

**5 September 2014**

**Childcare and Early Childhood Learning  
Community Child Care Response to the Productivity Commission Draft Report July 2014**

Community Child Care Association (CCC) as the peak body for community based not for profit early and middle childhood education and care children's services in Victoria is pleased to submit a response to the Productivity Commission Draft Report on Childcare and Early Childhood Learning.

As the Victorian branch of National Out of School Hours Association (NOSHSA), CCC is also the Victorian peak body for Outside School Hours Care Services.

CCC is also the Victorian Branch of a national peak body for community managed and not for profit children's services, Australian Community Children's Services (ACCS) and carries out the role of ACCS National Secretariat. In May / June 2014 ACCS completed the 3rd wave of its *Trends in Community Children's Services Survey* (TICCSS). Three hundred and ninety Victorian services responded to this wave of TICCSS, including 115 outside school hours care services (OSHC).

### **Welcome Recommendations**

Community Child Care congratulates the Commission on its proposal to increase the overall Australian Government investment in Early Childhood Education and Care; including the proposal to divert funding from the proposed new Paid Parental Leave scheme to early childhood education and care.

Community Child Care also welcomes the following proposals:

- Introduction of a single subsidy to replace CCB and CCR
- Increased investment in subsidies for low income families
- Ongoing funding by the Australian Government for universal access to 15 hours of preschool
- Extending the scope of the National Quality Framework to include all centre and home based services that receive Australian Government assistance
- Encouragement for employers to trial innovative approaches to flexible work and other family friendly arrangements
- Implementing a nationally recognised working with children check
- Requirement for all schools to take responsibility for organising the provision of an outside school hours care service, where there is sufficient demand
- Funding of coordination of activities in integrated services

## Quality education and care and the best interests of children must not be compromised for the sake of affordability and accessibility

“Viewing childcare as a commodity to be bought and sold undermines quality and equity, and regulation has to be comprehensive and far-reaching in order to try to compensate for these failings.”

(Penn, 2012)

“Although care is necessarily expensive, it is both economically and politically preferable for it not to be left to the market where its costs and quality will be continually driven down, but to have high quality, affordable and publicly funded care provision.”

(Williams, 2010, p 23)

Although there is broad expression of support for the ongoing implementation of the NQF in the draft Report, it also contains recommendations that will undermine the NQF and are not in the interests of children and families and their right to access quality community managed education and care.

The draft Report also contains recommendations that will jeopardise the increased quality of OSHC provision. In Victoria, since the introduction of State regulations (May 2007) and Quality Assurance (July 2003), the Outside School Hours Care sector has experienced significant professional growth. This has resulted in many benefits to the sector, educators, children, families and school communities. The perception that OSHC services are babysitting services has gone. There is now acknowledgement of how OSHC services contribute to a child’s and their family’s life. As a result of governments’ commitment to bridging divides between sector types, families can now confidently expect the same levels of education and care for their children from birth to 13 years. CCC supports the ongoing full inclusion of Outside School Hours Care in the National Quality Framework

Community Child Care requests that the Commission review findings that will seriously undermine the NQF and commit to the following:

### Maintain current qualification requirements for educators working with children under 3 years

#### *Draft Recommendation 7.2*

*Requirements for educators in centre-based services should be amended by governments such that:*

- *all educators working with children aged birth to 36 months are only required to hold at least a certificate III, or equivalent*
- *the number of children for which an early childhood teacher must be employed is assessed on the basis of the number of children in a service aged over 36 months.*

#### *Draft Recommendation 7.5*

*To provide services with greater flexibility to meet staffing requirements, ACECQA should:*

- *remove the requirement that persons with early childhood teacher qualifications must have practical experience for children aged birth to twenty four months*

**Community Child Care strongly disagrees with Draft Recommendation 7.2 and the component of Draft Recommendation 7.5 that relates to the requirement that early childhood teachers undertake practical experience with children under 2 years as part of their studies.**

CCC strongly supports

- Continuation of the current requirements for at least 50% of educators working with children under 3 years, to hold a Diploma level qualification or higher should remain

- Continuing to include the number of children under 3 years when assessing the requirements for early childhood teachers in services
- Ongoing inclusion of practicum experience with children under 2 years for early childhood teachers.

The Draft Report acknowledges that there is broad support for the ongoing implementation of the National Quality Framework. In the many submissions that the Commission received in response to the Issues Paper there was consistent feedback that the increased minimum qualification requirements of the NQF were welcomed and seen as an essential component of the reform. This Recommendation to water down qualification requirements seriously undermines the NQF.

In response to the Productivity Commission's proposition that the evidence only supports the need for warm nurturing relationships for children under 3 years

- We request that the Commission revisit the evidence that has already been provided about the significance of the early years to children's development and outcomes later in life and about qualifications being an important component of quality.
- We refer the Commission to the Statement of Australian Academics on Early Childhood
- We request that the proposition that warm nurturing relationships are enough for this age group is reviewed by experts in childhood development and early childhood education and care.
- We refer the Commission to *The Sound Foundation Report (2014)* undertaken by leading researchers at Oxford University on behalf of the Sutton Trust in the UK. *The Sound Foundation Report* noted the lack of research evidence for the benefits of employing degree level early childhood teachers to work with children under three years of age, but it also had convincing arguments about that lack of evidence.

*The Sound Foundation Report* argues that there are several key reasons why the evidence is less robust including:

1. There are insufficient numbers of degree qualified early childhood teachers working with babies and toddlers which means there is little to measure in relation to improved outcomes or benefits

and/ or

2. That the degrees themselves may not be preparing early childhood teachers to work well with babies and toddlers because the content of their degrees lacked a birth to three specialism in areas such as early brain development, attachment theories, and early language development.

These important explanations on the research evidence indicate that a lack of evidence about qualifications does not therefore mean that they are not important.

*The Sound Foundation Report* response to the less robust research evidence was to recommend that educators working with babies and toddlers require a qualification similar to a diploma and be supervised by a degree level early childhood teacher:

***“that all staff working with funded two year olds be qualified to at least Level 3 (A-level standard) and have support from graduate (EC Teacher qualified) practitioner”*** (The Sound Foundation Report, 2014, p. 6).

It is important to recognise that the **UK Level 3 (A-level standard)** is comparable to an **Australian Diploma** level qualification (and possibly slightly higher) and is not the same as an Australian Certificate III.

Community Child Care agrees with this UK report and many other similar reports, that working with babies and toddlers is a highly challenging and complex area of practice given the significance of these years as foundational to their future learning, development and wellbeing. Low-level training such as a Certificate III does not provide educators with the education and training that equips them to work effectively with this age group and with their families.

*The Sound Foundation Report* also noted the importance of stable, sensitive and responsive relationships for children from birth to three years of age. To those lacking a research and practice based evidence understanding, developing this type of relationship can seem a relatively simple matter that only requires adults to be physically available to the children for cuddles and comfort. However, the research and practice based evidence indicates that relationships that support and respond to the uniqueness of each child and family, and which encourage and support babies and toddlers in all areas of their development, requires adults with specialised knowledge and skills. Providing physical comfort is important but it is not sufficient for ensuring every child’s unique developmental, learning and wellbeing needs are being met to a high standard.

The younger the child, the greater is the need for educators to understand and have the skills to work closely and in partnership with the child’s family. Parents, especially mothers returning to work or study, often feel particularly vulnerable and sometimes guilty about leaving a very young child in care. This parental vulnerability requires highly sensitive and skilled attention every day by educators. It is not an area of practice or responsibility that should be expected of educators with very limited training and experience.

It is of great concern that part of the rationale presented in the Draft Report for reducing Diploma level qualification requirements is that this would ease workforce shortages. Whilst recruiting Diploma qualified educators and Early Childhood Teachers continues to be a challenge for some services, the sector has made significant gains in this area.

*In the 3<sup>rd</sup> wave of TICCSS research 390 Victorian services provided a profile of their educators’ current and future qualifications representing 5525 educators in Victoria. Of these, 54% of educators had a Diploma level qualification or above and a further 17% were working towards a Diploma level qualification or above. At the beginning of 2012 when the first wave of TICCSS was conducted, 47% of educators held a Diploma level qualification or higher. This is a strong indicator that services have effectively prepared for increased qualification requirements and that workforce strategies such as scholarships implemented by the Victorian Government have been successful.*

The current provisions for staff who are working towards a qualification to be considered as meeting minimum qualification requirements and the provision to apply for a waiver provide effective mechanisms for services to address any workforce gaps. Further study and employment incentives are the solution to this, not a reduction in the skill level of the work force.

As already outlined in the CCC submission to the Commission, many of our member services employ more educators with a Diploma level qualification or higher than the minimum requirements introduced in 2014, and many have done so for years. They do this not as a marketing tool or to compete with a service down the road but because, their years of experience about what is best for children and families in their community, informs their decision. Experienced Directors and Coordinators know that Diploma qualification levels matter.

Educating and caring for children under 3 years and working with groups of children and their families is a complex task. Why do services need to employ Diploma qualified educators? Because they need qualified, skilled, knowledgeable educators to take responsibility for

- Meeting the daily individual needs of each child – for security, wellbeing, health, safety, learning and development
- Collaborating with and supporting the family of each child – through orientation, settling in and transition through the age groups
- Designing learning environments and curriculum that supports the long term learning and development of each child – taking into account each child’s family and cultural context
- Achieving all of the above not just for one child but for a number of children, often 8 – 12 children (sometimes more) concurrently
- Providing leadership across each day – managing time to take into account the different needs, rituals and rhythms of each child; prioritising the sometimes competing needs of children; providing an environment that is predictable and consistent but is also flexible and responsive to change and opportunity
- Utilising their knowledge of child development not just to inform their interactions and support for children’s learning but to share this knowledge with other educators and families
- Providing information and supporting families to access assessment and early intervention for children with developmental delays and undiagnosed disabilities
- Sensitively collaborating with families to ensure a shared approach to supporting children in their learning and development across all the learning outcomes in the Early Years learning Framework
- Mentoring and supervising other educators in their team, as they develop their knowledge and skills to work effectively with individual and groups of children.

Community Child Care urges the Commission to look carefully at the Training Packages for both Certificate III and Diploma level qualifications and consider the differences between them.

These recommendations are an alarming roll back of the progress towards ensuring all children have access to high quality education and care. If these recommendations were put in place, no doubt many community based services would continue to employ highly qualified staff. If the proposed model of funding in the draft Report based on an hourly rate of subsidy calculated as the ‘deemed cost’ goes ahead and if Diploma level qualifications are not mandatory there are alarming

consequences on the horizon. The level of subsidy will not reflect the cost of employing qualified staff. In all likelihood most community based services, will not be prepared to compromise the health and wellbeing of children under 3 years and will be forced to raise fees or face viability issues. The ramifications of this are frightening; it will mean that some children will get high quality education and care and some children will not. A probable outcome will be that low income families will not be able to afford the higher fees and middle to high income families will have better access to quality services.

### **Do not allow services to temporarily operate with staffing levels below required ratios**

*Draft Recommendation 7.5*

*To provide services with greater flexibility to meet staffing requirements*

- *All governments should allow services to temporarily operate with staffing levels below required ratios, such as by maintaining staffing levels on average (over a day or week), rather than at all times.*

**Community Child Care believes this component of Recommendation 7.5 is totally unacceptable and minimum ratios are an essential component of ensuring that children are protected from hazard and harm at all times – the bottom line.**

### **Maintain appropriate ratio and qualification requirements for OSHC**

*Draft Recommendation 7.4*

*Governments should develop and incorporate into the National Quality Framework a nationally consistent set of staff ratios and qualifications for those caring for school age children in outside school hours and vacation care services. These requirements should take into consideration ratios that are currently acceptable for children during school hours*

**Community Child Care supports the development of a nationally consistent set of ratios and qualifications but believes it is imperative that the current minimum 1:15 ratio for OSHC in Victoria remains or if increasing numbers of preschool age children are included, is improved.**

It is not valid to draw parallels between class ratios and ratios in OSHC as the context is very different. In OSHC educators are responsible for mixed age groups, changing numbers and configurations of groups, peak transition periods with children arriving or leaving across large proportions of the session, and rostered educators. This is very different to a class situation with one teacher working across a year, with the same group of children during school hours.

Community Child Care recommends the introduction of a minimum staff: child ratio for excursions and suggests that a minimum of 1:8 would be appropriate for this. CCC believes that the current requirement that is based only on an internal risk assessment is not adequate and needs to be further strengthened.

Community Child Care also believes that current single staff model arrangements which can see one educator with up to 15 children should be reviewed as it puts children at risk.

Community Child Care believes that further research into optimal qualifications for OSHC need to be undertaken, but until this is carried out the current qualification requirements for OSHC in Victoria should remain. Implementation of the National Quality Framework has resulted in increased recognition of the critical and professional role that educators in OSHC play in the lives of children and families and the importance of this to the development of strong communities. While recruiting

and retaining staff who are qualified and equipped to provide recreational programs based on the approved learning frameworks continues to be an issue for some services, the sector has made significant progress in this area.

*Draft Recommendation 8.1*

*The Australian Government should ensure that the requirement (currently contained within the Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Determination 2000) for most children attending an outside school hours care service to be of school age, is removed and not carried over into any new legislation.*

Community Child Care believes that further investigation and consideration about the impact of this recommendation should be undertaken. Further evidence based research or case studies should be explored to ensure the model is a viable one for children and educators in OSHC services.

If this recommendation is implemented then it is essential that ratio and qualification requirements for OSHC reflect this change.

### **Maintain Pay Roll Tax Exemptions and Fringe Benefit Tax Exemptions for Not for Profit Providers**

*Draft Recommendation 10.1*

*In line with the broad level recommendations of the Productivity Commission's 2010 study into the Contribution of the Not for Profit Sector, the Australian Government should remove eligibility of not-for-profit ECEC providers to Fringe Benefit Tax exemptions and rebates.*

*State and territory governments should remove eligibility of all not-for-profit childcare providers to payroll tax exemptions. If governments choose to retain some assistance, eligibility for a payroll tax exemption should be restricted to childcare activities where it can be clearly demonstrated that the activity would otherwise be unviable and the provider has no potential commercial competitors.*

Community Child Care does not agree with this Recommendation. If implemented it would have the immediate effect of increasing problems associated with affordability and availability for families effectively achieving the opposite of what this Inquiry is aiming for. It would lead to immediate fee increases for thousands of families and have significant implications for the viability of not for profit providers of education and care. For a medium sized long day care service a loss of pay roll tax exemption is estimated to be an additional cost to services of \$30 000 - \$40 000 a year, resulting in an estimated fee increase of \$3 - \$4 per day per child. For some services in some communities this could mean closure of the service. For some families this would mean withdrawal of children from the service because of cost.

Pay roll tax exemption is offered by the Victorian State government to the broad not for profit sector. Like the rest of the sector not for profit education and care services draw on the voluntary contributions of thousands of Victorians contributing their time, resources, skills and funds. Like the rest of the sector not for profit education and care services build social capital, support families and strengthen communities. It is not in the public interest, to remove education and care services from exemptions that other not for profit sector types are entitled to.

Chapter 10 of the draft Report places education and care services within a particular market model. However, more often than not, education and care does not and should not, fit the model. This fundamental flaw with the modelling is not acknowledged or addressed. Community Child Care requests that the Commission consider the following concerns that we have about the content of Chapter 10.

1. Describing the differences in quality between for profit and public provision as 'slight', when the evidence shows that community owned services are twice as likely to achieve an 'exceeding' rating, whereas for profit services are twice as likely to achieve 'Working Towards'. For profit services are twice as likely to not be operating at the standard expected of services. Why is there no attempt to understand why this might be the case? These differences demonstrate that the public sector delivers high quality significantly more often than for profit services. This evidence should lead to deeper questioning of why public monies are directed to for profit services. It supports the case for increased public investment in building and operating more community based education and care services.
2. The draft Report can't explain why publicly owned services that receive a high rating don't charge more. This is because of the very nature of the community sector. The aim is not to exploit, it is for the organisation to provide a service for its community. This is a fundamental point that the analysis has missed.
3. Much of the theorising about markets, competition and choice in this chapter comes undone when there are not enough places to meet demand. This means that often families are not in a position to choose their education and care service, so they take what they can get, if they can get anything. There is no choice because there are so few places, so there is no competition. The market theory that of demand leads to competition simply does not happen.
4. The lack of evidence of a relationship between quality and competition (p.435) is dismissed as a failing of the analysis, rather than leading to questioning the assumption.
5. Cross subsidisation of fees is described as an 'inefficient pricing practice'. The draft Report makes much of the reality that most services charge similar fees for children under three as for older children, even though the required staffing levels make provision for under threes twice as expensive as for over threes. This is described as 'providers behaving in a non-commercial manner' (p.446) or 'underpricing' (p.450) and the community sector is seen as causing this. We know of no service that operates without any cross subsidies. It would simply be unsustainable, and would lead to a further oversupply of places for older children, as rates would be significantly cheaper, and only the wealthy would be able to afford an under 3 place. This would not support female workforce participation, as it would effectively exclude most women from returning to the workforce before their children turned three. The draft Report seems to endorse this approach (p.450), but its impact on workforce participation is ignored.

The assumptions in Chapter 10 clearly influence the findings and recommendations in the draft Report. There is no real exploration of the dangers of a market driven system, little questioning of the role of for-profit operations, and children's best interests are rarely at the forefront of the discussion. The broader contribution that community and publically owned education and care services make to social capital are largely ignored. This cannot be simply hived off to another

discussion and a separate funding stream, as it is an intrinsic aspect of the not for-profit model. Engaging with families and communities, empowering families in making decisions about community resources, building the infrastructure of communities, are all part of a successful education and care service.

### **Do not mandate or encourage external provision of OSHC services**

*'Schools organise appropriate external organisations to provide a range of optional outside school hours (including vacation) care and activities using school and external facilities.....'*

*Table 1 An ECEC System to aim for (Draft Report p 16)*

**While Community Child Care welcomes draft Recommendation 8.2 which says that state and territory governments should direct all schools to take responsibility for organising the provision of an OSHC service where demand is sufficient, we do not agree with statements in the draft Report that recommend external providers for OSHC services.**

CCC believes that there are many benefits for children, families and the school community when the OSHC service is run and managed by the school. Across Victoria there are hundreds of schools that successfully operate an OSHC service (see Case Studies below). CCC believes this model should be promoted by government. It provides greater continuity for families as they have one provider of education and care for their children across the whole school day and the income generated from fees goes back into that community.

CCC strongly supports a system where delivery of an OSHC service is added to the core business model of schools. Sufficient funding, resources and support needs to be provided to schools to do this. With increased integration and collaboration between schools and OSHC services comes huge potential for building strong connected communities and forging strong partnerships with families.

In many cases an external operator will not take on the provision of an OSHC service due to small numbers of children impacting on profit margins.

#### **Case Studies: Successful school operated OSHC services**

##### **North Fitzroy Primary School OSHC**

The OSHC program at North Fitzroy Primary School is managed and supported by School Council. It offers before and after school care for students in our school. North Fitzroy Primary School Council understands the need to provide outside school hours care (OSHC) to families within the school community. As such, School Council is committed to delivering a high quality program staffed by enthusiastic, dedicated professionals. This program operates during hours that allow for parents and guardians to pursue employment and/or training. The program runs five days a week from 7.45am – 8.45am in the morning and from 3.30pm – 6.00pm in the afternoon. As of July 2014 our fees are \$10.00 for morning care per child per session and \$20.00 for aftercare per child per session. In 2014 the program catered for up to 60 students in the morning and up to 220 students in the afternoon. Our school has a total enrolment of 560 students, whereby more than 75% are enrolled and attend our OSHC program.

The program is managed by the Coordinator and Assistant Coordinator who is employed permanent part time and supported by 8-10 casual staff, daily; however we have a pool of 18 staff in total. We are a not-for-profit organisation however any surplus at the end of the school year is put back into the community.

*Nicole – Coordinator*

### **St Francis of Assisi Primary School OSHC**

St Francis of Assisi Primary School operates a Before and After School Care service which is registered for 134 places between before and after school. We have 2 full time educators and 14 part time staff. Some of the highlights of the school running the service from our point of view are

- the links between the OSHC service, school and families,
- frequent collaboration between the school and our service about children, even with the school nurse,
- sharing of resources which means children access the library for homework, school lap tops and books,
- all profits go back into the service and our school benefits from this as we share our resources.

Angela – Coordinator

### **Merri Creek Primary School OSHC**

I am a parent at Merri Creek Primary school and the convenor of the OSHC committee of school council, which runs the OSHC program. I think there are several benefits to schools running OSHC services in-house: Parents are often unaware of who is actually providing the OSHC service and assume that it is the school anyway if it is located on school grounds (at Merri Creek, this also extends to vacation care programs which are run at the school by the local council). Parents also presume that the Principal maintains responsibility for children over the whole day, including after school if they are in the program. Running the program in-house fulfils these expectations. The Principal/school's involvement means that the values of the school flow through to the OSHC program as well.

By having the school involved and responsible for the provision of OSHC there is a feeling that it is better integrated with the school, and parents are able to be involved in the running of the program through the school council committee. The school is also able to provide secure employment for the co-ordinator and assistant and potential career pathways for staff that might otherwise only have casual employment. As a result we have had a very stable team of staff for the 6 years my children have been at the school.

Resources and spaces can be shared without conflicts over 'ownership' and fees raised by the OSHC program can contribute to maintenance costs at the school. Fees are also held at a reasonable level.

At Merri Creek Primary, the formal link with the school has helped meet the requirements of the NQS by drawing on the expertise of teachers and parents in designing activities that are stimulating and engaging and build on skills developed at school. OSHC is not just about care and recreation!! My children learn a lot during the time they spend in after-care and have built enduring relationships with the stable team of staff that a service run by a school is able to foster.

Toni – Merri Creek Primary School (Victoria)

My children currently attend the Out of School Hours program 3 days a week at our primary school. I believe the benefits of having a school-based OSHC program are as follows:

- Communication between teaching and OSHC staff is open and informative
- There is continuity of OSHC staff
- There is consistent behaviour standard expected of students between school and OSH
- Sharing of important documentation such as allergies, medication etc. is easily maintained.

By far the most important aspect of a school-based OSHC has been gained from a recent experience. I am both a parent and a teacher at our school. I worked very closely with OSHC staff last year to assist a student in my grade. We had regular meetings (also meetings with parents of the child) to discuss progress and share ideas. This was a most rewarding experience as OSHC was able to concentrate on structuring activities that encouraged positive social behaviours that were particular to that student's needs.

Mellane– Merri Creek Primary School (Victoria)

### **Wheelers Hill Primary School OSHC**

Wheelers Hill Primary School OSHC is a school owned OSHC program. Approximately 1/3 of the school community use the service in a week with an average of 45 each day in BSC and 70 children in ASC. They also provide a vacation care program for the school community and outside families. This has an average of 45 children each day and runs for 9 weeks each year.

The fees are BSC \$13, ASC \$17, and Vacation Care \$40-50 each day, excursions and incursions are covered in the cost. WHPS employs 1 fulltime educator, 2 part time educators and 7 casual educators in its OSHC program.

WHPS is the licenced operator of the OSHC program and it pays for all expenses in running the program including rent of rooms, amenities, cleaning, wages etc. and all supplies used in the running of the program including furniture and fittings. It also makes a profit for the school each year which goes towards the repayments of the school gym.

The OSHC program has a strong focus on addressing the whole child needs and building respectful relationships with both families and the school. Through this they have regular conversations with teachers about the children they have in common and attend any special meetings with teams and families for children with additional needs or issues of concern. They work with the school where possible to provide a consistent approach for the children in regards to school rules and boundaries.

They also support children and families to be a part of the local community by taking them to chess club and karate lessons run on the school grounds which allows children to participate in other activities that parents are unable to get them to. They have a strong relationship with the school principal/management to discuss and help families that may be in hardship or experiencing a difficult time. This support is often emotional and financial. They have assisted families with short term free care to enable them to concentrate on other matters where needed.

They support families with current information from the school and participate in school events such as school concerts and sports days. This provides a smooth transition between school and OSHC for both the families and children.

*Sharyn - Coordinator*

### **Ensure new funding arrangements do not result in reduced access for many families and reduced financial support for vulnerable families and children and for families in crisis**

#### *Draft Recommendation 12.4*

*The Australian Government should fund the Early Care and Learning Subsidy to assist families with the cost of approved centre-based care and home-based care. The program should:*

- *support up to 100 hours of care per fortnight for children of families that meet an activity test of 24 hours of work, study or training per fortnight, or are explicitly exempt from the criteria*

**Community Child Care does not support the component of Draft Recommendation 12.4 that proposes the introduction of an activity test of 24 hours of work, study or training per fortnight. Community Child Care believes that all children benefit from high quality learning experiences and interactions with other children and that there should be provision for all children to access up to 24 hours of education and care.**

The current Commonwealth Priority of Access guidelines already put some parameters around this that support workforce participation and access for at risk children and families experiencing disadvantage. We support ongoing implementation of a similar priority framework. Community Child Care believes that universal access to education and care is the best way to support the inclusion of vulnerable children from families experiencing multiple layers of disadvantage.

*Draft Recommendation 12.7*

*The Australian Government should continue to provide support for children who are assessed as 'at risk' to access ECEC services, providing:*

- *a 100 per cent subsidy for the deemed cost of ECEC services, which includes any additional 'special' services at their deemed cost, funded from the Special Early Care and Learning Subsidy program*
- *up to 100 hours a fortnight, regardless of whether the families meet an activity test*
- *support for initially 13 weeks then, after assessment by the relevant state or territory department and approval by the Department of Human Services, for up to 26 weeks.*

*ECEC providers must contact the state or territory department with responsibility for child protection within one week of providing a service to any child on whose behalf they apply for the 'at risk' Special Early Care and Learning Subsidy. Continuation of access to the subsidy is to be based on assessment by this department, assignment of a case worker, and approval by the Department of Human Services. The Australian Government should review the adequacy of the program budget to meet reasonable need annually.*

**Community Child Care has a number of significant concerns with Recommendation 12.7 and requests that the Commission address these problems.**

- The eligibility criterion for the proposed Special Early Care and Learning Subsidy is too narrow. It should be broadened to include vulnerable children and families facing multiple layers of disadvantage and not be restricted to children at risk, where the situation requires a referral to child protection. For families facing challenges in their everyday lives participation in education and care settings acts as a protective factor for children and helps families to access information and to link with community support services. Early intervention for children is worth investing in.
- Support for children at risk should be continuous not intermittent.
- There is no provision for additional financial support for families in crisis. Removal of the current support for families experiencing temporary financial hardship will mean that families facing short term extreme difficulties may have to withdraw children from services at a time when the child's ongoing participation can make a huge difference to the well-being and resilience of the child and family. Community Child Care requests that the Commission addresses this funding gap in its recommendations.
- The recommendation to base all subsidies on the deemed cost of child care provision means that for children 'at risk' there will still be a gap to pay if a service charges more than the deemed cost. It is essential to ensure participation of at risk and vulnerable children that the **full cost** of fees is covered by government subsidy.

*Draft Recommendation 12.8*

*The Australian Government should continue to provide support for children who have a diagnosed disability to access ECEC services.*

**Community Child Care is concerned that access to additional subsidies is restricted to children with a diagnosed disability only. Community Child Care recommends that eligibility for this support is broadened to include children who are in the process of assessment and children with complex medical needs.**

There are long waiting lists for early intervention assessments and services. Many young children experience difficulties that impact on their participation in education and care services a long time before any formal diagnosis is made. As outlined in the ACCS submission to the Productivity Commission's Issues Paper the issue of providing inclusion support for children with complex medical needs is a current gap that needs urgent attention.

## Do not simplify the National Quality Standard

### *Draft Recommendation 7.1*

*To simplify the National Quality Standard, governments and ACECQA should:*

- *identify elements and standards of the National Quality Standard that can be removed or altered while maintaining quality outcomes for children*
- *tailor the National Quality Standard to suit different service types — for example, by removing educational and child-based reporting requirements for outside school hours care services.*

**Community Child Care believes it is not possible to remove any of the Standards or Elements without impacting on the quality outcomes for children. Community Child Care’s submission to the 2014 Review of the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care is attached as Appendix 1. This provides further evidence for the Commission to consider with regard to the impact of the National Quality Framework.**

All Quality Areas, Standards and Elements are important and work together to ensure that quality education and care is provided. CCC believes it is imperative for a service to be rated as Meeting the NQS; it should meet each of the 58 elements. When the health, safety, wellbeing, learning and development of children are at stake, it is essential that services are supported to meet every single minimum standard. In some situations ‘a pass’ means getting 50% or better on a test, applying the best interests of the child principle to assessment and ratings means nothing but 100% is acceptable for Australia’s children. Each element of the NQS is an equally important interdependent aspect of fulfilling the relevant standard and it would be inappropriate and inequitable to apply personal judgements of an external assessor as to whether a standard was met.

### **Outside School Hours Care**

CCC does not support the removal of some of the elements of QA1 – Educational Program and Practice; specifically the requirement to provide child-specific documentation and programming for OSHC. CCC believes that OSHC is a critical place for school age children to be further supported in their learning through play and leisure time; promoting the development of life skills needed to cope with the wider social network and relationships that extend beyond school. For children to be active and confident citizens in their world, CCC believes it is critical that all children’s individual needs and interests are considered. QA1 provides the important elements for guiding school age care pedagogy that are in the best interests of planning for all children.

Regardless of the amount of time a child spends in an OSHC service it should be a high quality experience where their individual needs and interests are catered for. The reality is that thousands of children spend a number of days in OSHC services over the week and for their whole primary education (7 years) so documenting and planning a program is important for these children; it is a child’s right.

The educational program and practice requirements have largely been embraced by the sector resulting in improved professional practice of educators working in OSHC. This has increased professional accountability to colleagues, children and families. Educators are realising that what they do in this space for children is significant and plays an important role in a child’s development.

- *81% of Victorian OSHC services responding to the 3<sup>rd</sup> wave TICCSS survey identified that they have implemented positive changes in QA 1*

Issues with perceived excessive requirements in this area for children who attend sporadically are more about the interpretation of what is required. The NQF provides flexibility for services to take into consideration their unique differences and particular context and does not prescribe a formula or descriptive amount of documentation required. Government need to continue to invest in professional learning for the OSHC sector in this area, to ensure that OSHC services do not overestimate the amount of documentation that is required or useful for the child, family and service.

CCC also recommends a review of the training that assessors currently undergo to ensure they understand the context of an OSHC environment and how to apply the requirements to that setting. Providing a mechanism for services to access feedback from authorised officers on whether their program planning, quantity and quality of documentation and evaluation methods are Meeting the NQS, outside of assessment and rating visits would be extremely useful.

Community Child Care does not support the removal of elements in QA6 – Collaborative Partnerships with Families and Communities as outlined in the draft Report (p275). CCC believes that the following elements are an important component of the work of OSHC.

- 6.2.2: Current information is available to families about community services and resources to support parenting and family wellbeing
- 6.3.1: Links with relevant community and support agencies are established and maintained
- 6.3.4: The service builds relationships and engages with the local community

OSHC services are a critical partner in the transition to school for children and their families. Deciding on a school of choice for many families relies on the need for access to an OSHC service. At this point in time, the OSHC service is often the first connection to the school years of a child and family's life. OSHC services are often the main point of contact with the school for families and provide education and care for children across the entire 7 years of primary school. Families may have very limited contact with their child's classroom teacher, but see OSHC educators every day. This responsibility calls on OSHC educators to be confident in building relationships with these families, and to be confident in connecting families to their community. Many OSHC services do this well and see themselves as key people in the community to be doing this work.

Strong working relationships between OSHC and schools are an important part of implementing Quality Area 6. Self-assessment and continuous improvement plans for Quality Area 6 have supported the development of stronger collaborative relationship between OSHC and the school community. Removing elements of Quality Area 6 has the potential to undermine this and to undermine a collective approach to supporting children's wellbeing and to supporting families, in the school setting. With increased integration and collaboration between schools and OSHC services there is huge potential for building strong connected communities and forging strong partnerships with families.

## Continue to include preschools in the scope of the National Quality Framework

### *Draft Recommendation 7.9*

*Dedicated preschools should be removed from the scope of the National Quality Framework and regulated by state and territory governments under the relevant education legislation. The quality standards in state and territory education legislation should broadly align with those in the National Quality Framework. Long day care services that deliver preschool programs should remain within the National Quality Framework.*

One of the successes of the implementation of the National Quality Framework has been the breaking down of the policy divide between education and care. Draft Recommendation 7.9, which suggests removing preschools from the scope of the NQF, is a backward step. It will create a fragmented system of education and does not take into account the wide range of models of delivery, with increasing moves towards the provision of integrated services. The range of different systems between, and even within states, needs to be streamlined. There seems to be no rationale for this recommendation apart from cost shifting. Such a move would be seen as privileging the year before children start school over earlier years. The system in Victoria would become even more cumbersome with different regimes for children attending a service with an integrated kindergarten program, and those attending a stand-alone sessional service.

**Community Child Care believes that all preschools should continue to be included in the full scope of the NQF.**

## Ensure regulatory compliance, quality assurance and support for all service types in the scope of NQF and for all service types eligible for government fee subsidies

### *Draft Recommendation 7.8*

*Governments should extend the scope of the National Quality Framework to include all centre and home based services that receive Australian Government assistance*

### *Draft recommendation 8.6*

*The Australian Government should remove the In-Home Care category of approved care, once nannies have been brought into the approved care system*

Community Child Care agrees with the Recommendation 7.8 conditional upon appropriate transitional support and resourcing being provided, for service types that are not currently in the scope of the NQF.

It is vital that every sector type has internal robust mechanisms in place to ensure regulatory compliance and quality assurance and to ensure that educators are supported. Coordination units or schemes provide this for home based care models. Community Child Care requests that the Commission review the impact of the recent changes in Commonwealth funding to family day care that will result in a loss of funding to many family day care providers and make recommendations that support continued funding of this model.

Whilst Community Child Care is relieved that the Commission's recommendations include a requirement for nannies to hold a Certificate III level qualification and requires nannies to meet the National Quality Standards, we have grave concerns about how approved nannies would be supported and monitored for regulatory compliance. CCC disagrees with a recommendation to remove the In Home Care Category of approved care and believe that this model, once included in the scope of the NQF, could provide the essential coordination role that is fundamental to home based care. Australian Government education and care funding should be used only for the

education and care of children. It should not be used to subsidise housework or other family duties and mechanisms to ensure this does not happen must be put in place, for any new funded models of service provision.

### **Endnote**

Since the release of the draft Report Community Child Care and our national peak body, Australian Community Children's Services has received information from and collaborated with many other early childhood organisations, who have been working to resource the sector and community to respond to the wide ranging commentary and proposals, included in the draft Report. Given the complexities of the draft Report it has not been possible within resource constraints, for Community Child Care to address in detail all aspects of the draft Report. We commend the presentations at the Commission's public hearings and the submissions of other sector partners – notably, Early Childhood Australia; Goodstart Early Learning; the Centre for Community Child Health at the Murdoch Children's Research Institute; Early Childhood Management Services, Early Learning Association Australia and KU Children's Services.

If the Commission requires any further case studies or further evidence on any particular aspect of the draft Report we would be happy to be contacted.

### **References**

Penn, H. (2012), *Child Care Markets – Do they work?* In Lloyd, E & Penn, H. (Ed) *Child Care Markets - Can they deliver an equitable service?* University of Bristol, Great Britain.

Williams, F. (2010), *Claiming and Framing in the Making of Care Policies - The Recognition and Redistribution of Care*, Gender and Development Programme Paper Number 13, United Nations Research Institute for Social Development.

**Appendix 1**  
**Community Child Care Association Submission 4 July 2014**

**2014 Review of the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care**

**ACCS Trends in Community Children's Services Survey**

Since the introduction of the NQF ACCS has conducted three waves of a national survey *Trends in Community Children's Services Survey (TICCSS)* designed to track how the community sector have engaged with and implemented the NQF. Over 600 services participated in the first survey conducted in May/June 2012, over 500 services participated in the second survey conducted in November 2012 and over 800 services participated in the third survey conducted in May/June 2014.

Services from all states and territories participated and included a broad range of service types - long day care, family day care, outside school hour's care, preschool/kindergarten, in-home care and mobile services. The research was designed to be explorative and the findings are indicative and not representative.

This submission draws on findings from the first and second wave published in the two ACCS National TICCSS Reports and unpublished preliminary Victorian data drawn from the 3<sup>rd</sup> Wave of the survey which has only recently closed. Three hundred and ninety Victorian services responded to this wave of TICCSS.

**SUMMARY**

Community Child Care (CCC) believes that the National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care has been a success. CCC believes that there has been significant progress being made towards all objectives of the NP NQA. The introduction of the NP NQA was a transformational moment for children and families in Australia and the progress made towards its objectives should be celebrated and built on.

CCC believes that the NPA NQA is meeting its objective to improve educational and developmental outcomes for children.

CCC believes that significant progress has been made in Victoria towards meeting the remaining objectives

- Deliver an integrated and unified national system to drive continuous quality improvement
- Build a highly skilled workforce
- Improve public knowledge about and access to information about the quality of service
- Improve the efficiency and cost effectiveness of the regulation of services
- Reduce the regulatory burden of service providers

The NQF brings all services that are educating and caring for children ages 0-12 years together under one umbrella. This is a tremendous achievement and an important asset for Australia. It has lifted standards by focusing on quality outcomes for children, allowing for services to develop and demonstrate this in ways that are relevant to their local communities. Services and governments have invested huge amounts of time and resources into implementing the NQF with impressive results in a short time. Although there have been administrative challenges many of these have been worked through and services are beginning to reap the rewards for all their hard work.

## **KEY RECOMMENDATIONS**

- Continue implementation of the NQF to 2020 as planned including the 2016 scheduled improvement to educator: child ratios
- Continue to include all existing Quality Areas, Standards and Elements in the NQS. Any streamlining of these will reduce quality outcomes for children
- Introduce changes to the assessment and ratings cycle so that a service with a rating of Working Towards the NQS has the option of being reassessed **just** in the standard/s that they did not receive Meeting or Exceeding the NQS for, as soon as their self-assessment process indicates that they are now Meeting the NQS in that Standard
- Increase the number of compliance and unannounced visits to services by Regulatory Authorities to monitor continuity of practices
- Bring all service types including in-home care, limited hours care, occasional care, mobile services and MACS into the scope of the NQF
- Provision of further resources to services by ACECQA, to ensure there is a one stop reference point for information about the broad range of legislative requirements that services need to meet. This could include for example
  - Updating the National Quality Framework Resource Kit to include clear outlines of what each required policy needs to cover and listing all other relevant federal and State based legislative requirements for each policy area
  - Regular update alerts and explanatory notes to all services when any federal or state legislative requirement changes across any of the required policy areas and the implications of this for services
- Collation and analysis of data by ACECQA about the assessment and ratings performance of community managed and not for profit services as compared to privately owned commercial services
- Further improvements to the educator: child ratios for children under 12 months to 1:3.
- Conduct research projects looking at services who have received a Working Towards rating to track their improved practices over time.

## **RESPONSES TO CONSULTATION PAPER QUESTIONS FOR DISCUSSION AND FEEDBACK**

### **1. The degree to which agreed objectives and outcomes or outputs of the NP NQA have been achieved**

**(a) Whether the NQF has improved the efficiency and cost effectiveness of the regulation of services and reduced the regulatory burden of service providers**

**Under the NQF what impact has the requirements of the National Law and National Regulations had on the level of administrative cost and procedural burden of service providers? What can we do to reduce this burden?**

The introduction of the NQF has streamlined administration and procedural burden by changing the previous requirement for services to be responsible to state government for licensing and the federal government for accreditation. This has done away with much procedural duplication and means that providers now have one clear set of parameters and are preparing for one assessment and rating instead of two separate processes; the timing of which were not even coordinated. The sector welcomes this reduction in administrative burden.

The sector also welcomes the streamlining of the quality assurance process and resulting decrease in record keeping and other associated procedural requirements. The previous National Childcare Accreditation Council system was based on 33 standards and involved a validator marking 701 indicators as occurring or not occurring. In contrast the new assessment and ratings system is more streamlined. It is based around 18 standards and requires services to be meeting only 58 elements. CCC believes this was a positive shift and that the current Standards and Elements are effective benchmarks and should not be watered down. CCC believes that it is imperative that for a service to be rated as Meeting the NQS it should continue to meet each of the 58 elements. When the health, safety, wellbeing, learning and development of children are at stake it is essential that services are supported to meet every single minimum standard. In some situations 'a pass' means getting 50% or better on a test, applying the best interests of the child principle to assessment and ratings means nothing but 100% is acceptable for Australia's children.

Another positive change which has streamlined the process for services has been the provision for services to make minor adjustments after the assessment and ratings visit to enable them to achieve a rating of Meeting NQS.

The full benefits of this simplified system have not yet been fully experienced or realised for every service. Until every service goes through the assessment and rating process it is to be expected there will be a degree of heightened concern about regulatory and administrative requirements for some services. When the new legislation was introduced all services needed to do significant amounts of work to understand new requirements and set up new processes to ensure compliance. This is to be expected with any reform process and this work has now been done. The transition phase was well supported in Victoria by the Regulatory Authority, the Department of Education and Early Childhood Development (DEECD) who ran forums and provided information that clearly outlined the differences between the new and previous requirements and language.

Victorian data from the TICCSS research demonstrates that the administrative impact of regulatory requirements of the NQF is decreasing overtime. In May and November 2012 over 70% of respondents to the survey listed *Increased paper work to meet legal obligations and government regulations* as one of their top 3 issues. In the recent 3<sup>rd</sup> wave of data collection this had dropped to

46%. Furthermore in this wave, 15% of services identified *Administration and paperwork is more streamlined* as one of their top 3 highlights of the last 12 months.

In the initial stages of the roll out of the NQF, the issuing of Supervisors Certificates caused administrative difficulties for services. In Victoria the initial backlog cleared and a recent change to requirements means this is no longer an issue.

CCC believes that when services are asked about administrative and regulatory burdens they are often not making distinctions between the work that is associated directly with the NQF, the work that they have always needed to do to comply with other regulatory bodies such as Department of Education for CCB and CCR and Worksafe and other changes to legislative requirements (in Victoria for example many community managed services have needed to rewrite their constitutions to comply with state based changes to incorporated associations legislation).

CCC has grave concerns about documentation of children’s learning and records of program planning and evaluation being referred to as part of ‘administrative or regulatory burdens’. Educators and teachers working with children have used written assessment and planning tools as part of their professional practice long before the arrival of the NQF. They are important components of the learning / teaching process and should not be considered as administrative functions. The introduction of the NQF did not require an increase in the quantity of written planning and documentation of children’s learning. What it does require is educators and teachers to make sure that documentation is meaningful and related to the approved learning frameworks. The professional support available across the sector over the last few years has supported educators and teachers to be able to do this. It is a myth that the NQF requires more “paperwork” for Quality Area 1.

**Where should responsibility sit for deciding who should be the person in day to day charge of a service?**

The Nominated Supervisor should be responsible for delegating who is in day to day charge and for making an assessment of their ability to carry out this role. The assessment should be based on clear set criteria determined by ACECQA, with an assessment template provided to services. The assessment should take into account, qualifications, experience, knowledge of Law and Regulations, knowledge of service policy, and experience in dealing with difficult or unusual situations. Documentation around this should be checked by the Regulatory Authority during compliance visits and as part of the assessment and rating process.

**(b) Whether the system provides an integrated and unified national system with consistency of approach and interpretation of National Law**

From a Victorian perspective significant progress has been made in this area. It is effective having the same set of recognised qualifications across the country and this is an improvement for services. It will further improve when out of scope services are brought into the NQF, as the need for State based regulations for some service type’s causes confusion and duplication at times.

CCC understands that while some transitional provisions for States and Territories needed to be included in the National Law the consequence of the number of savings and transitional provisions in the National Law has detracted from a unified national system.

The National Law, Regulations and associated guidance materials are clear and easy to understand. Initially it was difficult for services to get across a lot of new material in a short space of time but this has largely been achieved now. The NQF Resource Kit provides a great resource to support the sector to implement the NQF and was invaluable during the transition phase. Providing electronic page inserts to update the hard copy kit that was sent to services would be useful.

As services did not receive a hard copy of the Law and Regulations there was some initial confusion about accessing these.

There was also confusion about what some of the policies listed in the National Regulations were supposed to cover. There still needs to be clearer guidance on required content in the ACECQA Guide to the National Regulations.

When the National Law and Regulations were introduced, CCC as the Professional Support Coordinator provided many services with telephone, email and face to face support at networks, training sessions and during service visits about the new requirements. CCC continues to get requests for assistance about who to contact and what processes to follow (e.g. to report a critical incident or calculate required numbers of educators). CCC supports services to locate the relevant information or forms on line and supports services to use the NQF Resource Kit. CCC always encourages services to contact DEECD directly with any questions of interpretation and in most cases services do this, but there are instances where services are reluctant in case it alerts DEECD that they are not across their responsibilities or could be in breach.

**(c) the extent to which the National Quality Standard and the assessment and rating process has contributed to continuous improvement for services and, over time, positive outcomes for children**

**What has been the impact of the NQF so far in focusing services to improve educational and developmental outcomes for children?**

There have been significant improvements in this area across all sector and ownership types. CCC has experienced a high demand for professional support in this area and has found that on the whole participants in training sessions are critically reflecting about how best to work with children to support their learning and development. A deeper understanding of how children learn and the context of their learning has been gained by vast numbers of educators over the last few years. CCC members have consistently shared with us their stories of how they are changing and improving their work in this area.

- 82% of respondents in Victoria to the 3<sup>rd</sup> wave of TICCSS indicated that they have implemented positive changes in Quality Area 1 Educational Program and Practice in the last 12 months

- 71% of respondents identified *Educators are more interested and engaged in programming and planning* and/or *Educators regularly engage in reflective practice* as one of the top 3 highlights their service has experienced in the last 12 months.

**How well do the requirements outlined in the National Law and National Regulations for operating a service contribute to the objectives of improving educational and developmental outcomes for children?**

There is no doubt from CCC’s perspective that the requirements are based on solid contemporary research and their implementation has already contributed significantly to improving educational and developmental outcomes for children.

**To what extent has the National Quality Framework so far met the objective of promoting the continuous quality improvement of education and care services?**

The NQF has been and continues to be a strong driver of continuous improvement across the sector. CCC has worked with numerous services seeking information, advice and professional support across all Quality Areas and has consistently seen improvements occur in hundreds of services. This is supported by the results of the 3<sup>rd</sup> wave of TICCSS data that shows significant numbers of services in Victoria indicate that they have implemented positive changes in the 7 Quality Areas in the last 12 months as outlined below.

<b>Quality areas that services in Victoria have implemented positive changes in last 12 months</b>	
Quality Area 1 Educational program and practice	82%
Quality Area 2 Children’s Health and Safety	52%
Quality Area 3 Physical environment	51%
Quality Area 4 Staffing arrangements	49%
Quality Area 5 Relationships with children	52%
Quality Area 6 Collaborative partnerships with families and communities	60%
Quality Area 7 Leadership and service management	53%

- 46% of Victorian services responding to the 3<sup>rd</sup> wave of TICCSS identified *Developing and implementing the QIP has led to improvements at our service* as one of their top 3 service highlights over the last 12 months.
- 82% of respondents who had been through the assessment and ratings process indicated a positive or extremely positive impact on quality improvement at their service.

**How well do the requirements outlined in the National Law and National Regulations contribute to the objectives of ensuring children’s health safety and well-being? How could they be refined or improved?**

On the whole the requirements are comprehensive and are leading to improved outcomes for children in this area.

- 52 % of Victorian services responding to the 3<sup>rd</sup> wave of TICCSS identified that they had implemented positive changes to Quality Area 2 Children’s Health and Safety over the last 12 months.

The requirement that only one person present at the service needs to have current first aid, anaphylaxis and asthma qualifications needs to be improved. CCC recommends mandatory qualifications in these areas for every staff member on site. First Aid and anaphylaxis qualifications were mandatory in Victoria prior to 2012. Many CCC member services continue to do this as part of their internal policies but CCC believes this must be universal.

### **To what extent have the educator to child ratios and qualifications requirements already implemented made a difference to the quality of education and care provided to children?**

The strong evidence on the positive impact of increased staff to child ratios and increased staff qualifications on outcomes for children is summarised in the *Evidence brief on NQF ratios and qualifications* (ECA 2013).

In Victoria the introduction of the 1:4 educator: child ratio was welcomed by the community managed education and care sector. Many of these services were already operating at this ratio or better and those who were not have successfully made the transition and experienced the benefits of this. A case study illustrating one service’s experience with this is included below.

*Flemington Child Care Co-operative, a 30 place parent managed service started preparing for these reforms in 2009 and staff at this centre believe that the quality of children’s daily experiences at their centre has been going from strength to strength. The biggest change for this centre was the need to go from 5 full time educators to 7 fulltime educators. Staff and families have really appreciated the difference this has made. Educators have more time to interact with children and implementing the Early Years Learning Framework has influenced how educators work to deliver a meaningful play based educational program on many levels.*

Many community managed services in Victoria have been employing staff with a higher qualification profile than is now required under the NQF, for many years. CCC strongly supports the minimum qualification requirements in Victoria and believes this ensures that all children attending a service in Victoria will experience appropriate levels of adult interaction, support, teaching and supervision. CCC recommends that the educator to child ratio for infants under 12 months be further improved to 1:3.

### **How well does the Early Years Learning Framework support services in developing and implementing their learning programme?**

CCC believes this document based on rigorous research and international best practice provides an excellent framework to support services in this area. The support materials and extensive training available through the Professional Support Coordinator has helped services operationalise the framework and apply it to their own context. The Victorian Early Years Learning and Development

Framework complements the EYLF and the extensive professional development opportunities and resources provided by DEECD have helped educators across Victoria gain a deeper understanding of effective learning and teaching.

### **What do you consider to be the most important aspects of quality and the most important quality areas within the NQS?**

All 7 Quality Areas and their accompanying Standards are essential components of quality education and care. They are interlinked and support each other. It is not possible to ensure the health, safety, wellbeing, learning and development of children without any of one of these Quality Areas.

CCC is concerned about the design of the surveys included in this consultation process. It was not possible to complete the survey without ranking Quality Areas from 1 – 7 and we believe that any conclusions drawn from the results will not be valid. A number of other questions in both the educator and family surveys were designed in a way that may lead to a bias in results. CCC would be happy to provide further feedback on this.

### **How effective is the assessment and rating process? What are its strengths?**

CCC has had consistent positive feedback from members that the assessment and rating process is effective and provides an authentic picture of the quality of service provision. We have also received consistent feedback that the process is simpler, less stressful and more accurate than the previous NCAC accreditation process.

Of the 390 Victorian services who responded to the 3<sup>rd</sup> Wave of TICCSS research, 56% had undergone a NQF assessment and rating process. The survey asked these services to rate their experience with the assessment process.

- 82% indicated that the process had a positive or extremely positive impact on quality improvement at their service
- 74% rated the clarity of the process as positive or extremely positive
- 75% rated the usefulness of the assessment and ratings report as positive or extremely positive
- 88% of services rated the ease of the process and the impact on the running of the service as neutral (22%), positive (37%) or extremely positive (29%)
- 83% rated the accuracy of the final ratings as positive or extremely positive
- 75% rated the knowledge of the assessors around early and middle childhood services as positive or extremely positive
- 86% rated the process for services to review and provide feedback on the draft report as neutral (16%) positive (47%) or extremely positive (23%)
- 71% rated the provision for services to make minor adjustments as positive or extremely positive
- 90% rated the skill of the assessors as neutral (16%), positive (44%) or extremely positive (30%)
- 73% rated the timely reporting on outcome of assessment as positive or extremely positive.

The assessment and rating reports are detailed and provide clear evidence and examples of practice that supports the rating provided by the assessor. On the whole they demonstrate strong insight into how the service is performing against the NQS within their particular context. Services have indicated that this is much more meaningful than the previous tick and flick process and has been an important source of professional validation for individual educators as well as for the service.

### **What suggestions do you have for streamlining or improving the assessment and ratings process?**

CCC consistently hears from services that have not yet been through an assessment and rating process that they would like this to happen soon. Ensuring that as many resources as possible are directed towards completing an assessment and rating process for all services, is seen by CCC as a priority.

Many services who have received Meeting or Exceeding the NQS ratings have commented to CCC that they would like more direction and suggestions for continuous improvement included in the report.

CCC believes that if a service receives a rating of Working Towards the NQS in a particular quality area, they should be able to be reassessed just in that Quality Area as soon as their self-assessment process indicates that they are ready. This would mean that the Regulatory Authority did not have to reassess the service again, in all the Quality Areas that the service had recently been assessed as performing at Meeting or Exceeding the NQS.

### **What are your views on the National Quality Standard? Is it easy to implement?**

The National Quality Standard is based on sound contemporary research and provides clear guidance on the components of quality. When it was first introduced to the sector many services did feel overwhelmed by the detail and scope of the NQS. This is to be expected with any new process until people get familiar with the content and participate in relevant training. However, as services have worked through the self-assessment process and written and implemented their own Quality Improvement Plans most services have become confident using the NQS as a basis of operation. CCC consistently hears from services that they do not want any aspect of the NQS watered down or removed. CCC believes that all Standards and Elements are important for all service types.

### **Do the elements of the standard help to understand the components of quality?**

Yes

### **Could the NQS be improved?**

The introduction of the NQS has been a significant reform and CCC thinks that it is important that Australia has time to consolidate the gains being made with the NQS in its current form. In many instances it has been a challenge for services to deliver all the components of quality due to difficulties recruiting adequately trained staff with a working knowledge of the EYLF, FSAC and NQS. Before any further improvements to the NQS are made, workforce issues pertaining to wages, conditions and training need to be addressed.

To ensure that the NQS keeps pace with best practice in education and care, there needs to be ongoing careful consideration of new research and thinking particularly in the areas of brain development, needs of children experiencing layers of disadvantage and the long term benefits to society of investment in the early and middle years. Any future changes to the NQS must draw on this body of knowledge and maintain the best interests of the child as the principle driver.

**What are your views on the rating levels? Should there be an overall rating level?**

CCC believes that there should be an overall rating level and that to achieve Meeting the NQS services should be performing at this level in all Quality Areas, Standards and Elements.

When it comes to ensuring that children are protected from hazard and harm and that their wellbeing, learning and development is supported, it is critical that we do not compromise on any aspect of quality. While research shows that access to childcare and kindergarten has positive effects on all areas of children’s development, it is clear that the emphasis is on HIGH quality.

CCC believes that the quality assurance process for the delivery of early and middle childhood education and care needs to be robust and thorough.

*“Children are a vulnerable group who need protection from the risk of substandard care; a child's early years are critical to their long-term development; the numbers of children and the hours spent in child care are both increasing; having accountability systems in place ensures the wellbeing of children and the provision of quality care.”*

Fenech (2006)

**(d) the effectiveness of governance arrangements for the NQF including the role of ACECQA  
What has been your experience dealing with the regulatory authority?**

DEECD has been proactive in providing information, support, professional development and workforce initiatives to help the sector prepare for and implement changes. This has been done in a professional and innovative manner and has contributed to Victoria’s solid performance in assessment and rating results.

There has been some anecdotal feedback to CCC of instances where there is perceived inconsistency between regions with what is expected to achieve Meeting and Exceeding for some criteria. CCC has encouraged services to follow up with DEECD about these perceptions. CCC recommends DEECD continue with ongoing training, support and moderation processes to ensure consistency of expectations between Authorised Officers and across the State.

CCC strongly supports the role and work of DEECD and believes that it should continue in its current role including being responsible for assessment and ratings.

**What has your experience been dealing with ACECQA?**

There were some initial problems getting clear information and telephone advice from ACECQA that was quickly resolved. CCC and member services now regularly utilise the ACECQA website to access information, forms, resources and updates which are clear, current and useful. ACECQA communicates clearly and regularly with the sector through electronic updates.

The information to families including the family newsletters has been invaluable for services approaching or going through assessment and ratings processes.

The ACECQA National Register is a useful tool for families. CCC supports the publishing of an overall rating as well as ratings in each Quality Area.

CCC strongly supports the role and work of ACECQA and believes that it continues to be extremely important to have a national body resourcing and overseeing the NQF.

The roles and responsibilities of ACECQA and the Regulatory Authority have become clearer to services overtime and the initial lack of clarity and mixed messages from these two bodies has consistently improved. This is reflected in the TICCSS data, with 52% of Victorian respondent services indicating that mixed messages from either ACECQA or DEECD were one of their top 3 issues in May 2012, dropping to 17% of respondents in May/June 2014.

#### ***4. Whether legislative requirements can/should be tailored to particular service types/settings (e.g. Outside School Hours Care).***

**To what extent do current legislative and operational processes and requirements adequately take into account differences between service types, settings and age cohorts? For example, how could the requirements of the National Law or National Regulations be tailored to facilitate the more flexible delivery of outside school hour's care?**

CCC believes the current legislative and operational processes and requirements adequately take into account Outside School Hours Care (OSHC). We do not want to see the OSHC/School Age Care sector having entirely different requirements. We believe all children, regardless of age have the right to high quality education and care regardless of which service setting they are in. The number of children spending more time in OSHC services is rapidly growing, with more families relying on this service to be able to engage in work, training or study etc.

We are seeing more integrated models of Long Day Care, Kindergarten and Outside School Hours Care operating from the same locations either within school grounds or in community centres. Having the same National Law and Regulations across all sector types acknowledges the trajectories of childhood and respects the transitions children make between service types during the ages of 0-12 years. Furthermore, it facilitates educators working across sector types providing continuity of work expectations and requirements. This is important in many areas where OSHC educators also work in occasional care and long day care settings covering lunchbreaks for example. Consistent regulations across sector types also provides reassurance for families that services have the same standards(regulations) that provide quality education and care environments for their child from birth to 12 years. This supports the successful transition between services types for families and children. The most important point is that the law and regulations have children's wellbeing at the forefront to ensure services are high quality or working to high quality; this should not be comprised for any sector type.

The NQF provides a great opportunity for Australia to create a system for school age children (5-12 year olds) which includes a school day and outside school hours care that is collaborative, working in partnership and building on one another to give children the best possible education and care

throughout the whole day. In its current form the National Law and Regulations provide a strong foundation for this.

### **What are your views about educator to child ratios and / or qualification requirements for outside school hour's care?**

#### **Educator to child ratios:**

The current ratio of 1:15 in Outside School Hours Care in Victoria is historical and no research has been completed to date to determine what ratio for school age children should be in an OSHC environment. There is no national consistency with ACT requiring 1:11, WA requiring 1:13 and all other states and territories having 1:15.

Community Child Care does not support child-staff ratios higher than 1:15. CCC would encourage government to invest in research to determine what is the optimum staff: child ratio to ensure high quality outcomes for children in an OSHC environment. This is an important investment because more and more Australian children are accessing OSHC services, over 315,000 children a year (2012 data) and families are reliant on this service to be able to engage in work, training or study etc.

CCC would like to see a mandatory staff to child ratio for excursions brought in for the OSHC sector (including Vacation Care). Vacation Care services (operating between 8-11 weeks a year) commonly have excursions/routine outings most days of their program delivery and therefore it is not an ad-hoc experience. We believe there should be specific higher staff: child ratios to prevent services operating excursions at 1:15. Whilst excursions are an important and valuable learning experience, they are higher risk for the wellbeing and safety of children; this is due to the fact that they are no longer in a designated space. Therefore we should have minimum ratios for excursions/routine outings at less than 1:15. CCC would like to see investment in some research to determine the optimum staff: child ratio for excursions/routine outings.

#### **Qualifications:**

CCC supports the current requirements in Victoria of:

- At least 50 per cent of required educators must hold, or be enrolled and studying for, at least an approved diploma level qualification approved for educators working with children over preschool age in Victoria
- All other required educators must hold, or be actively working towards a certificate III level qualification approved for educators working with children over preschool age for Victoria or commence that qualification within 6 months of commencing to educate and care for children

We have not seen major concerns from services recruiting staff with Certificate III or working towards the qualification. We believe everyone who cares and educates children should be required to have qualifications.

CCC thinks there should be nationally consistent qualifications across all parts of Australia; but would not want the minimum benchmark to be any lower than what Victoria currently has in place.

## **How well does My Time, Our Place support outside school hours care services in improving the quality of their educational programme and practice?**

The purpose behind The Council of Australian Governments development of 'My Time, Our Place – Framework for School Age Care (the Framework)' to, *assist educators to provide children with opportunities to maximise their potential and develop a foundation for future success in life* is the launching pad for why quality matters and why a framework is critical in supporting the success of children's learning and development outcomes.

CCC believes that the purpose and content of the Framework are the important things to consider when asking how it helps outside school hours care services (and other school age care settings) in improving their educational programme and practices.

*"As Australia strives to ensure our early childhood education and care facilities and programs are exemplary, those who lead school age care programs have a tremendous responsibility to make their own service the very best it can be"*

*MY TIME, OUR PLACE Promoting Collaborative Partnerships between School Age Care Services and Schools page 1*

CCC believes that the Framework is, amongst many, an important element in supporting the provision of nationally consistent – high quality school age care services. It provides a common language and sets clear expectations of the quality practices expected in the provision of school age care services for children, families and professionals.

The Framework recognises the relationships involved and the important educational and learning aspects of a *recreational* service. School Age Care services, (primarily before school programs, after school programs and vacation care) face constant debate about the place of 'education' in their settings. However, the more important debate is what learning is happening and how this learning supports children's later life successes.

As discussed earlier; the number of children spending more time in OSHC services is rapidly growing, with more families relying on this service to be able to engage in work, training or study etc. OSHC/School Age Services have proudly moved from being known historically as an afterschool babysitting type service, to one that *promotes high-quality learning and care, provides age-appropriate curriculum and maximises opportunities to support [all] children* (DEECD, Early Years Strategic Plan 2014-2020).

Extensive research on the increasing rate of children and young people experiencing depression, including the National Children's Commissioner's current examination into how children and young people under 18 years can be better protected from intentional self-harm and suicidal behaviour, is a blinding reminder that children need early support and connections. The five Learning Outcomes in the Framework; identity, connected and contribute to the world, wellbeing, confident and involved learners and effective communicators are critical goals for children to experience a healthy, happy and connected life.

Peer connectedness and social acceptance have long been fundamental goals of the middle school age child. Educators have a complex but valuable role in supporting children to develop a strong sense of self and to remain connected in a world that offers many other ways of being. The

Framework's emphasis on play as a learning opportunity values the individuality of each child and provides educators with informed knowledge on the importance of time, space and exploration.

*'Children in school age care learn through engaging with their environment in multiple ways. Play is the natural way for children to explore and develop skills and school age care services are in an excellent position to support children's learning through engagement and interaction in a socio-cultural setting. Play is instinctive, voluntary and spontaneous. It gives satisfaction and a sense of achievement. Children's play is purposeful and meaningful and promotes physical, cognitive, emotional and social development'*

MY TIME, OUR PLACE Promoting Collaborative Partnerships between School Age Care Services and Schools page 11

The varying contexts of each OSHC/school age care setting is important, however the Framework is the critical document that drives national consistency and provides important evidence and examples of what achievements in each of the five learning outcomes can look like for children. The expertise and experience of OSHC/school age care educators might vary, but with the guidance of a school age care framework – COAGS initial purpose is held at the forefront for the better of Australian children; helping to ensure the delivery of quality educational programmes and practices.

### **How clear are the requirements for documenting child assessments or evaluations for the delivery of an educational programme?**

CCC acknowledges that in the *Guide to the National Law and Regulations* some information is given regarding what documentation should focus on and what considerations should be given to the varied time/lengths that children spend in the service, how the documentation will be used and how easily it can be received by families.

CCC is pleased that the NQF requires services to take into consideration the unique differences and particular contexts of each service, therefore not prescribing a formula or descriptive amount of documentation required. We are seeing more services really think about the individual children in their service and what the individual needs are for each child.

However, despite the range of accessible information about the various 'methods' of documentation and assessment, CCC believes there is a gap in actual examples that represent both the nature of the school age care setting and what is required by law.

CCC believes that despite investment in the development of the *Educators Guide to the Framework for School Age Care in Australia*; it has been a lot of 'guess work' for services to determine if their current documentation and assessment practices are at the level expected of the visiting authorised officer.

CCC believes that the experience and qualifications of authorised officers are a critical element of the role. Services should be able to access feedback from authorised officers on whether their program planning, quantity and quality of documentation and evaluation methods are Meeting the NQS, outside of assessment and rating visits.

## **References**

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