

The South Australian Education and Early Childhood Services Registration and Standards Board

Submission to the Childcare and Early Childhood Learning: Productivity Commission Issues Paper

The Education and Early Childhood Services and Registration and Standards (EECSRS) Board (the Board) welcomes the opportunity to respond to the Productivity Commission's Inquiry into *Child Care and Early Learning* (2013).

Who we are

The Board is the state body responsible for regulating the provision of education and early childhood services within South Australia. The EECSRS Board is a unique organisation in that it regulates education and care services for children from birth to year 12. Therefore, the services within its regulatory scope are all schools, education and care services covered by the National Quality Framework and residual early childhood services. The EECSRS Board was established by the *Education and Early Childhood Services (Registration and Standards) Act 2011* which applied the Education and Care Services National Law, making the Board the state Regulatory Authority for the National Quality Framework. The Board was established to ensure separation of service provider and service regulator. Previously, child care was licensed by the Department for Education and Child Development Licensing and Standards Unit. The Board comprises experienced and expert members from across the education and care sector.

Introductory comment

The Terms of Reference (TOR) guiding this inquiry conclude with the statement that 'the Commission will consider options *within current funding parameters*' p.3. This statement is of great concern given that Australia does not enjoy an enviable international reputation in relation to its provision of Early Childhood Education and Care (ECEC). Successive national and international reports (Organisation of Economic Cooperation and Development (OECD), 2006; Press & Hayes, 2000; UNICEF, 2008; Watson, 2012) point to the need for increased resourcing and coordinated ECEC policy at a national level if Australia's reputation is to improve.

An example taken from one of the above reports (UNICEF, 2008) demonstrates Australia's comparative position with other countries.

This UNICEF report ranked Australia at 23 out of 25 countries.

Benchmark		1	2	3	4	5	6	7	8	9	10
	Number of benchmarks achieved	Parental leave of 1 year at 50% salary	A national plan with priority for the disadvantaged	Subsidised and regulated childcare services for 25% of children under 3	Subsidised and accredited early education services for 80% of 4 year-olds	80% of all child care staff trained	50% of staff in accredited early education services tertiary educated with relevant qualifications	Minimum staff-to-children ratio of 1:15 in pre-school education	1:0% of GDP spent on early childhood services	Child poverty rate less than 10%	Near-universal outreach of essential child health services
Sweden	10										
Iceland	9										
Denmark	8										
Finland	8										
France	8										
Norway	8										
Belgium	6										
Hungary	6										
New Zealand	6										
Slovenia	6										
Austria	5										
Netherlands	5										
England	5										
Germany	4										
Italy	4										
Japan	4										
Portugal	4										
Republic of Korea	4										
Mexico	3										
Spain	3										
Switzerland	3										
United States	3										
Australia	2										
Canada	1										
Ireland	1										

Figure 1 Early Childhood services - a league table.

Source: The Child care transition p 2

Responses to TORS:

TORS 1. b. optimising children's learning and development, and

2. i. the capacity of the existing child care system to ensure children are transitioning from child care to school with a satisfactory level of school preparedness, in particular for vulnerable or at risk children

j. opportunities to improve connections and transitions across early childhood services (including between child care and preschool/kindergarten services)

This inquiry is responding to concerns about childcare costs. However, this focus needs to be balanced with the evidence that is now available regarding the *lasting effects* of quality early childhood education. For example, the 2012 report from the Council of Australian Government (COAG, 2012) reform council stresses the importance of improving early childhood education outcomes in order to improve Australian education overall.

'In international tests at Year 4, students who had attended early childhood education performed better in tests of reading, maths and science than students who had not attended'. (p.8)

In the current debates around the cost of childcare, the importance of qualified early childhood educators is also under scrutiny. There is now compelling [evidence](#) which shows children who receive early childhood education from highly qualified teachers then go on to achieve higher NAPLAN scores than those who are educated by less-qualified teachers (Warren & Haisken-DeNew, 2013). The effects of quality preschool have lasting effects on school achievement and therefore costs must always be considered against outcomes for children. Children's best interests must always be the touchstone for any reform.

For vulnerable and at risk children, the Board refers the Commission to the Regulatory Impact Statement (RIS) for Early Childhood Education and Care Quality Reforms (COAG, 2009) which summarises pertinent research findings. The RIS (COAG, 2009, p11) reports that high quality early childhood education and care is a protective factor that offsets the impact of the multiple risk factors that characterize the lives of children experiencing a disadvantaged home life. It provides access to a significant adult other than a child's parent who can support improved interactions between the parent/caregiver and child; facilitate healthy brain development and is correlated with desirable long term outcomes for the individual and the community.

The Board notes from the most recent Australian Children's Education and Care Quality Authority Quality Snapshot (February 2014) that the distribution of assessments and ratings under the current NQF regulatory regime for centre based services in disadvantaged communities is comparable with those for services in advantaged communities. This suggests that the National Quality Framework is equitably supporting the implementation of evidence based practices known to provide positive daily experiences as well as long term desirable outcomes for all children. This should not be diminished by any reduction in requirements in traditionally hard to staff locations, which usually also coincide with locations where multiple and complex disadvantage is experienced.

The Board has noted considerable growth in the provision of Family Day Care services, moving from 12 approved services all provided by the Department for Education and Child Development to 28 approved services now. The new services are provided by entities, including their staff and educators of culturally and linguistically diverse background, some of whom are recently arrived in Australia. This is an area of hidden disadvantage in the regulatory system where additional support and monitoring is required in the form of culturally appropriate materials and high quality training for potential providers, their staff and their educators in the interests of children that they educate and care for.

One way of facilitating continuity of learning for children is looking at opportunities within the existing frameworks used by the early childhood and schooling sectors eg The Early Years Learning Framework (EYLF) and National Curriculum to provide a more inclusive approach to teaching and learning. The language in the 2 documents could be made more congruent and strategies embedded within the documents which facilitate continuity without losing the focus on play based learning and the early childhood principles and practice which are the foundation of the EYLF.

Recommendation

In order to optimise children's learning and development and ensure smooth transition into school, in particular for vulnerable and at risk children, the reforms begun in the NQF regarding qualifications and ratios need to continue.

TOR 4 Options for enhancing the choices available to Australian families as to how they receive child care support, so that this can occur in the manner most suitable to their individual family circumstances. Mechanisms to be considered include subsidies, rebates and tax deductions, to improve the accessibility, flexibility and affordability of child care for families facing diverse individual circumstances

The Board supports families' right to choose the appropriate child care arrangements that meet the needs of their families and support the provision of more flexible child care arrangements such as 'in home care' that meet the changing and emerging needs of families and support workforce access and participation. However this provision should not result in a lower standard of education and child care and a potential loss of the quality gains made through the introduction of the NQS.

A level of regulation would be needed to support the provision of quality environments for children and reduce risk especially if the government wants to narrow the gap between our most advantaged and disadvantaged communities. For good reasons, it is likely that disadvantaged families will make a choice regarding the type of education and care based on cost.

Regulation needs to include child protection requirements including criminal history checks and child protect training, provision for basic safety checks of homes and premises an inspection regime, support structures such as access to training and development and ongoing curriculum support and a quality rating systems.

If there is an extension to the existing provision for 'in home care arrangements' there may need to be a revised or modified version of the Early Years Learning Framework to support the development of appropriate early childhood programs for children cared for and educated in these settings. This is congruent with the government's articulated desire to put 'greater emphasis to achieving early learning and education and reflect the perceived shift in community expectations. There should also be a based qualification requirement for all educators irrespective of the environment or service type in which they work. The Certificate 111 in Children's Services should remain the minimum requirement for educators. A

bespoke Certificate 111 could be developed over time catering for educators working specifically within these settings with a greater emphasis on safety as these educators would generally be working on their own. This qualification could be tailored to meet the needs of family day care educators.

Regulatory Authorities would require significant additional funding and resources in order to monitor and assess in home care services or agencies accredited to provide in home care in a similar way to existing Family Day Care programs. Within the current economic climate if funding for child care is not increased that funding will likely become too diffused. A diffusion of funding carries a high risk that the positive impact being felt by the NQS may not be realised. It is premature to make funding decisions prior to a comprehensive review (the upcoming 2014 review) on the effectiveness of the current system.

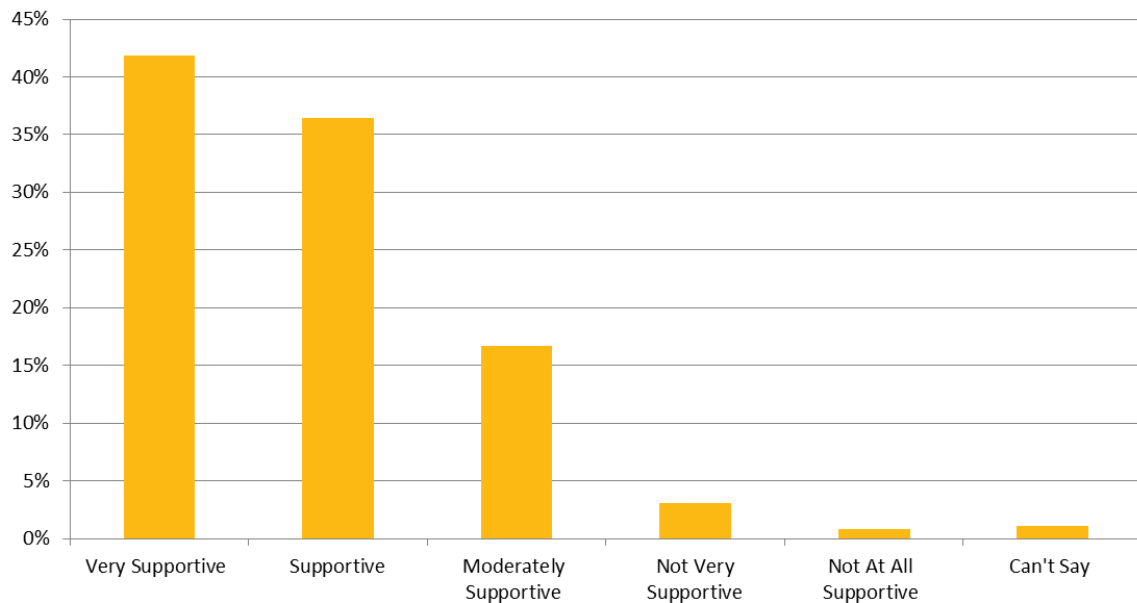
Recommendation

Any new models of care should be regulated with a view to ensuring child safety and child development.

TOR 5 The benefits and other impacts of regulatory changes in child care including the implementation of the NQF.

The NQF was a significant undertaking - bringing together diverse, uneven and outdated regulatory standards across the states and territories and unifying them under a single framework. For the first time in Australia, there is now a single standard that every Long Day Care, School Age Care, Family Day Care and Preschool service have to meet — and be regularly assessed to ensure they are meeting it.

In responding to the inquiry questions regarding the benefits and impacts of the NQF, we draw from the recently released 'Report on the National Quality Framework & Regulatory Burden' (Australian Children's Education and Care Quality Authority (ACECQA), 2013). This report is the result of rigorous research. The report states that overwhelmingly, the sector is in favour of the reforms. Whilst there are variations based on previous experience with regulatory systems and more support from large providers compared with small and medium provides, the results are positive. In particular, there is strong support for the qualifications requirements and ratio improvements which are structural changes at the heart of the reform agenda.

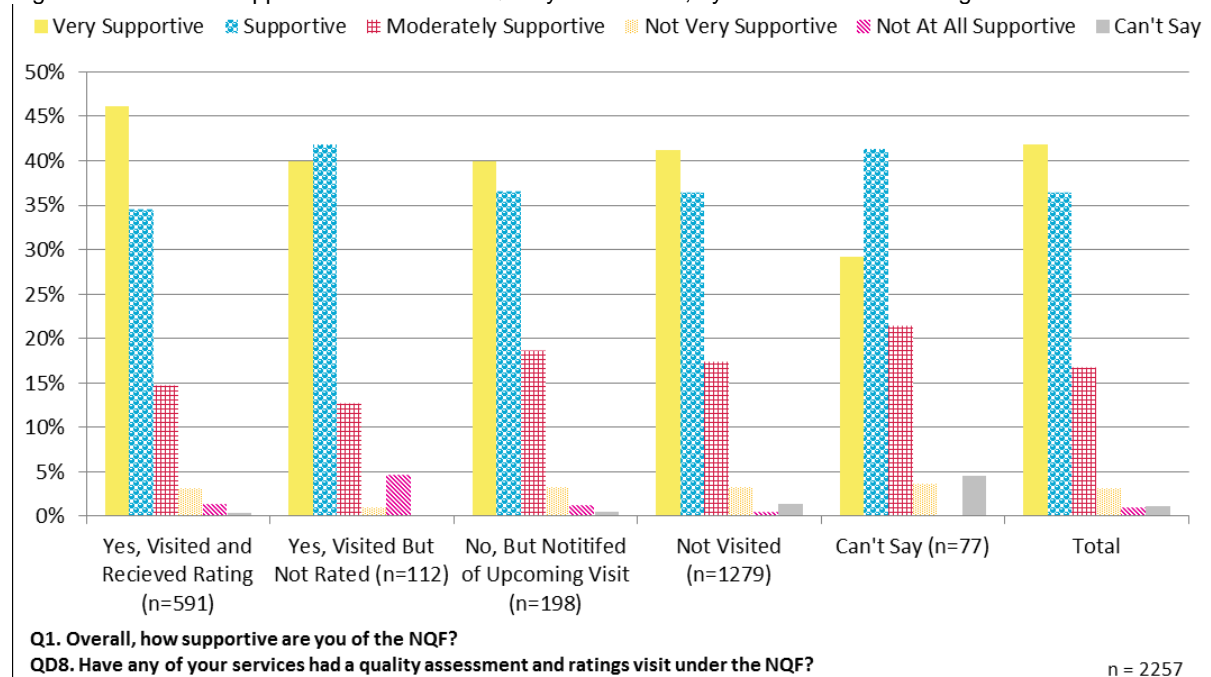


Q1. Overall, how supportive are you of the NQF?

n=2257

What is perhaps even more significant is that provider support is greatest where assessment has been completed.

Figure 3: Providers' support for the National Quality Framework, by assessment and rating



Q1. Overall, how supportive are you of the NQF?

QD8. Have any of your services had a quality assessment and ratings visit under the NQF?

n = 2257

However, there are also indications of the ways in which implementation could be enhanced as it moves beyond its initial phase.

“what several of these findings suggest is that administrative burden, both cost-based and perceived, can be driven down by greater support to the sector to increase its

confidence and make it simpler to meet the obligations' (p. 13). At the same time, some administrative burden is also attributed to aspects of the National Quality Framework directly linked to driving quality improvement such as preparing the Quality Improvement Plan and preparing for assessment and rating. The Board believes that this perception will change as more services are assessed and rated and drawn into the cycle and benefit of quality improvement planning.

Experiences of Authorised Officers of the Board accord strongly with the findings of the Regulatory Burden Report, in particular that providers and educators in their determination to meet the Standard and to be well prepared for their assessment overestimate documentation requirements. In other cases, matters attributed to administrative burden prove to be misinterpretation. Further, requirements that are attributed to the National Quality Framework are sometimes the requirements of Approved Providers as part of their own systems and procedures for managing regulatory requirements. It is imperative that clear and aligned communication by all relevant authorities within the sector is prioritised. This is critical while the sector is still building its capacity to meet the Standard and regulatory requirements and the Standard continues to be phased in. There are many organisations providing information to the sector. This information is highly variable in terms of accuracy.

The Board supports the changes that are in train to reduce regulatory burden within the short term and has committed to work with ACECQA, the Australian Government, other jurisdictions and the sector to do this. However, the Standard and assessment instrument was built on a robust process of research, trialing and evidence gathering and work is currently being undertaken nationally in a similarly careful manner to further evaluate the scope to streamline the Standard without losing the legitimate measures of quality. This should continue as planned within the scheduled 2014 Review, drawing on the findings of the Commission. Understanding and trust in the current process is growing, as shown by the Regulatory Burden Report, and ongoing change would potentially undermine that developing acceptance and engagement in the improvement agenda – and jeopardise outcomes for children.

The Board also suggests that Outside School Hours Care (OSHC) which is an important service for children's development and a critical service to families, needs additional support, given the transience of educators and newness of regulation to this sector. The resolution of qualifications and ratios requirements at the national level is one vital way of assisting with this – given that these have been identified as the key structural drivers of quality. At the same time, of the 57 OSHC services assessed by the Board, 13 have been rated as Exceeding the National Quality Standard. While it suggests the need for more support required for this sector, it might also reflect the benefit of specified qualifications and ratios which is the case in South Australia.

Evidence of Improvement

Waivers

One of the most significant improvements required by the National Quality Standard is the introduction of the early childhood teacher requirement from 1 January 2014 to long day care services. This is a new requirement for South Australia's 316 long day care services. To date the Board has received 34 applications for a waiver from this staffing requirement, representing approximately 11% of services. All but 6 of those services are metropolitan, 4 are remote and 2 are regional.

In South Australia persons employed as early childhood teachers under the National Law also need to be registered or authorised to practise as a teacher under the *Teachers Registration and Standards Act 2004*. This is strongly supported as a measure in the interests of scaffolding these teachers into the increasingly rigorous and professional process of registration. This should further contribute to improving the quality of early childhood education and care and the credibility and reputation of teaching in the early childhood sector.

The Board will monitor and work with those remote services experiencing great difficulty in attracting an early childhood teacher, most of which serve communities with a large proportion of Aboriginal families.

Regarding the other new requirement from 1 January 2014 in South Australia for Certificate 3 qualifications in long day care and preschools, the Board has received only 3 waiver applications with that start date. South Australia has 39 current waivers in total, all for staffing requirements.

The EECSRS Board asserts that this positions the sector well at this point to meet qualification requirements ongoing and thereby, to make quality improvements for children's learning and development.

Second Assessments

Of the 22 second assessments which are scheduled, ten reports have been or are being completed now. Preliminary data suggests that 5 services or 50 % have shifted from Working Towards the Quality Standard to Meeting Quality Standard overall. At the quality area level, these services met the Standard in 6 areas on average on their second assessment, while on their first assessment they met 4 on average. At the element level, these services met 55 elements on average on their second assessment, while on their first assessment they met 45 on average.

Recommendation

Regulatory burden must be streamlined without compromising legitimate measures of quality. This requires a national commitment to ongoing funding and increased support (rather than the status quo or any decrease) as essential components for sustained improvement.

References

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