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## Regulation Impact Statement (RIS) for Early Childhood Education and Care Quality Reforms

### Submission in response to COAG Consultation RIS

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### Our interest

Since its inception in 1993, the National Childcare Accreditation Council (NCAC) has worked in partnership with government, services, families and other key stakeholders to facilitate and support continuous improvement to the quality of child care provided for children in Australia.

NCAC is funded by the Australian Government Department of Education, Employment and Workplace Relations (DEEWR) to administer Child Care Quality Assurance (CCQA) systems for long day care centres, family day care schemes and outside school hours care services.

For 16 years NCAC has demonstrated a commitment to the provision of quality child care experiences for all children enrolled in child care services in Australia. As at 1 August 2009 there are 9562 children's services registered with NCAC.

NCAC employs over 200 staff including experts in early and middle childhood education (Validators, Moderators and Child Care Advisers), committed administrative staff and professionals from a range of disciplines including finance, human resources, information technology, communications and management. NCAC is a recipient of the Employer of Choice for Women Award (2007, 2008 and 2009) and is an ISO 9001: 2000 Quality Endorsed Company (2007 and 2008).

NCAC's Guiding Principle is 'Putting Children First' and this principle guides our response to the RIS. There is compelling evidence that providing increased access to early education and care is not enough to ensure positive outcomes for young children. The quality of the provision is also critical. This research has informed and provides the basis for NCAC's submission.

## National Quality Standard and Ratings Framework

### 1. Governments are proposing to implement consistent minimum standards of care across Australia. Do you agree with this approach? Why or why not?

Quality experiences and improved outcomes for all children need to be the core, underpinning principle in the design of the proposed national quality system. NCAC believes that the reforms outlined in the Regulation Impact Statement for Early Childhood Education and Care represent an exciting opportunity to strengthen quality service provision across Australia and deliver improved outcomes for children, families and communities.

#### **Lack of consistency**

At present regulatory standards administered by state/territory governments vary significantly between the jurisdictions; are non-existent for some service types in some jurisdictions; and are not all founded in evidence-based best practice. This is particularly the case in relation to ratios of staff to children, group size and staff qualifications. This lack of national consistency in regulation flows through to the consistency of the program delivered in each setting. Further, unlike family day care schemes, outside school hours care services and long day care centres, state-funded preschools have not been part of the Child Care Quality Assurance systems.

There is also confusion for both services and families about which matters are within the licensing province and which are part of Accreditation. In the wider community, it is often assumed that all settings in which children are provided with care and education are monitored in the same way, when this is not the case. Currently a centre based service may offer long day care, a state funded preschool program and care for school age children. Families may assume that when the service participates in the quality assurance process and is Accredited, all of these components have met the quality assurance standards when in fact the Accreditation Decision relates only to the long day care places.

#### **Improving quality**

Regulatory standards can exert an upward influence on quality regardless of service type. Nationally consistent standards have the potential to overcome the inequity that may exist between different service types, both in terms of how they are generally perceived and valued, as well as in terms of the expectations of the quality of care and education they can or should provide. When standards are applied unilaterally, families and the wider community can have greater confidence in the quality of care and education being provided. Families can also make an informed decision about using a particular service or program.

#### **Raising the status of educators and carers**

Integrated standards may also assist in improving the professionalism of all educators, provide them with increased recognition and create enhanced career pathways. This in turn may improve the retention rate of experienced professionals and attract new graduates to the education and care field.

## Quality outcomes for children

### *Curriculum Framework*

The Council of Australian Governments is to be congratulated on the development of the Early Years Learning Framework (EYLF). It is anticipated that the document will guide educators' thinking and practice and support positive outcomes for young children in education and care settings.

NCAC is concerned however that the time a child spends in an outside school hours care service has been overlooked. As the authors of *Shared Visions for Outside School Hours Care* (2004) note, 'A child in may spend around 1,000 hours per year or 7,000 hours total in the years between starting school and turning 12 years of age in an outside school hours care service. This is a substantial part of a child's childhood' (p.19).

With such a strong focus on the early years, the EYLF does not address the development of life skills and the learning that occurs in recreation based services and which are so important in the middle childhood years. A middle years framework is urgently required to provide educators in outside school hours care with a structure and common understanding that will guide quality practice.

### *The National Quality Standard*

The standards should both drive continuous improvement and prescribe a minimum acceptable level of education and care provided by early and middle childhood services. They should focus on quality outcomes for children and include the key aspects of quality identified by the Organisation for Economic Cooperation and Development (OECD):

- Staffing requirements and arrangements (qualifications, staff-child ratios and group sizes)
- Physical environment (both in terms of structure and facilities, but also as the 'third teacher')
- Relationships between educators and children
- Family and community partnerships
- Play based curriculum
- Children's health and safety
- Leadership and management.

It is important, however, that the National Quality Standard and Quality Rating System are flexible enough to recognise that quality outcomes may be achieved by different services in different ways. The standards, in particular, need to be sufficiently broad that they:

- can be adapted to meet the specific needs of each service and the children, families and local community who use it; and
- encourage professional autonomy and innovative practice. This is particularly relevant in supporting the Government's commitment to develop a greater number of integrated child and family services which provide care, education, health and family support programs from a single location.

The current standards in the quality area 'Educational program and practice' focus on the learning and development outcomes described in the EYLF. In outside school hours care the program is designed to nurture the development of life skills and complement children's experiences and relationships at school, at home and in the community. It is strongly suggested that the standards in relation to the program are reviewed to ensure they are appropriate for both early and middle childhood sectors and that guidelines are provided about how they might be met in different settings.

The standards also need to be developed in a way that will allow them to be reviewed and adapted over time to reflect new research and changing practice.

### **Quality in services excluded from the reforms**

The Regulatory Impact Statement notes that further work will be undertaken in the future to include occasional care, in-home care and Indigenous services in the current quality reforms (p.4). NCAC is concerned about the exclusion of these services from the implementation plan and believes they may be disadvantaged by the proposed delay.

It has previously been proposed that occasional care, in-home care and Indigenous services be included in the revised and integrated quality assurance systems. On each occasion the task was considered too great and postponed despite NCAC's willingness to engage with and consult each sector to ensure that the standards were relevant to them and appropriate supports could be provided to assist their progress through the system.

Each time the quality standards are reviewed the 'bar' which services are required to meet has been lifted and the gap for services outside the quality assurance system widens. Similarly governments miss an opportunity to ensure practice in these services is adequately supported and monitored and positive outcomes are achieved for all children.

A number of non-mainstream services have been participating voluntarily in the current quality assurance systems and many are already required to meet licensing or national standards in some states and territories. NCAC strongly recommends that occasional care, in-home care and Indigenous services are included in the current reform process and that they are provided with the support required and an extended timeframe for meeting the National Quality Standard.

### **Transition**

The transition to an integrated regulatory and quality assurance system will require a well planned and supported approach over time to be successful. It will be important to undertake genuine consultation with different service types across the sector to gain their ideas and to develop an understanding of the genuine issues or challenges they may face in participating in a 'one size fits all' system. To ensure its acceptance 'on the ground', the proposed National Quality Standard must also be rigorously field tested prior to implementation.

## **2. For each care type, which of the options set out in Chapter 5.3 do you believe would best achieve a good balance between meeting the government's objective of enhancing learning and development outcomes for children, and affordability for parents, and why?**

Staff qualifications, ratios and group size are key elements of quality child care provision. There is a significant body of research that suggests that increasing staff to child ratios, in particular for children aged 0-3, has a significant impact on the quality of children's experiences in care settings. Improving staff to child ratios may also assist in reducing staff stress levels which, according to anecdotal evidence, is a significant factor in high turnover among child care professionals.

It is acknowledged that there are a number of obstacles to meeting improved staff qualification, ratio and group size requirements in the short term, however these necessities must be part of the long-term vision for children's services in Australia.

### **Staff to child ratios in centre based long day care and pre-school**

The early years have the most critical impact on children's cognitive, social and emotional development. Therefore the quality of children's experiences in early education and care settings is vitally important. Australia has a unique opportunity to positively influence outcomes for children through this reform process. Few opportunities such as this arise.

Based on overwhelmingly strong and consistent research evidence, NCAC supports Option 4 outlined in the Regulatory Impact Statement (p.26) as it offers a more immediate improvement in ratios and includes a strategy for achieving better outcomes for children from birth to 24 months in the future. NCAC is concerned, however, with the timeframe suggested for meeting the 1:3 ratio for children under two and believes this should be shortened to the end of 2015.

While it is acknowledged that the costs associated with better staff to child ratios are inevitably higher, what is in the best interests of babies and toddlers is at the heart of this recommendation. Better ratios ensure that each child receives more individual attention and fosters stronger relationships with educators. There is compelling evidence that suggests these elements provide the most effective way of supporting the learning and development needs of babies and toddlers. Much of this evidence was cited in the Expert Advisory Panel report.

### **Ratios for mixed age groups in long day care**

The Regulatory Impact Statement is silent in regard to staff to child ratios for mixed age groupings in long day care and pre-school services. Long day care services, in particular, often operate with mixed aged groups of children in the early morning and late afternoon, and in small communities throughout the day to keep staffing levels and costs reasonable.

Services need flexibility to reorganise groupings to reflect the needs of the community and the children attending on any given day, but it is also important that these arrangements do not compromise safety or the quality of children's experiences.

NCAC therefore recommends that:

- There must be at least two (2) adults on duty in a setting at any time when children are present, one of whom holds an AQTF level 5 qualification (Diploma).

- Where children of different ages are grouped together, the staff to child ratio for the youngest child in the group should apply by 2013. A maximum group size eight (8) for mixed age groups is also recommended with no more than three (3) children birth to 24 months.
- School age children cared for in a long day care service must be included in the above ratio where they share the same facilities and must not adversely affect the care of younger children using the service.
- In order to ensure that staff to child ratios are always met in relation to the staff working directly with children, sufficient staff must be available to cover staff breaks, holidays, sickness, program planning, professional development and time spent with families.
- Additional staff are also required to undertake tasks such as organising staffing, management tasks, preparing meals, cleaning and maintaining premises and equipment, so that staff counted in the ratio are only those working directly with children.

### **Staff to child ratios in family day care**

NCAC provides in principle support for the proposal outlined in Option 2(p.27), and makes the following recommendations about additional requirements:

The maximum of seven children under the age of twelve (12) must include the carer's own children or any other children for whom they may be responsible, for example relatives or children in foster care with the carer's family.

The maximum of four (4) children under school age must include no more than two children under two (2) years of age and no more than one (1) under 12 months of age. For example:

One (1) child under 12 months and one (1) child aged 12 – 24 months

or

Two (2) children aged 12 – 24 months.

An exemption may be applied for multiple siblings (triplets or quadruplets) under two (2) years of age.

Reducing the maximum number of children in care, and limiting the number of children under two (2) years of age, may assist in reducing the stress levels of family day care carers who are working alone for long periods of time each day. Smaller numbers of children in the group would also increase the carers' capacity to engage in children's play and learning, supervise more actively and develop closer relationships with all children in care.

Concern has been raised around reducing carer's income in those states where the current ratio is 1:5 for children under school age, which could result in some carers leaving the industry and make recruitment of new carers more difficult. While these concerns have some validity it is important to note that a 1:4 ratio has been a requirement of the *National Standard for Family Day Care* since 1995 and has already been adopted in five (5) states and territories. A similar ratio is also being proposed as part of the current regulatory reforms in New South Wales. Family day care schemes and carers continue to operate successfully in these jurisdictions.

## **Coordination unit staff to carer ratio**

Coordination units play a key role in the provision of quality family day care through the provision of training, resourcing and assistance to the carers registered with the scheme.

Staff conducting regular visits to carers' homes ensure that the quality of care is being maintained and provide support for continuous improvement.

In order to meet carer's needs for pre-service and in-service training, ongoing professional development and assistance in planning effective programs for all children in care, NCAC suggests that consideration is given to prescribing a ratio of coordination unit staff to carers that are employed with a family day care scheme. A ratio of one (1) full-time coordination unit staff member for every ten (10) carers registered with a scheme by 2015 is recommended.

## **Staff to child ratios in outside school hours care**

The Regulation Impact Statement (RIS) for Early Childhood Education and Care notes that the inclusion of outside school hours care (OSHC) services in the proposed National Quality Standard and Ratings Framework 'will not result in changes to staffing arrangements and staff to child ratios at this stage' (p.28).

NCAC would like to propose that the staff to child ratio currently specified in the National Standard for outside school hours care of 1:15 be prescribed as a minimum in all states and territories from 2010. To ensure children's safety and wellbeing it is also recommended that in all services:

- At least two (2) staff are on duty at any time when children are present. To address viability issues experienced by some small OSHC services, where there are less than ten (10) children in attendance the second staff member could be another adult, for example, a principal or teacher on the premises or at the service location who could assist if required.
- When children are being transported between school and the service, or on excursions, the driver of the vehicle is not included in the adult to child ratio.

In recognition of the variation in the development across the age range covered by outside school hours care services, NCAC also offers the following recommendation for implementation by the end of 2015:

- For children aged five (5) to eight (8) years a ratio of 1:12
- For children aged eight (8) to twelve (12) a ratio of 1:15

These groupings have been selected because they reflect significant changes which occur at certain points in children's development. They are not intended to suggest a way to group children within a service.

## **Care for school age children in long day care services**

There are increasing numbers of long day care services that provide outside school hours care for school age children, including care during vacation periods. Some services have separate areas specifically planned and designed for school age children and employ additional staff to work with them. This is not the case in other services where older and younger children are required to share space, resources and staff who may not have relevant training or experience in working with school age children. These arrangements can influence the quality of experiences for all children at the service.

It is imperative that when care is provided for school aged children in a long day care service it is not seen as an 'add on' service but as a crucial aspect of the care and education of children in the community. The specific needs of older children must be considered equally alongside the needs of younger children.

NCAC makes the following recommendations for long day care services that provide care for school age children:

- That requirements for indoor and outdoor space and toilet facilities outlined in the National Quality Standard include provision for mixed age groups that include school age children.
- That, where children share the same environment, and the school age children are under eight (8) years of age the total number of school age children is not greater than 20% of the total number of children attending on any one day.
- That, where children share the same environment, and the school age children are over eight (8) years of age the total number of school age children is not greater than 10% of the total number of children attending on any one day.
- Where separate facilities and additional staff with appropriate qualifications and experience in working with school age children are employed the Staff to child ratio should be consistent with a stand-alone outside school hours care service.

## Excursions

Taking groups of children to unfamiliar environments outside the service poses increased risks for service providers and educators. It is also important that children feel part of the community in which they live. Opportunities to use local community facilities such as parks and libraries and engage in community projects and events can enhance children's experiences, their development and understanding of the world around them.

Appropriate adult: child ratios for excursions must be prescribed in the National Quality Standard in a way that both children's safety and the provision of valuable learning opportunities are considered. The following suggestion is provided for adult: child ratios on excursions:

- 1:2 for children under three (3) years of age
- 1:4 for children three (3) or more years of age but do not attend school
- 1:10 for school age children from 2010
- 1:8 for children aged five (5) to eight (8) by 2015
- 1:10 for children aged nine (9) to twelve (12) by 2015.

A higher adult to child ratio is suggested for excursions to places where there is a significant water hazard:

- 1 adult for each child under three (3) years of age
- 1:2 for children three (3) or more years of age but do not attend school
- 1:4 for children aged five (5) to eight (8)
- 1:5 for children aged nine (9) to twelve (12).

## Qualifications in centre based long day care and pre-school

There is strong evidence that staff qualifications and experience are key drivers of quality. The Effective Provision of Pre-school Education (EPPE) study for example, found that having four year university qualified teachers working with children for a substantial proportion of the time had a significant impact on children's learning and development outcomes. The EPPE study also noted that better outcomes for all children occurred when university qualified early childhood teachers worked with, and provided pedagogical leadership for, other qualified and unqualified staff.

While all children benefit from quality early childhood education and care, it is particularly vital for vulnerable and disadvantaged children, who stand to benefit most from this type of care. Quality child care and access to a university qualified early childhood teacher has additional benefits in terms of identifying developmental delays and organising and implementing relevant interventions.

In light of this research NCAC supports the following proposals outlined in the Regulatory Impact Statement (RIS) in relation to qualifications of staff in long day care and pre-school services:

- All staff working with children should be required to have a minimum Certificate III qualification no later than the end of 2013. While it is acknowledged that unqualified staff, students and volunteers can make a valuable contribution to children's experiences they should be supernumerary to the child to staff ratios.
- Fifty percent (50%) of all staff working with children have a qualification of Diploma or above by the end of 2013.

NCAC does not support the proposal that a staff member is deemed to have met the qualification requirement if they are enrolled in a course of study. The timeframe being suggested in the RIS is sufficient for existing staff to complete the necessary studies. Certificate III should be a selection requirement for the employment of new staff.

NCAC does not believe that the proposals outlined in relation to university qualified early childhood teachers are sufficient to achieve the best outcomes for Australian children and recommends that they be strengthened as follows:

- Services that have twenty (20) to thirty-nine (39) children on any day are required to employ one (1) full time university qualified early childhood teacher by 2013.
- For services with forty (40) or more children on any day there is a requirement that an additional full time university qualified early childhood teacher is employed for every additional twenty (20) children by 2013.<sup>1</sup>
- Services with less than twenty (20) children enrolled have access to a university qualified early childhood teacher for pedagogical leadership by 2011. In smaller communities (for example rural, remote and Indigenous), where there is difficulty recruiting suitably qualified staff the teacher could work across a small number of services, on the proviso that quality can be demonstrated and maintained. Services with less than twenty (20) children are required to employ one (1) university qualified early childhood teacher by 2015.

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<sup>1</sup> This would mean, 40-59 children would have two (2) teachers, 60-79 children would have three (3) teachers, 80-99 children would have four (4) teachers etc.

- The qualification requirements outlined apply to all services including those providing education and care solely for children birth to three (3) years.

Pedagogical leadership and program delivery are equally important in ensuring positive learning outcomes for children. It is therefore vital that university qualified teachers employed to meet staffing requirements are working face to face with the children and not just providing pedagogical leadership to other staff.

### **Qualifications in family day care - carers**

Carers registered with a family day care scheme are operating alone and are, for the most part, unsupervised in their own home. They do not have the same opportunity as their centre based colleagues to call on a more qualified or experienced team member to help them solve the challenges that arise throughout the day. It is, therefore imperative that carers themselves have a good understanding of child development and health, safety and nutrition matters, and have the skills to plan and implement a program that supports children's learning.

In an integrated Quality Framework carers and will be required to meet the National Quality Standard, albeit in a subtly different way than their centre based colleagues. Families will also expect, and children deserve, a consistent level of quality in whichever service type they choose. NCAC therefore supports Option 2 in the RIS (p.27) in relation to a Certificate III qualification of carers. It is also suggested that over time the requirement be strengthened so that carers are required to hold a Diploma in Children's Services.

The proposal that a carer is deemed to have met the qualification requirement if they are enrolled in a course of study, however, is not supported. The 2013 timeframe being suggested in the RIS is sufficient for existing carers to complete the necessary studies or receive recognition for prior learning.

Children in family day care have the right to access a learning program delivered by a qualified child care professional from the first day they attend the service. Certificate III should therefore be a selection requirement for the registration of new carers from 2013. This is already the case in South Australia, where the Department of Education and Children's Services have developed a recognised Certificate III pre-service training course for applicants seeking approval to operate a family day care service. A similar model could be considered in developing a nationally recognised training package for delivery in different modes across the country.

### **Qualifications in family day care - coordination unit staff**

The reforms outlined in the RIS recognise the importance of all children having access to a university qualified early childhood teacher in centre based education and care settings, regardless of the size of the service. There is no such requirement for children attending family day care.

If the intention is to build a truly integrated national quality system and provide universal access to high quality education and care experiences for all young children, then the objective must be to implement similar qualification requirements across all services for children in the years prior to school.

It is the role of coordination unit staff to provide pedagogical leadership to carers through home visits, in-service training and playgroups. The knowledge and skill of these staff has a significant influence on the quality of the learning opportunities provided for children attending family day care. Therefore, NCAC believes the qualification requirements for coordination unit staff needs to be strengthened in

order to provide parity with staff providing leadership in centre based services. It is strongly suggested that the following qualification requirements be implemented:

- All coordinators, field staff and play group leaders are required to hold a Diploma qualification by 2013.
- One (1) 4 year university qualified early childhood teacher is employed as a fieldworker for every ten (10) carers registered with the scheme by 2015. This person will provide pedagogical leadership for carers and play group leaders.
- At least one (1) coordination unit staff member will hold, as a minimum, Certificate IV in Training and Assessment (TAA) from a recognised training authority by 2013. This person will develop and deliver appropriate in-service training for carers.

### **Qualifications in outside school hours care**

The RIS does not consider qualifications for staff working in outside school hours care services, although minimum requirements are specified in the National Standard for Outside School Hours Care and in those jurisdictions where care for school age children is regulated.

Effective programs for children, regardless of their age, arise from sensitive observations and planning that provide opportunities to learn and develop through play and relationships. While there is a greater focus on recreation than education in outside school hours care, responsive programs and positive outcomes for children are still linked with the skills level of the child care professionals working with them.

NCAC therefore makes the following recommendations in relation to qualifications for staff in outside school hours care:

- All outside school hours care coordinators will have a minimum Diploma qualification by 2013. Diplomas in children's services, recreation or youth services would be considered acceptable.
- All staff working with children will have a minimum Certificate III level qualification by 2013.
- For services with thirty (30) or more children, fifty percent (50%) of staff will have a minimum diploma qualification by 2015.

### **Group Size**

Research suggests that staff to child ratios, university qualified staff and group size make the most significant contribution to quality outcomes for children in children's services. NCAC is therefore concerned that group size has not been addressed in the RIS.

Group size matters. It affects factors such as noise levels, educator's level of intimacy with and responsiveness to individual children, and the ability of children to form caring relationships with each other. This is particularly the case for very young children where smaller groups have been also been associated with lower risk of contracting infectious diseases and improved safety (Centre for Community Child Health, *Policy Brief No.2*, 2006, *Quality in Children's Services*).

The quality of interactions cannot be assessed during an approval process and before children attend the service. Prescribing group sizes in the National Quality Standard affords a degree of protection for children, particularly infants and toddlers,

and is simpler than trying to impose a limit on group size once a service is operational if this is found to be adversely affecting the quality of care.

It is therefore recommended that maximum group sizes are prescribed in the National Quality Standard in line with staff to child ratios. For example:

- For children birth to two (2) years (ratio of 1:4) the maximum group size is eight (8). When the ratio moves to 1:3 the maximum group size would also change to six (6).
- For children 25 months to 35 months (ratio of 1:5) the maximum group size is ten (10).
- For children 36 months and over (1:10) the maximum group size is twenty (20).

The proposed group sizes are not intended to limit the overall size of the service, but would contribute to better outcomes for children and reduced stress levels for educators.

### **3. Do the proposed standards address different cultural and diversity requirements and considerations adequately? If not, do you have any suggestions for how the standard could be further improved?**

The proposed standards in the RIS are brief and do not elaborate on the practices required to meet the standards making it difficult to assess whether cultural and diversity requirements are adequate.

However, the standards are written as broad outcomes for children and their families. This approach recognises that education and care will, and should, look different in different settings and communities. Rather than prescribing practice the universal approach of these standards provides flexibility and should allow services to respond to the particular needs and interests of the children and families in their local community.

There is a strong focus in the standards on inclusion and the development of a program for each child, taking into account their strengths and capabilities. In meeting these requirements educators will be encouraged to build positive relationships with all children and ensure that they are equally valued and able to participate in the program.

It is, however, imperative that the standards are subject to an extensive and transparent consultation process which engages all stakeholders, including service providers, families and children.

The standards will also need to be reviewed by experts in the profession and sufficiently field tested to ensure they can be implemented in a range of settings and in culturally diverse and Indigenous communities.

### **4. What would be the impacts of changes to FDC arrangements?**

#### **An Integrated System**

Family day care schemes have been participating in the current quality assurance system since 2001. Operators, carers and coordination unit staff are familiar in working with nationally consistent standards, and an external validation process, even in those states and territories where family day care has not been subject to licensing and regulation. This participation may go some way towards easing the transition for family day care to an integrated system and standards.

## Ratios

Concern has been raised around reducing carers' income in those states where the current ratio is 1:5 for children under school age, which could result in some carers leaving the industry and make recruitment of new carers more difficult. A reduction in the number of carers in a scheme can have a knock on effect; fewer carers means that less children can be placed in care; lower usage is reflected in reduced funding for the coordination unit; less funding impacts on the employment of field staff and a reduction in the ability to monitor and support carers.

While these concerns have some validity it is important to note that a 1:4 ratio has already been adopted in five (5) states and territories and is being proposed as part of the current regulatory reforms in New South Wales. Family day care schemes and carers continue to operate successfully in these jurisdictions.

## Qualifications

The introduction of a minimum qualification in family day care provides an opportunity to recognise the skills and experience of existing carers and to professionalise the workforce. Career pathways for carers and coordination unit staff may also be enhanced.

The increased qualification requirements in family day care will have a cost and time impact on both carers, coordination unit staff and operators and a greater level of funding, targeted specifically to fund training, may be needed.

## Resources

The family day care sector has a large proportion of carers from culturally and linguistically diverse backgrounds, many of whom have English as a second language. They will need access to translated resources and interpreter services to support them to implement the National Quality Standard and undertake training to achieve Certificate III qualification.

### **5. What would be the impacts of the proposed changes to staff qualifications on services, particularly small, or rural or remote services?**

There are costs associated with the proposed changes to staff qualifications – to the individual obtaining qualifications; to the service paying increased wages to more qualified staff, hiring more staff to meet ratios and possibly amending existing buildings to accommodate new group sizes – and these costs will likely be transferred to parents as fees are unregulated.

Recognising that suggested reforms to lift the qualifications standards would put additional strain on an already stretched workforce, a significant and comprehensive workforce strategy will be needed to address the current and future shortfall in the number of university qualified staff available (and willing) to work in early childhood education and care and school age care services. In developing this strategy consideration will also need to be given to addressing industrial inequities and the perceived lack of status of the profession which also impact on the ability of services to attract and maintain appropriately university qualified staff.

Services may elect to reduce the number of child care places they offer in order to avoid hiring additional staff to meet more stringent ratios, which could result in workforce issues for families unable to find care.

Further, the emphasis on qualifications may alienate those child care professionals who, despite not having formal qualifications, have a wealth of knowledge and experience in the child care field. It is important that goodwill be maintained and that these staff are encouraged and supported to obtain the qualifications needed to continue in the profession.

### **Short term strategies**

NCAC suggests the following strategies to overcome some of these issues:

- In smaller communities (for example rural, remote and Indigenous) a leader may be able to work across a small number of services, providing pedagogical support, on the proviso that quality can be demonstrated and maintained
- To address the anticipated shortage of four (4) year university qualified teachers, existing three (3) year university qualified early childhood teachers could be deemed to meet the qualification requirement for a period of time. They would need to demonstrate that they had undertaken professional development to assist in the implementation of the EYLF, and if they left the workforce, would need to upgrade to a four (4) year qualification before returning to work.
- A Recognition of Prior Learning (RPL) process could be considered to assist child care professionals to obtain or upgrade qualifications to meet the requirements being proposed. It would be important to ensure that evidence provided by candidates to demonstrate their competency would be rigorously assessed in order to maintain the integrity of the qualification being awarded.
- Conversion courses to upgrade existing qualifications also need to be rigorous and ensure that recipients have comprehensive understanding of and experience in the delivery of quality education and care to young children. Early childhood courses need to include experience with children under three (3) as well as three (3) to five (5) year olds.
- The impact of fewer places for children under two (2) should be offset to some degree by government's commitment to introduce a paid parental leave scheme, which would limit the need for increases in the number of staff to care for infants less than one (1) year of age.

### **National registration system for educators**

Registration of child care professionals could assist in ensuring that a high standard of practice and conduct is maintained. Such a system could mirror the current state/territory requirements for teachers to be registered by setting out specific registration and post registration training requirements. The system could be structured according to different categories of registration, including provisional and full registration.

Provisional registration could entail a supported introduction to the early and middle childhood profession, characterised by:

- Child care experience
- Guided reflection on practice
- Professional development and growth
- Peer support and participation in collegial activities

Full registration could require successful demonstration of professional standards, subject to suitability requirements, such as criminal checks. Having a national system of registration would permit transferability of skills/qualifications across states and territories.

There needs to be a coordinated and integrated approach between all training, in-service and higher education providers. In particular, the Government needs to establish collaborative partnerships between Vocational Education and Training (VET) institutions and the university sector to develop new ways of thinking regarding qualification pathways and curriculum design. There also needs to be flexibility of course structure, including ongoing monitoring and evaluation, to ensure that it is continuously responsive to changing community needs.

### **Financial Incentives**

Contributing towards the study costs of students who are working in a children's service and enrolled in a teaching program at university may encourage more educators to gain or upgrade their qualifications. A payment to their service would also provide an incentive to operators to encourage their staff to undertake further study. This could take the form of a grant or subsidising relief staff to allow for staff study leave. A similar incentive and grants system has been used successfully for some time by the New Zealand Ministry of Education to increase the number of university qualified teachers in early childhood programs.

### **Teacher Recognition Program**

A national 'teacher recognition program' would allow registered teachers interested in working in the child care field to fast-track their attainment of early and middle childhood qualifications by gaining credits for their existing qualifications and experience. The Queensland Government introduced a strategy of this nature in 2004 in collaboration with the Board of Teacher Registration, the Department of Employment and Training, the Creche and Kindergarten Association of Queensland, the Queensland College of Teachers (QCT) and TAFE Queensland. The strategy incorporates an extensive skills matching and audit process.

### **'Reconnect' Program**

Establishing a 'reconnect' program may encourage educators who have left the field due to family or other commitments to 're-connect' once their circumstances have change. This would minimise the loss of valuable skills and experience.

### **Delayed Retirement Incentives**

Offering incentives for educators to delay their retirement, through tax incentives or by other means, may also assist in improving retention strategies.

### **Code of professional conduct**

Another strategy to professionalise the child care workforce could be to establish a Code of Practice/Professional Conduct for child care professionals. While some organisations within the education and care sector have developed codes of practice for their own stakeholders, there is currently no nationally consistent standard.

Building on what already exists, a national code of professional conduct could assist to clarify expectations of practice within the child care profession, and offer guidance to members of the profession seeking to improve their professional practice through self-reflection and professional development.

Professional standards could also assist in increasing public recognition of the quality of the profession and understanding of the complexity of the work undertaken by child care professionals. The Government could consider instituting a Professional Practice and Conduct Committee to oversee applications and deal with disciplinary matters. This Committee could be given powers to investigate alleged breaches of Professional Conduct.

## **6. Do you think the proposed quality rating system would be an effective indicator of service quality?**

The RIS contains limited information about the proposed quality rating system and how it would measure service quality. The matrix in the RIS appendix does not elaborate on how the ratings system will be measured, what services are required to do to demonstrate they meet the various rating levels or the process services need to undertake in order to be assessed.

The quality rating system needs to be simple and must make sense to families and the general community. It must also be respectful to professionals working in the field. It therefore seems logical that a 'building block' approach is taken to the design of the rating system (eg. the National Standard builds on the operating level, High Quality builds on the National Standard with progression to innovation and leadership at the Excellent level).

The rating system must also provide transparent, easily interpreted information about the service's performance in each of the proposed quality areas and how the rating decision is made. Families will have different priorities and requirements of a child care service and providing them with a clear 'snapshot' of services' quality ratings can help them to understand the relative quality of different programs.

Consideration needs to be given to how families may be able to access information about the rating system and quality child care, as well as about the rating of specific services, for example through a website, certificate/logo/sticker to be displayed (as with ISO certification) that identifies the service's status.

The quality and consistency of assessors is a key aspect to consider in the further development of the rating system. Assessors must be university qualified and experienced in the service type that they are assessing. They should have consistent and regular training to understand the diversity of practice, emerging theories and current issues in early and middle childhood programs. Assessors must also be supported by a comprehensive performance management system.

## **7. Would the quality rating system help to drive continuous improvement in the ECEC sector? If not, do you have any suggestions for how the quality rating system could be further improved?**

The quality rating system must provide incentive for poor performing services to meet the National Quality Standard and allow high performing services to be recognised for their achievements. There is insufficient information in the Regulation Impact Statement (RIS) to describe how the quality ratings system will drive continuous improvement.

The rating system will be most productive if conceived in a way that encourages and assists services to make changes and improvements from a strengths based perspective; using what is already working well in their service to support development in areas where there are either poor quality practices, or where the service would like to make further improvements to their quality practices.

The National Quality Standards, assessment processes and rating system needs to work together in a way that advocates the key elements of effective, ongoing improvement which involves:

- regular and continuous reflection on current practice that incorporates feedback from all service stakeholders
- identifying goals for improvement that first and foremost reflect a commitment to promoting positive outcomes for children
- planning for improvements in ways that are tangible, and for which the service can demonstrate clear accountability.

This approach is already familiar to the over 9500 children's services registered with NCAC. Continuous reflection and planning for improvement is imbedded in the current Child Care Quality Assurance systems and there is strong evidence that this has driven up the quality of care provided for children at a service level over time.

## **8. What criteria do you think should be used to rate a service as Excellent? How should the rating be assessed and by whom?**

NCAC believes that a rating of 'Excellent' should be awarded to a small percentage of services which have previously received and maintained a High Quality Rating and are recognised as 'Lighthouse' services or world leaders by the early and middle childhood profession. These are services which take practice forward to the leading edge.

In order to be considered as a Centre of Excellence the service would submit an application focusing on one or more areas in which the service excels. For example, the service may have learning and teaching practices which are different in an identifiable way from typical early and middle childhood programs, be involved in research projects with a university, provide pedagogical leadership to other services, or be a model centre for a particular curriculum approach.

An assessment panel, including representation from across Australia, parents, practitioners, academics and government, would review the application against specified criteria. This would be confirmed by a visit to the service.

'Excellence' status would be awarded annually for a period of three (3) years before reapplication. The services would receive a certificate and a logo to be used on promotional materials, and may also receive a grant to engage in further research projects or resource other areas of interest.

Centres of Excellence would be expected to make a significant contribution to the education and care sector by sharing research results, resources and models of innovative practice within the sector and mentoring other services engaged in an exploration of teaching and learning processes.

## Licensing and regulatory arrangements

### 9. Do you think integrating the existing regulatory arrangements will reduce costs for the industry and for governments? Do you think this approach will be sufficient to ensure ECEC provided is high-quality?

It is unlikely that costs will be reduced for industry and for governments by implementing these reforms. In fact, it is probable that it will cost more.

The reality is that quality early childhood education and care services are costly. As the OECD Report *Starting Strong II: Early Childhood Education and Care* noted, governments that believe in the importance of the early years must invest heavily in the provision of services to children. The report also noted that in Australia the government spends only 0.45% of GDP for care and education of children under three (3), and that almost all the public expenditure is via subsidies to parents.

The commitment of COAG to early childhood education and care reform needs to be reflected in a commitment of resources to support implementation of the reforms.

At this stage it is not clear what the true cost will be to services for participation in the reformed quality system. It is expected that there will be increased cost to service providers (by having more and better qualified staff) and that these costs will ultimately be passed on to parents. A review of how children's services are funded is needed to ensure that these services are affordable for families, without reducing the quality of education and care provided to children.

Lifting requirements, particularly around staff to child ratios and qualifications, comes at a cost and may cause financial hardship to families and services. A concurrent review of existing funding arrangements, such as Child Care Benefit (CCB) and Child Care Tax Rebate (CCTR), and additional investment will be required to mitigate the impact on both families and operators.

There will also be a significant cost to government in setting up new governance and regulatory arrangements. 'Set-up' funding will be required in each jurisdiction to offset the costs associated with the employment of additional staff to monitor and assess an increased number of services, and computer systems to collect data and share it across all jurisdictions.

## Implementation

### 10. What do you consider to be the key advantages and disadvantages of the proposed reforms?

#### Advantages

Any proposal that provides opportunity to achieve better outcomes for children and families is an advantage. The release of the Early Years Learning Framework (EYLF) is a significant milestone. Incorporating this framework into the new standards will benefit thousands of children.

The improved ratios will reduce stress and improve conditions for educators. High staff to child ratios cause staff stress, which according to anecdotal evidence, is a significant factor in high turnover amongst child care professionals.

The increased qualifications will improve the pedagogical leadership in early and middle childhood services. A support structure to enable people to obtain these qualifications will be welcomed.

The anticipated reduction of the regulatory burdens through a streamlined quality standard and working with a single body to administer the quality system will be welcomed by services.

## **Disadvantages**

The lack of detail provided in the RIS makes it difficult to provide comprehensive feedback about the proposed reforms. It is critical that further information be released for widespread and transparent consultation – particularly around the proposed Quality Standard, measurement and ratings system, support for services, transition and governance arrangements.

The reform agenda may have significant cost and workforce implications for government, service providers and families. This has been described above in question nine (9).

As the organisation responsible for Child Care Quality Assurance (CCQA) since 1993, NCAC is concerned about the compliance focus of the proposed standards and the lack of attention to continuous quality improvement.

NCAC's primary interest continues to be advocating for the quality education and care of children. NCAC has consistently increased the quality of long day care, family day care and outside school hours care through raising the standards at regular intervals. The majority of these services are providing children with quality experiences which enhance all aspects of their development.

The quality standards described in the RIS lack the detail to ascertain whether or not quality will be improved. Focus has been on the qualifications of staff and staff to child ratios. This has overshadowed discussion and debate about the proposed integrated standards. While these aspects are vital to providing quality education and care, more information needs to be provided about what services need to do every day to ensure children experience quality interactions, education and care.

NCAC strongly recommends that more detail be provided about the quality standards, assessment process and measurement. These should also be subject to open consultation and a robust and rigorous trial prior to implementation. There is also no detail regarding the support for services in the form of resources and training. This needs to be clarified and a needs assessment of services should be undertaken.

## **11. What do you consider to be the key challenges associated with the implementation of the proposed reforms?**

For more than three (3) years, children's services have been on the brink of change over the course of successive Governments' reform agendas. The timing of, and any new requirements placed on children's services, should take this into consideration. The changes must be communicated carefully, comprehensively and in a timely manner.

NCAC also suggests that a staged approach is taken to implementing any new system and that there is a long lead in time to allow services to adapt to such a major change. All jurisdictions will need to work together to develop implementation strategies and supportive transition plans that set services up for success.

## Timeframes

There needs to be a long lead time to ensure services have the opportunity to understand the standards, rating system and EYLF. In other countries undertaking similar change agendas have recognised that major change takes time. New Zealand, for example planned a ten (10) year implementation timeframe.

Services should be allowed at least six (6) months, without a licensing/accreditation visit, to come to terms with the new requirements and even longer if the changes are more complex. Child care services that experience difficulty with the transition to a new system, particularly if this occurs too quickly and/or with too little support, may receive a low rating in the new system and be forced out of the market prematurely.

There also needs to be a phased approach to implementation in recognition that some areas of service delivery are closer to being able to achieve the new level of requirements than others. This may need to be a matter of years; as by rushing to bring in change, services may not be set up for success.

## Support

Professional development and support needs to be provided to assist services to understand the new system, standards and early years learning framework.

Professional support services themselves require adequate time to fully comprehend the new system, Standard, and EYLF in order to provide effective support and advice.

A strategy/plan needs to be outlined for the development of a range of resources, such as self-paced training packages, support documents and DVDs.

It is recommended that mentoring/coaching professionals be employed to assist services during the transition period. Services will need 'people' contact to make this transition, not just documents, publications and resources.

## 12. What factors may impact on the ability of ECEC services to implement the reforms?

The factors that will impact on service ability to implement reforms include:

- How clearly the reforms and their implications are communicated to services
- The timeframes in which services have to adjust to the new arrangements
- The consistency with which the varying jurisdictions administer the reforms
- The skills and ability of the assessors
- The availability of support systems and resources for services
- The availability of funding to support changes
- Recruiting and /or training sufficient staff to meet qualification requirements.

## 13. What transition arrangements do you consider appropriate for implementing the proposed staff-to-child ratios and staff qualifications?

Approving time limited transition plans for services that are not able to meet the new requirements. This model was used successfully in Victoria for services that were initially unable to meet space and qualification requirements (Expert Advisory Panel Report p.16)

The teacher registration system described in response to question six (6) above could be facilitated by the national body and established in the early stage of the transition arrangements.

#### **14. What is the overall impact of the proposed changes on you and what would be your response?**

As described in this response, there are a number of items that have not been included in the RIS, including:

- Ratings system and measurement
- Timetable for review of the standards
- Description of what the standards will mean for services
- Description of the process for services
- Support for services
- Funding of Child Care Benefit and Child Care Tax Rebate
- Group sizes
- Qualifications and ratios in outside school hours care
- Service types excluded from the RIS (eg. occasional care, in home care, mobile services)

This limits the ability to make a comprehensive response regarding the impact of the proposed changes. It is recommended that these aspects be included and form part of the next round of consultation.

With regard to governance arrangements, NCAC has previously argued that a national authority to oversee regulations and quality could assist to drive a higher level of quality service provision. Having a national authority could also assist in terms of aligning components of the early care and education system for increased accountability in improving quality of care.

A new organisational structure could include two levels of agencies with specific roles and communication requirements: National Children's Services Quality Standards Agency and State/Territory Children's Services Quality Systems Agencies.

The proposed structure includes a national authority that would:

- manage the setting and publication of standards and rating system;
- assess and determine awards under the rating system;
- determine measurement processes;
- train assessors (currently Validators and licensing officers) and trainers;
- quality audit the decisions of the state/territory agencies to ensure national consistency
- serve as an appeals body for the quality standards
- manage national data and communication regarding the *National Children's Services Quality System*; and
- conduct research.

The proposed structure also includes state/territory based organisations that would:

- administer standards and protocols set by the National Children's Services Quality Standards Agency; and
- manage Child Care Benefit (or operational assistance) related compliance requirements, as per protocols set by the Australian Government.

There are a variety of governance models that could be explored but the main objective would be to establish a governance structure that in the long term includes a strong partnership and commitment between all states and territories and the Commonwealth.

A National Board comprising state/territory and Commonwealth membership is one such model. The role of sector experts and academics in providing advice on the development and research around quality and standard setting also needs to be considered. This could take the form of a Ministerially appointed Advisory Group reporting to the National Board or positions could be incorporated into the National Board.