________________________________________________________, have access to the Child Care Act 2001,
(name of licence holder)
and the licensing standards.

I acknowledge and accept my responsibilities as a licence holder under section 10, 11 or 12 of the Child Care Act 2001 (as applicable) to ensure compliance:

1. with the Child Care Act 2001 (section 29) including that, at all times during which a child is provided with child care under the licence:
   • the child is provided with a safe environment and proper and appropriate care and supervision; and
   • every reasonable precaution is taken to protect the child from hazard likely to cause injury; and

2. with the Tasmanian licensing standards (applicable to the services in which I’m involved).

____________________________________
(signature and date)

3.2 For licensee representatives - (where the licence is held by a community based incorporated organisation, company/partnership or government agency)

I, _________________________________________________________, have access to the Child Care Act 2001
(name of licensee representative)
and the licensing standards.

On behalf of ________________________________________________________________________________ I
(name of service operator)
acknowledge and accept our authority and responsibilities as a licence holder under section 10, 11 or 12 of the Child Care Act 2001 (as applicable) to ensure compliance:

1. with the Child Care Act 2001 (section 29) including that, at all times during which a child is provided with child care under the licence:
   • the child is provided with a safe environment and proper and appropriate care and supervision; and
   • every reasonable precaution is taken to protect the child from hazard likely to cause injury; and

2. with the Tasmanian licensing standards (applicable to the services in which I’m involved).

____________________________________
(signature and date)
3.3  For persons in charge

I, ___________________________________________________________ , acknowledge that my role is within
(name of person in charge)
the definition of person in charge under the Child Care Act 2001.

I have access to the Act and the licensing standards and I acknowledge and accept my responsibilities as a person in charge and
within that role will ensure compliance:

1. with the Child Care Act 2001 (section 29) including that, at all times during which a child is provided with child care under
the licence:
   • the child is provided with a safe environment and proper and appropriate care and supervision; and
   • every reasonable precaution is taken to protect the child from hazard likely to cause injury; and

2. with the Tasmanian licensing standards (applicable to the services in which I’m involved).

______________________________________  (signature and date)

3.4  For responsible persons

I, ___________________________________________________________ , acknowledge that my role is within
(name of responsible person)
the definition of responsible person under the Child Care Act 2001.

I have access to the Act and the licensing standards and I acknowledge and accept my responsibilities as a responsible person
and will therefore ensure that, as I have the responsibility for, or supervision of, a child care service or I am giving directions and
making decisions in relation to a child care service, that I will ensure compliance:

1. with the Child Care Act 2001 (section 29) including that, at all times during which a child is provided with child care under
the licence:
   • the child is provided with a safe environment and proper and appropriate care and supervision; and
   • every reasonable precaution is taken to protect the child from hazard likely to cause injury; and

2. with the Tasmanian licensing standards (applicable to the services in which I’m involved).

______________________________________  (signature and date)
Section 4 General declarations

Please tick each statement that you are able to declare is true and provide additional information as required.

4.1

☐ I have not been charged with, or found guilty of, in Tasmania or elsewhere, within the previous 10 years, an offence punishable by a period of imprisonment.

☐ I have not been charged with, or found guilty of, or otherwise disciplined for, an offence against –

i) The Child Care Act 2001, the regulations or the Standards; or

ii) The Education & Care Services National Law (Tasmanias) 2011 or any regulations made under that Law, whether that offence was committed in Tasmania or elsewhere; or

iii) A previous Act or law that substantially corresponds to the Act, the regulations or the Standards, including the former Act, the Child Protection Act 1974 and any regulations or Standards made under either of those Acts; or

iv) The Registration to Work with Vulnerable People Act 2013; or

v) An enactment or law of another State or a Territory that substantially corresponds to this Act, the regulations, the Standards or another enactment or law referred to above.

☐ I have not been subject to:

i) An order made under the former Act, the Children, Young Persons and Their Families Act 1997 or the Family Violence Act 2004; or

ii) A restraint order made under the Justices Act 1959.

☐ I have not, in Tasmania or elsewhere:

i) Been refused a licence or other permission of any type to provide child care or provide, manage or operate a service or business which provides child care.

ii) Had such a licence or other permission suspended or cancelled.

4.2

If you are unable to complete any section of the above declaration in 4.1, please give the particulars, in the space below, of each section that you are unable to complete and attach additional information if required.

____________________________________________________________________________________________

____________________________________________________________________________________________

____________________________________________________________________________________________

____________________________________________________________________________________________

____________________________________________________________________________________________

____________________________________________________________________________________________

Declaration Form November 2014
**Section 5  Good repute**

5.1 For licensees/licensee representatives only

Please provide the name and contact details of two referees who are able to attest to your good repute in regard to your character, honesty and integrity. These referees are not to be related to you by birth or marriage, or be a current employee or a fellow director, committee member, officer or shareholder. The Education and Care Unit will send these people a form to complete and return, in confidence, directly to the Education and Care Unit. As their comments will be taken into account in determining whether you are a fit and proper person to hold a licence or be a licensee representative, it is important that you request their permission to nominate them as referees, and discuss with them the importance of their returning the completed form to the ECU as soon as possible. This will ensure that the licensing process is not delayed.

**Referee 1**

Name: ____________________________  (given name)  (family name)

Postal Address: __________________________________________________________

__________________________  ____________________________
(suburb)  (postcode)

Phone Number (business hours): ____________________________  Mobile: ____________________________

Email: _______________________________________________________________________

**Referee 2**

Name: ____________________________  (given name)  (family name)

Postal Address: __________________________________________________________

__________________________  ____________________________
(suburb)  (postcode)

Phone Number (business hours): ____________________________  Mobile: ____________________________

Email: _______________________________________________________________________
Section 6

I, ___________________________________________________ of _______________________________________
(full name) (residential address)
____________________________________________________________________________________________
declare that

• I acknowledge that the information I have supplied in this Declaration Form is true and correct.
• I agree to inform the Director, Early Years (contact information as per the Education and Care Unit detailed below) within seven days of any changes occurring to the information provided in this form.
• I understand that the provision of false information or withholding information, now or in the future, may result in the withdrawal of the approval to fulfil the position of licensee/licensee representative, person-in-charge or responsible person.

Signature of Applicant: __________________________________________
Declared at ___________________________________________ in the State of ______________________________
on the _______________________________________ day of _______________ ________________ 20_________
before me Commissioner for Declarations or Justice of the Peace.
Signature: ___________________________________ Name: _____________________________________________
Occupation: _________________________________ Contact Number: _____________________________________

Proof of identification of applicant (to be completed by Commissioner for Declarations or Justice of the Peace in relation to the person completing this form)
Type of identification sighted: __________________________ Reference number on identification: __________
(eg Driver’s licence, passport, photo identification)
Name of Commissioner for Declarations/Justice of the Peace: _________________________________________________
Signature of Commissioner for Declarations/Justice of the Peace: _____________________________________________
Date: _____________________________

Ensure that you have completed all the sections relevant in this Declaration Form, photocopy for your own records and return the original in a sealed envelope marked “Strictly Confidential” to:

Education and Care Unit
Department of Education
GPO Box 169
HOBART TAS 7001

Department of Education Personal Information Protection Statement
Education and Care Unit, Tasmania
GPO Box 169
HOBART TAS 7001
Phone: 6165 5425 or 1300 135 513, Fax: 6233 6042
Email: ecu.comment@education.tas.gov.au

All personal information (collected at any time) relating to management, staff and children will be collected from you for the purpose of obtaining and verifying details required under the Child Care Act 2001, Licensing Standards and related State and Australian Government Acts and Regulations; and will be used by the Department of Education to support the licensing process and for reporting on children’s services at a state and national level.

Failure to provide this information may result in:
• the service being unable to be licensed, or
• approval not being granted for a person/s to hold a licence or be a licensee representative/s.

Your personal information will be used for the primary purpose for which it is collected and may be disclosed to contractors and agents of the Department and other authorised agencies. Your personal information will be managed in accordance with the Personal Information Protection Act 2004.

You can obtain a copy of the Department’s Personal Information Protection Policy at www.education.tas.gov.au (Search TASED-4-1239).

If you wish to access your personal information, please make an application as stated in the Personal Information Protection Policy.