

ACA Submission

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# NQF Review Phase 1 June 2019



Australian Childcare Alliance

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# Introduction

This submission was composed in response to the invitation from the Department of Education for peak bodies to contribute written submissions to Phase One of the National Quality Framework Review.

As the national peak body in the Australian Early Childhood Education and Care (ECEC) sector, the Australian Childcare Alliance (ACA) represents more than 2,500 members and approximately 360,000 families throughout Australia.

The ACA has existed in various forms for more than 30 years. Our experience means that we understand the critical role a quality ECEC program plays in the life of families and the importance of a viable long day care sector in preparing children for the best start in life and learning.

We are gratified that ACA was invited to contribute to this important review process and we welcome the opportunity to contribute our views and experience to this discussion.

ACA firmly believes that the introduction and ongoing administration of the National Quality Framework (NQF) has contributed to greater quality and consistency in Australia's early learning services, with long term positive

outcomes for children and families and overall a stronger ECEC sector.

ACA continues to unequivocally support the National Quality Framework (NQF) from its inception in 2012 through to its existing form of regulation and educator/teacher to child ratios.

However, it is important to address that regulatory requirements can come at a cost. Where it is possible to identify potential changes in burdensome processes or where expectations are excessive or not in line with the practical operating environment, ACA strongly supports all efforts to reduce these impacts and improve efficiencies.

ACA will continue to engage with the Federal Government and State Governments with a view to ensuring a sustainable early learning sector that continues to provide families with affordable high quality early learning services, thus giving Australia's youngest generation the **best start in life**.

**Paul Mondo**  
**ACA President**

# NQF Review Questions

**Are there issues not covered in this paper that significantly impact on the National Quality Framework being able to meet its objectives? What are those issues, and why are they significant?**

There are a number of issues not addressed in this paper which significantly impact on the National Quality Framework (NQF) being able to meet its objectives.

***Shortage of adequately qualified staff***

ACA is concerned about the early learning sector's existing struggle to meet the demand for well trained, competent Early Childhood Teachers (ECTs) and early childhood educators (Certificate III and Diploma qualified staff), with not enough entrants into the sector to meet demand.

There is currently no Federal Government early learning workforce strategy to support the growing demand for vocationally trained educators and tertiary trained teachers.

There is currently no Federal Government funding in place to support the professional development of Australia's early childhood educators and teachers.

The former Long Day Care Professional Development Program (LDCPDP), which ended on 30 June 2017, allowed early learning service providers to meet their specific professional development needs to support the National Quality Framework, adhere to the National Quality Standards and deliver the Early Years Learning Framework.

This funding supported educators to engage in professional development and upgrade their qualifications.

The Federal Department of Employment Report (April 2017)<sup>1</sup> and the NSW Department of Education's Early Childhood Education Workforce Review (October 2017)<sup>2</sup> have both confirmed labour shortages for Certificate III, Diploma and Degree qualified educators as well as teachers.

This is a serious issue that we believe needs to be addressed at the Federal Government level.

***"Working towards"***

ACA believes the provision which allows early learning staff to be "working towards" the ECT degree and any other qualifications is effective in allowing newly recruited staff to enter the workforce and learn on the job, whilst applying working knowledge to their study. ACA recommends that this approach should continue.

***Existing qualification requirements for an Early Childhood Teacher (ECT)***

Many Early Childhood Teacher degrees do not meet the needs of the early learning sector.

This is a serious flaw in the educational system that needs to be addressed.

ACA believes there is an urgent need for a nation-wide review of the various degrees and their practical applications.

<sup>1</sup> Federal Department of Employment Report (April 2017) - [https://docs.jobs.gov.au/system/files/doc/other/241111earlychildhtchnsw\\_2.pdf](https://docs.jobs.gov.au/system/files/doc/other/241111earlychildhtchnsw_2.pdf)

<sup>2</sup> NSW Department of Education's Early Childhood Education Workforce Review (October 2017) - <https://education.nsw.gov.au/media/ecec/pdf-documents/2017/WorkforceLiterature-Review.pdf>

Degrees which incorporate Early Childhood Teaching need to have a stronger early childhood developmental focus and an appropriate amount of practicum time, including in Long Day Care (LDC) settings.

Given the shortage of qualified staff, a review of visa requirements for studying / working visas (eg 457) is imperative to address this gap.

In addition, the category of 'suitably qualified' teachers should be broadened to meet the needs of the sector. An educator with a Diploma qualification combined with an undergraduate degree in a complementary field such as psychology, occupational therapy, social work etc, should be considered as beneficial to outcomes for children and families. Having these professionals complement an existing ECT would also address workforce shortages.

#### ***National Quality Standards and the A&R Process***

Whilst we acknowledge the reform fatigue across the sector, a review of the NQS without a review of the Assessment and Ratings process (A&R) is inadequate. A&R is how most services engage with the NQF, and at this point in time it's not a positive experience for the majority of providers.

The A&R process is not consistent within jurisdictions, let alone nation-wide.

A&R needs to be more efficient, effective, and must focus on supporting services to achieve a standard of 'meeting' the NQF, rather than a punitive experience of finding fault.

ACA would like to see a nation-wide review of the A&R process – ensuring consistency across the country.

#### ***National School Starting Age***

ACA believes that a nationally consistent school starting age would assist in ensuring that the applications of the NQF are practical and work as intended. The existing inconsistencies across the states and territories have resulted in limited outcomes from funding and programs for the two years before school, as they have to cover such wide variances in age and development milestones.

These age variances also impede the measurement of learning outcomes to compare against global data on educational achievement.

# Scope of services regulated under the NQF

## **Should service types that are currently out of scope of the National Law but which provide a substantially similar education and care service to those that are in scope be brought under the NQF? What should be considered if any of these services was to be included in future?**

ACA believes that any service attracting the Child Care Subsidy (CCS) and the Additional Child Care Subsidy (ACCS) funding should comply with the National Quality Framework (NQF) to ensure a consistently high quality of early learning services Australia-wide, along with positive learning outcomes for our young children.

Having said this, many of the more targeted service types (eg former Budget Based Funding services, as well as Mobile services) will need a supported transition as they are brought in to scope. This support needs to be structural, as well as financial, to ensure that they don't fail, and families continue to receive the benefits of Early Childhood Education.

Notwithstanding, out-of-scope services for example Occasional Care should be regulated at least in terms of the fit-and-proper persons approved to operate as well as their staff who have direct interactions with children.

### **Considering the range of contexts for the provision of overnight care, how should the supervision and ratio requirements in the NQF apply?**

As overnight care is an area with little academic research or literature about the issues affecting quality outcomes, ACA believes that research needs to be undertaken to explore what "best practice" would look like in offering this service in order to ensure the safety of the children in care.

This research should include consideration of emergency situations wherein children need temporary care in overnight facilities.

Considering the range of contexts where regular transport is provided by a service, how should the supervision and ratio requirements in the NQF apply?

Firstly it is important to note that there are two types of transport which a service may offer:

#### ***1/ Transport to and from an early learning service or OSCH service***

This type of transport enhances affordability and accessibility of early learning services.

It is vital in some areas where there are no public transport options or they are cost prohibitive and families don't have their own mode of transport. It is also required for school children who may attend an Outside School Hours Care (OSCH) service that is not on their school site.

This type of transport does not include education, but it is important the children are under adequate adult supervision for their health and safety, particularly during some sort of medical emergency.

ACA believes that the usual NQF ratios should not apply to this type of transport, on the condition that a risk assessment is completed, insurance is in place, the driver has a working with children check and first aid training certification, and adequate adult supervision is available when needed. For example, children with additional needs may require the presence of an additional educator.

#### ***2/ Transport to allow for excursions to external locations***

This type of transport may take the children to external locations such as parks or playgrounds, sporting facilities, the post office, art galleries, museums and so on.

ACA believes that the NQF ratios should apply to this type of transport, as the children are being taken to an external destination in the context of their learning experience, and require the recommended ratios in order for the highest quality of play-based learning to take place.

The provision of both types of transport should be assessed with a thorough Risk Assessment undertaken by the service, taking into account the risks against the probability of an accident or emergency scenario taking place that may require an additional staff member.

# Application efficiency

## What are the experiences of providers in navigating approval under both the NQF and the Family Assistance Law?

ACA believes the National Quality Agenda IT System (NQAITS) achieves its purpose in terms of offering providers a secure and direct online communication process with the relevant regulatory authorities to reduce paperwork.

However, seeking approval under the Family Assistance Law is convoluted and should be streamlined by leveraging the NQAITS as the central hub connecting CCS enrolments, approved provider applications, service provider applications, as well as breach notification and records.

### *Provider approval*

This process requires data cross over from various departments – the NQAITS system, the Federal and State-based Departments of Education (DET), Department of Human Services (DHS) via PRODA and also the Australian Securities and Investments Commission (ASIC).

The application process across the states is not consistent, with varying application procedures in place.

For example in Western Australia the process can all be done electronically. In Queensland a potential approved provider is required to undertake face to face interviews with Departmental staff, while in New South Wales potential approved providers are required to be queued to be allocated to attend a one day information session and then sit a test.

There is an enormous problem in terms of data management for approved providers with complex company structures. For example, a service provider may have more than one ABN, and each ABN may have a different trading location.

Under these circumstances, the system will pick up any one of these, without letting the service provider know which ABN is being used. Approved providers are left with the only option of guessing which ABN has been used, and if their guess is incorrect, the process is recommenced from the beginning.

### *Service approval*

Across the board this has been described as awful – services can't get approval without an occupation certificate and the department is unable to discuss the site with you until this has been issued, ie after the service bought/built. This means that providers can go through the processes, over a period of 3-4 years and during this time the state department will not make any comment as to whether or not the final service will be approved.

The approval process is convoluted, not transparent and the various timelines for elements don't accommodate each other eg. Often documents are demanded within 1 working day from one Department, and the other department simply won't turn around a request in that timeframe. If the process fails on these grounds, it must be started again from scratch.

This process urgently needs streamlining, with systems that talk to each other, and a case manager that works across departments and can see the relevant data so providers don't have to keep guessing.

The ability to troubleshoot rather than re-start the process and the ability to combine service approval (state-based) and CCS approval (federally based) would streamline this for government and providers alike.



Early Childhood Education could be the ‘poster child’ for regulatory streamlining. The National Regulatory Review, and the transition to ‘Services Australia’ would have a series of quick wins should government focus on simplifying and streamlining these processes.

For example, ACA received a report from a South Australian member who is already an Approved Provider and has been so for many years across many services. She was seeking service approval for another early learning service. The member found the process extremely difficult:

*“I was completely unaware of the challenges I would face in-so-far as procuring the significant documentation required... I also had no understanding of the minutia details (even email details) that would be required to ‘marry’ the many different documents during cross referencing done by the Department of Education and Training.*

*The lack of suitable information and assistance to guide me through the process, has resulted in... a massive delay in the start of CCS for my families. This has severely disadvantaged my new business and placed our families in an untenable position.”*

#### **What could make the application process easier?**

Quite simply: consistency, transparency and systems that talk to each other.

#### **How can the assessment of whether an individual is ‘fit and proper’ be undertaken more effectively, proportionately and efficiently?**

ACA believes that the existing assessment process for providers is flawed. It is jurisdiction-specific (ie. the relevant documentation is administered by state/territory government and does not adequately interface with other jurisdictions' systems) and does not interface with the Commonwealth's processes in approving Child Care Subsidy enrolments for services.

ACA believes that a nation-wide review should be conducted of the various state and Commonwealth processes, and the most efficient and effective process be implemented across the country.

# Maintaining current information about service delivery

## **Should services be required to apply to or notify the Regulatory Authority when there is a change to the age of children for which they provide education and care services?**

If a service changes the type of care (eg. preschool to incorporate babies, or LDC to incorporate OSCH) and this change would have an impact on the requirements under the NQF such as ratios or amenities, then ACA believes the service should be required to notify the state Department of Education.

ACA believes a notification is sufficient, rather than having to apply for approval.

## **Are there other changes to the nature of the service being provided which should require notification to the Regulatory Authority? If so, what?**

Yes - Changes to operational hours or nominated supervisor/coordinator should require notification to state Department of Education. Again, we recommend consistency across all states.

The current requirements are suitable for notifications.

# Physical environment

## **Under what circumstances, if any, is it acceptable for new premises to be eligible for waivers to the physical environment requirements of the NQF?**

ACA believes that new build services should not be granted waivers for physical space including indoor and outdoor space, unless in rural or remote, or unusual areas where this would not be at all possible and there is no other service available.

In these circumstances, where real need is demonstrated, it would be reasonable for waivers to the physical environment requirements of the NQF to apply on the condition that the objectives of these requirements are being creatively and safely met in other ways.

## **How can governments streamline service approvals to ensure new builds meet the requirements of the NQF early in the build process?**

Under a streamlined approach, ACA imagines plans would be submitted to the Regulatory Authority to be assessed against the NQF requirements. If such plans met the NQF requirements, the Regulatory Authority would stamp them so that the approved provider could submit such plans to the local government for development assessment and in advance of construction and leases could be signed.

ACA recommends that state departments could provide an 'in principal' approval to allow construction to go ahead and leases to be signed, on the condition that the design of the building meets the physical environment requirements of the NQF.

Please see our response to the section on service approval applications. ACA is very keen to work with government and departments to streamline this process and ensure positive outcomes for children, particularly in areas of need.

## **Are the NQF's physical space requirements for school age children suitable for their learning and development, and proportionate to risks for children of this age?**

ACA believes there should be national consistency in the way the NQF's space requirements apply to children in OSCH services, and these requirements should align with the long day care requirements.

ACA believes that the children in an OSCH service have the same indoor physical space requirements as children in long day care, as they are not in a formal learning environment (ie. not required to sit at a desk for extended periods of time) and have the right (and need) to be mobile, exercise and play sport or other games.

In terms of outdoor space, where it is available, OSCH services should have the same outdoor space available to them as school age children. However where this is not possible, ACA believes that waivers could apply if the indoor space is used in a creative way that allows for mobility. There also needs to be adequate and age appropriate amenities available including bathroom and toilets, tables and chairs.

# Operation – Sustainability of the NQF

## **What fee models are appropriate for ensuring the continued operation of the NQF improving outcomes for children and families by encouraging improvement in service quality?**

Services which are consistently non-compliant could face paying increased compliance fees, therefore giving them a financial incentive to comply.

For example, local councils charge for Food Safety certification – depending on the council, the fees vary – but as an example, the annual registration might be \$150, which involves at least one visit from a compliance officer.

If everything is compliant, or compliance can be confirmed within a few days via photos etc, then the service continues as is. However, if the nature of compliance needs to be confirmed by an additional visit, the second visit includes a significant charge – Eg. \$500 to the service. Should a third visit be required, the cost increases exponentially to \$2000 and further visits incur a similarly increased cost.

In this way, compliant services save costs, and those services who require significant resources from the state departments will be covering those costs themselves, rather than all services bearing this cost.

ACA recognises the need for the minority of persistently non-compliant services to bear their own responsibilities for compliance costs. That said, we are concerned of the need to ensure valid notifications of non-compliances are addressed than the perception that any increases or changes to compliance costs are primarily revenue raising.

# Regulatory approach

## How can high quality providers and services be encouraged to sustain and grow quality services?

ACA believes that high quality needs to be clearly defined. Given the lack of consistency across states, the NQF assessment ratings are not adequately standardised for this purpose.

We believe the provision of consistently high quality early learning services Australia-wide is a fundamental goal that Australian government should be striving for.

However, in the context of sustaining and growing new high quality services, to date, different levels of government (local, state and federal) have failed to intervene in the proliferation of new early learning services being introduced in areas of adequate or over supply.

This is a serious concern for existing service providers and for the families in these local areas who may experience higher fees and poorer quality as a result.

ACA has been closely monitoring the relationship between low occupancy levels and the oversupply of early learning services in certain geographic areas over the last couple of years. Evidence suggests that increased supply does not bring costs down for families.

A recent report<sup>3</sup> commissioned by the Australian Childcare Alliance (ACA), the Early Learning and Care Council of Australia (ELACCA) and Australian Community Children's Services (ACCS) explores the factors that influence the demand for, and supply of, child care services across Australia.

This independent analysis, prepared by Urban Economics, examines the results of a recent national survey of child care operators, looking at available places, enrolment, performance and key issues influencing individual centres and the sector more broadly.

The report reveals that the net increase in long day care centres in 2017 was roughly 2-3 times the estimated number of new centres needed per annum to meet future demand.

If the same growth is to be continued in the coming years, there is likely to be an enormous impact on the viability of all services and service types. This is an important issue affecting the affordability of early learning for Australian families, which government intervention could influence.

ACA believes that the government has a role to play in ensuring responsible investment in the early learning sector – particularly given the funding and subsidies currently in place. In addition all levels of government have a role to play in the planning of new services to ensure that they are only built or introduced in areas of genuine demand, and that they will meet the requirements of the NQF.

## What approach should Regulatory Authorities take to engaging with approved providers to best achieve the objectives of the NQF?

ACA believes that in the context of ensuring that Australian families have access to consistently high quality early learning services Australia-wide, the Regulatory Authorities (ie. the state government Departments of Education) should be aiming to assist and support service providers in achieving the objectives of the NQF, rather than taking on a punitive, judgemental approach.

<sup>3</sup> <https://childcarealliance.org.au/media-publications/aca-media-releases/112-occupancy-and-performance-report-early-childhood-education-and-care-sector-10-12-2018/filea>

The assessment of service providers should be a transparent and predictable process, with Regulatory Authorities providing adequate support and constructive feedback which explains to service providers where their service needs improvement to meet the NQF requirements, and how they can address these issues in a practical sense. Consultative engagement is vital, rather than a punitive ‘error seeking’ approach that can also be inconsistent and subjective from Authorised Officer to Authorised Officer.

To this end ACA believes the assessment process should include pre-assessment, followed by guidance, then a final assessment. This would allow motivated service providers the opportunity to address any issues and ensure that their service meets the requirements by the final assessment.

ACA believes that there are inconsistencies across the states and even within states, in terms of the assessments and the approach that the individual assessors take. We believe that the assessors should be adequately trained and qualified through a nationally delivered program to ensure consistency.

ACA believes that the existing training process for NQF assessors is inadequate and doesn’t provide the individuals (who may have little or no experience in the early learning sector) with a basic understanding of the work involved in running an early learning centre and the regulatory context.

ACA recommends that service providers should also have access to the same training, in the interests of transparency, to provide service providers and Authorised Officers with clarity, common understanding and expectations in terms of what the assessment and rating process. This could also be a revenue raising exercise for under-funded state government departments.

ACA believes the assessment and rating of services that are ultimately rated as Significant Improvements Required, Working Toward and Meeting the NQS ought to be on empirical terms. In other words, the service either meets or does not meet the NQS using quantitative measures. Such measures should also be publicly available so that it can be consistently and transparently administered.

Other options worth exploring include:

- a) a minimum system where the Regulatory Authority administers the assessment and rating system for Significant Improvement Required, Working Towards and Meeting ratings on the basis of empirical and quantitative measures; and
- b) the availability of independently accredited third party assessors.

### **Does recognising educators who are ‘actively working towards’ a qualification continue to be a practical approach to balance workforce needs and the NQF goals of service quality and child outcomes?**

ACA is concerned that, to date, the government has not put in place an effective workforce strategy to address the growing demand of vocationally trained educators and tertiary trained teachers in the early learning sector.

Sourcing Early Childhood Teachers (ECT) is a significant problem Australia-wide, with undersupply exacerbated by the requirement for an additional ECT for centres with over 60 children from 2020 and also varying levels of quality.

This will be compounded by the NQF requirement for a second Early Childhood Teacher in kindergarten/ preschool programs in 2020, along with a growing need for quality candidates to address a likely increase in 3 year old participation.

ACA fully supports recognising educators who are ‘actively working towards’ a qualification. This approach allows service providers to take on staff who are not yet qualified but committed to the early learning sector and their professional development.

Some services including OSCH need the ‘actively working towards’ provision to allow for a pool of staff available at particular hours across the week. Fully qualified staff generally seek regular working hours (full time or part time) rather than morning and afternoon shifts with unpaid hours in the middle of the day. Students, however, often find these hours suit their study timetables.

ACA also believes that the current guidelines around ‘other suitably qualified’ teachers could be enhanced. Having someone with a degree in a complementary field, coupled with a Diploma in Early Childhood Education, not only helps meet requirements, but also enhances a services’ program by adding to the diversity of voices within the pedagogical conversation. Degrees and courses in psychology, behavioural studies, occupational therapy, social / community services should also be deemed appropriate to couple with a diploma in order to fulfil that legal requirement.

There is a clear need to ensure a steady flow of qualified, job-ready candidates into the sector. It is vitally important that the quality of candidates and their job readiness at all qualification levels is consistent and at a high level.

The former Long Day Care Professional Development Program (LDCPDP), which concluded on 30 June 2017, allowed early learning service providers to meet their specific professional development needs to support the National Quality Framework, adhere to the National Quality Standard and deliver the Early Years Learning Framework.

The Federal Department of Employment Report (April 2017)<sup>4</sup> and the NSW Department of Education’s Early Childhood Education Workforce Review (October 2017)<sup>5</sup> have both confirmed labour shortages for Certificate III, Diploma and Degree qualified educators and teachers.

There is a need for a nationally consistent approach to how each state jurisdiction recognises qualified early childhood teachers. Currently each state has its own independent Teacher Registration Board, who do not necessarily align with ACECQA qualification approvals.

This means that when a qualified teacher relocates inter-state, their degree qualification may not be recognised. Whilst service providers can apply for waivers, these are provided on a case by case basis and require substantial paperwork from both the candidate and the service provider. These waivers also render affected service providers to be non-compliant to the NQF, thereby potentially downgrading their services’ ratings.

ACA also recommends that each state Teacher Registration Board should adopt the ACECQA qualification approvals for inter-state and overseas qualifications regarding qualified early childhood teachers to create a nationally consistent approach.

ACA recommends that the Federal Government allocates funding to a national early learning workforce strategy that aims to ensure an adequate supply of quality early childhood educators and teachers for the sector.

### **Are the current requirements for service emergency and evacuation procedures effective and proportionate to the risks? If not, what could strengthen them?**

ACA is concerned about the existing disconnect between local fire and emergency experts and the regulatory authorities’ interpretation of the NQF requirements.

Service providers consult with their local recognised authority to obtain an evacuation plan, and then submit this to their State Department of Education.

The local authority is asked to take into account any non-mobile people (ie. babies and toddlers), but does not take into account the NQF when developing their proposed evacuation plan.

<sup>4</sup> Federal Department of Employment Report (April 2017), [https://docs.jobs.gov.au/system/files/doc/other/241111earlychildhtrnsw\\_2.pdf](https://docs.jobs.gov.au/system/files/doc/other/241111earlychildhtrnsw_2.pdf)  
<sup>5</sup> NSW Department of Education’s Early Childhood Education Workforce Review (October 2017), <https://education.nsw.gov.au/media/ecec/pdf-documents/2017/Workforce-Literature-Review.pdf>

The State Department has the authority to override the proposed evacuation plan, if there are any elements that breach the NQF (eg. the specifications of steps or ladders used).

As a result, service providers sometimes receive conflicting advice from their local fire and emergency authority/contractor and their State Department.

In this challenging predicament the service provider is being asked to comply with two conflicting demands.

ACA recommends that the local fire and emergency authority's proposed evacuation plan should be recognised by the State Government Departments, to ensure that service providers are not put in this difficult situation, and that the safety of the children and staff is put first.

### **How can the requirements of the NQF better reflect the unique operating context of OSHC?**

ACA believes that the NQF needs to be flexible and relevant to the various different service types.

The existing motherhood statements under the NQF aim to apply to all service types, ACA believes they should be tailored for each service type and their unique requirements.

In particular there are huge differences in terms of the needs of the children, between running a long day care service and running an OSHC service, let alone Family Day Care.

In some cases OSCH services are being assessed under 2 different frameworks – the EYLF and MYOP (My Time Our Place).

The documentation required to introduce new activities is overly burdensome and complex, with the end result being that educators simply won't introduce new activities, and instead revert to the same activities provided day in/ day out.

Children in OSCH are often there for a very limited amount of time and ACA believes that meeting their most important needs of nutrition, relaxation and socialisation should take priority over complex documentation and regulation administration.

A consistent school starting age remains a significant issue. OSCH applies to all out of school hours care. In WA this can apply to children as young as 4yo, and encompasses children 4-12yo with vastly different needs.

Developmental variances can include not being toilet trained, some children not yet speaking English (NESB backgrounds), and those who have different physical space and amenity requirements – Eg. age appropriate toilets.

A national consistent school starting age would address this complexity.

### **Should the education and care of additional children during emergency placements in FDC be notified to the Regulatory Authority?**

ACA believes that during emergency situations, if services have to take on children which means they are exceeding their licenced number of places, the Regulatory Authority should be notified, to ensure that they are aware of the temporary ratio breach and the reasons for the breach.

This would also allow the State Department to assist the service provider in finding alternative complying, long term arrangements for the families as soon as possible.

### **What are appropriate timeframes for the length of emergency placements?**

This should be determined by the Department on a case by case basis depending on the emergency and the available services.



**Is further guidance on the role of FDC co-ordinators needed? If so, what form should this take? E.g. in regulation, online guidance materials etc.**

ACA believes that all Family Day Care (FDC) educators should have a completed Certificate 3 as a minimum, rather than actively working towards this qualification.

ACA believes the FDC coordinators must have a Diploma in children's services as a minimum qualification.

ACA is concerned by the lack of formal national guidance in place for FDCs and recommends that the Federal Department of Education develops a useful resource such as a handbook or checklist for FDCs, and a nationally consistent approach to FDC regulation.

**Should the child protection training obligations of Nominated Supervisors similarly apply to FDC co-ordinators?**

ACA believes that the child protection training obligations of Nominated Supervisors should apply to all early learning and OSCH staff that work with children – not just Nominated Supervisors and FDC Co-ordinators.

The course is short and easily accessible and contributes to the fundamental understanding of the rights of a child.

**Public awareness of service quality**

**Value of quality rating for families**

**How can public knowledge and understanding about quality ratings of education and care services be improved?**

ACA is concerned that the assessment process is inconsistent across the states as well as within some states, and therefore does not believe there is merit in using these ratings as a way to educate families about the quality of a particular early learning service.

Additionally, based on member feedback, ACA believes that the quality ratings are not well recognised or understood by families, and they are more concerned with their own judgement of an early learning/OSCH service and their child's interaction with it than an external rating process.

**Are current penalty amounts properly matched to the offences, and proving an effective deterrent to non-compliance?**

ACA is aware that the early learning sector as a whole puts in an enormous amount of effort in order to comply with the NQF and the regulation.

We understand that, for the most part, services are compliant, however, there are 'repeat offenders' who are recurrently found to be in breach of the regulations.

Whilst the penalty amounts might seem to be adequate, we question how often these are actually applied. ACA would like to support services who aim to be compliant and to see services who damage the reputation of early childhood education and care, by putting children at risk of significant harm, are punished to the full extent of the law.



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