



**Early Childhood Australia**  
A voice for young children

**OUR  
VISION:  
EVERY  
YOUNG  
CHILD IS  
THRIVING  
AND  
LEARNING**

## *National Quality Framework Review 2014*

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Submission from Early Childhood Australia

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### About us

Early Childhood Australia (ECA) is the national peak early childhood advocacy organisation, acting in the interests of young children, their families and those in the early childhood field. ECA advocates for quality in education and care as well as social justice and equity for children from birth to eight years. We have a federated structure with Branches in each state and territory. In 2013, ECA celebrated 75 years of continuous service to the Australian community since 1938.

### About this submission

ECA has been at the forefront of helping ECEC providers and educators understand and implement the NQF since it started development in 2007. In the period 2011–2014, ECA was funded by the Federal Government to produce and deliver the *National Quality Standard Professional Learning Program* (NQS PLP), an online resource hub that provided the ECEC sector with information and practical self-help resources as well as opportunities for sharing information and seeking advice from experts.

Early Childhood Australia's submission seeks to draw from our knowledge and address the key issues identified by our members and the broader sector and proposes options for consideration in improving the *National Quality Framework* into the future.

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## 1. Introduction and executive summary

Participation in high-quality early childhood education and care (ECEC) has the potential to give every Australian child a chance to develop skills for life-long learning and wellbeing. This is an investment in individual capacity that will build national prosperity over the long term.

The NQF has achieved—for the first time in Australia—a clear national focus on the importance of quality education and care for children. This gives practical effect to decades of research into the positive outcomes generated by high-quality early childhood settings.

There is a strong consensus in the early childhood sector that the *National Quality Framework* is a significant improvement on the previous state-based licensing and Quality Improvement Accreditation System (QIAS) that previously applied, reducing duplication and complexity.

The major strengths of the NQF include:

- the focus on children's outcomes, by raising the quality of early childhood education and care in Australia;
- the key structural elements of quality including qualifications requirements and child-to-staff ratio requirements, which are based on strong evidence and provide children with better outcomes;
- the National Quality Standard, and Quality Improvement Plans – supporting services to engage in continuous improvement against evidence based standards;
- The Early Years Learning Framework, which has been embraced in early childhood pedagogy;
- improved the professionalism of the early childhood sector which is critical for developing quality, stable relationships with children;
- increased awareness among families of the importance of quality and early learning for children's development.

Although a significant challenge to implement, services are supportive of the NQF and are already seeing the benefits.

The Australian Children's Education and Care Quality Authority (ACECQA) (2013) reported that 78 per cent of providers were either very supportive (42 per cent) or supportive (36 per cent) of the NQF. Providers whose services have been quality rated were most supportive of the NQF.

While the continued implementation of the NQF is supported, ECA recognises that there are opportunities to streamline the *National Quality Framework* in areas that will not affect children's outcomes:

- expanding the scope of the NQF to include Budget Based Funded services, occasional care and in-home care;
- greater consistency in assessment and ratings to improve the integrity of the NQF;
- greater clarity of assessment and ratings reports to support quality improvement;
- improved and professional development of assessors and their relationships with services;
- reviewing the interaction between each NQS element and the quality area rating to ensure it is consistent for all ratings without reducing the incentive for quality improvement;
- continued reform on the requirements on supervisor certificates;
- removing regulatory burden and duplication outside of the NQF – including child care payments system and state and local government regulations.

ECA considers that observing children's learning is fundamental part of professional practice and supporting children's development. However, some educators are completing too much documentation, which could be prevented with more professional support and clarity around expectations from Regulatory Authorities.

Improved training and professional development is important to support the continued transition to the NQF. The Long Day Care Professional Development Programme is welcome in this regard. We also recognise that more flexibility should be provided for waivers for services rural and remote areas where there is a demonstrated problem with meeting the qualification requirements.

Further work is also required to assist OSHC services to transition to the NQF and School age learning framework as these services are not used to working in such a regulated environment, though these requirements are important.

While the cost of delivering quality early childhood education and care is recognised, there are many cost drivers of ECEC, and the broader economic and social benefits of quality early childhood education also need to be taken into account.

The NQF is setting a strong foundation for future reform of the early childhood education and care system. To achieve the benefits, the remaining NQF milestones are fundamental, including changes to child to staff ratios in 2016 and qualification standards in 2020, as well as improving access to quality early childhood education and care services for all children.

## 2 Background to the National Quality Framework

In 2001 the OECD handed down its landmark report *Starting Strong I: Early Childhood Education and Care* (OECD, 2001) which recognised that the quality of, and access to, early childhood education and care (ECEC) is a major policy priority for governments and that the ‘early years are increasingly viewed as the first step in lifelong learning and a key component of a successful educational, social, and family policy agenda’.

While the evidence of the importance of access to quality ECEC had developed over many decades—the OECD in *Starting Strong I* and *II*, reviewed the breadth of evidence and provided specific recommendations to governments on how to improve the quality of early childhood education through:

- orientation quality
- structural quality
- educational concept and practice
- operational quality
- child-outcome quality or performance standards
- standards pertaining to parent/community outreach and involvement.

### 2.1 Quality in Australian ECEC prior to the NQF

Influenced by this evidence, the attention of Australia’s governments, both Commonwealth and state/territory, recognised that Australia’s performance in the delivery of quality ECEC needed improvement.

The quality of Australian ECEC is average on most measured components of quality and is broadly similar to that in the USA and UK (Taylor et al, 2013). Quality in ECEC in the E4Kids study varied systematically across the type of service, with kindergartens having significantly higher quality than long day care centres.

Under the Quality Improvement Accreditation System (QIAS), the standard of many early childhood services was poor across many areas that were measured. In the last reporting period under the NCAC (1 January–30 June 2011):

- Each child’s learning is documented and is used in planning the program—19 per cent were unsatisfactory.
- The program assists each child to be a successful learner—21 per cent were unsatisfactory.

- Staff act to protect each child—11 per cent were unsatisfactory.
- The centre ensures that buildings and equipment are safe—13 per cent were unsatisfactory.
- Staff ensure that potentially dangerous products, plants and objects are inaccessible to children—19 per cent were unsatisfactory.
- Staff implement effective and current food safety and hygiene practices—23 per cent were unsatisfactory.
- Staff encourage children to follow simple rules of hygiene—20 per cent were unsatisfactory.
- Staff ensure toileting and nappy changing procedures are positive experiences—27 per cent were unsatisfactory.
- Staff support each child's needs for rest, sleep and comfort—25 per cent were unsatisfactory.
- The centre acts to control the spread of infectious diseases and maintains records of immunisations—15 per cent were unsatisfactory.

The problems with Australia's ECEC system had been well known for many years and included (OECD, 2000):

- fragmentation of policy, funding programs and service delivery systems;
- inadequate and inconsistent standards and different views of what makes good practice;
- a division between 'care' and 'education' entrenched in many jurisdictions;
- serious workforce issues; and
- the need for a new and improved quality assurance system.

Given these issues and the importance of ECEC services for both young children and their parents, the Council of Australian Governments (COAG) resolved to undertake a broad agenda of reform.

## 2.2 The development of the National Quality Agenda

In December 2007, COAG agreed to a partnership between the Commonwealth and state and territory governments to establish a rigorous *National Quality Framework* for ECEC, with two objectives:

- to enhance the learning and development outcomes for children in different care settings
- to build a high quality, integrated national quality system, including accreditation, for early learning and care that takes account of setting, diversity of service delivery and the age and stage of development of children (Expert Advisory Group, 2009, p.24).

In 2008, COAG began consultation on *Belonging, Being and Becoming: The Early Years Learning Framework for Australia*, which was launched in 2009 (Sumsion, Barnes, Cheeseman, Harrison, Kennedy, and Stonehouse, 2009, pp. 4–13). This document is an integral part of the *National Quality Framework*.

The *National Quality Framework* began with significant consultation in 2008, including the establishment of an Expert Advisory Group (EAG) auspiced by COAG to advise on the reforms.

Terms of Reference—Expert Advisory Panel

The Expert Advisory Panel is to, through the Quality Working Party to the Early Childhood Development Sub-Group:

- advise on a vision for an integrated and seamless system of licensing and accreditation within a national standards framework for early childhood learning and care services
- advise on and develop options for draft quality standards for application in ECEC settings, and advise on approaches for an A to E ratings system.

The EAG provided its seminal report to COAG ‘Towards a national quality framework for early childhood education and care’ (Expert Advisory Group, 2009). The report was particularly influenced by the recommendations of the OECD in the *Starting Strong* reports in the design of the NQF, including the key determinants of quality.

The consultations and advice provided by the EAP culminated in agreement by all state and territory governments and the Commonwealth, to the National Partnership on the National Quality Agenda in December 2009, which is the effective starting date for the transition to the *National Quality Framework*. The Regulation Impact Statement on the National Quality Agenda recognised that cost impacts associated with the *National Quality Framework* (that is, above base line costs) began at this point and governments advised services to begin the transition to the new standards from this time.

The implementation of the *National Quality Framework* began in 2010 and included multiple stage trials of the assessment and ratings tool in selected services in 2010.

The *Education and Care Services National Law* was passed through the Victorian Parliament in 2010, with other states and territories enacting applied legislation or corresponding legislation (depending on the jurisdiction).

ACECQA was established by the Education and Care Services under the auspices of the Ministerial Council for Education Early Development and Youth Affairs (MCEEDYA) (now Standing Council on School Education and Early Childhood [SCSEEC]) governed by the ACECQA Board.

On 1 January 2011, new child to staff ratios began in NSW, a year before the start of the *National Quality Framework* on 1 January 2012.

Consultation with the sector by MCEEDYA on the draft *Education and Care Services National Regulations* occurred in 2011. These regulations were subsequently made by the NSW Parliament.

In 2011, *My Time, Our Place: A Framework for School Age Care in Australia* was consulted on and launched.

Meanwhile, significant professional development and support on the NQF implementation was occurring both through Commonwealth and state government departments and through



Professional Support Coordinators as well as other programs such as the *National Quality Standard Professional Learning Program* (NQS PLP) led by Early Childhood Australia. The government also implemented other new workforce initiatives including:

- recognition of prior learning
- the National Partnership Agreement on TAFE Fee Waivers for Children's Qualifications
- the HECS/HELP benefit for early childhood education teaching degrees.

Targeted support was also provided to later NQF milestones such as the transition to lower child to staff ratios in the family day care sector (from 1 January 2014)<sup>1</sup>. This included a series of face-to-face workshops with a focus on planning for the required changes to educator to child ratios.

Informed by the Early Childhood Workforce Census in 2010, an Early Years Workforce Strategy was developed to bring together existing initiatives to support the early childhood sector beyond the official start date of the NQF on 1 January 2012.

## Recommendations

- 1) Recognise the evidence base which supported the development of the *National Quality Framework*, including improved child to staff ratios and qualification standards.**
- 2) Recognise the inadequacy and inconsistency of the former accreditation and licensing system in supporting quality improvement in early childhood education and care services.**

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<sup>1</sup> Initially these changes were scheduled for 1 January 2012, however, after consultation with the sector the timeframes were extended to 2014 to provide time for family day care services to adjust.

## 3 Strengths of the National Quality Framework

### 3.1 The NQF focuses on children's outcomes and is evidence based

The major strength of the NQF is its focus on children's outcomes. It has raised the quality of early childhood education and care in Australia.

The key structural elements of quality—qualification requirements and child-to-staff ratio requirements—are based on strong evidence and provide children with better outcomes.

For more than a decade there has been consensus on the structural components or features of ECEC services that have a significant bearing on quality:

- the qualifications required of staff
- numbers of qualified staff
- staff to child ratios
- requirements regarding group size, health, safety and physical space.

The literature makes the distinction between *structural quality*, which looks at 'quantitative' aspects of ECEC settings such as facilities, staff levels and qualifications; and *process quality*—what actually happens in an ECEC setting, especially child–adult and child–child interactions and children's education programs (Kennedy, 2013).

Galinsky (2006) summarises much of the research related to quality in early childhood programs in a comprehensive report for the Center for Economic Development in the USA. Galinsky's report examines the research on three programs (The Perry Preschool/HighScope project, The Abecedarian project and the Chicago Child-Parent Centers) which provide strong evidence of the economic benefits of early childhood education as an economic investment with a view to answering the question: 'What can and should early childhood programs do to make a lasting difference in the lives of children, families and society and how can standards in early childhood education reflect these findings?'

The drivers for this approach were a concern to counter the belief that any early childhood program, regardless of its quality, would make a difference and to more precisely examine the meaning of 'high quality' in early childhood programs. The evidence from these three programs and other international research studies indicate that staff to child ratios and the qualifications of the staff are critical structural matters underpinning high-quality early childhood programs with consequent improved learning, developmental and health outcomes for children.

## Staff to child ratios

There is sound evidence from research that the ratio of staff to children makes a positive difference in early childhood programs and particularly for children from birth to three years of age. Infants and toddlers do not thrive in environments where their need for individualised, responsive attention and attachment with caring, consistent educators is compromised because there are insufficient skilled adults to meet these critical needs. Research also indicates that the level of sensitive, responsive care for infants and toddlers decreases when the ratio of staff to children is decreased (NICHHD, 2000).

The American Academy of Pediatrics' policy statement on *Quality early education and child care from birth to kindergarten* (2005, p. 187), states that:

*Early brain and child development research unequivocally demonstrates that human development is powerfully affected by **contextual** surroundings and experiences. A child's day-to-day experiences affect the structural and functional development of his or her brain, including intelligence and personality.* (our emphasis).

The American Academy of Pediatrics identifies staff to child ratios as a significant *contextual* matter which can affect young children's brain development and overall development and learning. Consequently, their policy statement recommends staff to child ratios which are lower than Australia's NQF, as the following table indicates.

**Figure 1: Comparison of staff-to-child ratios**

Age group	American Academy of Pediatrics recommended ratios	United Kingdom	Australia (NQF)	New Zealand
Birth to 12 months	1:3	1:3	1:4	1:4–5
13 to 24 months	1:4			
25 to 30 months	1:4	1:4	1:5	1:6–8
31 to 35 months	1:5			
Three years	1:7	1:8	1:11	1:11–12
Four and five years	1:8			

Research shows that higher numbers of staff to children aged three to five years is associated with important learning outcomes including:

- more extensive language skills through increased opportunities for conversations with adults
- increased literacy skills
- improved general knowledge
- more cooperative and positive behaviour with peers and adults
- better concentration and attention skills.

(Howes, 1997; National Center for Early Development and Learning, 2000; Phillips, Mekos, Scarr, McCartney & Abbott-Shim, 2000; Vandell & Wolfe, 2000).

Research also indicates that the meaningful inclusion of children with special or additional needs into universal early childhood education and care settings is supported when there is a higher level of staff to child ratios (Forster, 2007; McQuail et al., 2003; Phillips, 1988). Statistics indicate that 15 to 20 per cent of children have special needs which suggest that a significant number of ECEC services would be, or could be working with special needs children and their families. Current NQF staff to child ratio requirements are designed to support inclusive practice for children with special needs and their families. The new ratio requirements assist educators in providing individualised assistance and differentiated learning experiences for children with special needs. In addition to children with special needs, research has identified that vulnerable children from disadvantaged family backgrounds generally require more intense support because many of them have developmental and learning difficulties or delays. Educators can provide more effective interventions and support for children and families when there are higher, rather than lower levels of staff to child ratios (Munton et al., 2002).

In addition to improved outcomes for children, higher staff to child ratios encourage educators to want to work with young children because there is less stress for them and they appreciate the increased opportunities for more sensitive, responsive care and education for every child (Munton et al., 2002).

The vocal but limited opposition to the NQF staff to child ratio requirements ignores the fact that the changes to the ratios under the NQF are not that different from some previous state or territory regulations as well as the actual practice of many ECEC centres who operated above the legal minimum requirements for staff to child ratios (Rush, 2006).

The implementation of child to staff ratios for children between 36 months and school age are already in place in many jurisdictions across Australia. All state and territory governments and the Australian Government signed up to the COAG agreement in December 2009 to improve the quality of child care in Australia. Under the NQF it was agreed that new staff to child ratios would be implemented gradually to allow the sector to prepare and minimise the impact of the changes so that they would not occur all at one time. States and territories that did not meet the ratio requirement, for children 36 months to school age, negotiated individual transitional arrangements so that these ratios would come into force on 1 January, 2016.

### Staff qualifications

Research is unequivocal on the link between staff qualifications and training and improved outcomes for children in ECEC programs. A comprehensive review of the literature on *Determinants of quality in child care* (Huntsman, 2008, p. iii) concluded that across age groups and service settings 'the most significant factor affecting quality appears to be caregiver education, qualifications, and training'.

The UK Effective Provision of Pre-School Education project (EPPE), one of the most comprehensive and widely regarded longitudinal studies, found that settings which have staff with higher qualifications have higher quality scores on quality rating systems and children make more progress as learners. The EPPE findings show that having trained teachers working with preschool children (aged three to five years) for a substantial amount of time had the greatest impact on quality and was linked specifically with improved outcomes for children's literacy and social learning at age five (Sylva et al, 2004). The NQF requirement for an early childhood teacher to be employed for 25 preschool children or more is in direct response to the EPPE findings.

Research in the US also confirms that children in ECEC settings led by an educator with a bachelor's degree in early childhood show greater progress and achievement in language, literacy and numeracy learning and are better prepared for school compared with children in programs led by less qualified educators. In addition, there are less reportable child accidents or serious incidents when educators with higher qualifications are employed (Vandell & Wolfe, 2000). While experience as an educator is helpful for ongoing professional development, research shows that experience is no substitute for formal qualifications and early childhood education training (Kontos & Feine, 1987).

Why do higher and relevant early childhood qualifications and ongoing training make such a significant positive difference to child outcomes? As the *Strategies for children coalition research* report (2000) states, 'better prepared teachers teach better' because they:

- have deeper knowledge of child development and how children learn
- are more responsive to children's interests, strengths and needs
- have more advanced skills in guiding children's behaviour and planning for individual differences and learning including using effective early intervention strategies
- understand the significance of relationships for learning and have the skills to develop the type of relationships which foster learning dispositions in children which in turn promotes children's thinking skills, attentiveness, language skills and sociability
- have the knowledge and skills to form partnerships with families in supporting every child's learning and development
- are paid more and therefore are more likely to be retained and stay in the sector which helps programs to maintain quality over time and reduces disparities in outcomes between services.

(American Academy of Pediatrics, 2005; Burchinal et al., 2002; NCEDL, 2000; Sylva et al., 2004).

The Australian Institute of Family Studies (AIFS) has identified ongoing challenges for early childhood educators working with complex families and children who need multi-faceted support. Research undertaken by AIFS and the Centre for Community Child Health shows the need for improving the qualifications, training and skill base of early childhood educators to ensure they have the capacity to provide sensitive and culturally responsive programs to meet the complex needs of an increasing number of families and children (CCCH, 2006; McDonald, 2010; Moore, 2005).

These findings provide compelling evidence on the importance of staff qualifications and training requirements in the NQF and the need to hold firm on these comparatively basic commitments if we are to raise the overall quality of early education and care provision in Australia.

### **3.2 Building a professional workforce**

The quality of early childhood services is fundamentally driven by the quality of the relationship between the child and their educator.

Educators with low qualifications and limited training, as Shonkoff (2011), Hamre & Pianta (2004) and others have identified, are at high risk of burning out, suffering from depression and poor emotional health which compromises their ability to develop the type of relationships that support young children's learning and development.

The transition to lower staff to child ratios is providing children with better opportunities to form relationships with educators that are equipped with the skills needed to help children develop.

The NQF has also improved the recognition of educators in the community as early childhood professionals. Most educators have embraced opportunities to upskill and improve their practice for the benefit of children.

While this process has not been comfortable for some existing educators a majority of educators want to maintain the momentum. The NQF has set a benchmark for future entrants into the early childhood sector. This is ensuring that new employees are trained using the EYLF, and putting into place the standards under the NQS.

Significant challenges in building a professional workforce, including high turnover in staff, still remains an issue in some jurisdictions. While this problem existed prior to the NQF, it affects the stability of relationships with children and the therefore the quality of services delivered.

### **3.3 The *Early Years Learning Framework***

The *Early Years Learning Framework* has been universally embraced in early childhood pedagogy to drive the planning and development of programming. Educators are using the EYLF well and innovatively and have now begun to realize its full potential.

### **3.4 The *National Quality Standard***

The *National Quality Standard* (NQS) sits at the heart of the *National Quality Framework* and provides, for the first time in Australia, a national system of quality assurance. This replaced previous systems involving separate and disjointed state/territory regulations with a national approach to quality improvement.

Often, licensing and regulation requirements under the old system conflicted with NCAC aspirations, particularly around environments and learning. The new NQS system encourages a risk/benefit approach whereas the older system focused on risk averseness. As one provider put it:

*Under previous Regulation and Accreditation, the requirements were muddy and unclear, the standards were less than ideal, and implementation of the standards was patchy and inconsistent.*

The Quality Areas of the NQS were debated over a period of time with much consultation with the sector and the elements are based on research that has informed us about creating positive outcomes for children. Many of the NQS elements within one quality area are interrelated with elements in other quality areas.

ECA strongly believes that all seven of the NQS quality areas are integral to delivering quality outcomes for children. Quality needs to reflect a consistency of nurturing care that builds strong trusting relationships within an environment that has continuity of learning for all children embedded within its philosophy and practice. The quality of relationships between educators, children and families is a foundational aspect of all quality areas. All of the quality areas work together to support the provision of quality early childhood programs and practice.

As the results of external assessment make clear the transition to the NQF has been a challenge for some services (ACECQA, 2013a). However, in our experience, much of the negative sentiment generated by the announcement of the NQS has dissipated, as knowledge of the standard has grown and as services have been assessed against the standard. In fact now the opposite is true - services that have not yet been rated are now keen for assessments to take place.

However, ECA acknowledges concerns of Secretariat of National Aboriginal and Islander Child Care (SNAICC) that the recognition of Aboriginal and Torres Strait Islander culture is not currently adequate in the NQS and can be improved.

### 3.5 Assessment and ratings

ECA believes that the assessment and ratings process is in most cases a significant improvement on the previous accreditation and compliance checks of previous systems.

It is providing a strong impetus for quality improvement and supports the objective of the *National Quality Framework* to 'raise the bar' on quality in early childhood education and care services in Australia.

#### The relationship between NQS elements, NQS quality areas and the overall NQS rating

The quality of ECEC services is not just reflected to parents in the service's 'overall rating'. However, the relationship between this overall rating and the NQS quality area ratings can be a strong motivation for quality improvement by services. ECA believes that if the overall rating did not reflect

the same quality rating across all seven quality areas, the impetus for quality improvement by services in those areas would be less strong.

Nonetheless, ECA recognises that the relationship between each of the NQS elements and the NQS quality areas can be improved. In doing so it is important to keep in mind the overall objective of supporting continuous improvement in early childhood services.

We are also concerned that the relationship between the overall 'exceeding' rating and the overall 'meeting' rating, and the NQS quality area ratings is inconsistent. While it is possible to receive an overall 'exceeding' rating without 'exceeding' in all quality areas, it is not possible to receive a 'meeting' rating without first 'meeting' in all quality areas.

### Working towards

As at 31 March 2014, 39 per cent of services assessed had received a rating of 'Working towards' (ACECQA, *NQF Snapshot Q1 2014*, May 2014).

ECA recognises that many early childhood services are concerned that they have been rated 'Working towards' under the *National Quality Standard*. However, the number of services at this level is as expected. If all services met the NQS on their first assessment, it would suggest that the standard was far too low.

These concerns have been driven, in large part, by widespread, poorly informed media coverage of the assessment ratings.

Receiving a rating of 'Working towards NQS' should indicate that a service is engaged in a process of continuous improvement under new, higher standards. As ACECQA's website explains to families:

*When developing the National Quality Framework, the Australian, state and territory governments agreed standards must be set very high and allow room for continuous improvement.*

*All services should aim to be Meeting or Exceeding the NQS. However, it is realistic to expect that during the transition period to the new system some services will need to improve in certain areas.*

*If a service receives an overall rating of Working Towards, it means the service has not met at least one of the 58 elements in the NQS.*

*Working towards does not mean that the service has failed to meet any of the requirements that pose a risk to the health and safety of children. In fact, a service may be Exceeding in a number of quality areas and receive an overall rating of Working Towards.*

*It may take time for services to meet each element required in the new higher standards, which will result in a Meeting or Exceeding NQS rating. This is why the rating of Working*



*towards is important during the transition phase of the NQF and is expected to apply to many services.*

Of course, many services have started at a rating of 'Working towards' reflecting the high bar expected under the NQS. Services with this rating should not feel like this is a failure, especially when it is an opportunity for the service to demonstrate how it is addressing areas in need of improvement. The opportunity for reassessment is provided within one year, which enables the service enough time to rectify any short-term issues. We expect that as services improve their quality (and therefore their ratings), the initial concern experienced by some services regarding this rating will dissipate.

However, some services have not been able to be reassessed within a one-year time frame, as some Regulatory Authorities have not had the capacity to do so. While we understand that Regulatory Authorities are prioritising assessments of services which have not yet been rated, it is important for the integrity of the system that there are adequate resources to enable ongoing reassessments of services.

### **Building awareness of quality**

We strongly support the work conducted by ACECQA to inform both the media and families about the nature of the assessment system and the meaning of the individual ratings. Further efforts to ensure that rating information achieves its goal would be welcome: to stimulate discussion between families and services about what is happening within services, by explaining the elements of high quality, and how the service is improving its standards.

ECA strongly supports transparency on the quality in early childhood services. While we recognise that ratings are not the only basis on which parents can or should judge quality, we believe that the rating information is useful in stimulating discussion between parents and services about what is happening within services, by shining a light on quality, and how the service is improving its standards. Low quality and poor practice occurs when services are not prepared to engage in a discourse about the quality of their service. The risk of adverse media once every quarter, on the release of the ACECQA Snapshot, certainly does not justify the cover up of important information for families about the quality of early childhood education and care services.

Currently, breakdown of the service's rating across all seven quality areas must be displayed at the early childhood service under the Education and Care Services National Regulations. Ratings are also published on the ACECQA, MyChild and Care for Kids websites. While all of these are useful, ECA believes that a much broader marketing campaign to explain quality to parents and engage parents in the early childhood development story would augment the NQF transition and improve relationships between families and communities.

## Recommendations

- 3) Access to quality early childhood education amplifies children's cognitive and non-cognitive development so improved access to these services for children of all ages is a priority.
- 4) The National Quality Agenda for Early Childhood Education and Care is improving the quality of early childhood education and care and children's outcomes.
- 5) The structural elements of quality, reflected in the National Quality Framework's staff to child ratios and qualifications standards are evidence based and deliver better outcomes for children.
- 6) All seven of the NQS quality areas are integral to delivering quality early childhood education and care for children. Consistency in the interaction between the elements, the quality areas and overall quality ratings can be improved, without removing the impetus for quality improvement.
- 7) A campaign to explain quality to parents and engage parents in the early childhood development story would augment the NQF transition and improve quality relationships between families and communities.

## 4 Improvements to the National Quality Framework

While Early Childhood Australia strongly supports the core components of the NQF, we recognise that there are ways in which its implementation can be simplified and streamlined.

ECA has been active in working with the Department of Education and ACECQA to identify ways to reduce red tape where there is no impact on quality but considerable efficiencies to be gained.

Some degree of certainty regarding the NQF is important to ensure that services can continue to make important investment decisions and undertake planning for the future.

Many services that voice objections to the NQS are often services that have not yet had an assessment visit and may be misinformed about the requirements.

The majority of services that have been through an assessment report that there are considerable improvements on previous systems of regulation. There are some aspects of the NQS that cause genuine difficulty—for example there are rural areas where it can be very hard to attract a four-year degree trained teacher.

Nonetheless, the standard is justified and the difficulties are not insurmountable. Increased support the sector through professional development, and coordinated national strategies go a long way to addressing challenges.

### 4.1 The scope of the NQF

#### Out of scope services

The *National Quality Framework* has been successful in improving the quality of early childhood education and care in Australia. However, too many children are missing out on the benefits of quality early childhood education and care. These are often children in rural, remote, disadvantaged and Aboriginal and Torres Strait Islander communities. Yet the research shows that these children have the most to gain from access to quality early childhood education and care.

Attendance at early childhood education programs has been found to have significant beneficial effects on a child's readiness for future learning and their ability to make a successful transition to full-time schooling, particularly among disadvantaged children. Children who attend quality early childhood education programs show better performance and progress in their early school years in intellectual, cognitive and social domains (Barnett, 2008).

While there are services in these communities, barriers to access such as affordability and geographical barriers often limit the participation of children. Further, these services are often not

covered by the NQF. These include in-home care services, occasional care and Budget Based Funded services such as Multifunctional Aboriginal Children's Services (MACS), crèches and mobile children's services.

### BBF services

ECA agrees that the 'The current exclusion of Aboriginal and Torres Strait Islander BBF services risks widening the existing developmental gap between Aboriginal and Torres Strait Islander children and non-Indigenous children by excluding Aboriginal and Torres Strait Islander services from the national drive towards a standardised quality system.' (Productivity Commission 2011, p364).

While the BBF Quality Measure and other targeted programs have begun to move BBF services towards quality improvement, including the voluntary adoption of Quality Improvement Plans and access to professional development, further effort needs to be made to improve quality and access in these services. ECA supports the Recommendation 2 of the BBF Review, to 'Develop and introduce a quality improvement strategy to enable services to progressively meet the requirements of the *National Quality Standard*, building on the BBF Quality Measure'. This will require additional support from government, as BBF services are not able to fund these measures alone, due to the nature of their location, operational funding and in some cases, lack of ability to raise revenue by charging fees to families.

### In-home care

ECA also supports a model where in-home care services would be required to meet the NQF. In-home care services are currently operating under the In-Home Care Guidelines which are a much lower standard than the NQF. Yet, some in-home care services are already demonstrating that they are meeting the NQS with qualified educators and professional support and monitoring delivered through a central coordination unit.

There are similarities between the provision of in-home care and family day care, with both service types operating in a home-based environment. In fact, some in-home care services are run by family day care services. To ensure quality, the NQF standards expected of family day care could apply to in-home care in the future including:

- staff to child ratios of 1:7 with no more than four children under school age
- staff in the coordination unit must hold a diploma qualification
- educators must hold a Certificate III
- assessment and rating under the NQS
- all other relevant regulations that apply to family day care services.

Expanding to include Budget Based Funded services, occasional care and in-home care would improve access to quality early childhood education and care for children participating in these services.

### Outside school hours care

Outside school hours care services remain an important part of the *National Quality Framework*. Unlike other service types, they do not have to meet new ratio and qualification standards. This should have made the transition to the NQF much easier for OSHC services, but the transition to the NQF has been difficult for some services which were not used to dealing with any regulation or learning framework, particularly in New South Wales.

Further professional development and clarity is required on the NQF, the School Age Learning Framework in the OSHC context is required. While there is a need for clarification and ongoing professional support for OSHC services, none of these issues indicate that OSHC does not require regulation. Like all childcare, the provision of quality education and care services has an impact on children's development with a link to improved workforce participation and productivity.

The need for continued regulation of OSHC services is underlined by the *Royal Commission into Institutional Responses to Child Sexual Abuse: Report of Case Study No.2: YMCA NSW's response to the conduct of Jonathan Lord* (Commonwealth of Australia, 2014).

Outside School Hours Care services should continue to be considered to be in scope as part of the *National Quality Framework*.

## 4.2 Amendments to the National Law and Regulations

Several amendments to the Education and Care Services National Law and Regulations have been made since 2012.

We welcome the engagement that the SCSEEC and its sub-groups, including the Early Childhood Development Working Group (ECDWG), have had with stakeholders to date.

However, we believe that open consultation could be improved in relation to future proposed amendments, before they are made by SCSEEC.

SCSEEC is in the unique and powerful position of being able to make changes with national legislative effect, through amendments to the applied law in Victoria and New South Wales (with exceptions in some jurisdictions). In this sense it has assumed the role of a quasi-legislative body. While this is expeditious, and allows for consistent national reform agreed by all Ministers, we would like mechanisms for consultation built into the process. Amendments to the National Law or Regulations may have significant impact on the sector and the interests of children so it is important

to ensure that there is appropriate ongoing oversight. Ultimately this will improve the integrity of the system.

While individual legislatures may self-initiate review in relation to amendments before either of the Victorian or New South Wales Parliaments, in practice this does not always occur. Given the imperative of a national approach to quality we support national consultation rather than at the state level which has the potential to lead to differing outcomes.

National consultation might include:

- a codified consultation process
- exposure drafts of amendments to either the National Law or Regulations to be made available
- a minimum six-week exposure period (consistent with best practice consultation guidelines)
- all (public) submissions should be published on a central website
- a published summary of findings from the submissions made available prior to a SCSEEC decision on amendments.

Members have reported ‘change fatigue’ as a result of the *National Quality Framework*. The above processes will help to ensure that any changes that are made are understood by the sector in advance of changes being implemented.

## 4.3 Assessment and ratings

### Consistency issues

The NQF was introduced to both raise the quality of care and education to children and enhance consistency across jurisdictions. ECA’s members strongly believe the assessment and ratings process has been a significant improvement on the previous accreditation system.

Consistency in assessment and ratings is important to the integrity of the NQF. However, there is improvement to be made to deliver consistent assessments across jurisdictions. Feedback from members is that there are inconsistencies from assessor to assessor and how assessors are rating services in different jurisdictions.

*A provider with four services in our area—with common policies across the services in many cases—has had those policies accepted by two compliance and rating visits which produced ‘meeting’ ratings, yet at a third service those same policies were said to be not meeting.*

The inconsistent approach from assessor to assessor may be related to varied qualifications and experience of assessors .

The inconsistency at a jurisdictional level is reflected in the distribution of ratings. While this may be related to the varying level of quality in different jurisdictions we think it is important to examine where different approaches to assessment and ratings by Regulatory Authorities are contributing to this difference.

Improving consistency between jurisdictions is a primary function of ACECQA . It is important that it is pursued vigorously and based on the evidence available. Given the assessment and ratings system is relatively new, and not all services have been rated, this work is a long-term priority. We know that services have already been seeking review of completed assessments, and some services have had their ratings changed. It's important that these reviews are considered by Regulatory Authorities in improving the professional practice of assessment officers.

ECA recognises the scale and difficulty of this task and we would support a specific examination of consistency issues, and how ACECQA is responding to this task.

### Guidance on quality

There has been a suggestion that assessors must specify what needs to be changed in order to attain a higher rating. While some guidance may be possible, especially in relation to specific concerns, general guidance on subjective standards may place regulators in a difficult position, especially as quality under the NQS may be reflected differently in every service.

However, it is important that assessments are thorough and clearly identify where improvements can be made. As one member put it:

*If the NQF process was to be one that worked in collaboration with services to build high quality care and education then the purpose of visits should be upfront and honest.*

This enables the services to reflect on the identified areas and, with the use of their Quality Improvement Plans (QIPs), improve on these areas, before the next assessment. Services may also need to seek specific professional support on these areas where required.

## 4.4 Self-reflection and improvement

Quality Improvement Plans (QIP) are fundamental to the assessment process. They provide a blueprint for a service in meeting the NQS and in sustaining a commitment to ongoing improvement.

They enable services to plan for the NQS and monitor progress against the plan as it is put into practice. They have formed a positive part of the assessment and ratings process and are used by assessors to help them understand how services are improving quality, and critically, to see if this is being reflected in practice.

Updates to QIPs are used by services post-assessment to identify where improvements need to be made, which can then be reflected in updates to Quality Improvement Plans; i.e. a process of continuous improvement.

There have been suggestions that services should self-rate themselves as an alternative to the current assessment and ratings process. This would be a duplication of the existing QIP process and ECA believes that the integrity of the current system requires independent appraisal on progress against the NQS. While there are consistency issues in the current assessment and ratings process, we believe that the Regulatory Authorities are best placed to provide a consistent assessment against the NQS using a common assessment tool. In contrast, self-assessment would be too subjective and ratings would be based on varying understandings of best practice across services.

The assessment and ratings process was also put in place to assist parents to understand the quality of each early childhood service. Parents expect independent advice on the quality of early childhood services provided by a legitimate body such as Regulatory Authorities. The ratings are meant to be a comparative tool, enabling parents to make a judgments based on a consistent appraisal of quality. This would not be possible under ratings provided by the service which would fail to give parents the legitimate expectation that their children are accessing quality early childhood education and care in a safe environment.

## 4.5 Regulatory Authorities

Most services enjoy good relationships with Regulatory Authorities and their staff, though the nature of these relationships may vary from jurisdiction to jurisdiction.

Services indicate that they value officers with training in early childhood education and/or experience as early childhood teachers.

Understanding early childhood practice, programming and documentation by front line Regulatory Authority staff is fundamental to improving the assessment process. This expertise assists Regulatory Authorities to understand what is important in terms of quality in services during assessments.

ECA considers that the role of Regulatory Authority staff is broader than compliance and assessments and includes a professional development role. Services in the Australian Capital Territory have indicated that they enjoy a good relationship with the Children's Policy and Regulation Unit (CPRU). While the size of the Territory is unique, services attribute the culture to 'supportive' relationships which are focused on 'education compliance'. When the NQF was introduced, services would often undertake professional development with, or delivered by, the Regulatory Authority, helping developing shared understandings and relationships with staff. On the other hand, other jurisdictions comment that they do not know the staff or 'only see them at assessment time'. Effort by Regulatory Authorities to play more of an on-the-ground education role through events and professional development at the regional level would be welcomed.



A common problem services note is the under-resourcing of Regulatory Authorities to undertake their role. Many of the problems associated with supervisor certificates, were mostly caused by under sourcing of Regulatory Authorities, which created a backlog, and uncertainty for providers around compliance. Ensuring Regulatory Authorities are adequately resourced is important to ensure assessment and ratings visits are completed on time, and that re-assessments of services rated 'Working towards' are completed on time, so that the process of continuous improvement is not delayed.

## 4.6 Regulatory responsibility

The *National Quality Framework* is a significant change for Early Childhood Education and Care in Australia.

With any change of this magnitude it takes time for systems and processes to be learned and become embedded. ECA is confident that issues with regulatory responsibility will decrease as the NQF transition continues. ECA's members report that they are already starting to see a reduction in regulatory burden compared with the previous system.

This is consistent with ACECQA's research which identifies that while the transition to the NQF was challenging for some services, these challenges have reduced over time in both a real and perceived sense.

ACECQA found a strong correlation between services that have been through the assessment process and service providers who express strong support for the NQF and who perceive a relatively low level of 'administrative burden' associated with the new system (ACECQA, 2013b).

One of the objectives of the NQF was to bring together licensing and accreditation systems. The NQF link between compliance and quality is in children's best interests. Feedback from ECA's members suggest that dealing with one Regulatory Authority under one National System has been a positive feature of the NQF, with less paperwork with the new assessment and rating scheme than the previous accreditation system.

*Certainly in our experience we have found the NQF to be a reduction in burden rather than the snowing under that seems to pervade the media commentary.*

Despite these efficiencies, there are opportunities to streamline the *National Quality Framework* in areas that are not related to children's outcomes.

This is an important differentiation as many of these 'administrative activities' are not simply red tape, but are paramount to children's early learning, safety and wellbeing. These include:

- Quality Improvement Plans (QIP)

- assessing children's learning
- assessment and ratings
- understanding the National law and Regulations
- supervisors responsible for the duty of care of children
- maintaining policies and procedures
- provider and service approvals
- qualifications and assessments
- keeping records
- notifications
- temporary and service waivers.

### Supervisor certificates

ECA understands the original purpose of supervisory certificates was ensuring that a responsible person is in place at all times.

The intent was also to provide a portable certificate which an employee could use in future employment.

However, the burden of registering supervisor certificates has proved to be excessive.

This was exacerbated by initial delays in processing the certificates in some jurisdictions, such as New South Wales, of up to 12 months. We understand that in New South Wales the backlog has now been overcome and applications were being processed in reasonable time.

ECA welcomes recent amendments to the National Regulations so that most educators do not need to apply for an individual supervisor certificate. Importantly, educators still need to accept being the 'responsible person' for a service in writing and still need to have appropriate child protection training.

ECA supports the amendments to the National Regulations on supervisor certificates to remove unnecessary burden on service providers while alleviating the current workload on Regulatory Authorities. This proposal has been put forward by various peak bodies, including ECA, through the National Children's Services Forum.

This is still a transitional measure lasting until 2016.

ECA recommends that measures to streamline supervisor certificate obligations be put in place beyond 2016, which continues to ensure that no external registration is required but that services have an onus to identify a responsible person who accepts that duty.

The review might examine whether the National Law needs to be strengthened to meet the original intent of supervisor certificates, in lieu of external registration, by placing a statutory duty on the

service to self-identify responsible persons. The Regulatory Authorities can then check services have written agreements in place for responsible persons through compliance.

In light of the recent *Royal Commission into Institutional Responses to Child Sexual Abuse: Report of Case Study No.2: YMCA NSW's response to the conduct of Jonathan Lord* (Commonwealth of Australia, 2014) which expressly mentions certificates provided by Regulatory Authorities, the Commission's further recommendations on regulatory reform will be important to inform this Review.

### National Quality Agenda IT System

The National Quality Agenda IT System has the potential to make the administration of the *National Quality Framework* much easier for services particularly in relation to completing forms and reports.

However, ECA understands that many services are frustrated with the National Quality Agenda IT System. They find the software to be difficult to use, i.e. 'not user friendly'.

ECA believes that the design of National Quality Agenda IT System could be made more intuitive, improving service interaction with government and reducing regulatory burden for services and the government.

One example is the difficulty in linking a Certified Supervisor to a service via the NQITS portal, which is convoluted.

### Probationary measures

As described above, qualifications are a critical structural component of quality.

However, as a practical measure, ECA supports a probationary period before employees need to meet the requirement to be actively working towards a Certificate III qualification.

This is a sensible amendment which allows new staff to 'try out' work in children's services prior to committing to Certificate training, and before services have invested significant funding in professional development.

We are concerned that South Australia and New South Wales have not adopted this position, which has created further inconsistency application of the national system.

### Notification requirements

Currently, ECA understands that services must notify changes to committees and boards of management, as approved providers. While this may be infrequent in large corporate boards, many community-managed services go through committee personnel changes each year with parents often having just one or two years on a committee prior to moving on.

The short time frame on form PA08 to complete the process of notification of changes within 14 days is a burden on services and does not take into account the time required to get a police check completed for a committee member, which can take two or three times longer than the maximum notification period.

The process of notification of changes to committees and boards of management duplicates existing requirements under state and territory legislation for Incorporated Associations, as well as the Corporations Law.

ECA recommends review of notification requirements to remove duplication, by removing the requirement to identify board members, or changes to board members of a separate legal entity. These could be sourced directly by the government from the Australian Securities and Investment Commission (ASIC) or state regulators.

Changes to the trustees of unincorporated associations would still be required to be notified, as well as changes to individual approved providers (both natural and corporate).

To guarantee that services are meeting child protection and other obligations, civil penalties could be established so that approved providers, which are legal entities, ensure each board or committee member is a 'fit and proper person to be involved in the provision of an education and care service'.

Alternatively, the National Quality Agenda IT system could be improved to enable easier notifications regarding changes to approved providers.

### **Policies and procedures**

It is incumbent on all organisations that work with children to maintain strong policies and procedures that ensure children remain safe and well at all times.

*The Royal Commission into Institutional Responses to Child Sexual Abuse: Report of Case Study No.2: YMCA NSW's response to the conduct of Jonathan Lord* (Commonwealth of Australia, 2014)

demonstrates the consequences of a failure to maintain policy and procedure and ensuring that ECEC staff are aware of these policies and that these are put into practice.

While there is no doubt that services have had to update policies and procedures, the burden associated with the NQF in this regard is largely a one-off transition.

## **4.7 Regulatory burden not associated with the NQF**

While there is the capacity to streamline the NQF (in areas which do not affect children's outcomes), services also report that there are other sources of red tape.

In fact, negative talk about ‘paperwork overload’ is often conflated between paper work associated with the NQF and CCB approval or Family Assistance or other state or local government requirements.

There are four main sources of administrative burden which are outside of the NQF, reported by services:

1. Family Assistance Law administration including the Child Care Management System (CCMS)
2. CCB approval requirements
3. State and territory based health law and regulations
4. State and local government planning and development controls.

One example is in relation to caps on service sizes which often form part of the development and control plans of local governments. Many of these controls are unrelated to the impact of a child care development on the urban landscape, but are in fact a historical attempt to limit group size as quality measure. With the introduction of the NQF, this cap on group size is unnecessary, as even a large centre can deliver the care and attention that children need.

Are areas of duplication between the NQF and Family Assistance Law and the Child Care Act and other Commonwealth, state and territory regulations are also a source of regulatory burden for services.

### OSHC specific regulations

ECA members have identified duplication in administration processes for OSHC licensing approvals. As OSHC services are commonly based on state school premises, they are often required to submit copies of documentation from the school, held by State Education Departments, to the same department.

### Recommendations

- 8) Expanding the NQF to include Budget Based Funded services, occasional care and in-home care would improve access to quality early childhood education and care for children participating in those services.**
- 9) The regulation of Outside School Hours Care services as in-scope services is important to improving quality and children’s outcomes.**
- 10) It is important for the integrity of the NQF that amendments to the Education and Care Services National Law and Regulations are subject to public consultation, before they are**

made by SCSEEC.

- 11) Consistency is important to the integrity of the NQF and can be improved by using the evidence available, such as assessment reviews, to inform ongoing practice.
- 12) Clearer assessment reports would help services to understand where to make quality improvements.
- 13) Quality Improvement Plans remain fundamental to the assessment process.
- 14) Ensuring Regulatory Authority staff are qualified would improve the quality of assessments through a better understanding of early childhood practice, programming and documentation.
- 15) the development of a broader professional development role by Regulatory Authorities, beyond compliance and assessments, would be welcomed.
- 16) The adequate resourcing of Regulatory Authorities to undertake their existing functions, and develop effective relationships with services outside of assessment visits is important.
- 17) Measures to streamline supervisor certificate obligations beyond 2016, would reduce regulatory burden.
- 18) Recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse are relevant to the NQF review in relation to OSHC regulation, supervisor certificates, and the NQF more broadly.
- 19) The National Quality Agenda IT System could be made more intuitive, improving service interaction with government and reducing regulatory burden for services and the government.
- 20) Other sources of regulatory burden which could be addressed exist outside of the NQF including Family Assistance Law, and other unnecessary state and local government requirements.
- 21) Consultation on changes to the National Quality Framework, including amendments to the Education and Care Services National Law and Regulations would improve the integrity of the NQF.

## 5 Further matters

### 5.1 Further NQF milestones

ECA supports the continued implementation of all agreed milestones under the National Quality Agenda for Early Childhood Education and Care to 2020. There are some final components of the reform agenda which are yet to be implemented for preschool and long day care, including:

- by 1 January, 2016, moving to staff to child ratios of 1:11 for children between 36 months and school age in long day care
- by 1 January, 2020, ensuring a second early childhood teacher or another suitably qualified leader is in attendance for at least half the time the service is being provided, and, where there are more than 80 children, the second teacher is in attendance whenever the service is being provided.

The transition to ratios in 2016 and qualification standards in 2020 is still yet to occur. As discussed in Chapter 2, these ratios and qualification standards are fundamental in providing structural quality.

ECA considers these quality milestones to be critical to children's developmental outcomes and believes that they are achievable according to the current timelines.

The NQF requirement for an early childhood teacher to be employed for 25 preschool children or more is in direct response to the evidence from the report for the Effective Provision of Pre-School Education (Siraj-Blatchford et al, 2003). The best outcomes for children are achieved in programs provided across the long day and which integrate care and education, are led by a qualified early childhood teacher and where children attend for two to three years. This model is strongly demonstrated in long day care services where a teacher leads the program and is employed across the long day. ECA notes the concerns of the Melbourne Institute (2011) with regard to 'loop holes' to qualified educators and teachers under the NQF and that the provision of an Early Childhood Teacher is fundamental to education outcomes (Warren & Haiken-DeNew, 2013).

The ratios for three- to five-year-olds in particular are important to deliver consistency in quality early childhood education and care throughout Australia—and the realisation of a 'National Framework'. We believe that the 2016 ratio changes in certain states are achievable based on the current timelines. A smooth transition has occurred with improvements to staff to child ratios for children (birth to two-years-old) on 1 January, 2012 and family day care ratios on 1 January, 2014. In relation to ratio changes in 2016, services in transitional states will have had six years to implement the changes since the effective start date of the NQF.

The Australian Community Children's Services, Trends in Community Children's Services Survey (ACCS TICCS) data shows that many services are already implementing the 2016 requirements, or

are well ahead in planning for the changes, which means families are already paying for the higher ratios and children are already benefitting.

## 5.2 Assessing children's learning and development

Assessing children's learning is essential to professional early childhood practice. It should not be considered an administrative, or regulatory, burden, but seen as critical to the understanding of children's development and professional accountability requirements. Without observing and documenting the process or progress of children's learning it is very difficult for the educators or teachers to meet the child's learning needs.

*Noticing meaningful learning encounters and then collecting this information in a number of ways enables us as educators to fulfil that promise we make to children and their families when they become a part of our services—that we will 'extend and enrich children's learning from birth to five years and through the transition to school' (Australian Government Department of Education, Employment and Workplace Relations [DEEWR], 2009a, p. 5).*

*Noticing and recording learning provides an information base that enables educators to successfully analyse and plan for children's learning. Without thoughtful noticing and recording, educators are in danger of offering experiences to children because 'this is what has always been done' or making assumptions about what children know, can do and are interested in. This can lead to programs that are mediocre at best where children (and educators) are bored and disengaged.*

However, ACECQA research, which shows that 'documenting children's learning' is perceived by many educators as a highly burdensome 'administrative activity' (ACECQA, 2013b). It is clear that some of the perceived 'administrative' or 'regulatory' burden associated with the NQF is generated by a poor understanding of actual requirements. For example, the NQS requires educators to prepare 'documentation about each child's program and progress', but does not mandate a particular type of documentation, or how often observations and documentation should be produced (ACECQA, 2011).

Under the NQS, 'each child's learning and development is assessed as part of an ongoing cycle of planning, documenting and evaluation' (NQS Element 1.2.1). The requirement for documentation is just one part of a bigger picture, in which documents about children's learning and development help educators to plan the program, meet each child's needs, and engage with families. Some educators are placing too much emphasis on documentation, rather than engaging in teaching. As early childhood expert Anne Stonehouse states:

*'... it seems to me some educators and services over-emphasise it. It's almost as though some educators think that how you write down what you're going to do and observations of a child or children is more important than practice or pedagogy—what you do.'*



Assessing children's learning and development is very important in order to ensure that each child's needs are being met. However, a balance needs to be achieved so that educators can spend as much time as possible with children. There is nothing in the wording—or the intent—of the NQS that encourages a heavy emphasis on documentation, but a misperception exists nonetheless. This may be because of uncertainty in relation to what assessors are looking for as evidence of observations.

The solution to this problem lies in ongoing, affordable professional support that focuses on supporting educators to articulate their practice—why they are doing something, what the expected outcomes are and why these outcomes are important for children.

While some educators are completing too much documentation, this is improving as educators are beginning to feel more confident about the NQS and expectations. The government's Long Day Care Professional Development Programme (LDC PDP) will assist services to access further professional development on observing children's learning, where required.

Assessors stating a requirement for a specific number of observations and records of children's learning and development, both in long day care and outside school hours care, may also be creating confusion for the sector and does not take into consideration professional judgement or indeed attendance patterns of children.

### Observing children in Outside School Hours Care (OSHC)

Children in OSHC attend for shorter sessions than long day care and some children may only attend one day per week depending on the families' needs. This can make it difficult for the child to engage in an extended learning programme with observable learning outcomes, making it a challenge to document their learning and development.

However, some OSHC providers have been innovative in their approach to observation, including using technology to simplify documentation and identify which children have completed observations across each of the NQS quality areas. Children that attend OSHC less frequently can then be prioritised for observations on their days of attendance. This may be more difficult in vacation care where children attend for an even shorter period of time.

ECA suggests that adapting the standard of assessment based on the type of care being delivered, individual children's attendance patterns and the practical constraints of observing children's learning in an OSHC environment, would assist OSHC services.

The role of regulators should also be coupled with professional development for educators in improving practice in documenting children's learning in school age settings and understanding expectations of assessors.

### 5.3 Quantifying the cost of quality regulation

Australian families expect early childhood services to be available when they need them and at an affordable cost. At the same time, families expect high quality services and educators who are competent in providing education that gives young children the very best start in life.

In a survey commissioned by ECA in 2012, 87 per cent of parents with children under the age of eight years agreed with the statement ‘We can't cut corners on early childhood education and care if we want our children to thrive later on’ (Essential Media, 2012). Families also understand the importance of quality standards, the need for government regulation and the case for professional wages to be paid to educators in the ECEC sector.

Quality does have a very real impact on the cost of service delivery, however, it is very difficult to separate this cost from other cost drivers such as longer operating hours, increasing facilities costs and the administrative burdens associated with the child care benefit system—all of which warrant examination to find cost savings before compromising on quality. Indeed, any assessment of the cost of quality regulation needs to separate the cost of other forms of regulation and administrative burden that early childhood services experience—workplace health and safety, small business and not-for-profit reporting, Child Care Benefit (CCB) and Child Care Rebate (CCR) management systems etc.

Access Economics modelled the impact of the National Quality Agenda on fees at the time of the COAG decision on the National Partnership (COAG, 2009). Importantly the modelling forecast the baseline costs of delivering education and care services without the NQF, and separately modelled the cost of the NQF above the baseline.

The actual data released on the cost impact of the NQF is provided in the *Child care in Australia* report (DEEWR, 2013, p.7) shows a total average fee increase between September quarter 2011 and September quarter 2012 has been approximately 50 cents per day, of which approximately 45 cents would be accounted for by trend growth (assuming annual growth of 6.9 per cent, as shown in Figure 2). A 50 cent per day impact (5 cents per hour for a 10 hour day) is less than the Access Economics’ estimate of an increase of approximately \$1.07 per day between 2011 and 2012.

ECA notes that this data only reflects child care fees in the lead up to, and during, the first year of the NQF—before the introduction of qualification requirements in 2014 as well as further ratio changes. However, the modelling associated with the NQF undertaken by Access Economics took this staggered implementation into account.

To date no real data has been presented which has suggested that aggregate cost increases will be substantially higher than the modelling suggests in the original Regulatory Impact Statement for the National Quality Agenda (COAG, 2009).

The ACCS TICC Survey shows that the NQF has led to an increase in fees in services surveyed, through this was moderate, particularly as many services were already meeting improved ratios well before the NQS requirements.

ECA also questions whether services would respond to any proposed changes to the NQF, or regulation by lowering fees. Since the government does not have a role in setting child care prices, services will continue to set fees consistent with the local market. This is not to suggest that there are not real savings for services in decreased administration, however these savings are may not affect child care prices.

### **The broader economic benefits of quality early childhood education**

While much of the focus of the costs of the NQF has been on the short-term impacts, the real benefits are improved outcomes for children and the broader Australian society and economy.

A full cost-benefit assessment of the NQF would take into full account both the short-term and long-term effects of investing in high-quality ECEC, including:

- the impact of quality in women's labour force supply (Gong and Breunig, 2010)
- the economic impact of improved educational outcomes for children (KPMG, 2011).

This is not to dismiss the concerns of ECEC service providers who are struggling with supply-side costs (perhaps caused by multiple factors); rather, we are seeking a national-level analysis of the prospects of the NQF, which incorporates the views of service providers during this introductory phase and also looks to the future.

If the focus was solely on the costs associated with hiring educators with higher qualifications, or hiring additional educators to create better educator-to-child ratios, without taking account of the benefits derived from these measures such as reduced staff turnover, higher productivity and greater stability in utilisation, it is not possible to see the full picture.

It is important to look at the quantum of impact compared to the alternatives. For example, the employment of a residual and unqualified workforce in ECEC has historically been highly problematic with a high failure rate, inefficiencies from constant training and high rates of staff turnover and workplace injuries, as well as poor quality outcomes and, in some cases, catastrophic failures resulting in child fatalities or harm.

It is also important not to confuse the fees charged by ECEC services with the cost of delivery. For most services there is a proportion of the fee that is discretionary, this may include a profit or surplus margin or a component used to cross-subsidise other programs.

Many factors impact on fees charged, including market forces and the capacity of parents to pay for convenience as well as quality. Preliminary analysis provided below suggests that services may be 'high quality' but not 'high cost' and vice versa.

## 5.4 Analysis on fees and quality ratings

ECA has examined the fees charged by long day care services in the ACT and NSW to compare this with their assessed quality ratings to determine if higher quality ratings have a direct correlation with higher fees. Although the sample is small (60 services), the results indicate that higher daily fees are not obviously, or strongly, correlated with higher quality assessment ratings. In this sample the services with the highest quality ratings are not charging higher daily fees and those with the lowest quality rating are not charging lower fees. A wide variation in fees is apparent across all ratings.

This brief analysis appears to suggest that factors other than quality of service delivery are having at least as much, if not more, influence on daily fees charged by long day care services. These factors may include the cost of premises (location), operating hours, staff wage rates and other factors yet to be identified. More research into the cost drivers is needed to draw any definite conclusions. In addition, strategies to contain and reduce costs would need to be carefully managed to ensure that there is an impact on fees and affordability. Thorough research on the actual cost of delivery and the potential for cost reductions is needed.

## 5.5 Workforce development and professional training

Increasingly children enter long day care at a young age and typically spend three days per week or more at the service (average 27.7 hours per week in long day care) which means the service is a significant part of their life and the competency of educators is very important in determining the positive benefits they can take from experience.

Many of the challenges with the NQF implementation can be addressed through sector development initiatives in the areas of workforce development and professional development. As the Productivity Commission (2011) noted in its Inquiry into the Early Childhood Development Workforce:

*ECEC staff will require leadership and support to enable them to gain the most from the new policies, particularly in the transition period, given the paradigm shift in the way programs are planned and delivered, and in how a service is now expected to be managed. Especially in small, stand-alone services, where staff can be quite isolated, appropriate support is vital.*

As previously identified, the documentation of children's learning is a current source of misunderstanding and frustration among some educators and service providers. While a common criticism of the NQS is the amount of documentation required, ECA believes that this stems from a misunderstanding of what actually constitutes reflective practice.

ECA believes that strong professional support is the best way to improve understanding of this aspect of the NQS. With the introduction of any new system, training and support is required to ensure that implementation is successful. Under the Early Childhood Workforce Strategy and related

state strategies, various training programmes have been rolled-out to support the early childhood sector to meet the NQF.

ECA particularly supports the work of the Professional Support Coordinators, the Indigenous Professional Support Units and the Inclusion Support Agencies which provide important training across the spectrum of service types and professional roles in the sector.

### **The Long Day Care Professional Development Programme (LDC PDP)**

ECA welcomes the government's decision to redirect funding from the Early Years Quality Fund (EYQF) to support professional development for the long day care sector. This represents a considerable investment of \$200 million in professionalisation which will go a long way help the sector to up-skill its workforce to meet the NQF.

While the LDC PDP is a new and welcome development, only long day care services can access this funding. This is due to the legislation originally establishing the EYQF introduced by the former Government. We acknowledge that the Commonwealth has sought to support these services through the Professional Support Coordinators.

Beyond the life of the LDC PDP, it will be important for Commonwealth and state and territory governments to work with the sector to create a workforce development strategy which helps to address longer term systemic challenges in the sector across all service types.

### **Improving training outcomes**

It is critical that training organisations are delivering quality training as this has a significant bearing on the quality of graduates and the quality of early childhood education and care.

Poor quality may result from courses conducted over too short a timeframe, with poor supervision of placements, and checklist assessments etc. The monitoring and regulation of RTOs needs to be improved.

ECA has contributed to the review of the new training package of the sector conducted by the Community Services and Health Industry Skills Council (CSHIC). We believe that the revised training package will be improved when it is introduced in July 2014.

### **ACECQA's role**

ECA also recognises that ACECQA publishes guides, practice notes and resources to assist parents and the community and to support the education and care services sector in understanding the NQF and the application of the National Law. However, we do not support calls from some parts of the sector for ACECQA to define 'best practice' or produce templates that would constitute a 'tick-a-box'

approach to achieving a particular rating. What is considered best practice is flexible and driven by the sector over time. This is consistent with the principle of 'continuous improvement'.

ECA members report that they value direct contact with ACECQA and Regulatory Authorities by phone or email for information or advice. As the Regulations are, by their nature, complex to understand, standalone services often find it necessary to seek external advice.

## 5.6 Educator remuneration

ECA agrees with other peak and representative bodies that the next step in providing a stable and sustainable ECEC sector is the introduction of professional wages so the sector can attract and retain qualified and professional educators, which are fundamental to delivering quality education and care.

There is a significant disparity between the wages of preschool, kindergarten and primary school teachers with the wages and conditions of early childhood teachers in ECEC services. This makes it difficult to attract and retain teachers in the sector.

The relationship between educators and children is a critical component of quality in service delivery. Being an educator in early childhood services should be a valued and respected role—these are the educators trusted with Australia's next generation of citizens aim to attract and retain talented people to these roles.

Although a stable, skilled and professional labour force is widely acknowledged as vital to ensuring high-quality ECEC, educators continue to be poorly paid for the significant work they do in educating and caring for our children. While some employers are able to offer above award wages and conditions, some qualified educators earn as little as \$19.00 per hour, suffer low status in the broader community, lack fulfilling career paths and have inadequate training opportunities (United Voice, 2013). Addressing educators' low wages would augment the quality reform agenda and is essential to ensuring the future viability of the sector which supports Australian families and children.

## 5.7 Management, leadership and capabilities

As is recognised in the literature—for example the EPPE Project (Sylva et al., 2008), HighScope, the Chicago Child and Family Centres, the Abecedarian project (Galinsky, 2006)—a high standard of service and pedagogical leadership is one of the key characteristics of programs which deliver lasting benefits to young children. ECEC services need highly qualified staff, who are also effective leaders. This involves qualifications, professional standards and building leadership 'capabilities'.

If the ECEC Reform Agenda is to take hold, probably the most urgent requirement is the development of ECEC leadership to motivate and inspire other team members, mentor them, support their professional development and help develop leadership skills throughout teams.

The level of difficulty faced by services in the implementation of the reform agenda—and regulatory burden may be correlated with the quality of management practices. Many services had already implemented similar quality improvement plans, prior to the conception of the NQF, because this was already part of good management practice.

The development of actual leadership strength and skills in services and the sector will support the implementation of both the EYLF and NQF, and will facilitate achievement against the leadership and management area in the NQF. This work can go forward alongside the work of bringing early childhood teachers into ECEC services.

## 5.8 Rural and remote services

While the sector has made significant progress in meeting the qualification standards, there is still an ongoing shortage of qualified educators, particularly at the degree and diploma level in rural and remote regions. One provider commented:

*‘... we offer interest free loans for approved courses (cert, dip, degree) and an internal scholarship program. These initiatives have been successful. However, we do have issues with rural and remote services—we are looking at different models to support meeting requirements ... but already face waivers in one service’*

Many regional services and small provider services struggle to network with other early childhood educators and teachers. This isolation can limit professional development opportunities and inhibit the potential of services to address operational challenges. Collaboration between services on a regional basis has shown to be effective in meeting local challenges, by co-sponsoring applications for workforce development funding, adopting joint recruitment and retention strategies and sharing workforce development opportunities. The adoption of a shared services approach may reduce expenditure in areas such as training and recruitment costs and benefit all services as well as the whole community.

As part of the Regional Education, Skills and Jobs Plans in the Building Australia’s Future Workforce (BAFW) the Department of Education, Employment and Workplace Relations (DEEWR) deployed 34 Regional Education, Skills and Jobs (RESJ) Coordinators to work with local stakeholders to develop Regional Education, Skills and Jobs Plans for the 46 Regional Development Australia (RDA) areas that cover non-metropolitan Australia. The plans present locally identified opportunities and challenges and outline local strategies to improve education, skills and jobs outcomes in regional Australia. The Riverina Early Childhood Strategic Leadership and Development Network is a good example of collaboration through a network on workforce development. ECA considers that wider adoption of these networks would improve workforce development of services in more regions across Australia.



## 5.9 Service waivers and temporary waivers

Waivers have been in place long before the introduction of the NQF and were part of the state-based licencing regimes. They play an important role in allowing a service to remedy staffing and environment issues, where the service would otherwise be in breach of the regulations and the NQS. Other policy reasons include:

- that the service is transparent about the breach of the regulations so they can be recorded and monitored
- the issues are remedied within a reasonable period of time
- measures are taken to protect children's wellbeing and safety while the waiver is in place.

The most recent figures from ACECQA in the first quarter, since the introduction of the NQF qualification standards, show that only 4.4 per cent of services had waivers for staffing requirements (ACECQA, 2014). This figure is remarkably low, given the extent to which services have had to improve the qualifications of staff.

Most services have raised the bar on quality, which shows that the standards are realistic and that a delay or roll-back of key structural elements of quality is not required or justified.

Some parts of the sector have argued for the removal of the requirement to seek temporary waivers for failing to meet the requirement of employing an early childhood teacher. Yet it is now approaching four years since the decision was made by all Australian governments to require a teacher in all long day care centres over 25 places. Most services are meeting these requirements and there is no strong policy reason to allow services which are not meeting the staff requirements ongoing exemption from the regulations.

ECA believes that service and temporary waivers are important to encourage services to continue to strive to meet the NQF Requirements, particularly in relation to early childhood teachers (which research shows, are fundamental to delivering quality early childhood learning programs). The waivers ensure that services are continuing to maintain effort to recruit a teacher to meet the requirements even if they cannot recruit one at the present time.

However, noting the ongoing shortage of early childhood teachers in rural and remote Australia, ECA supports the removal of fees for a certain period of time for temporary waivers which concern the employment of an early childhood teacher.

### Recommendations

**22) Further NQF milestones—including ratio changes in 2016 and the requirement of a second degree qualified early childhood teacher in long day care services by 2020 are critical to children's outcomes and realisation of a consistent national framework.**



- 23) Further professional development in Outside School Hours Care services would improve practice in documenting children's learning in school age settings.**
- 24) Addressing educator and teacher remuneration would augment the quality reform agenda.**
- 25) Removing fees for temporary waivers which concern the employment of an early childhood teacher would assist long day care services operating in remote areas.**

## 6 Conclusion

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The *National Quality Framework* is built on the strong evidence of the OECD, and international research within the fields of early childhood, science and economics, to improve life outcomes for Australian children and drive our nation's future prosperity.

The achievement of a lasting national agreement on quality will be a significant improvement on the previous, inconsistent and poor quality state-based licencing and Quality Improvement Accreditation System.

ECA strongly believes that the transition to the NQF, including remaining changes to child to staff ratios and qualification standards are critical for consistency and achieving better outcomes for children and the economy.

However, we recognise that that improvements can be made to streamline and improve the NQF and we have provided practical recommendations about how this may be achieved.

The *National Quality Framework* is setting a strong foundation to reform other aspects of the early childhood education and care system—to increase access and ensure that benefits of quality ECEC are extended to all children.

Greater access to quality early childhood education and care will help Australia to enhance its future prosperity, by realising our greatest potential—improved outcomes and wellbeing of all children.

## 7 Summary of recommendations

- 1) Recognise the evidence base which supported the development of the *National Quality Framework*, including improved child to staff ratios and qualification standards.
- 2) Recognise the inadequacy and inconsistency of the former accreditation and licensing system in supporting quality improvement in early childhood education and care services.
- 3) Access to quality early childhood education amplifies children's cognitive and non-cognitive development so improved access to these services for children of all ages is a priority.
- 4) The National Quality Agenda for Early Childhood Education and Care is improving the quality of early childhood education and care and children's outcomes.
- 5) The structural elements of quality, reflected in the National Quality Framework's staff to child ratios and qualifications standards are evidence based and deliver better outcomes for children.
- 6) All seven of the NQS quality areas are integral to delivering quality early childhood education and care for children. Consistency in the interaction between the elements, the quality areas and overall quality ratings can be improved, without removing the impetus for quality improvement.
- 7) A campaign to explain quality to parents and engage parents in the early childhood development story would augment the NQF transition and improve quality relationships between families and communities.
- 8) Expanding the NQF to include Budget Based Funded services, occasional care and in-home care would improve access to quality early childhood education and care for children participating in those services.
- 9) The regulation of Outside School Hours Care services as in-scope services is important to improving quality and children's outcomes.
- 10) It is important for the integrity of the NQF that amendments to the Education and Care Services National Law and Regulations are subject to public consultation, before they are made by SCSEEC.
- 11) Consistency is important to the integrity of the NQF and can be improved by using the evidence available, such as assessment reviews, to inform ongoing practice.
- 12) Clearer assessment reports would help services to understand where to make quality improvements.
- 13) Quality Improvement Plans remain fundamental to the assessment process.
- 14) Ensuring Regulatory Authority staff are qualified would improve the quality of assessments through a better understanding of early childhood practice, programming and documentation.

- 15) the development of a broader professional development role by Regulatory Authorities, beyond compliance and assessments, would be welcomed.
- 16) The adequate resourcing of Regulatory Authorities to undertake their existing functions, and develop effective relationships with services outside of assessment visits is important.
- 17) Measures to streamline supervisor certificate obligations beyond 2016, would reduce regulatory burden.
- 18) Recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse are relevant to the NQF review in relation to OSHC regulation, supervisor certificates, and the NQF more broadly.
- 19) The National Quality Agenda IT System could be made more intuitive, improving service interaction with government and reducing regulatory burden for services and the government.
- 20) Other sources of regulatory burden which could be addressed exist outside of the NQF including Family Assistance Law, and other unnecessary state and local government requirements.
- 21) Consultation on changes to the National Quality Framework, including amendments to the Education and Care Services National Law and Regulations would improve the integrity of the NQF.
- 22) Further NQF milestones—including ratio changes in 2016 and the requirement of a second degree qualified early childhood teacher in long day care services by 2020 are critical to children's outcomes and realisation of a consistent national framework.
- 23) Further professional development in Outside School Hours Care services would improve practice in documenting children's learning in school age settings.
- 24) Addressing educator and teacher remuneration would augment the quality reform agenda.
- 25) Removing fees for temporary waivers which concern the employment of an early childhood teacher would assist long day care services operating in remote areas.

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