



# Department of Education & Training

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Hon Jenny Mikakos MP  
Minister for Early Childhood Education  
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Dear Minister

## Statement of Expectations for the Department of Education Training as the Regulatory Authority for Early Childhood Education and Care Services

Thank you for your letter of 28 June 2018, providing your Statement of Expectations for the Department of Education and Training (DET).

The Statement and our response will be published on the Department's website. This response to the Statement has been prepared, and its activities will be implemented by the Department's Quality Assessment and Regulation Division (QARD) in the Early Childhood and School Education Group. QARD staff have been delegated to undertake most of the responsibilities of the Regulatory Authority for early childhood education and care under the *Education and Care Services National Law Act 2010* (National Law) and associated regulations, and the *Victorian Children's Services Act 1996* and associated regulations.

Detailed below are the activities that QARD will undertake to meet your expectations.

Expectation	Activity
<ul style="list-style-type: none"><li>Apply best endeavours to assess and rate all eligible Victorian education and care services regulated under the National Law, and report to you regularly on Victoria's performance against this expectation.</li></ul>	<ul style="list-style-type: none"><li>Continue to meet the former National Quality Agenda performance benchmark of assessing and rating at least 15 per cent of services per year, and provide quarterly reports on progress against this expectation.</li></ul>
<ul style="list-style-type: none"><li>Continue to adopt a risk-based approach to:<ul style="list-style-type: none"><li>target regulatory effort to the highest risk activities, including assessing strategic regulatory risks to manage emerging sectoral compliance risks; and</li></ul></li></ul>	<ul style="list-style-type: none"><li>Ensure risk management plans for all medium/high-risk rated services are regularly reviewed.</li><li>Services are monitored according to a risk based framework</li><li>At least 3000 service visits are undertaken</li></ul>

<ul style="list-style-type: none"> <li>– ensure that services are adequately monitored and that notifications and complaints are investigated in a timely way.</li> </ul>	
<ul style="list-style-type: none"> <li>• Review risk assessment frameworks on an ongoing basis to ensure that risks to the safety, health and wellbeing of children are minimised.</li> </ul>	<ul style="list-style-type: none"> <li>• Review current analytics and reporting of risk information to improve identification and responses to emerging risks.</li> </ul>
<ul style="list-style-type: none"> <li>• Continue to work cooperatively with the Commonwealth Department of Education and Training, ACECQA, and other relevant agencies to administer the National Law and address compliance issues associated with the family day care sector.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue working with Commonwealth DET, Australian Children’s Education and Care Authority (ACECQA) and other regulators by sharing relevant compliance information to effectively manage issues and risks associated with the regulation of the family day care sector.</li> <li>• Progress the targeted legislative review of the national law as it applies to family day care.</li> </ul>
<ul style="list-style-type: none"> <li>• Deepen engagement with education and care providers and services and other stakeholders to inform the ongoing improvement of regulatory activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Facilitate stakeholder forums for key stakeholders, biannually</li> <li>• Engage in regional forums with early childhood providers, regional staff and other local providers</li> <li>• Hold consultations with the sector about amendments to the Children’s Services Act 1996</li> <li>• Increase the publication of the QARD newsletter from 8 to 11 issues per year</li> </ul>
<ul style="list-style-type: none"> <li>• Explore ways to improve the efficiency and effectiveness of business systems and processes supporting regulatory functions, including better use of technology, to reduce regulatory burden and ensure the delivery of high quality, consistent services within prescribed timeframes.</li> </ul>	<ul style="list-style-type: none"> <li>• Work with the ACECQA to improve the National Quality Agenda (NQA) IT System and increase the utilisation of information management technologies to: <ul style="list-style-type: none"> <li>– Simplify and standardise processes</li> <li>– Increase use of online forms to make it easier for services to provide required data through the online portal.</li> </ul> </li> <li>• Adopt new technologies such as mobile devices to complete the assessment and rating process within shorter timeframes by streamlining processes and information capture.</li> </ul>
<ul style="list-style-type: none"> <li>• Publish an annual report on its activities as the Regulatory Authority for early childhood education and care services in Victoria as a way of ensuring public accountability and providing information about its regulatory work.</li> </ul>	<ul style="list-style-type: none"> <li>• Publish a QARD Annual Report</li> </ul>

<ul style="list-style-type: none"> <li>• Further improve the transparency and accountability of its regulatory and decision-making processes.</li> <li>• Develop more effective measures for the efficiency and effectiveness of application processes, decision-making processes, investigations and other internal processes and outcomes (including, for example, measures of timeliness).</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to publish statutory sanctions on the Departmental website</li> <li>• Publish further guidance about the QARD investigatory processes.</li> <li>• Review current reporting frameworks and assess internal benchmarks on timeliness for administering regulatory processes to improve monitoring and reporting on risk and performance.</li> </ul>
<ul style="list-style-type: none"> <li>• Support early childhood education and care providers to comply with their requirements and make available to them information to ensure an understanding of their legislated obligations.</li> </ul>	<ul style="list-style-type: none"> <li>• Work with the Online Communications Branch to: <ul style="list-style-type: none"> <li>– Review QARD website information architecture and redesign content to align with best practice communications principles (clear, appropriate and accessible).</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Continue to provide advice to services that receive a rating of ‘Working Towards the National Quality Standard (NQS)’ to assist them to meet the standard.</li> </ul>	<ul style="list-style-type: none"> <li>• Follow up directly with all services rated as Working Towards the NQS to offer guidance and support to them, such as referrals to Gowrie Victoria.</li> </ul>
<ul style="list-style-type: none"> <li>• Enhance feedback systems to measure effectiveness of compliance-related assistance and advice.</li> </ul>	<ul style="list-style-type: none"> <li>• Develop feedback processes to measure quality of website guidance and information content for target audiences.</li> </ul>
<ul style="list-style-type: none"> <li>• Promote greater cooperation, information sharing, regulatory coherence and efficiency with other regulators and key partners in order to improve compliance outcomes and identify opportunities for improved regulatory performance.</li> <li>• This includes working closely with the Victorian Cladding Taskforce and the Victorian Building Authority to identify and manage risks associated with combustible cladding that may exist on buildings where early childhood services operate.</li> </ul>	<ul style="list-style-type: none"> <li>• Work with the Victorian Registration and Qualifications Authority, the Victorian Institute of Teaching and the Commission for Children and Young People to protect children’s safety and improve compliance of jointly regulated entities.</li> <li>• Work directly with the Victorian Cladding Taskforce and the Victorian Building Authority to identify early childhood services with potential cladding issues. In conjunction with the VBA manage risks arising from audits or rectification works.</li> </ul>

Children’s safety and wellbeing remain paramount. We will continue to prioritise our regulatory activities towards assisting and supporting delivery of the *Education State Early Childhood Reform Plan: Ready for kinder, Ready for school, Ready for life*, and initiatives arising from the Reportable Conduct Scheme and recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, and rolling out Child Link and the child information sharing scheme.

Your expectations will be incorporated into QARD’s Business Plan and will be reported through existing reports such as the QARD Annual Report. QARD will continue to consult with stakeholders and the broader community as appropriate.

These activities demonstrate QARD's commitment to good regulatory practice, promoting efficient and effective administration and enforcement of the regulations to achieve regulatory outcomes, while minimising impacts on regulated parties.

I look forward to continuing to work with you as the Department strives towards achieving best practice regulation of early childhood education and care, and school aged care services in Victoria.

Yours sincerely



**Katy Haire**  
Acting Secretary

16 07 2018