

QUALITY ASSESSMENT & REGULATION DIVISION



ANNUAL REPORT 2019



Education
and Training

DATA RELIABILITY STATEMENT

Data included in this report is primarily sourced from the National Quality Agenda IT System. Data regarding previous years may be slightly different than previously published, as records may be updated for accuracy.

ROUNDING

Percentages may not always sum up to 100% due to rounding.

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MESSAGE FROM OUR EXECUTIVE DIRECTOR

I AM PLEASED TO PRESENT THE QUALITY ASSESSMENT AND REGULATION DIVISION ANNUAL REPORT FOR 2019.

2019 closed with some of the most severe bushfires we have seen across Australia in recent times, which continued into early 2020, with some of our communities then impacted by floods. A few months later, Coronavirus (COVID-19) reached Australia.

These events are an illustration of the important role of early childhood education and care services in our communities. These are places not only in which children learn and develop essential skills for life, but also where families connect and build relationships. We continue to work with providers to ensure services remain open and safe for families, wherever possible.

I wish to offer my sincere thanks and appreciation to all educators, service providers and the sector generally for their efforts in maintaining a reliable and assuring presence in these uncertain times. The same sentiment has been expressed by families and communities

across the state, who appreciate the roles played by providers, services and educators. Thank you to the sector for continuing to work with us to operate and provide the high level of quality education and care that Victorian families expect for their children. I also wish to thank the QARD staff for their continual hard work and dedication.

The sector profile continues to evolve. In 2019, the data shows a continued trend for slow but steady increase in private for-profit providers in the market, primarily Long Day Care (LDC) and Outside School Hours Care (OSHC). At the same time, there is a lack of growth in some other areas, such as standalone kindergarten, which may be regarded as declining when compared with population growth. There is a range of factors at play, including some consolidation of small, single-unit provision towards multi-service provision, and an absence of capital investment in the not-for-profit sector. Other market influences include the availability of State funding for kindergarten programs for three-year-old children, Commonwealth Government funding policies designed to support workforce participation, and families seeking comprehensive services that meet their needs efficiently.



A highlight in 2019 was the reform of the Children's Services regulatory regime, with a Bill passed by the Victorian Parliament to amend the *Children's Services Act 1996* (CS Act) to align it with the National Quality Framework (NQF), where appropriate. The law reform process continued into 2020. After an extensive consultation with the sector, the *Children's Services Regulations 2020* (CS Regulations) were made, and the revised regulatory regime came into effect on 17 May 2020. Existing services have already seen immediate benefits, such as no longer needing to apply to renew fixed term licences.

Another milestone in 2019 was the making of the *Education and Care Services National Amendment Regulations 2019*. These amendments ensured the workability of the requirement for a second early childhood teacher or, alternatively, a "suitably qualified person" when 60 or more children preschool age or under are being educated and cared for on a given day, which commenced on 1 January 2020.

The second five-yearly review of the NQF also began in 2019. Sector feedback from consultation over an initial Issues Paper has helped to inform the development of more detailed proposals for change, which are expected to be consulted on in 2021.

As the Victorian Regulatory Authority, we continue to focus on modernising and streamlining our practice of risk-based compliance and enforcement, and on continuing to improve our communication and engagement with the sector.

Madeleine Smith

Executive Director

Quality Assessment and Regulation Division

ABOUT THE REGULATOR

STRATEGIC OBJECTIVES

The Quality Assessment and Regulation Division's (QARD) objectives and strategic plans are informed by broader Department of Education and Training (the Department) objectives and:

- the Department's strategic intent and strategic plan 2018-2022
- obligations and duties of the regulatory authority under the *Education and Care Services National Law Act 2010* (National Law) and the CS Act
- the Statement of Expectations (SoE) from the Minister for Education (the Minister)
- the NQF and CS Act objectives.

STATEMENT OF EXPECTATIONS

The Administration and enforcement of our regulatory framework is guided by the SoE issued by the Minister which, along with the QARD response, was published on the Department's website in September 2019.

We continually evolve our approach to strengthen regulatory performance to meet the imperative of ensuring the safety, health and wellbeing of children attending early childhood services and improving educational and developmental outcomes. This report outlines our initiatives and regulatory performance against our focus on promoting efficiency and effectiveness in the administration and enforcement of regulation.



QUALITY ASSESSMENT AND REGULATION DIVISION OBJECTIVES

Confidence in the regulator:

Effective administration of our legislative frameworks to maintain community confidence in the system of regulation overseeing the provision of Victorian early childhood education and care.

Being a high-performing regulator:

Exemplifying best regulatory practice to efficiently deliver regulatory outcomes.

Engaging with the sector:

Engaging and guiding services to facilitate the provision of high-quality education and care services.

Supporting reforms and initiatives:

Being responsive to government reforms and initiatives, and community priorities.

Excellent workforce:

Developing a high-performing, valued and empowered workforce.

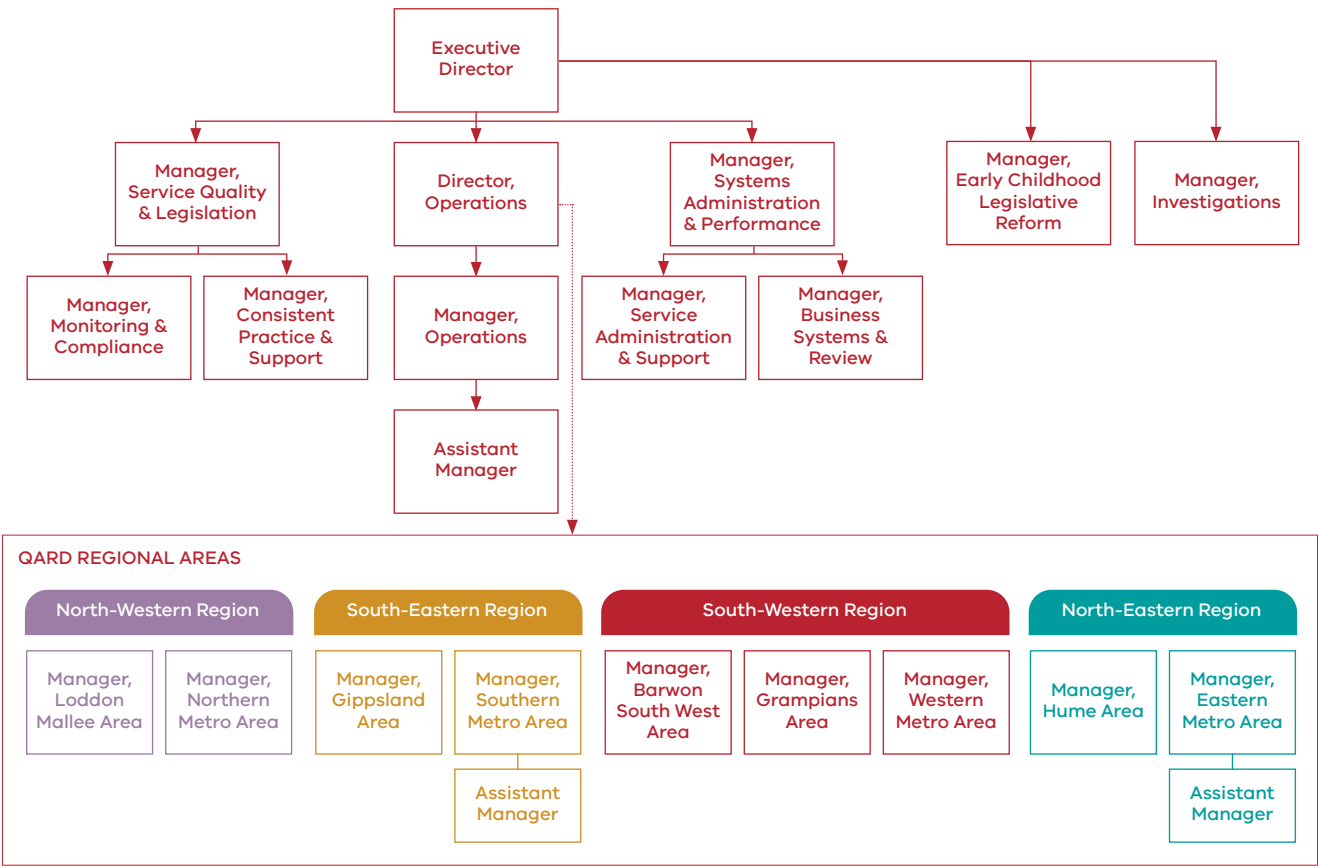
GOVERNANCE FRAMEWORK

QARD's governance framework is designed to ensure accountable and transparent management of regulatory risk, oversight of performance, and engagement of staff in the formulation of regulatory policy and practice.

The Regulatory Risk Committee (RRC) was established in 2018 to strengthen oversight and monitoring of regulatory risk and performance. The RRC is supported by the Policy and Practice Committee (PPC) and the People and Culture Committee (PaCC). The two Communities of Practice, Investigations and Assessment and Rating, focus on improving process efficiency and consistency.

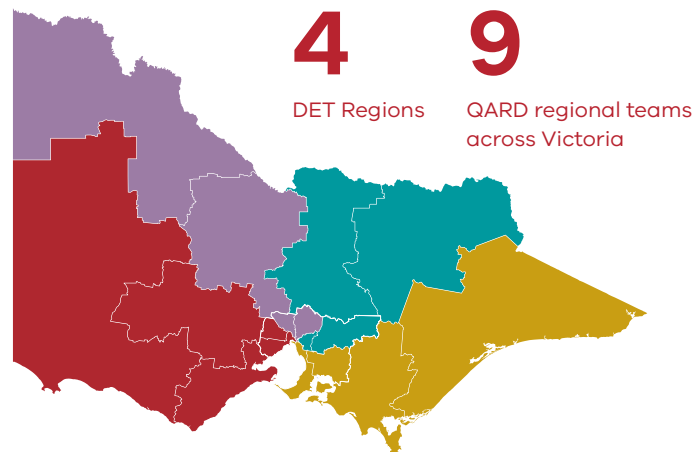
OUR OPERATIONS

Part of the Early Childhood Education Group (ECE) of the Department of Education and Training Victoria, QARD regulates services operating under the NQF and the CS Act and CS Regulations in Victoria under delegation from the Secretary. QARD is comprised of three centrally-managed branches and nine regional teams:



Operations Branch

Located in four regions, the Operations Branch manages and supports nine area-based regional teams. The teams comprise authorised officers and support staff who assess and rate NQF services against the NQS, conduct inspections to monitor compliance with regulatory requirements and investigate alleged non-compliances. Regional teams engage with the sector through forums and other opportunities to support and guide providers of early childhood services.



QARD Regional Teams:

- **North-Western Victoria**
 - Loddon Mallee
 - Northern Metropolitan
- **North-Eastern Victoria**
 - Eastern Metropolitan
 - Hume
- **South-Western Victoria**
 - Barwon South West
 - Grampians
 - Western Metropolitan
- **South-Eastern Victoria**
 - Gippsland
 - Southern Metropolitan

Service Quality and Legislation Branch

Monitoring and Compliance Unit (MCU): manages and supports matters involving significant non-compliance and supports appropriate enforcement action.

Consistent Practice and Support Unit (CPSU): monitors and supports the assessment and rating process and the training of authorised officers.

Systems Administration and Performance Branch

Service Administration and Support Unit (SASU): provides a first point of contact for prospective, new and existing providers of early childhood services through the administration and assessment of applications, notifications of change of circumstances, and assesses applicants' fitness and propriety.

Business Systems and Review Unit (BSRU): maintains QARD's information management, provides user support, undertakes systems improvement, reporting, data analytics, business planning, budget planning, risk assurance and governance, stakeholder engagement and communications functions.

Executive

Legislative Reform Unit (LRU): provides legislative policy advice and support on the National Law and National Regulations (where Victoria is the host jurisdiction) and the CS Act and CS Regulations.

Investigations Unit (INVU): leads and manages serious and complex investigations. The unit conducts investigative planning, provides advice and recommendations on investigations, sanctions and other compliance matters. The unit also prepares and provides training and development material to support authorised officers in their regulatory functions.

REGULATORY FRAMEWORK

We are responsible for the approval, and regulation of almost 4,600 early childhood services in Victoria. We regulate providers of early childhood services in Victoria with the objective of driving continuous improvement of quality in the provision of education and care.

The Department's regulatory functions are established by the National Law, the Education and Care Services National Regulations 2011 (National Regulations), the CS Act and CS Regulations.

As the regulatory authority for Victoria under the National Law, and the regulatory authority under the CS Act, the Secretary of the Department of Education and Training Victoria (the Department) has delegated this responsibility to staff members of QARD.

NATIONAL QUALITY FRAMEWORK

The NQF promotes high quality education and care services through a legislative framework which comprises:

- National Law
- National Regulations
- National Quality Standard (NQS).

Administratively, responsibility for implementing and administering the NQF is shared between State Regulatory Authorities and the National Authority, the Australian Children's Education and Care Quality Authority (ACECQA).

Of the almost 4,600 early childhood services in Victoria at the end of 2019, 4,200 were education and care services approved under the NQF.



NATIONAL QUALITY FRAMEWORK OBJECTIVES

- Ensure the safety, health and wellbeing of children attending education and care services.
- Improve educational and developmental outcomes for children attending education and care services.
- Promote continuous improvement in the provision of quality education and care services.
- Reduce the regulatory and administrative burden for education and care services by enabling information to be shared between participating jurisdictions.
- Improve public knowledge, and access to information, about the quality of education and care services.
- Establish a system of national integration and shared responsibility between participating jurisdictions in the administration of the NQF.

CHILDREN'S SERVICES ACT 1996 OBJECTIVES

Amendments to the CS Act in 2019 aligned that Act with the National Law, where appropriate. Notably, the amendments introduced objectives into the CS Act that are identical to the first three objectives of the NQF.

This establishes a clear expectation that the Children's Services regulatory regime is designed to promote high quality children's services.

Just over 300 early childhood services in Victoria were children's services approved under the CS Act.

ABOUT THE SECTOR

WHAT WE REGULATE

Our regulatory approaches are designed to facilitate and motivate service providers to provide high quality services that ensure the safety, health and wellbeing of children and improve children's educational and developmental outcomes.

Victoria's early childhood education sector plays a significant role in contributing to a harmonious, healthy and prosperous society.

The foundations for long-term development are laid in the early years, where children develop crucial cognitive and emotional skills such as reasoning, problem solving, and how to get along with others. The pivotal time for the development of vision, emotional control and language is before the age of three, and the development of social skills is before the age of six. These and other important skills such as creativity, resilience and communication are enhanced through participation in high quality early childhood education.





EDUCATION AND CARE SERVICES REGULATED UNDER THE NQF

CENTRE-BASED CARE:

Delivered on premises suitable for education and care, including:

Kindergarten/Pre-School:

- Program for young children delivered by qualified early childhood teachers.
- Children go to a kindergarten program in the year before starting school, usually when they are four years old.
- Some services also offer kindergarten programs for three-year-old children.
- The kindergarten program for three-year-old children is being progressively expanded in Victoria.

Long Day Care:

- Delivered by early childhood teachers and diploma level-qualified educators.

- Primarily aimed at children aged 0–6 years of age.
- Most often part-time or full-time education and care programs which are created around the developmental needs, interests and experiences of each child.

Outside School Hours Care:

- Usually located at or close to primary schools.
- Care provision for primary school aged children (typically 5 to 12 years) outside school hours and during school vacations.
- Education and care may also be provided on student free days and school holidays.

FAMILY DAY CARE:

- Program is based on the developmental needs, interests, and experiences of each child.
- Can be provided to children from birth through to school age.
- Generally provided in the educator's own home.
- May be available overnight/weekends for families who are on-call or work shifts.

STATISTICAL OVERVIEW



1,733

approved providers
operating NQF
services in Victoria

280 providers operate
more than one service

1,453 single-service
provider



410,000

children attending
NQF services

188,000 children in
centre-based care
(long day care)

28,000 children in
kindergarten (long day
care settings)

52,000 children in
kindergarten (all other
settings)

106,000 children in
outside school hours
care (including vacation
care)

36,000 children in
family day care



4,546

approved early
childhood services
in Victoria

4,043 centre-based
services

186 family day care
services

317 CS Act services



280,416

approved early
childhood places
in Victoria

272,414 for centre-
based services

8,002 under the
CS Act



CHILDREN'S SERVICES REGULATED UNDER THE CHILDREN'S SERVICES ACT 1996

Children's services regulated under the CS Act are excluded from regulation under the NQF. While the scope of early childhood services regulated under the CS Act did not change, the children's services law reform made changes to service licensing/approval categories, with effect from 17 May 2020. The list below relates to the service types and licence categories that existed in 2019. All children's services provide centre-based care.



STANDARD SERVICE

- Provides care or education for each child for more than 5 hours per day or more than 15 hours per week. Can be an early childhood intervention service, an occasional care service, a mobile service or a budget-based service.



OCCASIONAL CARE

- Provides care primarily on an ad hoc or casual basis which is not usually full-time, all day or on an ongoing basis.
- Most of the children are not school children.



LIMITED HOURS SERVICE

- **Type 1:** Each child is cared for or educated for not more than two hours a day and not more than a total of six hours a week.
- **Type 2:** Each child is cared for or educated for not more than five hours a day and not more than a total of 15 hours a week. e.g. A children's service operating at a sport and leisure facility or a neighbourhood house (typically known as occasional care).

Table 1: Number of approved CS Act services and places, 2013-2019

	2013	2014	2015	2016	2017	2018	2019
Services	457	453	430	406	379	358	317
Places	11,248	11,078	10,569	10,103	9,516	9,140	8,002



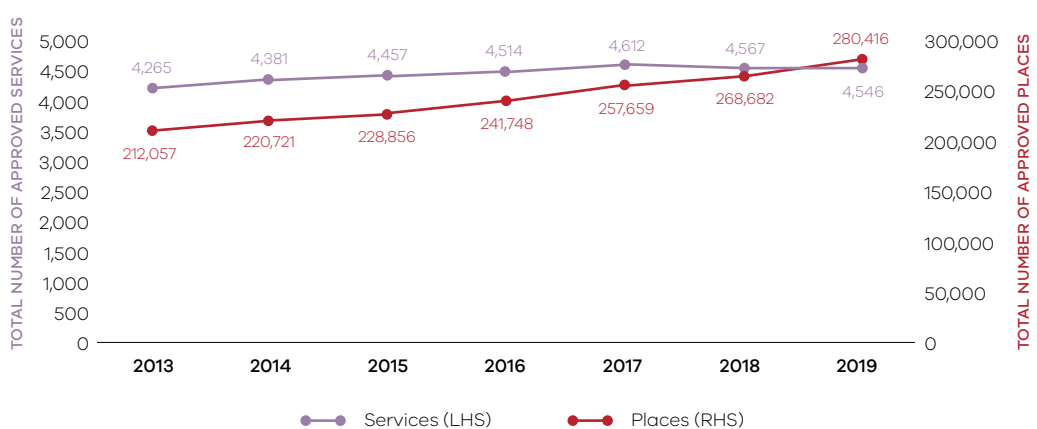
SECTOR PROFILE

At the end of 2019 there were 4,546 early childhood education and care services in Victoria providing 280,416 approved places.

Overall, there has been a small net decline in the number of approved services in the early childhood sector, with 21 fewer services than in 2018. This can be attributed to the continuing decline in the number of approved family day care services. While there has been a decline in the number of services, there has been continued growth in the number of places available as can be seen in Figure 1 below.

4,546
early childhood
education and
care services were
available in Victoria
at the end of 2019,
providing 280,416
approved places

Figure 1: Number of approved ECEC services and places, 2013-2019



Note: 'Places' only relates to centre-based services and services regulated under the CS Act. Places data for FDC services is not collected. The number of places reflects services' approved or licensed capacity.



Approved places at a centre-based service is the maximum number of children that can be educated and cared for by the service at any one time. Some services, like kindergartens, may also operate multiple daily sessions, so while approved for 60 places, they may operate twice daily for a total of 120 children.

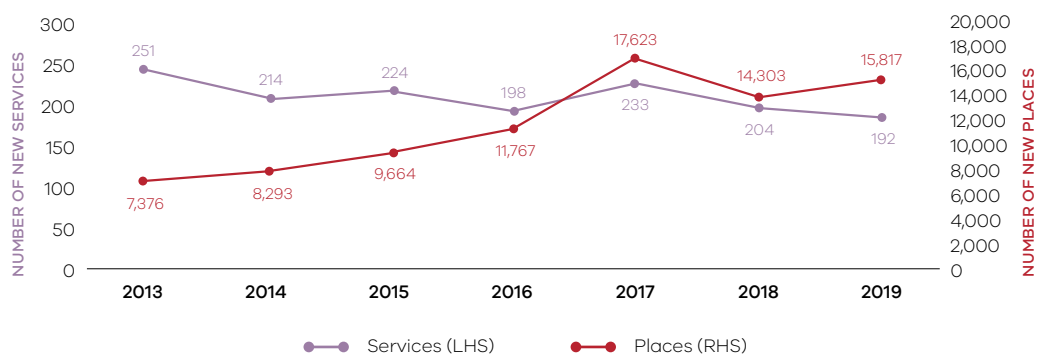
In 2019, 74 per cent of new approved places under the NQF were provided in LDC. Family day care services are not limited to a specific number of approved places, but instead each family day care educator employed by a service is able to educate and care for up to seven children at one residence depending on the ages of the children. The average family day care service employs around 40 educators.



74%

of new approved places under the NQF were provided in Long Day Care

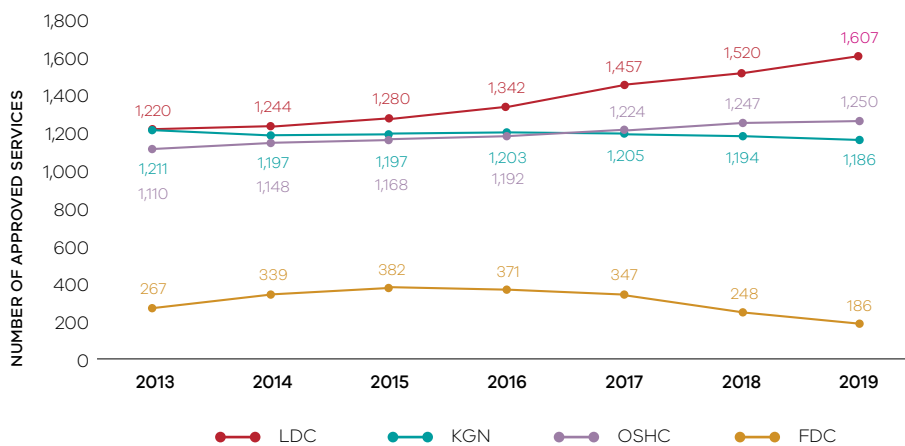
Figure 2: Number of new NQF services and places, 2013–2019



Note: Number of new services refers to services approved in that year and excludes services suspended, surrendered or cancelled in the same year.

The number of new NQF services entering the Victorian market continues to grow although at a slower rate than in past years, as the trend has been for increased places at existing services. In 2019, a total 192 new services received approval to operate and provide 15,817 additional places for children.

Figure 3: Number of approved NQF services by care type, 2013–2019



For NQF services, private for profit is the largest single entity type, operating 2,022 (48 per cent) of NQF services as can be seen in Figure 4. Of these, 1,407 (70 per cent) are run by multi-service providers, many of whom have services in other jurisdictions. Private for-profit type providers continue to grow steadily as a proportion of the sector.

Figure 4: Number of approved services by care type, 2019

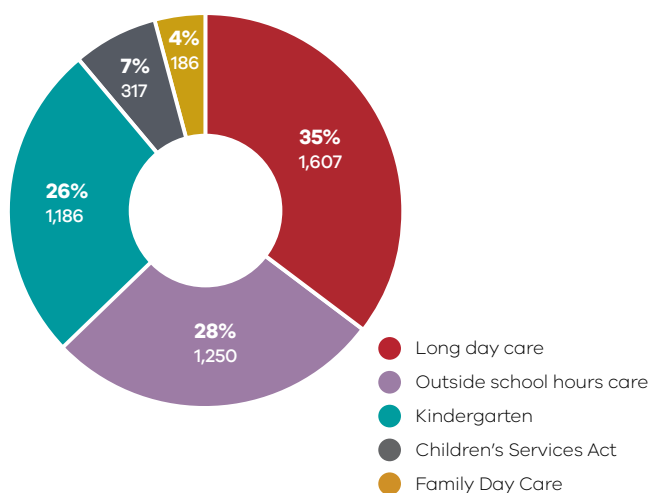
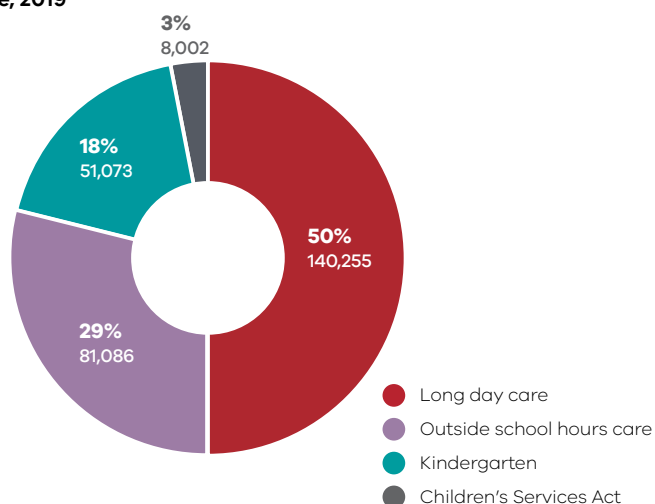


Figure 5: Number of centre-based places by care type, 2019



Note: 'Places' only relates to centre-based services and services regulated under the CS Act. Places data is not collected for FDC services. The number of places reflects services' approved or licensed capacity.

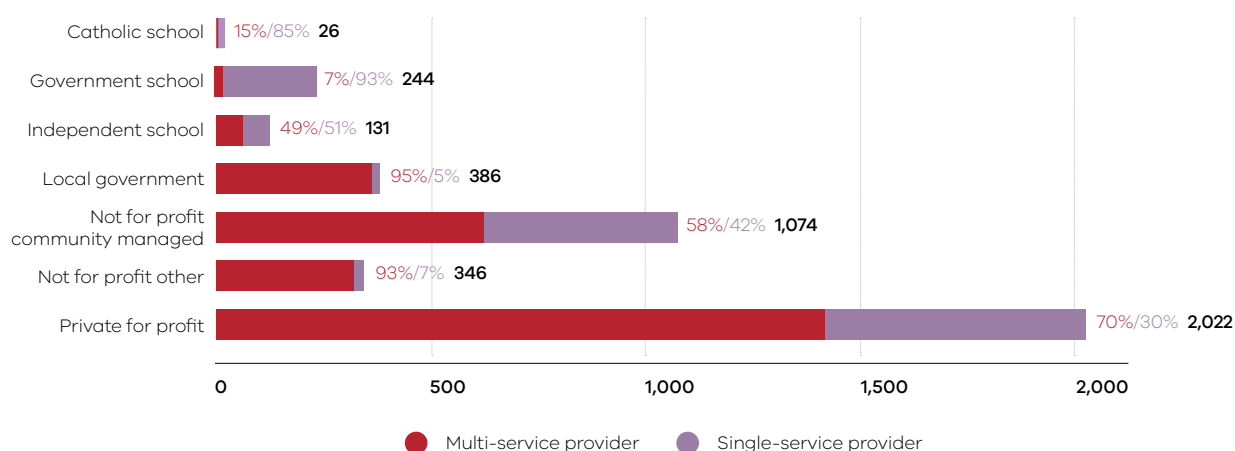


Table 2: Number of approved services and places by care type, 2019

Care type	Approved services	Approved places
Total	4,546	280,416
NQF	4,229	272,414
Centre-Based Care	4,043	272,414
Long day care	1,607	140,255
Kindergarten	1,186	51,073
Outside school hours care	1,250	81,086
Family Day Care	186	-
CS Act	317	8,002

Note: 'Places' only relates to centre-based services and services regulated under the CS Act. Places data is not collected for FDC. The number of places reflects services' approved or licensed capacity.

The data in table 2 shows a continued trend for slow but steady increase in private for-profit providers across both the NQF and the CS services. There is a growth in LDC and OSHC services, which is not seen in other care types such as standalone kindergarten. Some kindergartens run as stand-alone services (for example, community kindergartens). Other kindergarten programs are run through long day care centres or schools.

Figure 6: Number of approved NQF services by provider management type, 2019

Note: 'Multi-service providers' refers to providers that provide more than one service nationally.



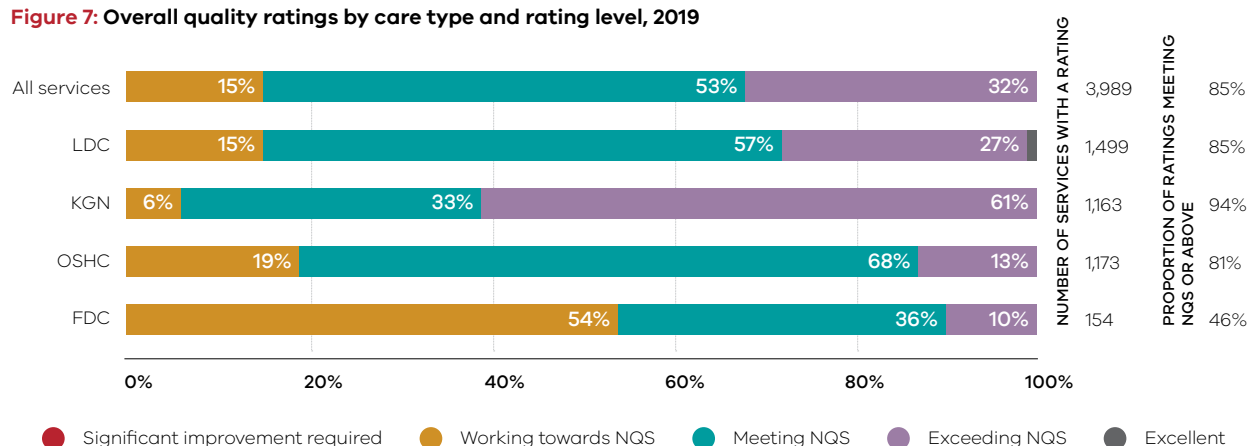
OVERALL QUALITY RATING COMPARISONS BY CARE TYPE

One objective of the NQF is to promote continuous improvement in the provision of quality education and care services.

The introduction of the requirement for services to deliver a program based on an approved learning framework has raised the benchmark for educational programs and practice. Over time we have witnessed a steady increase of services achieving Meeting NQS rating in Victoria, improving from 46 per cent in 2015 to 53 per cent in 2019.

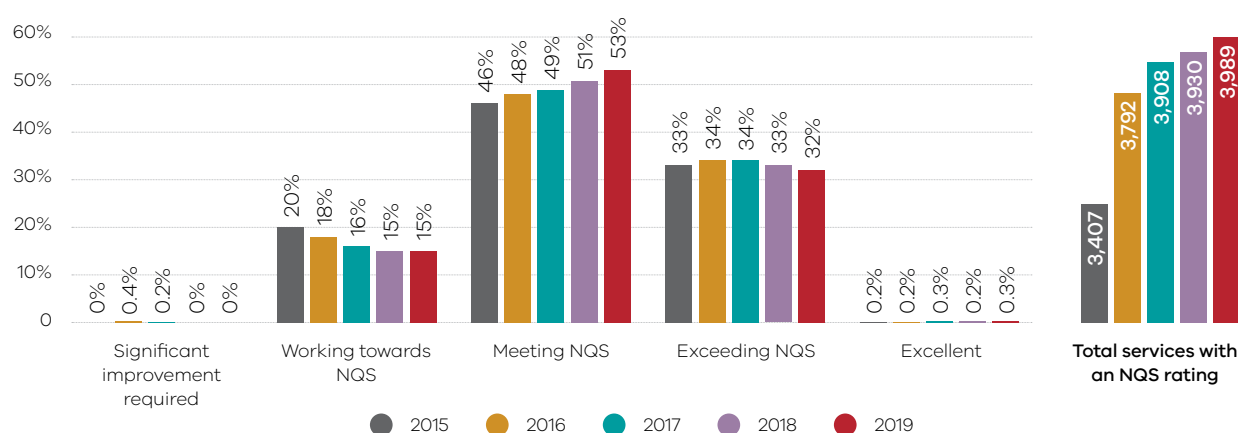
Quality Area 1: Educational program and practice is one of the most challenging quality areas for education and care services to meet. Nationally 85 per cent of services received a rating that was Meeting NQS or above. The relatively stronger performance of Victorian services in Quality Area 1 of 90 per cent Meeting NQS or above can be attributed to the stronger performance of kindergartens and their historical focus on educational programs and practice delivered by early childhood teachers. 29 per cent of Victorian services across all care types were rated Exceeding NQS in Quality Area 1 in 2019.

Figure 7: Overall quality ratings by care type and rating level, 2019



Victoria is performing well compared to other jurisdictions on a national basis with 85 per cent of all care types receiving a rating of Meeting NQS or above (see Figure 7). Kindergartens again lead with 61 per cent receiving the highest possible rating, Exceeding NQS.

Figure 8: Overall quality ratings by rating level, 2015–2019



Overall, there has been a steady increase in the number of all services receiving a rating of Meeting NQS since 2015, and a corresponding decrease in those receiving a rating of Working Towards NQF as can be seen in Figure 8.

CENTRE-BASED CARE OVERVIEW

Long Day Care

The LDC sector makes up the largest component (38 per cent) of services under the NQF, offering half (51 per cent) of NQF approved childcare places in Victoria. Most LDC services (79 per cent) are funded to provide a kindergarten program.

Table 3: Number of new centre-based services approved within each year by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
Long Day Care	93	97	79	98	104	105	112
Kindergarten	48	51	58	51	44	50	48
Outside School Hours Care	47	45	47	52	60	53	51

There has been steady growth in the number of approved private for profit LDC services (see Figure 9) and the number of approved places in LDC as a result (see Figure 10).

Figure 9: Number of approved LDC services, 2013–2019

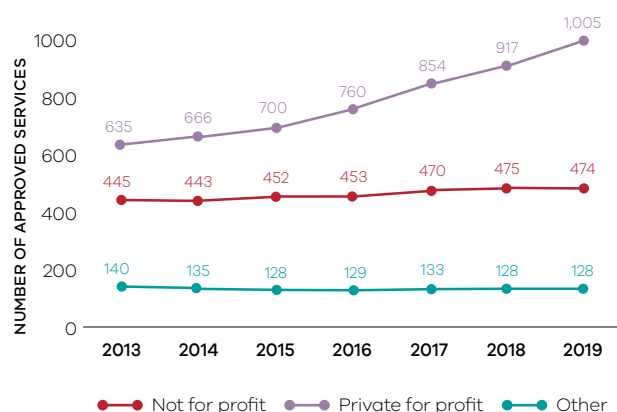
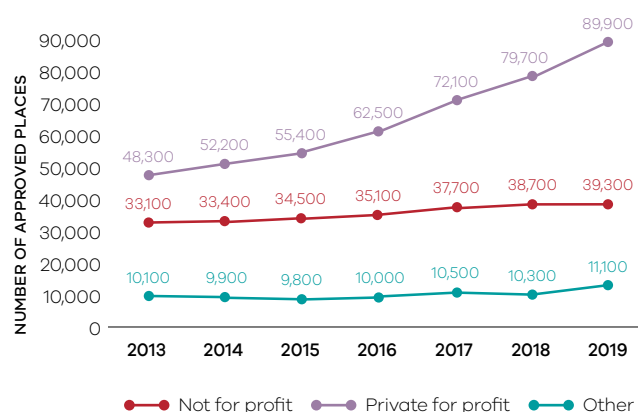
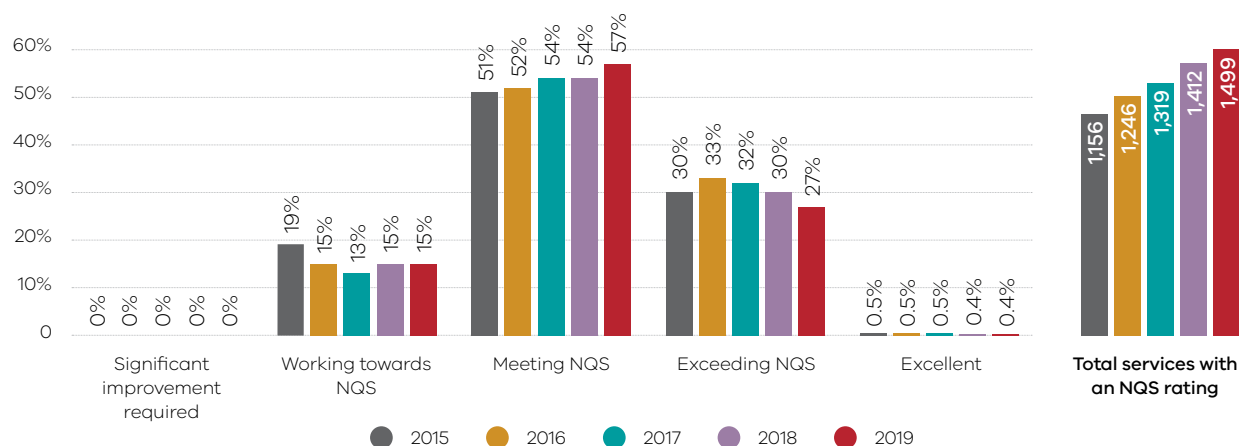


Figure 10: Number of approved LDC places (rounded), 2013–2019



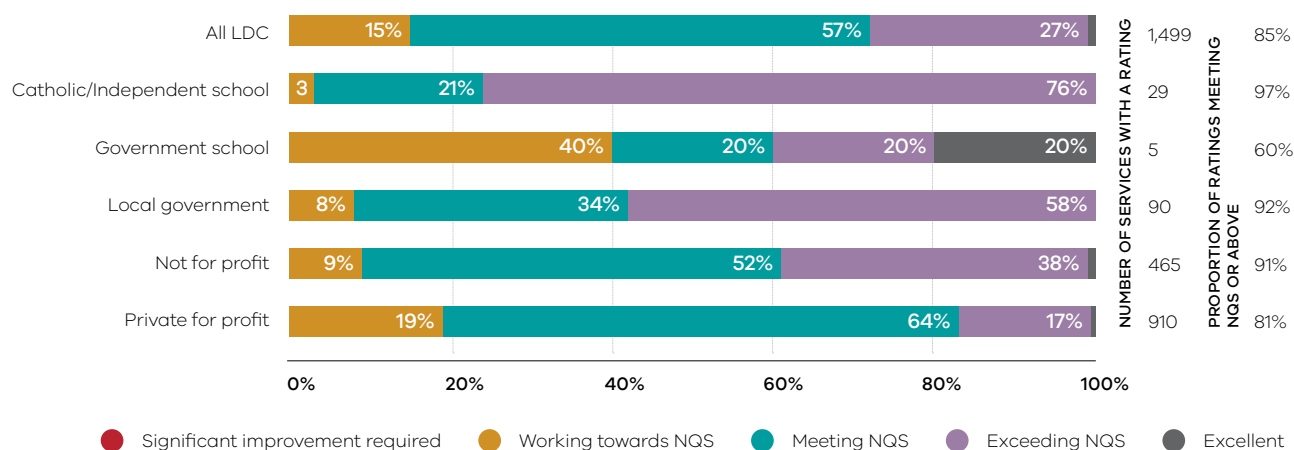
Long Day Care quality rating

Figure 11: Number and proportion of LDC services with quality ratings at the end of the year, by rating level 2015-2019



The quality ratings of LDC services have remained stable, with the vast majority rated Meeting NQS in Victoria, followed by services rated Exceeding NQS.

Figure 12: Overall LDC quality ratings by provider management type and rating level, 2019



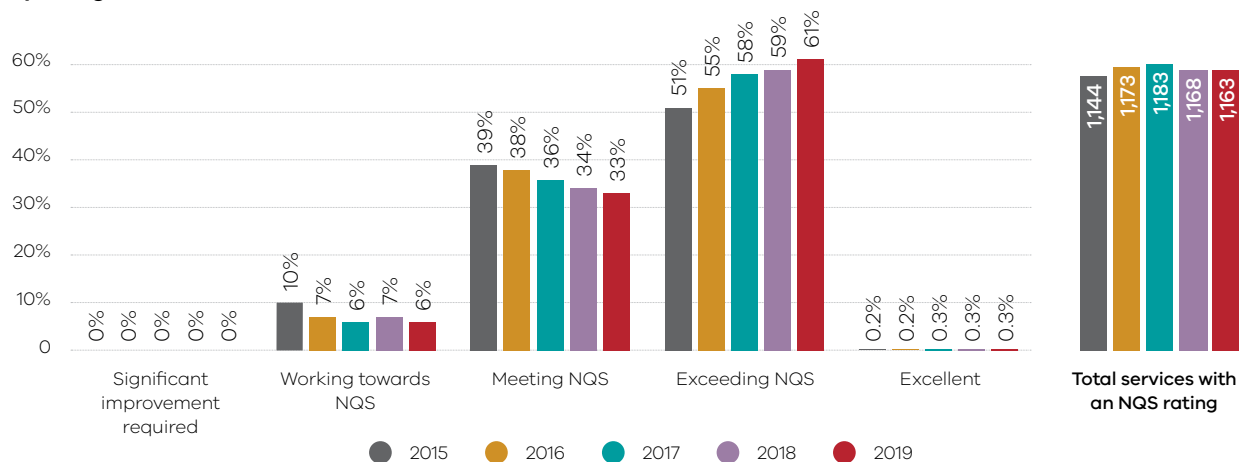
As seen in Figure 12, a large portion of local government and school operated services have a high proportion of services that are rated Exceeding NQS.

Kindergarten

The standalone kindergarten (KGN) sector in Victoria has been stable over time. The sector is almost exclusively operated by not-for-profit and local government managed providers (89 per cent of all services as at 2019). Of these, 70 per cent of services are managed by providers that operate more than one kindergarten service.

Victoria regulates the highest number of standalone kindergartens across Australia, with 1,200 approved services at the end of 2019, compared with New South Wales (768 services), Queensland (512 services) and South Australia (407 services).

Figure 13: Number and proportion of kindergarten services with quality ratings at the end of the year, by rating level, 2015–2019



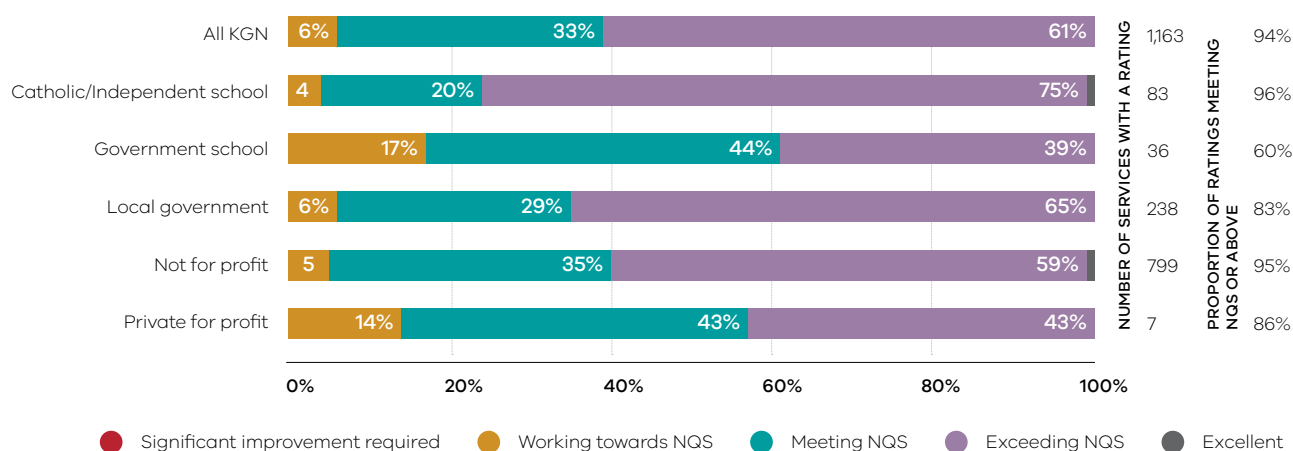
Kindergarten services have the highest quality ratings compared with other service types, in both Victoria and nationally. The vast majority (94 per cent) of services in Victoria had a rating of Meeting NQS or above at the end of 2019 (see Figure 7).

Kindergarten services tend to have a higher proportion of services rated Exceeding NQS compared to other service types.

Almost all rated kindergarten services are Meeting NQS or Exceeding NQS in the quality areas related to Physical Environment (Quality Area 3) and Collaborative Partnerships with Families and Communities (Quality Area 6).

Services that receive funding to provide 4-year-old kindergarten programs (including services that provide LDC) perform better in Quality Area 1 Educational Program and Practice and Quality Area 7 Governance and Leadership, compared with LDC and kindergarten services that do not receive this funding.



Figure 14: Overall kindergarten quality ratings by provider management type and rating level, 2019

Within the high-performing kindergarten care type, kindergarten programs operated by Catholic or independent schools performed the best, with 75 per cent receiving ratings of Exceeding NQS and 96 per cent receiving a rating of Meeting NQS or above. This is even stronger than local government operated services with 75 per cent receiving Exceeding NQS ratings.

CASE STUDY 1: KINDERGARTEN FOR THREE YEAR OLD CHILDREN

The Grampians team worked closely with several approved providers located across three local government areas in the Wimmera, to help services to prepare to implement the new three-year-old funded kindergarten program in 2020. This involved attending staff meetings, participating in working groups and forums, visiting services and providing advice and support. The team provided advice about operational models that would efficiently meet regulatory outcomes, be responsive to community needs and meet the government reform initiative targets.

The Grampians team also worked closely and collaboratively with two providers in Warracknabeal to create a new shared model of care. The Yarriambiack Shire was approved to provide a four-year-old kindergarten program, and Uniting Victoria and Tasmania Ltd was approved to provide a LDC service. With QARD's help, both providers moved to operate from a council owned community facility that met the needs of the community by:

- ensuring the building premises and play space meet the National Law and National Regulations
- facilitating a collaborative process which resulted in the existing LDC and three-year-old programs being delivered across shared premises, including shared use of the outdoor spaces
- meeting the community need for the provision of 15 hours of three-year-old kindergarten
- an 'after kindergarten care' component through the LDC program.

Yarriambiack Shire will apply for a children's services capital grant for an additional room in 2021.

CASE STUDY 2: KINDERGARTEN QUALITY IMPROVEMENT PROGRAM

The Kindergarten Quality Improvement Program provided the Quality Assessment and Regulation Division with the opportunity for multi-agency collaboration to improve outcomes for services that were rated as Working Towards NQS.

A kindergarten in the Southern Metropolitan area is an example of a service achieving successful outcomes through this multi-agency collaboration. This kindergarten was managed by an Incorporated Committee of Management and provided three and four-year-old kindergarten to a culturally diverse community that often experienced high levels of vulnerability.

The service had a history of being unable to meet the minimum requirements of the Education and Care Services National Law and Regulations. The service received an overall rating of Working Towards NQS in 2013 and 2016, and in Quality Area 7, Governance and Leadership both years.

In July 2018, the service joined Phase 1 of the Kindergarten Quality Improvement Program, focussing on Quality Area 7, Governance and Leadership. The service actively participated in this program, improving their service philosophy, reviewing their Quality Improvement Plan and engaging with professional development to support the management of the service. The Regulatory

Authority provided continued support to the service through their regulatory functions and communicated regularly with the Kindergarten Quality Improvement Program mentor.

In June 2019, the service participated in Phase 2 of the Kindergarten Quality Improvement Program, focussing on Quality Area 1, Educational Program and Practice. The Educational Leader was supported by the program's mentor, providing professional development, coaching and professional reading in order to implement positive changes to educators' practice and program documentation.

In November 2019, the service achieved an overall rating of Meeting NQS, attributing their success to the support they received from the Kindergarten Quality Improvement Program and the Regulatory Authority.

The collaboration of organisations with a focussed goal of improving outcomes for children resulted in positive changes in a service and improved practices for individuals within the service environment.

Monitoring and support from QARD, intertwined with the professional development, coaching and support from the Kindergarten Quality Improvement Program equipped mentors with the tools required to create a positive change. A wide range of risk factors were able to be addressed and this, in turn, contributed to better outcomes for children.



Outside School Hours Care

There is a trend toward schools engaging third party providers to deliver their OSHC programs. The main operators in Victoria are private for-profit providers with 866 services. Multi-service, private for-profit providers manage two-thirds (69 per cent) of OSHC services, while government schools only managed 16 per cent of these services in 2019.

Figure 15: Number of approved OSHC services, 2013–2019

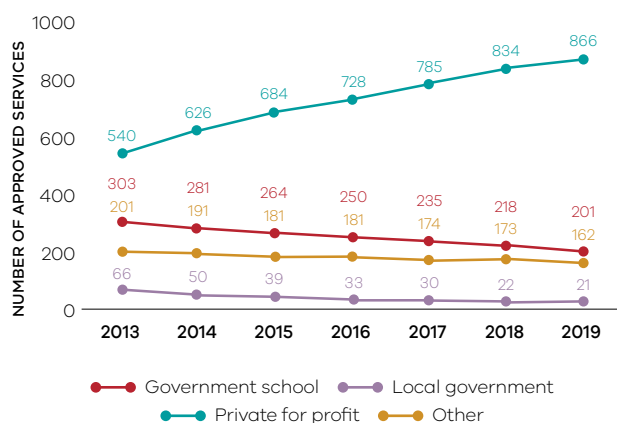
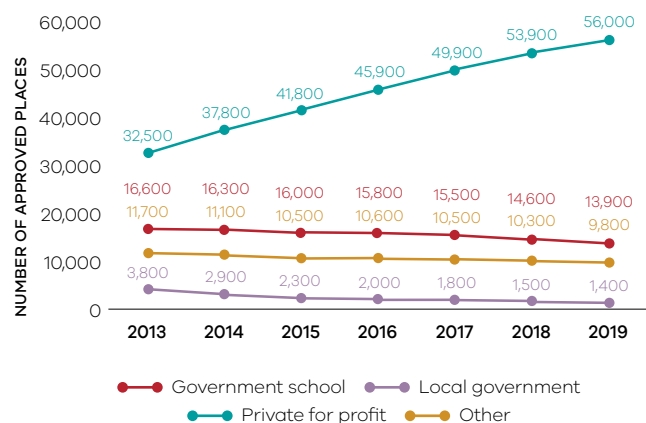
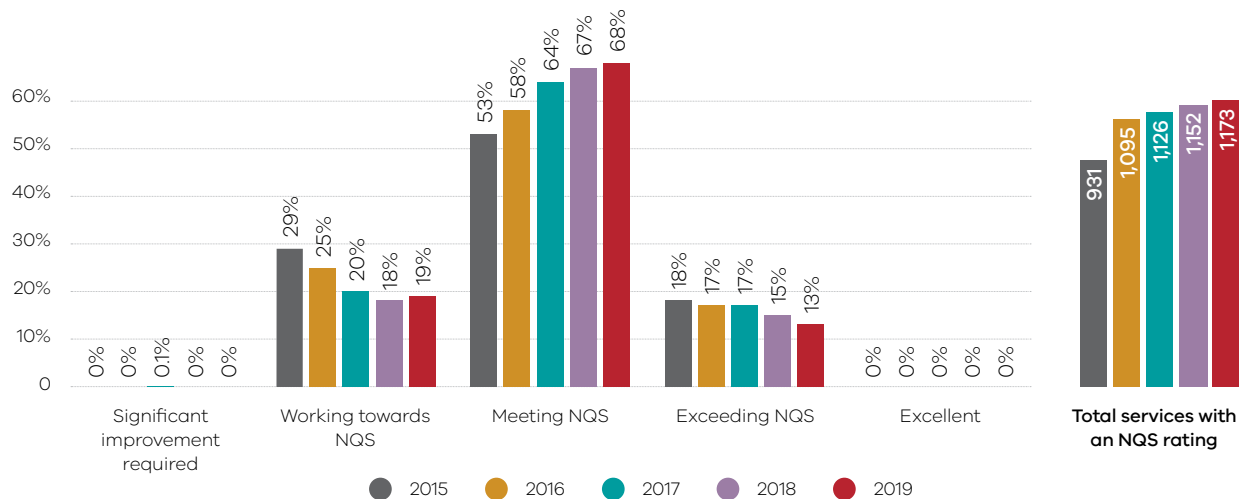


Figure 16: Number of approved OSHC places (rounded), 2013–2019



Outside School Hours Care quality rating

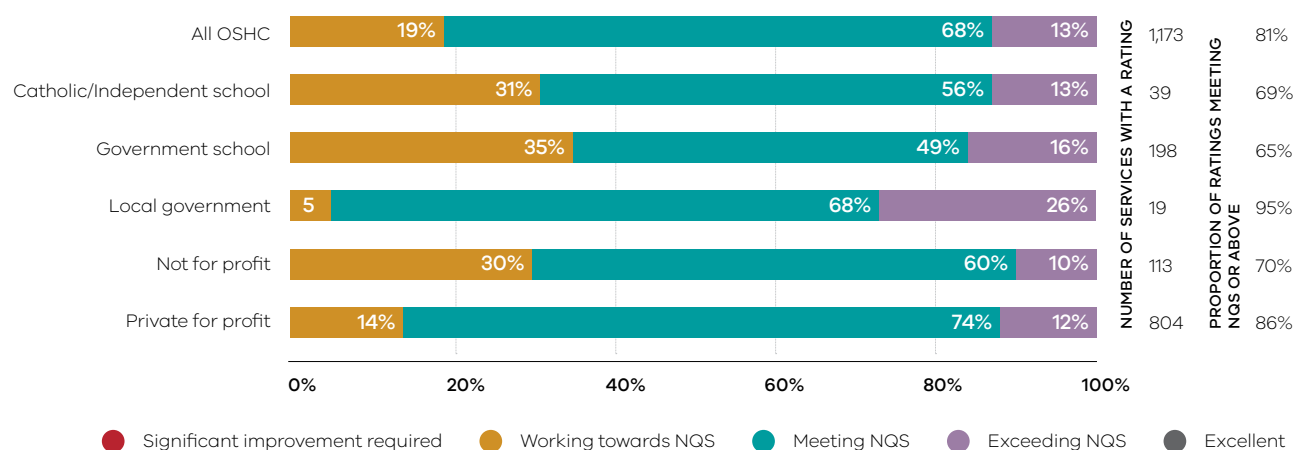
Figure 17: Number and proportion of OSHC services with quality ratings at the end of the year, by rating level, 2015–2019



Victoria has amongst the highest proportion of OSHC services Meeting or Exceeding NQS compared with other jurisdictions. Four in five (81 per cent of) OSHC services in Victoria had a quality rating of Meeting NQS or above at the end of 2019, compared with 73 per cent nationally.

The proportion of services rated as Working Towards NQS has continued to decrease over time and those rated as Meeting NQS has continued to increase, as the OSHC sector has matured in Victoria. The much smaller local government segment achieves the highest overall quality rating outcomes.



Figure 18: Overall OSHC quality ratings by provider management type and rating level, 2019

In particular, Victorian OSHC services have performed better than the national OSHC average in the following quality areas:

- **Quality Area 6 Collaborative partnerships with families and communities** – Ninety-seven per cent (97%) of rated services Meeting or Exceeding NQS compared with 90 per cent nationally
- **Quality Area 3 Physical environment** – Ninety-four per cent (94%) of rated services Meeting or Exceeding NQS compared with 87 per cent nationally
- **Quality Area 1 Educational program and practice** – Eighty-eight per cent (88%) of rated services Meeting or Exceeding NQS compared with 80 per cent nationally.

Larger approved providers of OSHC have indicated that the predominantly part-time and transient workforce can create challenges in staff retention. This can affect quality in the sense that educators require time to understand each child's individual needs and may be less likely to form enduring relationships with the community and families.



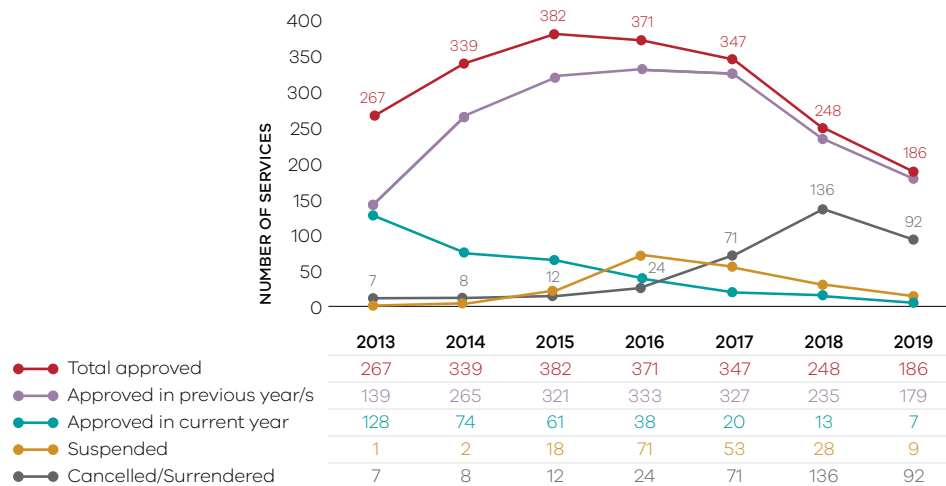
Family day care

Family day care (FDC) is regulated under the National Law. Traditionally, the FDC model was a popular way for local providers such as municipal councils to increase access to affordable and flexible early learning and care for their communities.

Rapid growth in 2013–2015 has been offset by the declines in recent years. By the end of December 2019, there were 62 fewer approved FDC services than at the same time the previous year, continuing the decline of this model of service provision in the Victorian market. A large part of the decline in FDC service can be attributed to the significant compliance effort to address issues where incentives had attracted some less scrupulous operators into the market. The number of approved FDC services has reduced from a peak of 382 services in 2015 to 186 services at the end of 2019.

Increased focus on FDC compliance has resulted in a reduction in the number of the overall number of approved FDC providers, along with a lower number of applications for service approval received since 2017.

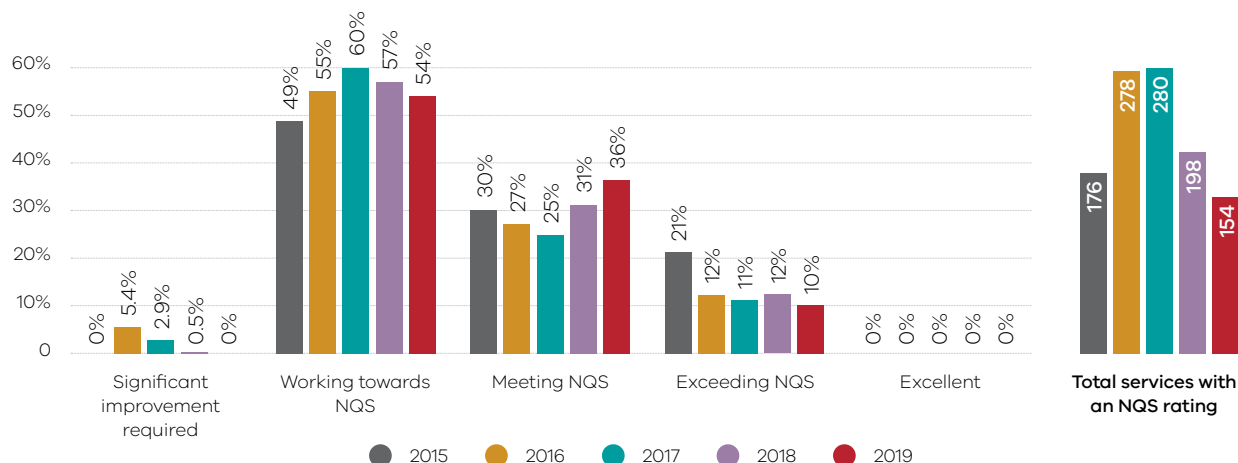
Figure 19: Number of FDC services, 2013–2019



Family day care quality ratings

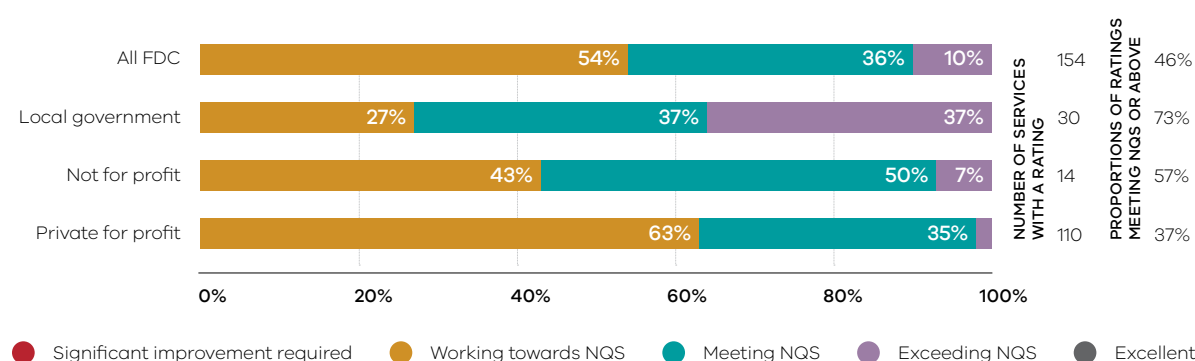
Comparatively, sections of the FDC sector have experienced challenges achieving the quality of service provision set by the NQS. However, indications of improving quality can be seen with gradual increases to proportions of FDC services with a Meeting NQS rating (and declines in the Working Towards NQS rating).

Figure 20: Number and proportion of FDC services with overall quality ratings at the end of the calendar year, by rating level, 2015–2019



The 30 local government operated FDC services with a quality rating in 2019 significantly out-performed those operated by the private for profit management type on their quality rating outcomes, with 73 per cent of local government operated FDC Meeting or above NQS compared to 37 per cent of private for profit operated FDC. The introduction of the NQS produced scope for improved oversight and support within FDC to achieve better compliance and quality across the whole sector.

Figure 21: Overall FDC quality ratings by provider management type and rating level, 2019

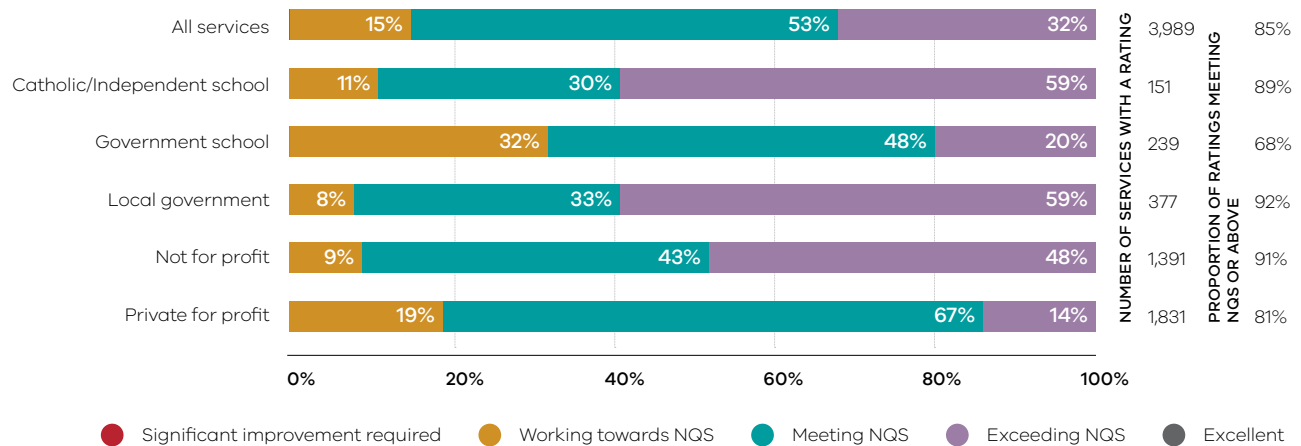


There remain broader quality issues with FDC services. As at 31 December 2019, 54 per cent of services did not meet NQS, down from 58 per cent in 2018. The percentage of rated FDC services with a Significant Improvement Required (SIR) rating decreased from three per cent (3%) in 2017, to less than one per cent (0.5%) in 2018, and zero (0%) in 2019, further demonstrating the significant work that QARD has undertaken to improve the integrity and quality of the FDC sector.

Overall rating comparisons by provider type – all service types

Local government and school providers operate one in five services. The not for profit sector is a major provider of kindergarten services, which historically have performed better compared to other care types. Lower quality ratings in the private sector reflect recent service growth in LDC and OSHC as well as the private sector being the main provider of FDC services.

Figure 22: Overall quality ratings by provider management type and rating level, 2019





SUPPORTING THE SECTOR

QARD's regulatory approaches include providing education, guidance and support to the early childhood education and care sector to facilitate the provision of high quality early childhood services in Victoria. QARD actively maintains a wide variety of engagement channels with the early childhood sector.

ENQUIRIES AND SUPPORT

QARD provides a dedicated 1300 number telephone line and email for enquiries to support the ECEC sector and other stakeholders.

In 2019, approximately 11,500 calls were received and managed from educators, service staff and members of the public making enquiries about service operations or requirements. Depending on the nature of these enquiries, callers are provided information, directed towards resources or referred to an authorised officer for detailed guidance or support.





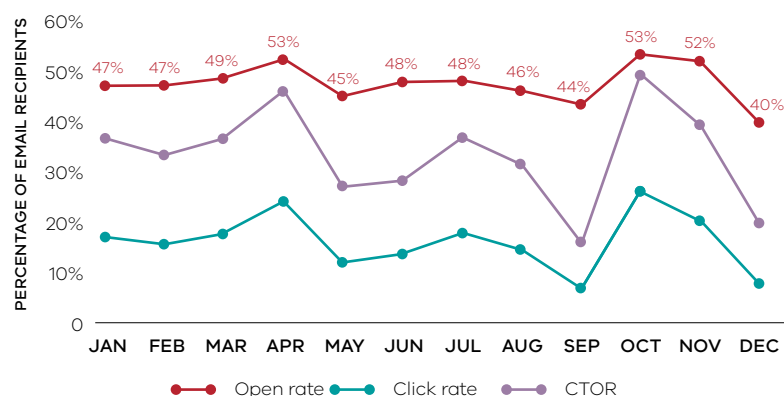
QUALITY ASSESSMENT AND REGULATION UPDATE NEWSLETTER

QARD maintains a monthly email newsletter to inform providers and services of current regulatory issues and opportunities for improvement. During 2019, twelve editions of the Quality Assessment and Regulation Update newsletter were published and distributed to an average of 4,406 sector contacts (total of 52,876 emails sent).

Topics covered in 2019 included:

- safety issues i.e. cladding, bushfires, water activities, glass safety, toxic smoke, transportation
- funding opportunities
- quality improvement plans
- emergency management plans
- mandatory reporting requirements
- healthy eating
- educator resources, requirements and professional development opportunities
- seasonal compliance reminders
- guidance on further Early Childhood Teacher (ECT) requirements due to take effect 1 January 2020
- law reform i.e. the Children's Services law reform and the 2019 NQF Review.

Figure 24: Percentage of email recipients who engaged with the newsletter



Note: Open rate (opened the email), and CTOR (click through open rate represents the number of unique clicks divided by the number of unique opens).



INFORMATION SESSIONS

New applicants

The Service Administration and Support Unit provides approved providers or stakeholders working with them (architects, consultancy agencies), the opportunity to consult about their proposed designs of new builds or renovated premises. These consultations offer guidance about the suitability for meeting legislative requirements. In 2019, the Regulatory Authority conducted 10 consultation meetings to offer such guidance, in addition to responding to correspondence seeking advice on the design of education and care services.

The Service Administration and Support Unit delivers centre-based and family day care assessment sessions throughout

the year. The primary purpose of these sessions is to inform the assessment of the fitness and propriety of an applicant. The sessions also serve to reinforce the legislative obligations and requirements of individuals involved in the provision of ECEC services.

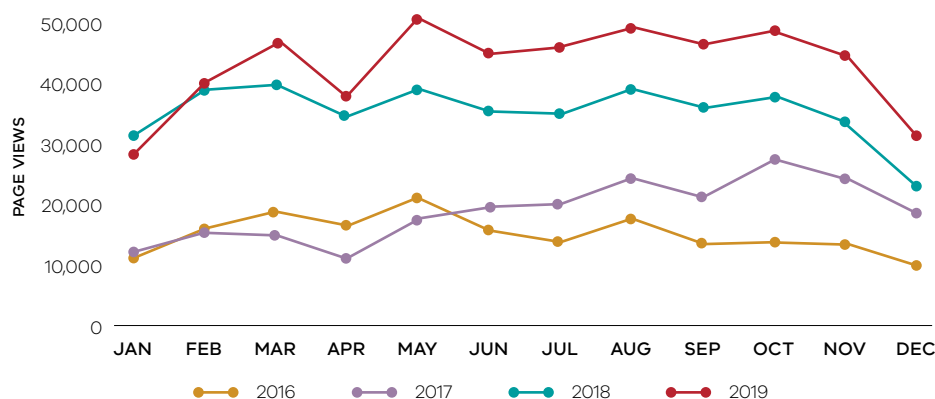
Regional sessions

The QARD regional teams and authorised officers engage regularly with local services and educators to ensure a better understanding of the NQF and encourage compliance with regulatory obligations. They provide information sessions focused on current issues and areas of change, such as the NQF and the Reportable Conduct Scheme, and encourage dialogue and information sharing among our team, services and partners.

EARLY CHILDHOOD WEBSITE

QARD utilises the DET website (www.education.vic.gov.au/childhood) to provide resources and guidance to providers and services. In 2019 website traffic increased by approximately 32 per cent, representing an average 43,494 page views per month compared to 35,632 in 2018.

Figure 23: Regulation/provider website page views per month, 2016–2019



The majority of website traffic came from search engines (82 per cent), while 12 per cent of our audience visited us directly via education.vic.gov.au, 5 per cent from referral traffic (websites that linked to Regulation pages) and 1 per cent from social media.

This traffic increase reflects significant work done with the Division and the DET Online Communications team across website and content improvement over 2018, and the refinement of organic searches across the DET website in 2019.

SECTOR REFERENCE GROUPS

Relationships continued to strengthen with stakeholders in 2019 with occurrence of the Early Childhood Education and Care Regulatory Reference Group, where 20 key industry representatives were brought together to discuss trends and issues within the sector. This complemented an additional 15 forums and regular meetings with major providers and peak bodies.

RED-TAPE REDUCTION

QARD continually works to improve processes and reduce red-tape. QARD provides ongoing support for improvements to the NQA ITS public portal through a workplan coordinated and managed by ACECQA to streamline and standardise data capture for service providers. The CS Act has changed to simplify licensing arrangements for providers and ensure more consistent minimum standards across both the NQF and CS Act and CS Regulations.

STAKEHOLDER SATISFACTION SURVEY

In 2019, QARD conducted its second annual stakeholder satisfaction survey to gauge the quality of its compliance related assistance and advice. Information received from the survey is used to improve QARD's delivery in these areas. The survey was distributed to over 4,200 services in Victoria. A 64 per cent response rate was received, with 905 responses in 2019 compared to 497 responses in 2018.

Qualitative responses indicate that QARD continues to be accessible and receptive to the sector, with room to improve upon consistency of advice across regions and situations.



Overall satisfaction with QARD's regulatory support and guidance:

64%

satisfied (+11%)

26% neutral (-2%)

10% dissatisfied (-9%)



Effective and efficient systems and processes:

82%

of respondents (strongly and somewhat) agreed that QARD uses effective IT solutions and that the public portal is easy to use



Communicating with and engaging stakeholders:

85%

of respondents agreed that QARD communicates simply using relevant formats and provides opportunities to engage with stakeholders



Experience of regulatory practices:

80%

of respondents were satisfied with their experience of QARD's regulatory practices.

87%

of respondents agreed that regulatory requirements were clear

82%

of respondents agreed that compliance assistance and advice were clear



Providing compliance assistance and advice:

84%

of respondents agreed that QARD staff are knowledgeable and responsive when providing information

DESIGN GUIDELINES

A comprehensive Early Childhood Centre Design Guide to support the sector in the design of compliant buildings that incorporate best practice is being developed.

The rise in number of approved places is reflected in the increasing number of multi-storey service developments. Multi-storey services require careful design to ensure children have access to quality outdoor spaces on each level that allow them to explore the natural environment.

Table 4: Number of approved multi-storey services, 2013–2019

	2013	2014	2015	2016	2017	2018	2019
Services	64	74	84	104	126	145	187

Note: This includes only services that have been identified to be operating in multi-storey buildings at the end of 2019.

SUPPORTING GOVERNMENT SCHOOL OUTSIDE SCHOOL HOURS CARE PROGRAMS

Working with Community Child Care and regional representatives, QARD co-delivered nine educative information sessions for government school principals and third-party OSHC providers on school-sites. These sessions aimed to build an understanding of principals’ obligations as either an approved provider or manager of outsourced OSHC arrangements.

SCHOOL READINESS FUNDING AND EARLY CHILDHOOD LANGUAGES PROGRAM

QARD has worked with central and regional teams to support the implementation of the school readiness funding programs and the early childhood languages program, through contributing to forums, information sessions, and regulatory advice.





REGULATORY PERFORMANCE

RISK-BASED REGULATOR

Our primary objective as the regulator of early childhood services is to ensure they protect children's safety, health and wellbeing and deliver quality education and care to support children's learning and developmental outcomes.

We are committed to exemplifying best practice regulation across our regulatory functions and activities. To meet our regulatory objectives and deliver outcomes efficiently and effectively, we apply risk-based approaches to focus attention on areas or problems that present the greatest risk to the safety, health and wellbeing of children.

Our actions are responsive and proportionate to the problem being addressed.

QARD is responsible for:

- assessing an applicant's suitability to operate an early childhood education and care service
- assessing the suitability of premises for providing education and care services, supporting and guiding service providers and staff to meet their regulatory obligations
- assessing and rating service quality against the NQS through the assessment and rating process
- receiving and investigating notifications of incidents and complaints
- monitoring compliance with and enforcing requirements of the National Law and Regulations and CS Act and CS Regulations.



APPLICATIONS AND NOTIFICATIONS

QARD is responsible for assessing and determining new applications, notifications of change of circumstances and applicants' fitness and propriety.

Applications

There were 2,656 applications submitted to QARD in 2019, an increase of 309 from the previous year (2,347). The majority of applications processed by QARD were related to amendment of existing approvals (48 per cent) or a combination of applications for new provider and service approvals (21 per cent).

In 2019, there were 299 applications for new provider approvals, and 248 applications for new service approvals, both of which decreased in 2019. Following assessment, 134 new provider applications were granted and 47 refused, and 214 new service applications were granted and 7 refused.

Applications for amendment to approval are used for changes to maximum number of approved places, removal of existing conditions and name changes of services and changes to approved provider details such as entity details or changes to persons with management or control of an ECEC service. Some application types, such as amendments to approvals by the regulatory authority, are internally generated to facilitate system driven administrative processes.

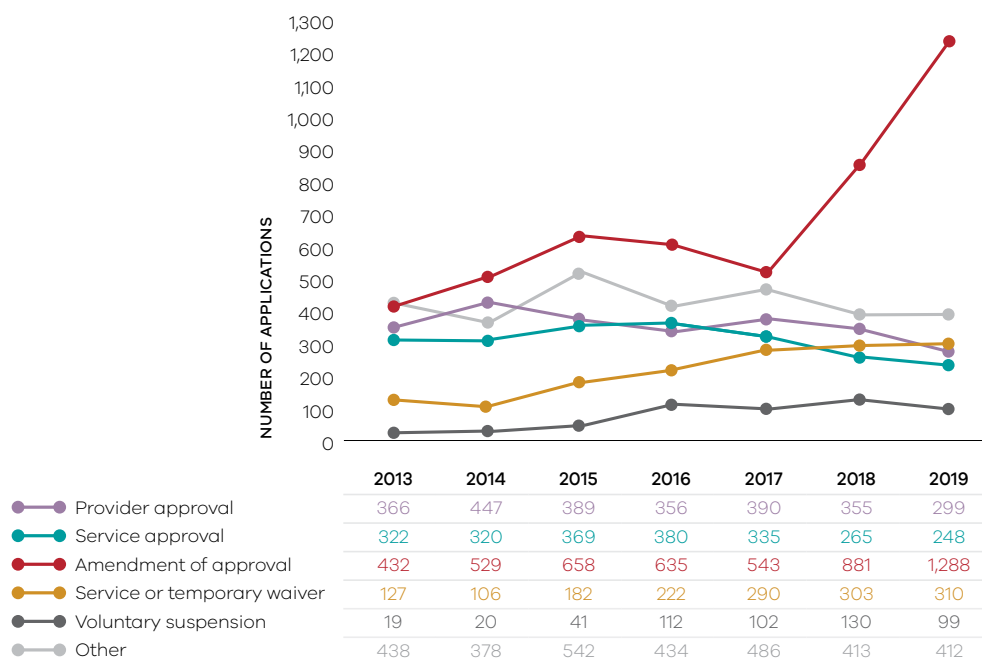
The increase was mostly due to a one-off administrative process to facilitate amendments to service approvals by the regulatory authority. It was necessary to update the conditions applying to services on the Department's bushfire at risk register, relating to the preparation and submission of their emergency management plans. These amendments impacted about 630 services (including FDC).

Waiver applications increased slightly to 310 and were mainly related to staff qualifications.



2,656

applications were submitted to QARD in 2019, an increase of 309 from the previous year

Figure 25: Number of applications submitted by application type, 2013–2019

Notifications of change of circumstances

QARD receives and processes notifications of changes of certain circumstances and information, which include change in the management or control of an approved provider or responsible persons at the service, surrenders of service or provider approval, and change of information about an early childhood service.

There were 8,960 notifications of change of circumstances received by QARD in 2019.

Sixty-three per cent (63%) of these notifications in 2019 were related to changes to services, with the majority of them related to the changes in nominated supervisors of services.

Twenty-seven per cent (27%) of these notifications in 2019 were related to change of contact details, most of them related to services' contact details.



ASSESSMENT AND RATING

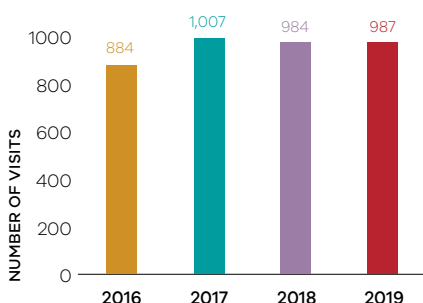
Assessment and rating is a core regulatory activity for delivering the NQF's continuous improvement objective. In accordance with the National Law, authorised officers assess service quality against the 40 elements of the NQS by undertaking a desktop review of service's quality improvement plans, history of compliance and other information, and by conducting a service visit to discuss and observe practice and sight documents. Services are assessed and rated against the NQS to promote continuous improvement and to improve knowledge and access to information about the quality of education and care services.

Following analysis, officers determine a quality rating and report the outcome to service providers including identifying areas for improvement. Prior to the rating being finalised, the approved provider is issued with a draft rating report and can provide feedback.

Quality rating assessments

At the end of 2019, QARD had rated 94 per cent of approved services in Victoria, and 98 per cent of eligible services. Services are eligible for assessment and rating after 12 months of operation. In 2019 QARD conducted 981 quality assessment and ratings, to 24 per cent of eligible services.

Figure 26: Number of assessment and rating visits completed, 2016–2019



Eighty-five per cent (85%) of Victorian services with a quality rating received an overall rating of Meeting NQS or above.

Victorian education and care services continue to maintain a consistent level in quality as the proportions of overall ratings of Meeting NQS or above over the last two years has remained relatively stable. Quality Areas with the greatest opportunity for improvement are Quality Area 7 Governance and Leadership, Quality Area 1 Educational Program and Practice and Quality Area 2 Children's Health and Safety where 10 per cent, 10 per cent and 8 per cent of ratings (respectively) result in a Working Towards NQS.

Next Assessment and Rating

The assessment and rating process provides the benchmark of the NQF's continuous improvement objective. Next assessment and rating visits (reassessments) represent an opportunity for services to demonstrate their improvements against the NQS.

By the end of 2019, QARD had conducted 2,967 subsequent assessment and rating visits with 32 per cent of these services receiving a higher rating. 72 per cent of reassessments for services with a prior rating of Working Towards NQS resulted in a higher rating.

Excellent rated services

At the end of 2019, ten Victorian services were rated as Excellent, the highest level rating (six LDC and four kindergartens). An Excellent rating is assessed and determined by ACECQA following application from a service. The service must be rated Exceeding NQS in all quality areas in order to apply for an Excellent rating.

Those services were:

- Millville Childcare Centre
- Balnarring Pre-School
- Albert Park Preschool Centre
- Clarendon Children's Centre Co-op
- Wesley College Melbourne Glen Waverley Early Childhood Learning Centre
- Jindi Woraback Children's Centre
- Bonkers Beat Music Kinder & Childcare Aspendale
- Cambrian Preschool
- Doveton College Early Learning Centre
- Gowrie Victoria Broadmeadows Valley.



10

Victorian services were rated as Excellent, the highest level rating (six LDC and four kindergartens)



**AT THE END
OF 2019,
VICTORIA HAD
NO SERVICES
WITH A
SIGNIFICANT
IMPROVEMENT
REQUIRED
(SIR) RATING**

Significant Improvement Required

At the end of 2019, Victoria had no services with a Significant Improvement Required (SIR) rating, a decrease from one at the end of 2018.

Reviews of ratings

The National Law allows service providers to request a review of the service's rating if the provider disagrees with the rating given. The review of ratings by the regulatory authority is referred to as a 'first tier review'. Thirteen ratings given in 2019 resulted in a first tier review, compared with 14 ratings given in 2018.

Approved providers have applied for a first tier review for less than two per cent of ratings in the last four years. If the approved provider is still not satisfied after the first tier review, they may apply to the National Authority (ACECQA) for a further review (a 'second tier review') by a ratings review panel. There were two second tier reviews undertaken, for a rating given in 2018 and another rating given in 2019, both completed in 2019 by the ratings review panel.

Table 5: Proportion of ratings with a first or second tier review, 2016–2019

	2016	2017	2018	2019
Second tier reviews	0	0	1	1
First tier reviews	12	15	14	13
Ratings given	838	979	1003	993
Proportion of ratings resulting in a second tier review	0%	0%	0.01%	0.01%
Proportion of ratings resulting in a first tier review	1.4%	1.5%	1.4%	1.2%

Note: Count of ratings given excludes partial reassessment and re-ratings. Ratings relate to those finalised in that year, where some visits were completed in the previous year.

CASE STUDY 3: SPOTLIGHT ON EXCELLENCE

Gowrie Victoria Broadmeadows Valley (GVBV) is a 128 place education and care service located in the outer northern suburbs of Melbourne

In 2017, GVBV was rated Exceeding NQS in all seven Quality Areas. The service remained on a path of continuous quality improvement and in 2019 GVBV achieved an Excellent rating in recognition of the high-quality and inclusive education and care practices embedded at the service.

Children from diverse backgrounds attend GVBV, including those from the local community, wider community, and children who are known to Child Protection, or are from vulnerable backgrounds. The service is located on a Department of Education hub site, shared between Broadmeadows Valley Primary School, Hume Valley Secondary School, Broadmeadows Special Development School, and Collingwood English Language School, and is an

example of how this connectivity and collaboration between educational settings can maximise outcomes in the early years of a child's life. Educators at GVBV use trauma-informed practice (a strengths-based framework) to meet the educational and wellbeing needs of children attending the service. They are committed to providing each child with the foundations to be ready for school and prepared for life-long learning.

The service joins 10 other Victorian education and care services that have achieved this rating and adds to the diverse range of services that have been recognised under the NQF as achieving excellence. The different contexts of these early childhood education and care settings highlights the outcomes-based foundation of the NQF and recognises that exceptional practice can be celebrated across a range of communities, locations and service types.

CASE STUDY 4: A JOURNEY FROM WORKING TOWARDS NQS TO EXCEEDING NQS

This 85 place service is located in Melbourne's eastern suburbs and is listed on the Bushfire Risk Register.

The service received a rating of Working Towards NQS in 2016 for not meeting Quality Area 1, Educational Program and Practice, Quality Area 2, Children's Health and Safety and Quality Area 7, Leadership and Service Management. Although the team were disappointed, they recognised that these were areas they could improve. A change in service leadership in 2018 motivated the team to improve.

The team updated their Quality Improvement Plan (QIP) to focus on areas of improvement identified in the assessment and rating report. The service engaged with families and children to inform a new service philosophy, that reflected the shared values and intentions of the service.

Educators collaborated and shared information about the educational program and curriculum decisions. They reflected on their practice which enabled positive changes in the delivery of education and care programs.

The service focused on continuous improvement, recognising and valuing the input of families and each child's social, emotional and learning requirements. A collaborative and ethical culture was established where all educators were involved in decision-making and educators were supported to develop new approaches to programs, routines, transitions and communication methods.

In 2019 the service achieved an overall rating of Exceeding NQS in recognition of the service's efforts and improvements.

The assessment and rating process has assisted the service in identifying their strengths and areas of improvement. It has resulted in educators building on their strengths and working with their colleagues to establish new skills. The educators' passion for engaging in meaningful relationships is reflected in the educational programs offered for each child.



MONITORING AND COMPLIANCE

QARD implements a range of compliance strategies to motivate compliance with legislative requirements. In 2019, authorised officers completed a total of 2,775 compliance inspection visits to services. 2,650 were to services operating under the NQF and 125 were to services operating under the CS Act.

Table 6: Number of compliance visits completed per 100 services by care type, 2018–2019

Care type	2018	2019
Long day care	83	86
Kindergarten	42	39
Outside school hours care	55	54
Family day care	68	72
CS Act service	47	39

Note: A compliance visit is defined here as any of the following visit types in NQA ITS: application/assessment, change of ownership, complaint, incident, investigation and post-approval. Some compliance visits relate to services that were cancelled or surrendered by the end of 2019.

Managing family day care compliance risk

QARD has been acting strongly on compliance issues in FDC for some time, and rigorously assesses applicants before they are approved to operate.

Where services fall into serious non-compliance, QARD will take enforcement action, including imposing conditions on service approvals, suspending or cancelling provider and service approvals, or taking prosecution action.

Notification of Serious Incidents

The National Law and CS Act outline the circumstances under which services must notify QARD of a complaint or an incident. These include:

- the death of a child
- any incident involving serious injury or trauma to, or illness of, a child
- any incident where the attendance of emergency services was required
- any circumstance where a child being educated and cared for by an early childhood education and care service appears to be missing or cannot be accounted for.

In addition, QARD is required to be notified of incidents affecting the hours and days of operation of a service, any circumstance that poses a risk to a child and matters related to FDC venues. In 2019 QARD received around 3,900 notifications of serious incidents from early childhood education and care services.

Table 7: Number of reported serious incidents per 100 NQF services by care type, 2018–2019

Care type	2018	2019
Long day care	149	157
Kindergarten	62	57
Outside school hours care	38	46
Family day care	40	56

Note: Some serious incidents may relate to services that were not operating at the end of each year.

Retrospectively incidents have increased year on year for the last four years (using 2016 as a baseline and excluding a decrease only seen in 2018).

Incident notifications increased in 2019 (serious incidents from 3395 to 3895 and other incidents from 1010 to 1549). The increase is mostly due to a combination of sector growth, particularly of LDC and OSHC services. Data for notification increases in other incidents per 100 services, broken down by service type, reveals a concentration of increases in LDC and OSHC, the two areas that have seen the most growth.

Another possible factor to explain the increase in incident notifications is the early childhood sector transitioning into the reportable conduct scheme from 1 January 2019. This increased general awareness and vigilance of reporting obligations and compliance with requirements.

All incident notifications are assessed by QARD for further action.

Complaints

QARD receives complaints about services both directly from parents and members of the public, and through notifications from service providers. Providers are required to lodge a notification of complaints they have received from parents at a service. All complaints are assessed and investigated as required.

In 2019 QARD received 1,996 complaints in total; 1,965 about services operating under the NQF, 13 about services operating under the CS Act and 18 regarding alleged unlicensed services.

Complaint notifications increased by 27 per cent in 2019 to 1323. A large proportion, 955 or 72 per cent, of these notifications are received from LDC services which also represents the largest growth segment of the ECEC market in Victoria. Another factor contributing to the increases in notifications was the transition of the ECEC sector into mandatory reporting scheme in March 2019 which has increased awareness of reporting obligations and compliance with requirements.

CASE STUDY 5: INAPPROPRIATE DISCIPLINE

A visitor to a service reported that she had seen an educator pick up a child by one arm and carry him for a short distance when the child would not sit down during an activity. The investigation established that the educator had picked up the child and carried him as described by the visitor. The educator outlined that they had been under severe stress due to personal circumstances and had been educating for more than twenty years without any previous incidents.

The educator agreed to a statutory enforceable undertaking to undergo training and development before returning to a role as an educator.

ENFORCEMENT

QARD takes a responsive approach to its enforcement actions which are escalated depending on the provider's response to identified non-compliance. Enforcement actions are proportionate to the seriousness of the non-compliance, risk and the potential harm to the safety and welling of children attending a service.

We use a range of regulatory tools to address non-compliance ranging from providing information and guidance through to prosecution before a court or cancelling a provider's approval to operate.

In 2019, the Department applied 93 statutory enforcement sanctions, that were published on the Department's website, relating to serious non-compliances. This compares to 85 similar actions in 2018. The Department publishes all applicable enforcement actions on its website.

In Victoria there continues to be significant compliance issues within FDC services. In 2019, the Department undertook 58 published enforcement actions in relation to FDC services. This included 48 cancellations of provider approvals.

Strengthening investigative capability

A dedicated investigation unit has been embedded into QARD to provide investigative support and technical advice to regional authorised officers.

Our continued focus on empowering and equipping investigators with technical skills has resulted in the development of resources and training for authorised officers in best practice investigative process and investigative and interviewing techniques.

The Investigations Community of Practice provides a forum to ensure authorised officers are supported in their investigative work and investigations are conducted effectively, efficiently and consistently across all regions.



REFORMS AND INITIATIVES

EDUCATION AND CARE SERVICES NATIONAL AMENDMENT REGULATIONS 2019

As host of the National Law, Victoria leads the national Legislation Working Group which develops legislative and regulatory proposals in accordance with policy decisions of the Ministerial Council.

The *Education and Care Services National Amendment Regulations 2019* made a range of amendments, primarily to staffing provisions in the National Regulations. These amendments ensured the workability of the regulatory requirement for a second early childhood teacher or, alternatively, a "suitably qualified person" (as determined by the Board of ACECQA) when 60 or more children preschool age or under are being educated and cared for on a given day, which commenced on 1 January 2020. The requirement for a second early childhood teacher or "suitably qualified person" was the final, planned step-up in staffing requirements in the NQF.

NQF REVIEW 2019

The second five-yearly review of the NQF began in 2019, continuing the important national conversation about quality children's education and care in Australia that started a decade ago.

A dedicated website was established at www.nqfreview.com.au to support community engagement on the review. A national working group developed an initial Issues Paper to support the first phase of public consultation. The Issues Paper canvassed four broad topics:

- approvals
- operational requirements
- public awareness of quality
- compliance and enforcement.

A series of questions was developed to guide discussions at consultation sessions held around Australia between April and June 2019, and to inform an online survey that was open for 11 weeks.



There was a high level of engagement during this first consultation phase. In Victoria, just under 300 people attended 13 consultation sessions in metropolitan and regional locations. Nationally, there were:

- 17,500 website visits
- 2,500 participants attending 79 face-to-face consultation sessions
- 1,769 online survey responses
- 17 written submissions.

The major issues that consultation participants felt were not covered in the Issues Paper were:

- aspects of the quality assessment and rating process
- sector workforce and qualifications issues
- the need for review of the approved learning frameworks.

A [summary report](#) on the consultation is available on the NQF Review website.



17,500
website visits



1,769
online survey responses



2,500
participants attending
79 face-to-face
consultation sessions



17
written submissions

The sector's participation in the Review and feedback has helped inform the next phase of consultation on a Consultation Regulation Impact Statement (CRIS) that will set out proposed options for regulatory change and their potential impact on the sector and families. Consultation on the CRIS was intended to occur in mid-2020 but has been delayed due to COVID-19. The CRIS is now expected to be released for public consultation in early 2021, and all are encouraged to get involved to help shape improvements to the NQF.



CHILDREN'S SERVICES ACT

Children's services in Victoria that fall outside the scope of the NQF are regulated under the CS Act and CS Regulations. These services include occasional care services, limited hours services, school holidays care services, early childhood intervention services, and former Budget Based Funded services.

At 31 December 2019 there were 317 services operating under the CS Act, a reduction of 41 services from the previous year, which partly reflects some services transitioning to a service approval under the National Law in order to operate for longer hours.

CHILDREN'S SERVICES ACT AND REGULATIONS REVIEW

Following a national decision in 2017 to keep occasional care, former Budget Based Funded and mobile services outside the scope of the NQF, the Victorian children's services regulatory regime has been reformed to align it with the NQF, where appropriate. The purpose of the reform was to simplify arrangements for service providers and ensure more consistent minimum standards across all Victorian early childhood services.

Sector consultation through State-wide information sessions in mid-2019 indicated broad support for the proposed reform. Amendments to the CS Act were passed by Parliament in November 2019 (although not brought into effect until May 2020). Key changes to the CS Act included:

- adopting the (relevant) objectives and guiding principles in the NQF, focusing on quality educational and development outcomes, and the safety, health and wellbeing of children
- requiring the educational program delivered by services to be based on an approved learning framework, as in the NQF
- changing terminology to be consistent with the NQF
- changing the licensing structure, replacing fixed term licences with ongoing provider and service approvals, and enabling the transfer of services between approved providers
- streamlining application processes, replacing the previous two-step process for premises approval with a one-step integrated process
- aligning compliance, monitoring and enforcement approaches with those in the NQF.

Public consultation on proposed new CS Regulations and a Regulatory Impact Statement (RIS) took place in early 2020, giving participants the ability to complete an online survey, make written submissions and attend information sessions in a mix of metropolitan and regional locations, including via video-conference.

The revised CS Act and new CS Regulations 2020 commenced on 17 May 2020.

CO-REGULATORY PARTNERS

Our team works alongside national and state regulatory authorities to support the successful implementation of the NQF. This includes regular interaction with all jurisdictions and ACECQA regarding the effectiveness of operational policy, training, systems, business processes, information management and sector support. We collaborate within a 'community of practice' designed to improve regulatory practice, identify emerging issues and reduce risk.

We collaborate with other regulators to promote coherence through information sharing and to build capability within the education and care sector through our compliance, monitoring and inspection regime.

Commission for Children and Young People

QARD has continued to hold regular meetings and share information with the Commission for Children and Young People (CCYP).

Reportable Conduct Scheme

On 1 January 2019 all heads of organisations operating education and care services and children's services became subject to the Reportable Conduct Scheme. The Reportable Conduct Scheme requires heads of organisations to investigate allegations of child abuse and to notify the CCYP about the allegations and the organisations' responses to the allegations. QARD worked closely with the CCYP and the Centre for Excellence in Child and Family Welfare to support the development of advice and guidance for the early childhood sector. Regular liaison with CCYP during 2019 focussed on sharing information between QARD and CCYP during the implementation phase of the scheme and raising awareness with early childhood services about the Reportable Conduct Scheme.

Child Safe Standards

In 2019 QARD continued to manage referrals from the CCYP to determine services' compliance with the Child Safe Standards (CSS). QARD monitored aspects of services' compliance with the CSS as part of the assessment and rating process for services and raised awareness of the CSS through existing QARD communication channels.

The CSS were reviewed in 2019 by the Department of Health and Human Services.

QARD provided input into the review and ensured key early childhood stakeholders were also consulted.

The report recommendations include:

- QARD becomes the single regulator of the CSS for early childhood services regulated by QARD under the CS Act and the National Law
- that there is a nationally consistent approach to CSS and that Victoria aligns its standards with the National Principles for Child Safe Organisations (National Principles).

QARD has also been involved in contributing to the Review of the NQF and specifically in considering a national approach to the National Principles.



New mandatory reporters for early childhood services

On 1 March 2019 the *Children, Youth and Families Act 2005* was amended. For education and care services operating under the National Law in Victoria and children's services operating under the CS Act the persons, mandated to report a reasonable belief of child physical or sexual abuse to child protection authorities, were extended to include the approved provider, nominated supervisor and a person with a post-secondary qualification in the care, education or minding of children, employed or engaged by, a children's service or an education and care service operating in Victoria.

QARD worked with the Department of Health and Human Services, Child Protection to provide information and guidance to early childhood services in relation to these new mandatory reporting obligations.

Victorian Registration and Qualifications Authority

The Victorian Registration and Qualifications Authority (VRQA) and the Secretary continue to have a number of shared interests, including school councils that are the providers of early childhood education and care services (such as OSHC), and the provision of early childhood-related qualifications by Registered Training Organisations (RTOs) regulated by the VRQA. The Department has a Memorandum of Understanding (MoU) with the Director of the VRQA signed in 2018. This MoU allows for continued joint investigations and fosters collaboration to align policy and minimise regulatory burden for the jointly regulated sector.

Department of Health and Human Services

Alongside the Department of Health and Human Services (DHHS), we work with Nutrition Australia and the Healthy Eating Advisory Service to develop resources and strategies to raise awareness that supports:

- early childhood services to provide food and beverages that are nutritious and to promote healthy eating

- authorised officers' capacity to assess services' compliance with the food and beverage provisions and the promotion of healthy eating.

No Jab, No Play

QARD works closely with DHHS to support the requirements of the No Jab, No Play (NJNP) legislation.

During visits to services, authorised officers continue to monitor services' compliance with the NQF and the CS Act by checking children's enrolment records to ensure the required documentation is in place to meet NJNP requirements.

QARD has continued support of NJNP through multiple communications via the monthly newsletter and forums to ensure providers are aware of the requirements under NJNP. QARD responds regularly to individual services' issues and requests for information regarding NJNP.

Information Sharing Schemes

The Child Information Sharing Scheme (CISS) allows authorised organisations and services to share information in order to promote the wellbeing and/or safety of children. The Family Violence Information Sharing Scheme (FVISS) enables authorised organisations and services to share information to facilitate the assessment and management of family violence risk to children and adults.

Multi-Agency Risk Assessment and Management (MARAM)

The MARAM framework (formally known as the Common Risk Assessment Framework, or the CRAF) sets out the responsibilities of different workforces in identifying, assessing and managing family violence risk. The MARAM tool guides information sharing under the CISS and the FVISS wherever family violence is present.



Department of Justice and Community Safety (DJCS)

We share information with DJCS where there are concerns a relevant person may not hold or be eligible to hold a Working with Children Check.

WorkSafe Victoria

Collaboration with WorkSafe Victoria ensures issues of shared interest impacting on the safety, health and wellbeing of children are addressed. There is collaboration where each agency is involved in an investigation of the same matter.

Victorian Institute of Teaching

We maintain close relationships with the Victorian Institute of Teaching through an established MoU and regular liaison regarding registration of early childhood teachers.

Commonwealth Department of Education and Training

Regular collaboration and information sharing between QARD and the Commonwealth DET contributes to the identification of non-compliant services and providers. Sanctions taken by the Commonwealth in relation to child care funding are considered, and action taken to cancel provider approvals as appropriate. This has contributed to a large reduction in the number of family day care services in Victoria with concerning compliance issues.

Victoria Police

QARD works closely with Victoria Police on alleged criminal matters as required.

GLOSSARY



Term	Acronym	Meaning
Approved provider		An entity which holds a provider approval under the NQF.
Approved service		An approved early childhood education and care service for which a service approval exists under the NQF.
Assessment and Rating	A&R	The process by which services are assessed and rated by their regulatory authority against the NQS and given a rating for each of the seven quality areas and an overall rating based on these results.
Care type		Centre-based services offering more than one type of service are classified as follows: services which provide long day care in addition to any other service type are classified as long day care services; services which provide kindergarten services as well as outside school hours care services are classified as kindergarten services; services which provide outside school hours care services only are classified as outside school hours care services.
Centre-based service		An education and care service other than a family day care service. This includes most long day care, preschool/kindergarten and outside school hours care services that are delivered at a centre.
Early childhood education and care services/early childhood services	ECEC	Blanket terms, used in reference to all early childhood education and care services under both the NQF and CSA.
Incident notification		See Notification
Integrated service		Regulated under the <i>Children's Services Act 1996</i> , a service that consists of two or more service types (other than a short-term service) provided at one premises by one licensee.
Licensed service		A service regulated under the <i>Children's Services Act 1996</i> for which a licence exists.
Limited hours service		Regulated under the <i>Children's Services Act 1996</i> , a service that provides education and care to a child at a sports and leisure centre or shopping centre where the parent is a patron.
National Law		The NQF operates under an applied law system, comprising the <i>Education and Care Services National Law Act 2010</i> and the Education and Care Services National Regulations. The purpose of the applied law system is to set a national standard for children's education and care across Australia. In effect it means the same law is applied in each state and territory, but with some varied provisions as applicable to the needs of each state or territory. In this case Victoria passed the <i>Education and Care Services National Law Act 2010</i> and other jurisdictions adopted that law through an Application Act or passed corresponding legislation.



Term	Acronym	Meaning
National Quality Agenda for Early Childhood Education and Care	NQA	The overarching name given to the quality reforms to early childhood education care, which incorporate the NQS, including the Early Years Learning Framework, the assessment and rating system and the National Regulations.
National Quality Framework	NQF	The NQF covers services providing or intending to provide education and care on a regular basis to children under the age of 13 years. This includes family day care services, long day care services, outside school hours care services and preschools (kindergartens). The NQF comprises the National Law, National Regulations and NQS and Approved Learning Frameworks.
National Quality Standard	NQS	The NQS sets a high national benchmark for early childhood education and care and outside school hours care services in Australia. The NQS includes 7 quality areas that are important outcomes for children. Services are assessed and rated by their regulatory authority against the NQS, and given a rating for each of the 7 quality areas and an overall rating based on these results.
No Jab, No Play	NJNP	Under the No Jab, No Play legislation, before enrolling a child, early childhood education and care services have to first obtain evidence that the child is up to date with all vaccinations that are due for their age, or that they are able to receive.
Notification		Approved providers are required to notify the regulatory authority about incidents, complaints and changes to information.
National Quality Agenda IT System	NQA ITS	A web-based information system to assist state and territory regulatory authorities and ACECQA to manage the approval, monitoring and quality assessment of children's education and care services. The system also enables services, providers and educators to submit application and notification forms online to regulatory authorities and ACECQA.
Occasional Care		Regulated under the <i>Children's Services Act 1996</i> . Casual, occasional care services that offer care of less than two hours per day and less than six hours per week, which includes crèches at gyms and shopping centres.
Outside School Hours Care	OSHC	Regulated under the NQF. Not defined in the National Law or Regulations. A service that provides care for primary school aged children (typically 5 to 12 years) before and after school and can also operate during school holidays (vacation care) and on pupil free days (National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care, p. 7). Outside school hours care services are usually provided from primary school premises. Services may also be located in child care centres or community facilities.

Term	Acronym	Meaning
Places		Places only relates to centre-based services and services regulated under the Children's Services Act. The maximum number of children who can be educated and cared for by a service at any one time, stated on the service approval. Number of places reflects services' approved or licensed capacity. Places data for FDC services is not collected.
Preschool		Not defined in the National Law or Regulations. A service that provides an early childhood education program, delivered by a qualified teacher, often but not necessarily on a sessional basis in a dedicated service. Alternative terms used for preschool in some jurisdictions include kindergarten, pre-preparatory and reception (National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care).
Provider management type		The type of legal or social entity responsible for managing the delivery of an early childhood education and care service.
Provider		See Approved provider
Quality Improvement Plan	QIP	The approved provider must ensure a Quality Improvement Plan (QIP) is in place for each service. The aim of a QIP is to help providers self-assess their performance in delivering quality education and care, and to plan future improvements. The QIP also helps regulatory authorities with assessing the quality of the service.



Term	Acronym	Meaning
Reportable Conduct Scheme		Scheme to improve oversight of how organisations respond to allegations of child abuse and child-related misconduct, commenced on 1 July 2017.
School holidays care service		Licensed under the <i>Children's Services Act 1996</i> . Cares for or educates children for no more than 4 weeks per calendar year during school holidays.
Serious incident		Serious incidents that occur while a child is being educated and cared for by an education and care service include: the death of a child; a serious injury or trauma to a child; the serious illness of a child requiring hospital attendance; an emergency for which emergency services attended; circumstances where a child is missing or unaccounted for/is taken or removed/is mistakenly locked in or out of the service/service premises.
Service approval		A person must have service approval to operate an education and care service under the National Law and Regulations. Regulatory authorities are responsible for assessing and determining applications for service approval.
Waiver		An exemption from a requirement that an approved education and care service comply with a prescribed element(s) of the NQS or regulation of the National Regulations. While a waiver is in force, the approved service is not required to comply with the element(s) or regulation(s) specified in the waiver.



DATA TABLES



DATA IN THIS APPENDIX RELATE ONLY TO VICTORIAN SERVICES.

Appendix Table 1: Number of new ECEC services by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
Total services	251	214	289	223	260	219	206
NQF services:	251	214	224	198	233	204	192
Centre-based care	123	140	163	160	213	191	185
• Long day care	34	36	54	75	116	81	105
• Kindergarten	31	23	30	22	19	22	23
• Outside school hours care	58	81	79	63	78	88	57
Family day care	128	74	61	38	20	13	7
CSA services	na	na	65	25	27	15	14

Note: Total new services for 2013 and 2014 excludes new CSA services

Appendix Table 2: Number of new places for centre-based services by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
Total places	7,376	8,293	11,433	12,308	18,319	14,760	16,177
NQF places:	7,376	8,293	9,664	11,767	17,623	14,303	15,817
• Long day care	3,172	3,501	4,246	7,348	12,092	8,520	11,777
• Kindergarten	1,474	1,166	1,731	1,117	828	1,107	1,110
• Outside school hours care	2,730	3,626	3,687	3,302	4,703	4,676	2,930
CSA places	na	na	1,769	541	696	457	360

Note: Total new places for 2013 and 2014 excludes new CSA places

Appendix Table 3: Number of new ECEC services by provider management type, 2013–2019

Provider type	2013	2014	2015	2016	2017	2018	2019
Total services	251	214	289	223	260	219	206
Catholic school	1	0	2	2	2	1	0
Government school	10	7	6	5	4	5	3
Independent school	5	3	2	7	5	4	4
Local government	7	10	31	11	9	12	8
Not-for-profit community managed	34	27	56	34	37	36	20
Not-for-profit other	4	5	15	5	16	13	11
Private for profit	190	162	174	159	187	148	160
Other	0	0	3	0	0	0	0

Note: Total new services for 2013 and 2014 excludes new CSA services

**Appendix Table 4: Number of new places for centre-based services by provider management type, 2013–2019**

Provider management type	2013	2014	2015	2016	2017	2018	2019
Total places	7,376	8,293	11,433	12,308	18,319	14,760	16,177
Catholic school	40	0	35	65	86	20	0
Government school	389	290	186	191	117	214	45
Independent school	343	170	69	294	309	192	320
Local government	659	630	1,832	574	386	520	777
Not-for-profit community managed	1,946	956	2,461	1,476	1,960	1,939	1,199
Not-for-profit other	281	216	548	213	2,182	759	674
Private for profit	3,718	6,031	6,270	9,495	13,279	11,116	13,162
Other	0	0	32	0	0	0	0

Appendix Table 5: Number of approved ECEC services by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
Total services	4,265	4,381	4,457	4,514	4,612	4,567	4,546
NQF services:	3,808	3,928	4,027	4,108	4,233	4,209	4,229
Centre-based care	3,541	3,589	3,645	3,737	3,886	3,961	4,043
• Long day care	1,220	1,244	1,280	1,342	1,457	1,520	1,607
• Kindergarten	1,211	1,197	1,197	1,203	1,205	1,194	1,186
• Outside school hours care	1,110	1,148	1,168	1,192	1,224	1,247	1,250
Family day care	267	339	382	371	347	248	186
CSA services	457	453	430	406	379	358	317

Appendix Table 6: Number of approved places for centre-based ECEC services by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
Total places	212,057	234,951	228,856	241,748	257,659	268,682	280,416
NQF approved places:	200,809	223,873	218,287	231,645	248,143	259,542	272,414
• Long day care	91,493	109,743	99,683	107,605	120,343	128,664	140,255
• Kindergarten	44,736	46,101	48,077	49,811	50,099	50,567	51,073
• Outside school hours care	64,580	68,029	70,527	74,229	77,701	80,311	81,086
CSA licensed places	11,248	11,078	10,569	10,103	9,516	9,140	8,002

Appendix Table 7: Number of approved ECEC services by provider management type, 2013–2019

Provider management type	2013	2014	2015	2016	2017	2018	2019
Total services	3,808	3,928	4,457	4,514	4,612	4,567	4,546
Catholic school	44	41	41	39	33	29	26
Government school	338	320	309	295	279	260	244
Independent school	133	129	123	127	132	131	131
Local government	458	433	496	484	467	456	440
Not-for-profit community managed	1,130	1,114	1,294	1,281	1,285	1,261	1,221
Not-for-profit other	312	309	373	363	375	378	373
Private for profit	1,393	1,582	1,818	1,922	2,040	2,051	2,110
Other	0	0	3	3	1	0	0

Appendix Table 8: Number of approved places for centre-based ECEC services by provider management type, 2013–2019

Provider management type	2013	2014	2015	2016	2017	2018	2019
Total places	200,809	223,873	228,856	241,728	257,659	268,682	280,416
Catholic school	2,398	2,144	2,106	1,996	1,758	1,567	1,484
Government school	18,311	18,267	18,335	18,535	18,296	17,400	16,870
Independent school	9,190	9,133	8,492	8,738	9,044	8,960	9,374
Local government	19,125	18,575	21,183	21,589	21,333	20,986	21,185
Not-for-profit community managed	47,646	62,491	53,738	54,193	55,330	55,587	54,885
Not-for-profit other	22,923	22,997	24,990	25,205	27,069	27,692	28,020
Private for profit	81,216	90,266	99,980	111,439	124,822	136,490	148,598
Other	0	0	32	33	7	0	0

Appendix Table 9: Number of NQF services managed by Victorian providers, 2015–2019

Victorian providers of NQF services	2015	2016	2017	2018	2019
VIC	3,557	3,602	3,687	3,629	3,620
Other jurisdictions	464	546	581	552	535
ACT	9	8	10	11	12
NSW	157	189	201	191	195
NT	7	16	20	18	18
QLD	66	79	90	88	85
SA	67	80	75	63	50
TAS	1	1	10	8	5
WA	157	173	175	173	170

Appendix Table 10: Number of children attending ECEC services, 2015–2019

Service type	2015	2016	2017	2018	2019
Total	405,679	413,114	429,922	436,108	409,749
Centre-based day care (including occasional care)	na	na	na	na	188,249
Long day care	148,333	154,175	163,524	172,161	na
Kindergarten (long day care settings)	21,393	23,269	25,022	24,786	27,514
Kindergarten (all other settings)	52,756	52,996	53,948	53,620	51,991
OSHC (and vacation care)	111,875	119,753	121,955	127,879	106,132
Family day care	68,886	60,705	63,352	55,617	35,863
Occasional care	2,436	2,216	2,121	2,045	na

Note: Number of children in kindergarten refers to number of children enrolled in funded kindergarten in the year before school, using Victorian Department of Education and Training data. Number of children attending ECEC services refers to children 0-12 years attending Australian CCS approved child care services and is sourced from multiple years of the Report on Government Services and from Australian Bureau of Statistics, 2018, Preschool Education, cat. No. 4240.0. Changes to reporting under the CSS resulted in the introduction of new categories Centre-based care (a consolidation of long day care and occasional care previously reported separately) and Outside school hours care (a consolidation of outside school hours care, and vacation care previously reported separately). Data on funded kindergarten enrolments is not directly comparable to attendance in other service types.

Appendix Table 11: Average hours of attendance per week of children aged 0-12 years at Australian CCB approved child care services, 2013–2019

Service type	2013	2014	2015	2016	2017	2018	2019
Centre-based day care	na	na	na	na	na	na	29.6
Long day care	27.9	28.0	28.1	28.3	28.4	28.5	na
Family day care	30.2	34.2	34.3	32.4	31.8	30.1	25.0
Vacation care	28.5	27.7	27.3	27.0	26.8	26.2	na
OSHC	6.4	7.8	7.9	7.9	8.0	8.1	8.4
Occasional care	8.6	8.4	8.8	8.6	8.7	8.9	na

Note: Data from this table is sourced from multiple years of the Report on Government Services. See note for Appendix Table 10 about continuity of data.

Appendix Table 12: Number of applications submitted by application type, 2013–2019

Application type	2013	2014	2015	2016	2017	2018	2019
Approval	688	767	758	736	725	620	547
Provider Approval	366	447	389	356	390	355	299
Service Approval	322	320	369	380	335	265	248
Amendment of approval	432	529	658	635	543	881	1,288
Amend Provider Approval	48	109	144	166	179	237	140
Amend Service Approval	384	420	514	469	364	644	1,148
Waiver (service or temporary)	127	106	182	222	290	303	310
Suspension	19	20	41	112	102	130	99
Suspension Provider Approval	1	2	5	18	20	23	15
Suspension Service Approval	18	18	36	94	82	107	84
Related to supervisor certificates	5,161	2,970	553	400	230	0	0
Amend Supervisor Certificate	27	57	37	39	31	0	0
Supervisor Certificate	5,079	2,898	511	352	188	0	0
Supervisor Certificate for Specified Class of Persons	53	14	5	8	11	0	0
Suspension Supervisor Certificate	2	1	0	1	0	0	0
Other	438	378	542	434	486	413	412
Change of Information-Provider	2	0	0	0	0	0	0
Decision – Request Review by Tribunal or Court	0	1	2	3	8	1	1
Extension-Temporary Waiver	0	0	0	1	3	10	26
Internal Review of Reviewable Decision	58	55	65	32	29	14	14
Out of Scope Application	-	1	84	144	156	97	133
Re-Assessment and Re-Rating	3	19	26	64	19	31	33
Review of Ratings by RA	16	19	14	25	21	27	14
Revocation-Service Waiver	1	1	0	0	0	1	3
Transfer of Service Approval	219	282	351	165	250	232	188
Total	6,865*	4,770	2,734	2,539	2,376	2,347	2,656

Note:

(i) This table includes applications submitted related to supervisor certificates that were excluded from the Applications section of this report. The requirement for supervisor certificates was removed from the National Law and Regulations on 1 October 2017.

(ii) The 6,865 total includes surrenders of provider and service approvals, which were no longer submitted as applications from 2014.

Appendix Table 13: Number of decisions by application type and decision type, 2013–2019

Approval type	2013	2014	2015	2016	2017	2018	2019
Provider approval	275	203	313	281	238	182	181
Approved (with additional conditions)	2	1	1	5	29	50	29
Approved (with standard conditions)	273	164	184	185	106	87	105
Refused	0	38	128	91	103	45	47
Service Approval	259	238	337	282	295	241	221
Approved (with additional conditions)	130	89	98	111	119	91	91
Approved (with standard conditions)	128	143	208	141	152	138	123
Refused	1	6	31	30	24	12	7

Appendix Table 14: Number of decisions by month and application type, 2019

Approval type	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Provider Approval	19	15	7	9	22	14	13	14	16	18	11	23	181
Service Approval	42	19	15	15	22	12	11	21	10	9	21	24	221
Amendment of approval	25	91	33	43	40	28	231	480	35	53	30	135	1,224
Service or temporary waiver	15	19	21	22	19	14	14	12	9	17	16	32	210
Voluntary suspension	7	12	3	9	16	5	11	5	7	5	8	7	95
Other	64	48	19	25	33	16	38	39	20	39	27	23	391
Total	172	204	98	123	152	89	318	571	97	141	113	244	2,322

Appendix Table 15: Number of active waivers by type, 2013–2019

Waiver type	2013	2014	2015	2016	2017	2018	2019
Total	94	144	114	208	134	222	192
Physical	25	24	29	44	50	63	70
Service	16	20	22	29	33	43	45
Temporary	9	4	7	15	17	20	25
Staffing	69	120	85	164	84	159	123
Service	40	47	54	51	51	64	72
Temporary	29	73	31	113	33	95	51

Note: Active waivers are either in place until 31 December of a particular year, expire in the future or remain in place for the duration of the service approval. Temporary waivers that were active and expired before 31 December are not included. Physical and staffing waiver subtotals may not sum up to the total number of active waivers as there may be waivers that fall into both categories. Physical waivers include FDC location waivers.

Appendix Table 16: Number of active waivers related to qualifications, 2013–2019

Waiver type	2013	2014	2015	2016	2017	2018	2019
Total	69	120	85	75	56	151	123
Service	40	47	54	51	51	64	72
Temporary	29	73	31	24	5	87	51

Note: See footnote for Appendix Table 15

Appendix Table 17: Number of active waivers related to educator-to-child ratios, 2013–2019

Waiver type	2013	2014	2015	2016	2017	2018	2019
Total	0	0	0	89	28	8	0
Service	0	0	0	0	0	0	0
Temporary	0	0	0	89	28	8	0

Note: See footnote for Appendix Table 15

Appendix Table 18: Number of approved multi-storey services, 2013–2019

	2013	2014	2015	2016	2017	2018	2019
NQF services	64	74	83	103	125	145	185
CSA services	-	-	1	1	1	0	2

Note: This includes only services that have been identified to be operating in multi-storey buildings at the end of 2019.

Appendix Table 19: Overall quality ratings by rating level, 2014–2019

Rating	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	2,351	3,407	3,792	3,908	3,930	3,989
Excellent	4	8	8	10	9	10
Exceeding NQS	772	1,137	1,271	1,326	1,314	1,282
Meeting NQS	1,066	1,579	1,809	1,928	2,001	2,100
Working Towards NQS	508	683	689	635	605	597
Significant Improvement Required	1	0	15	9	1	0
Number of approved services	2,351	4,027	4,108	4,233	4,209	4,229
Percentage of services eligible for a rating	100%	94%	95%	94%	95%	95%
Percentage meeting NQS or above	78%	80%	81%	84%	85%	85%
Rating as %	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	100%	100%	100%	100%	100%	100%
Excellent	0.2%	0.2%	0.2%	0.3%	0.2%	0.3%
Exceeding NQS	33%	33%	34%	34%	33%	32%
Meeting NQS	45%	46%	48%	49%	51%	53%
Working Towards NQS	22%	20%	18%	16%	15%	15%
Significant Improvement Required	0.0%	0.0%	0.4%	0.2%	0.0%	0.0%

Appendix Table 20: Overall quality ratings by care type and rating level, 2019

Care type	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total services with an NQS rating		
All services	0	597	2,100	1,282	10	3,989		
LDC	0	222	861	410	6	1,499		
KGN	0	66	386	707	4	1,163		
OSHC	0	226	797	150	0	1,173		
FDC	0	83	56	15	0	154		
Rating as %	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total approved services	Percentage of services eligible for a rating	Percentage meeting NQS or above
All services	0.0%	15%	53%	32%	0.3%	4,229	95%	85%
LDC	0.0%	15%	57%	27%	0.4%	1,607	93%	85%
KGN	0.0%	6%	33%	61%	0.3%	1,186	98%	94%
OSHC	0.0%	19%	68%	13%	0.0%	1,250	95%	81%
FDC	0.0%	54%	36%	10%	0.0%	186	96%	46%

Appendix Table 21: Overall quality ratings by provider management type and rating level, 2019

Provider management type	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total services with an NQS rating		
All services	0	597	2,100	1,282	10	3,989		
Catholic/independent school	0	16	45	89	1	151		
Government school	0	77	114	47	1	239		
Local government	0	30	125	222	0	377		
Not for profit	0	124	598	663	6	1,391		
Private for profit	0	350	1,218	261	2	1,831		
Rating as %	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total approved services	Percentage of services eligible for a rating	Percentage meeting NQS or above
All services	0.0%	15%	53%	32%	0.3%	4,229	95%	85%
Catholic/independent school	0.0%	11%	30%	59%	0.7%	157	97%	89%
Government school	0.0%	32%	48%	20%	0.4%	244	99%	68%
Local government	0.0%	8%	33%	59%	0.0%	386	98%	92%
Not for profit	0.0%	9%	43%	48%	0.4%	1,420	98%	91%
Private for profit	0.0%	19%	67%	14%	0.1%	2,022	93%	81%

Appendix Table 22: Overall LDC quality ratings by rating level, 2014–2019

Rating	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	866	1,156	1,246	1,319	1,412	1,499
Excellent	3	6	6	7	6	6
Exceeding NQS	241	348	409	427	427	410
Meeting NQS	439	586	650	711	767	861
Working Towards NQS	182	216	181	174	212	222
Significant Improvement Required	1	0	0	0	0	0
Number of approved services	866	1,280	1,343	1,457	1,520	1,607
Percentage of services eligible for a rating	100%	96%	94%	92%	95%	93%
Percentage meeting NQS or above	79%	81%	85%	87%	85%	85%
Rating as %	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	100%	100%	100%	100%	100%	100%
Excellent	0.3%	0.5%	0.5%	0.5%	0.4%	0.4%
Exceeding NQS	28%	30%	33%	32%	30%	27%
Meeting NQS	51%	51%	52%	54%	54%	57%
Working Towards NQS	21%	19%	15%	13%	15%	15%
Significant Improvement Required	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%

Appendix Table 23: Overall kindergarten quality ratings by rating level, 2014–2019

Rating	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	875	1,144	1,173	1,183	1,168	1,163
Excellent	1	2	2	3	3	4
Exceeding NQS	404	585	641	681	693	707
Meeting NQS	365	444	446	429	396	386
Working Towards NQS	105	113	84	70	76	66
Significant Improvement Required	0	0	0	0	0	0
Number of approved services	875	1,197	1,203	1,205	1,194	1,186
Percentage of services eligible for a rating	100%	97%	98%	98%	98%	98%
Percentage meeting NQS or above	88%	90%	93%	94%	93%	94%
Rating as %	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	100%	100%	100%	100%	100%	100%
Excellent	0.1%	0.2%	0.2%	0.3%	0.3%	0.3%
Exceeding NQS	46%	51%	55%	58%	59%	61%
Meeting NQS	42%	39%	38%	36%	34%	33%
Working Towards NQS	12%	10%	7%	6%	7%	6%
Significant Improvement Required	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Note: Quality ratings in this table exclude ratings for kindergarten services provided in a long day care setting.

Appendix Table 24: Overall quality ratings for NQF services funded to provide a four year old kindergarten program by rating level, 2014–2019

Rating	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	1,523	2,027	2,125	2,306	2,333	2,310
Excellent	4	8	8	10	9	9
Exceeding NQS	608	882	980	1,064	1,069	1,027
Meeting NQS	688	876	935	1,033	1,030	1,058
Working Towards NQS	223	261	202	199	225	216
Significant Improvement Required	0	0	0	0	0	0
Number of approved services	1,523	2,121	2,168	2,352	2,374	2,349
Percentage of services eligible for a rating	100%	99%	99%	98%	99%	98%
Percentage meeting NQS or above	85%	87%	90%	91%	90%	91%
Rating as %	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	100%	100%	100%	100%	100%	100%
Excellent	0.3%	0.4%	0.4%	0.4%	0.4%	0.4%
Exceeding NQS	40%	44%	46%	46%	46%	44%
Meeting NQS	45%	43%	44%	45%	44%	46%
Working Towards NQS	15%	13%	10%	9%	10%	9%
Significant Improvement Required	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Note: Quality ratings in this table include ratings for funded four year old kindergarten services provided in a long day care setting.

Appendix Table 25: Overall OSHC quality ratings by rating level, 2014–2019

Rating	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	511	931	1,095	1,126	1,152	1,173
Excellent	0	0	0	0	0	0
Exceeding NQS	100	167	187	186	171	150
Meeting NQS	231	496	637	717	777	797
Working Towards NQS	180	268	271	222	204	226
Significant Improvement Required	0	0	0	1	0	0
Number of approved services	511	1,168	1,191	1,224	1,247	1,250
Percentage of services eligible for a rating	99%	93%	95%	94%	93%	95%
Percentage meeting NQS or above	65%	71%	75%	80%	82%	81%
Rating as %	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	100%	100%	100%	100%	100%	100%
Excellent	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Exceeding NQS	20%	18%	17%	17%	15%	13%
Meeting NQS	45%	53%	58%	64%	67%	68%
Working Towards NQS	35%	29%	25%	20%	18%	19%
Significant Improvement Required	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%

Appendix Table 26: Overall FDC quality ratings by rating level, 2014–2019

Rating	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	99	176	278	280	198	154
Excellent	0	0	0	0	0	0
Exceeding NQS	27	37	34	32	23	15
Meeting NQS	31	53	76	71	61	56
Working Towards NQS	41	86	153	169	113	83
Significant Improvement Required	0	0	15	8	1	0
Number of approved services	99	382	371	347	248	186
Percentage of services eligible for a rating	100%	84%	90%	94%	95%	96%
Percentage meeting NQS or above	59%	51%	40%	37%	42%	46%
Rating as %	2014	2015	2016	2017	2018	2019
Total services with an NQS rating	100%	100%	100%	100%	100%	100%
Excellent	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Exceeding NQS	27%	21%	12%	11%	12%	10%
Meeting NQS	31%	30%	27%	25%	31%	36%
Working Towards NQS	41%	49%	55%	60%	57%	54%
Significant Improvement Required	0.0%	0.0%	5.4%	2.9%	0.5%	0.0%

Appendix Table 27: Overall LDC quality ratings by provider management type and rating level, 2019

Provider management type	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total services with an NQS rating		
All LDC	0	222	861	410	6	1,499		
Catholic/independent school	0	1	6	22	0	29		
Government school	0	2	1	1	1	5		
Local government	0	7	31	52	0	90		
Not for profit	0	42	243	177	3	465		
Private for profit	0	170	580	158	2	910		
Rating as %	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total approved services	Percentage of services eligible for a rating	Percentage meeting NQS or above
All LDC	0.0%	15%	57%	27%	0.4%	1,607	93%	85%
Catholic/independent school	0.0%	3%	21%	76%	0.0%	30	97%	97%
Government school	0.0%	40%	20%	20%	20.0%	5	100%	60%
Local government	0.0%	8%	34%	58%	0.0%	93	97%	92%
Not for profit	0.0%	9%	52%	38%	0.6%	474	99%	91%
Private for profit	0.0%	19%	64%	17%	0.2%	1,005	91%	81%

Appendix Table 28: Overall kindergarten quality ratings by provider management type and rating level, 2019

Provider management type	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total services with an NQS rating
All KGN	0	66	386	707	4	1,163
Catholic/independent school	0	3	17	62	1	83
Government school	0	6	16	14	0	36
Local government	0	14	70	154	0	238
Not for profit	0	42	280	474	3	799
Private for profit	0	1	3	3	0	7

Rating as %	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total approved services	Percentage of services eligible for a rating	Percentage meeting NQS or above
All KGN	0.0%	6%	33%	61%	0.3%	1,186	98%	94%
Catholic/independent school	0.0%	4%	20%	75%	1.2%	86	97%	96%
Government school	0.0%	17%	44%	39%	0.0%	38	95%	83%
Local government	0.0%	6%	29%	65%	0.0%	242	99%	94%
Not for profit	0.0%	5%	35%	59%	0.4%	811	98%	95%
Private for profit	0.0%	14%	43%	43%	0.0%	9	78%	86%

Note: Quality ratings in this table exclude ratings for kindergarten services provided in a long day care setting.

Appendix Table 29: Overall ratings for NQF services funded to provide a four-year-old kindergarten program by provider management type and rating level, 2019

Provider management type	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total funded services with an NQS rating
All funded services	0	216	1,058	1,027	9	2,310
Catholic/independent school	0	4	18	81	1	104
Government school	0	7	14	15	1	37
Local government	0	18	89	194	0	301
Not for profit	0	71	462	596	5	1,134
Private for profit	0	116	475	141	2	734

Rating as %	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total funded approved services	Percentage of services eligible for a rating	Percentage meeting NQS or above
All funded services	0.0%	9%	46%	44%	0.4%	2,349	98%	91%
Catholic/independent school	0.0%	4%	17%	78%	1.0%	107	97%	96%
Government school	0.0%	19%	38%	41%	2.7%	39	95%	81%
Local government	0.0%	6%	30%	64%	0.0%	305	99%	94%
Not for profit	0.0%	6%	41%	53%	0.4%	1,144	99%	94%
Private for profit	0.0%	16%	65%	19%	0.3%	754	97%	84%

Note: Quality ratings in this table include ratings for funded four year old kindergarten services provided in a long day care setting.

Appendix Table 30: Overall OSHC quality ratings by provider management type and rating level, 2019

Provider management type	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total services with an NQS rating		
All OSHC	0	226	797	150	0	1,173		
Catholic/independent school	0	12	22	5	0	39		
Government school	0	69	97	32	0	198		
Local government	0	1	13	5	0	19		
Not for profit	0	34	68	11	0	113		
Private for profit	0	110	597	97	0	804		
Rating as %	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total approved services	Percentage of services eligible for a rating	Percentage meeting NQS or above
All OSHC	0.0%	19%	68%	13%	0.0%	1,250	95%	81%
Catholic/independent school	0.0%	31%	56%	13%	0.0%	41	100%	69%
Government school	0.0%	35%	49%	16%	0.0%	201	100%	65%
Local government	0.0%	5%	68%	26%	0.0%	21	90%	95%
Not for profit	0.0%	30%	60%	10%	0.0%	121	94%	70%
Private for profit	0.0%	14%	74%	12%	0.0%	866	95%	86%

Appendix Table 31: Overall FDC quality ratings by provider management type and rating level, 2019

Provider management type	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total services with an NQS rating		
All FDC	0	83	56	15	0	154		
Local government	0	8	11	11	0	30		
Not for profit	0	6	7	1	0	14		
Private for profit	0	69	38	3	0	110		
Rating as %	Significant Improvement Required	Working Towards NQS	Meeting NQS	Exceeding NQS	Excellent	Total approved services	Percentage of services eligible for a rating	Percentage meeting NQS or above
All FDC	0.0%	54%	36%	10%	0.0%	186	96%	46%
Local government	0.0%	27%	37%	37%	0.0%	30	100%	73%
Not for profit	0.0%	43%	50%	7%	0.0%	14	100%	57%
Private for profit	0.0%	63%	35%	3%	0.0%	142	95%	37%

Appendix Table 32: Number of visits by visit type, 2014–2019

Visit type	2014	2015	2016	2017	2018	2019
Total visits	3,122	3,144	3,053	3,409	4,037	3,933
Assessment and Rating	1,213	1,153	884	1,007	984	987
Compliance	1,798	1,866	2,044	2,270	2,841	2,789
Other	111	125	125	132	212	157

Note: A compliance visit is defined as any of the following visit types in NQA ITS: application/assessment, change of ownership, complaint, incident, investigation and post-approval, while other visits are education or pre-approval visits. Some visits relate to services that were not operating at the end of the year.

Appendix Table 33: Number of assessment and rating visits per 100 services by care type, 2014–2019

Care type	2014	2015	2016	2017	2018	2019
All services	31	29	22	24	23	23
LDC	33	25	21	27	28	23
KGN	31	25	15	23	24	18
OSHC	32	40	24	21	19	31
FDC	20	19	39	22	17	9

Appendix Table 34: Number of compliance visits completed per 100 services by care type, 2014–2019

Care type	2014	2015	2016	2017	2018	2019
All services	41	42	45	49	62	61
LDC	69	67	78	76	85	86
KGN	26	22	27	32	43	39
OSHC	31	28	26	39	55	54
FDC	61	49	51	44	69	72
CSA	15	51	39	36	47	39

Note: Under s174 of the National Law Approved providers are required to notify the regulatory authority of certain information including incidents and complaints in relation to their ECEC service. R12 of the National Regulations describes the meaning of a 'serious incident'. 'Other incidents' refer to matters required to be notified to the regulatory authority under r175(2) of the National Regulations except r(175(2)(a) which is about a change in the hours of operation.

Appendix Table 35: Number of reported serious incidents by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
All services	3,529	3,247	3,507	3,568	3,882	3,595	3,895
LDC	2,222	1,926	2,035	2,295	2,537	2,276	2,527
KGN	726	687	724	706	748	735	676
OSHC	406	496	575	447	487	474	577
FDC	175	138	154	96	96	98	105
CSA	-	-	19	24	14	12	10

Note: Under s174 of the National Law Approved providers are required to notify the regulatory authority of certain information including incidents and complaints in relation to their ECEC service. 'Serious incidents' are notifiable incidents under s174(2)(a). The meaning of a 'serious incident' is described under R12 of the National Regulations. 'Other incidents' refer to incidents required to be notified to the regulatory authority under r175(2) of the National Regulations except r(175(2)(a) which is about a change in the hours of operation. Some incidents relate to services that were not operating at the end of the year.

Appendix Table 36: Number of reported serious incidents per 100 NQF services by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
All services	83	74	79	79	84	79	86
LDC	182	155	159	171	174	150	157
KGN	60	57	60	59	62	62	57
OSHC	37	43	49	38	40	38	46
FDC	66	41	40	26	28	40	56
CSA	-	-	4	6	4	3	3

Note: See footnote for Appendix Table 35

Appendix Table 37: Number of reported other incidents by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
All services	137	450	663	930	887	1,010	1,549
LDC	99	332	460	580	584	611	830
KGN	24	71	137	192	178	198	298
OSHC	7	28	41	110	93	163	390
FDC	7	19	25	47	32	35	30
CSA	-	-	0	1	0	3	1

Note: See footnote for Appendix Table 35

Appendix Table 38: Number of reported other incidents per 100 approved services by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
All services	3	10	15	21	19	22	34
LDC	8	27	36	43	40	40	52
KGN	2	6	11	16	15	17	25
OSHC	1	2	4	9	8	13	31
FDC	3	6	7	13	9	14	16
CSA	-	-	0	0	0	1	0

Note: See footnote for Appendix Table 35

Appendix Table 39: Number of complaints by complaint type, 2013–2019

Complaint type	2013	2014	2015	2016	2017	2018	2019
All complaints	1,394	1,552	1,627	1,828	1,765	1,694	1,996
Direct complaints	1,167	822	653	649	585	650	673
Complaints through notifications	227	730	974	1,179	1,180	1,044	1,323

Note: Complaint notifications are a requirement under s174 of the National Law for an approved provider to notify the regulatory authority of any complaint alleging a serious incident at the service or a breach of the National Law. Direct complaints are complaints received directly from a parent or other member of the public usually expressing dissatisfaction about a service. Some complaints relate to services that were not operating at the end of the year.

Appendix Table 40: Number of complaints per 100 services by complaint type, 2013–2019

Complaint type	2013	2014	2015	2016	2017	2018	2019
All complaints	33	35	37	40	38	37	44
Direct complaints	27	19	15	14	13	14	15
Complaints through notifications	5	17	22	26	26	23	29

Note: See footnote for Appendix Table 39

Appendix Table 41: Number of complaints per 100 services by care type, 2013–2019

Care type	2013	2014	2015	2016	2017	2018	2019
All services	33	35	37	40	38	37	44
LDC	81	86	83	93	86	77	90
KGN	20	26	27	27	21	22	20
OSHC	7	6	11	10	14	12	16
FDC	29	28	23	27	20	35	33
CSA	-	-	3	4	4	4	4

Note: See footnote for Appendix Table 39

