



The Hon James Merlino MP

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Jenny Atta
Secretary
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Dear Ms Atta

STATEMENT OF EXPECTATIONS FOR THE DEPARTMENT OF EDUCATION AND TRAINING AS REGULATORY AUTHORITY FOR EARLY CHILDHOOD EDUCATION AND CARE

I am pleased to provide you with this Statement of Expectations (SOE) in your role as the designated Regulatory Authority under the *Education and Care Services National Law Act 2010*, the *Victorian Children's Services Act 1996*, and their respective associated regulations. I understand you have delegated the majority of your powers, duties and functions to the Quality Assessment and Regulation Division (QARD) of the Department of Education and Training.

This SOE applies for the period 1 July 2019 to 30 June 2020, or until otherwise amended. This SOE will be evaluated in conjunction with the previous SOE, which applied for the period of 1 July 2018 to 30 June 2019.

Improving the administration and enforcement of regulation

This SOE sets out my expectations of QARD's contribution to the Government's program to reduce red tape affecting businesses, not-for-profit organisations, government service providers and households by promoting greater efficiency and effectiveness in the administration and enforcement of regulation. It also outlines my expectations on broader improvements for QARD's performance.

As Minister for Education, I am responsible for administering the *Education and Care Services National Law Act 2010* and the *Victorian Children's Services Act 1996*. This SOE should be read within the context of the objectives, obligations and functions outlined in these Acts (as amended).

I acknowledge that QARD operates within the context of national applied laws and under the auspices of the Education Council, and that QARD holds explicit joint governance responsibilities to implement the National Quality Framework with the Australian Children's Education and Care Quality Authority (ACECQA), other State and Territory Regulatory Authorities and the Commonwealth Department of Education and Training. I further note that the National Quality Framework is currently under review.

I understand the previous SOE was issued for only one year because of uncertainty from the Commonwealth Government's decision in its 2018-19 Budget to discontinue the *National Partnership on the National Quality Agenda for Early Childhood Education and Care*. Despite continued engagement by Victoria with the Commonwealth Government, this funding is yet to be reinstated.

This SOE outlines key governance and performance objectives and targets aimed at improving the administration and enforcement of regulation and thus reducing its cost impact on business and the community. In setting out these expectations, I acknowledge the important role of QARD in supporting the Government's Education State reform agenda.

Improvements and targets

Within the context of ensuring the safety, health and wellbeing of children attending early childhood services and improving their educational and developmental outcomes, based on consultation between the Department and QARD, I have identified key elements of governance and operational performance where there are opportunities for QARD to reduce cost impacts on business. QARD is expected to identify activities to achieve the following performance improvements and targets.

I expect QARD to continue to apply its best endeavours to assess and rate all eligible Victorian education and care services regulated under the National Quality Framework, incorporating the National Laws and regulations and report to me regularly on Victoria's performance against this expectation.

I expect QARD to continue to explore ways to reduce regulatory burden and improve the timeliness, efficiency and effectiveness of business systems and processes supporting its regulatory functions through:

- better use of technologies;
- ensuring consistent delivery of high quality services within prescribed timeframes; and
- ensuring timely investigation of notifications, incidents and complaints.

I expect QARD to 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;
- targeting assessment and rating activities towards lesser quality services;
- managing serious and emerging sectoral compliance risks and responding effectively; and
- ensuring services are adequately monitored.

I expect QARD to 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; and
- enhancing feedback systems to measure the effectiveness of QARD's compliance related assistance and advice.

I expect QARD to further improve the transparency and accountability of its regulatory and decision-making processes by:

- developing more effective measures for the efficiency and effectiveness of decision-making processes, investigations and other internal processes and outcomes (including, for example, measures of timeliness).

I expect QARD to 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, Australian Federal Police, and other relevant agencies to address compliance issues associated with the family day care sector;
- 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; and
- key stakeholders and service providers to provide opportunities for consultation about sector reforms.

Reporting

I expect QARD to continue to identify and report on the activities it will undertake to achieve these expectations and respond to this Statement publicly.

Reporting on progress should continue to be undertaken in the context of annual financial reporting to avoid dual reporting streams. I also expect that these expectations continue to be incorporated into QARD's Business Plan, as appropriate.

This Statement should be published on the Department's website together with QARD's response.

I look forward to seeing QARD continue to work towards achieving best practice in its critical role as the regulator of early childhood education and care and school aged care services in Victoria.

Yours sincerely



13.8.19

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