

11 May 2010  
CSCF/08/94

Ms Naomi Bleeser  
Committee Secretary  
Community Affairs Legislation Committee  
PO Box 6100  
Parliament House  
CANBERRA 2600

Dear Ms Bleeser

The Office of the Child Safety Commissioner (OCSC) appreciates this opportunity to provide a submission to the Community Affairs Legislation Committee on the Exposure Draft of the Paid Parental Leave Scheme Bill 2010. Given the short time frames, we will confine our comments to the issue of the entitlements of non-parent carers who in 'exceptional circumstances' become the primary carer of a child.

The OCSC has had the privilege of meeting many relative carers (often grandparents) who have assumed responsibility for becoming the primary carer of a child. In our submissions to the Productivity Commission, we highlighted the needs of these families, particularly the children who have often experienced trauma, abuse or neglect, and argued in support of including these carers within the Paid Parental Leave Scheme. The OCSC was pleased that the Productivity Commission responded by amending its initial Paid Parental Leave Proposal to include within its proposed scheme non-parent carers who become the primary carers of a child.

We support the decision to include within the Exposure Draft of the Bill (the Bill) provisions which will in 'exceptional circumstances' enable carers other than the parents of a child to receive paid parental leave. Our understanding is that the Bill opens up the possibility of a non-parent primary carer of a child (such as a grandparent) being able to access the Paid Parental Leave Scheme under the provisions relating to tertiary claimants and those relating to 'exceptional circumstances'. We note that in both cases eligibility will depend on meeting criteria to be specified in the Paid Parental Leave rules (PPL rules).

We appreciate that time for consultation on the PPL rules will be limited but we trust that relevant stakeholders will be consulted. Our hope is that in determining the criteria for 'exceptional circumstances' the government will focus primarily on what is in the best interests of these vulnerable children. We would be very happy to provide some input to the development of the PPL rules that apply to 'exceptional circumstances'. We look forward to the successful operation of the new scheme.

Yours sincerely

 **Bernie Geary OAM**  
Child Safety Commissioner