



# Compliance Program

## Inclusion Support Program

### What are the minimum operating requirements?

This document provides further information regarding the compliance activity that occurs in relation to the Inclusion Support Program (ISP).

The Department of Education (the department) and the Inclusion Development Fund Manager (IDFM) conduct compliance activities across child care services receiving funding under the Inclusion Development Fund (IDF). Compliance activities aim to assist services to use and correctly claim IDF funding and ensure they are operating in accordance with their IDF Approval, Conditions of Funding and the ISP Guidelines.

The department's compliance goals are:

- that all funding recipients are provided with the information they require to voluntarily comply with all of their funding obligations
- to detect cases where this is not occurring and take appropriate corrective action.

### Compliance Model

The compliance strategy for the ISP aims to:

- encourage, enforce and strengthen compliance in the ISP to ensure public funds are spent properly and accountably
- provide assurance and confidence to the Australian Government, Early Childhood and Child Care (ECCC) services, families and the community that the Government's investment in quality child care and early learning through the ISP is being spent fairly, equitably and for its intended purpose.

The department's compliance approach to ensure correct use and claiming of IDF funds is achieved through three main elements of prevention including education, detection and deterrence.

Prevention is the primary focus of the department's compliance approach. Most services strive to be compliant with IDF funding obligations and both the department and the IDFM are committed to supporting services to comply by ensuring the Program Guidelines, FAQs and program information is clear for services to understand their obligations. There are however instances of non-compliance,

such as where a service claims the IDF subsidy for employment of an additional educator, when an additional educator has not in fact been employed.

If non-compliance has occurred the department has a range of correction strategies available, which may include one or more of the following actions:

- recovering any payments that the service was not entitled to
- suspending, withholding or deferring future payments
- imposing additional conditions on the payment of funding
- referral to the department's Fraud Investigation Branch
- in cases of suspected criminal behaviour, referral of the matter to the Australian Federal Police.

The nature of any corrective action will be informed by the nature and level of non-compliance that is identified, the causes of the non-compliance and service's level of cooperation with any investigation.

Except in cases of significant repeated non-compliance, no sanctions other than debt recovery will be applied where services self-identify non-compliance. The more severe sanctions will apply where claims for funding are wilfully manipulated.

## Compliance Activities

The IDFM and the department undertake regular and ongoing compliance activities in relation to IDF payments. Compliance activities include:

- investigating all tip-offs suggesting a service may be non-compliant
- randomly selecting a sample of all services receiving IDF funding for a compliance review.

If anyone becomes aware of suspected non-compliance relating to use of ISP funding, tip-offs can be emailed to [InclusionSupportProgram@education.gov.au](mailto:InclusionSupportProgram@education.gov.au) with the following details included:

- name of the suspected non-compliant service
- a date period during which the suspected non-compliance occurred
- a description of the suspected non-compliant behaviour.

The department and/or the IDFM will follow up tip-offs, for example with the service in question. In such instances the anonymity of the individual that raised initial concerns over non-compliance will be ensured.

## What happens when a service is compliance checked?

Services will be notified in writing if they have been selected for a compliance review. Services may be asked to verify their eligibility for claims and provide documentary evidence. This may include child sign in/sign out records and educator attendance records to support claims and receipts to validate expenditure under the Innovative Solutions stream. Services that are found to be non-compliant will be notified in writing of the department's intended corrective action.

## Further Information

Read the [ISP Guidelines](#) for more information. The IDFM's website also contains a range of information regarding the program. Services should contact their Inclusion Agency for clarification and advice on eligibility and claiming under ISP.