



# Department of Education & Training

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Hon James Merlino MP  
Minister for Education  
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Dear Minister

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

Thank you for your letter dated 13 August 2019, providing your 2019-20 Statement of Expectations (SOE) for the Department of Education and Training (DET).

The SOE and our response will be published on DET's website. This response to the SOE has been prepared and its activities will be implemented by DET's Quality Assessment and Regulation Division (QARD) in the Early Childhood and 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* and associated regulations, and the Victorian *Children's Services Act 1996* and associated regulations.

This response relates to the second of two similar one-year SOEs issued to the Regulatory Authority in place of the usual two-year SOE, due to uncertainty about QARD's budget position in 2018-19 and 2019-20. Many of the activities responding to the expectations were delivered during the 2018-19 SOE period.

Expectation(s)	Activities
<p><b>Timeliness</b></p> <p>Explore ways to reduce regulatory burden and improve the timeliness, efficiency and effectiveness of business systems and processes supporting its regulatory functions through:</p> <ul style="list-style-type: none"> <li>Better use of technologies</li> <li>Ensuring consistent delivery of high quality services within prescribed timeframes</li> <li>Ensuring timely investigation of notifications, incidents and complaints.</li> </ul>	<ol style="list-style-type: none"> <li>Work with the Australian Children's Education and Care Authority (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>Subject to budget capacity, explore opportunities to adopt new information management technologies, including use of mobile devices, to complete assessment and rating and other regulatory activities within</li> </ol>

## Expectation(s)

## Activities

shorter timeframes by streamlining processes and information capture.

### Risk-based strategies

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.

Continue to review and embed risk-based approaches to its regulatory operations to ensure that risks to the health, safety and wellbeing of children are minimised by:

- Targeting regulatory effort towards the highest risk activities
- Managing serious and emerging sectoral compliance risks and responding effectively
- Ensuring services are adequately monitored.

3. Assess and rate 20 per cent of eligible services and provide quarterly reports on progress against this expectation.
4. Ensure compliance management plans for services are regularly reviewed.
5. Monitor services according to risk prioritisation criteria.
6. Visit all new services at least once in the first 12 months of operation.
7. Conduct 3000 service premises inspections per annum.

### Compliance-related assistance and advice

Support early childhood education and care providers to comply with their requirements by:

- Providing clear and accessible guidance and advice to ensure service providers understand their legislative obligations
- Providing advice to services that receive a rating of 'Working Towards the National Quality Standard' to assist them to meet the Standard
- Enhancing feedback systems to measure the effectiveness of QARD's compliance related assistance and advice.

8. Continue to develop feedback processes to measure quality of website guidance and information content for target audiences.

### Stakeholder consultation and engagement

Deepen its engagement with stakeholders to improve compliance outcomes and regulatory coherence, and promote the safety, health and wellbeing of children through information sharing. QARD should continue to work cooperatively with:

- The Commonwealth Department of Education and Training, ACECQA, and

9. Continue working with Commonwealth DET, 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.
10. Inform the sector and respond to matters related to the Reportable Conduct Scheme and Child Safe Standards as required.

Expectation(s)	Activities
<p>other relevant agencies to address compliance issues associated with the family day care sector</p> <ul style="list-style-type: none"> <li>The Commission for Children and Young People’s implementation of recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse by supporting the Reportable Conduct Scheme and assessing compliance with the Child Safe Standards</li> <li>Key stakeholders and service providers to provide opportunities for consultation about sector reforms</li> </ul>	<ol style="list-style-type: none"> <li>Facilitate biannual stakeholder forums and engage in regional forums with early childhood providers, regional staff and other local providers.</li> <li>Hold consultations with the sector about changes to the Children’s Services Act and Regulations.</li> <li>Continue to publish the QARD newsletter.</li> </ol>

**Accountability and Transparency**

Further improve the transparency and accountability of its regulatory and decision-making processes by:

- Developing 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).

- Publish a QARD Annual Report.
- Continue to publish statutory sanctions on the Departmental website.

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 documents such as the QARD Annual Report.

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

I look forward to working with you as DET continues to work to deliver best practice regulation of early childhood education and care services in Victoria.

Yours sincerely



**Jenny Atta**  
Secretary

26/9/2019

