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### **New regulations for 1 October**

Amendments to the National Law were passed in March 2017. National Regulations amendments have been agreed to by the Education Council and will be made public soon on the NSW Legislation website (<http://www.legislation.nsw.gov.au>)

Consolidated versions of the amended National Law and National Regulations will be available from 1 October 2017. Check our website for the latest updates on the changes: <http://go.vic.gov.au/pA0tQ0>

## Changes for all services

### **Sleep and rest policies**

Policy and procedures about children's sleep and rest must be in place at all education and care services, including safe sleeping practices.

### **Removing supervisor certificates**

The requirements for certified supervisors and supervisor certificates will be removed.

### **Nominated supervisor/person in day-to-day charge**

Approved providers will be responsible for appointing nominated supervisors and persons in day-to-day charge who must be aged 18 years or older, fit and proper and have suitable skills.

### **Incidents/allegation notification**

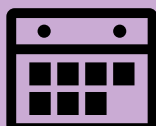
Incidents or allegations of physical and/or sexual abuse of a child must be notified to the regulatory authority.



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## Family Day Care forum 25 September



There are still places available for our Family Day Care forum 25 September in Dandenong. Our City and Sunshine events are now full. The forum is at 9.30am in our Dandenong office - registration and photo ID essential!

At this session we will discuss changes for Family Day Care and changes to assessment and ratings. It's also a great opportunity for you to ask questions.

To register: <http://go.vic.gov.au/pA0tQ0#link81>

BEGINNING 1 OCTOBER 2017

# Changes for family day care

## **Service approval and principal offices:**

Approved providers of family day care services (FDC) will need to hold a service approval in each jurisdiction where their educators operate. A principal office is also required in each jurisdiction where there is a service. A waiver can be applied for where an approved provider's services are in adjacent jurisdictions.

## **FDC venues:**

A FDC service may operate at a venue only in exceptional circumstances and if approved by the regulatory authority. FDC venues in place since 2012 will need to apply for approval between 1 October 2017 and 1 April 2018.

## **Educator assistants:**

Educator assistants can only stand in place of a FDC educator to transport children (home, school or education and care service), in emergency situations and for the FDC educator to attend an appointment in unforeseen or exceptional circumstances (for less than 4 hours).

## **Co-ordinator to educator ratios:**

Approved providers of FDC services will need to ensure a minimum FDC co-ordinator (effective full-time) to educator ratios of:

- 1:15 for the first 12 months of operation and at any other time at the discretion of the regulatory authority
- 1:25 after the first 12 months of operation.

## **Existing co-ordinator to educator ratios will be maintained –**

Higher ratios can be imposed at any time by the regulatory authority.

## **Notification requirements for FDC educators**

New obligations for FDC educators to notify serious incidents and complaints to the approved provider.

For services without a ratio at 1 October 2017, the legislation includes a saving provision that allows the service to continue to operate until 1 October 2018, after which the 1:25 ratio will apply, unless a different ratio is applied by the regulatory authority before 1 October 2017.

## **New minimum requirements for FDC educators**

Approved providers must ensure FDC educators have adequate knowledge and understanding of the provision of education and care to children and have regard to the compliance history of their educators.

## **Ongoing management of FDC educators by the approved provider**

Reasonable steps to ensure that each educator maintains adequate knowledge and understanding of the provision of education and care to children and serious incidents and complaints relating to educators are addressed.

BEGINNING 1 OCTOBER 2017

# Changes for centre-based services

## First aid qualifications

Any staff member, nominated supervisor or educator who holds an approved first aid, anaphylaxis or emergency asthma management qualification can meet the requirement to be the person immediately available in an emergency at a centre-based service.

## Educator breaks

The educator break provisions outlined in the Guide to the National Law and National Regulations will be removed. In Victoria this means that educator to child ratios must be maintained at all times children are being educated and cared for by a service. Services may apply for a waiver if educator qualification requirements cannot be met during educator's lunch breaks.

Please note that: If breaks are short and are for matters such as going to the toilet, answering a phone call, talking to a parent or briefly checking paperwork an educator would not be expected to be replaced.



## Victoria-specific Matters

### Working with children check

The approved provider, nominated supervisor or a person in day-to-day charge of the education and care service will be required to read the Working with Children Check of all staff engaged or employed as a staff member at the service.

### Supervision of volunteers

The requirement for educators who directly supervise volunteers or persons under the age of 18 working towards a diploma level qualification has been removed to allow supervision by an educator who has attained the age of 18 years.

### Consequential amendments to *Children's Services Act 1996*

These amendments will align the *Children's Services Act* with the changes to the National Law and National Regulations particularly in relation to the removal of supervisor certificate requirements from the National Law.

## More Information

For more information, please go to the ACECQA website to view information sheets and resources: <http://www.acecqa.gov.au>

QARD information: <http://go.vic.gov.au/pA0tQ0>

# Revised pandemic flu plan

## What is it?

The Department of Education and Training, Emergency Management Division has revised the Pandemic Influenza Incident Response Plan.

### **Pandemic Influenza may occur when:**

- a new subtype of influenza virus emerges in humans which most people have not been exposed to and are therefore highly susceptible
- the virus has potential to cause disease in humans
- the virus is easily and rapidly spread between humans infecting large numbers of people worldwide with the potential to cause many deaths.

It is difficult to predict when the next pandemic will occur, how severe it will be or how long it will last, however the potential for human infection, accompanied by severe illness or death, cannot be dismissed.

While influenza is the most likely virus to cause a pandemic, the aim of the Plan is to be adaptable to any biological agent threatening to cause a pandemic in the community.

The Plan outlines the incident response by the Department of Education and Training if an influenza pandemic occurred. See the plan here <http://go.vic.gov.au/YbQKVB> (Word document).

## What does my service need to do?

Review your emergency management plan to include pandemic planning arrangements.

In the case of an influenza pandemic occurring, early childhood services are directed to Appendix C: Pandemic Influenza Stages with Key Actions for Early Childhood Services of the plan.

This section of the Plan outlines actions to be taken in early childhood services, at the Preparedness Stage and the Response Stages of an Influenza Pandemic.

# Our new regulatory framework released

The Department of Education and Training's Regulatory Framework explains how we undertake our regulatory functions, including driving continuous quality improvement in education and care services.

The Framework is designed primarily for aspiring and approved education and care services. It explains what they can expect from the regulator as well as what is expected of them.

The Framework also reflects our commitment to transparent and accountable operations and will be available to all members of the community and other government organisations and enforcement bodies.

See the framework here: <http://go.vic.gov.au/kGIHHS>

# DET Family Violence consultations



You are invited to participate in a consultation led by the Department of Education and Training on current practice in responding to family violence. The consultations will inform the implementation of reforms arising from the Royal Commission into Family Violence.

**Early Childhood Education and Care (ECEC) professionals from kindergardens, long day care, occasional care, outside school hours care, family day care, in-home care or parenting services are encouraged to attend.**

We are eager to hear from ECEC professionals in metro, regional and rural locations.

Tuesday 26 September, Melbourne CBD:

[familyviolenceconsultations.eventbrite.com.au](https://www.eventbrite.com.au)

There are also other sessions in Ballarat and Moe:

•The Ballarat consultation will be held on Wednesday 27 September: <https://www.eventbrite.com.au/e/family-violence-reform-consultation-ballarat-tickets-37745446647>

•The Moe consultation will be held on Wednesday 11 October: <https://www.eventbrite.com.au/e/family-violence-reform-consultation-moe-tickets-37745705421>

If you are unable to attend but would like to be involved in future consultations, please email [family.violence.coordination@edumail.vic.gov.au](mailto:family.violence.coordination@edumail.vic.gov.au)

## Consultation Aims

The Department will be consulting with practitioners and senior staff/managers across a range of services on the implementation of these reforms. These consultations will seek to ensure that reforms:

- are fit for purpose and recognise the range of roles of Departmental workforces in the family violence system
- consider implementation in the earliest stages of policy and service design and listen to the voices of frontline workers

The Department also wants to ensure that the implementation of the reforms recognises and builds on existing good practice across the Department. In order to do this, consultations will collect information on current practices in relation to:

- identification of family violence and referral processes
- early intervention for children and young people identified as at risk of family violence
- targeted interventions for children and young people identified as at risk of family violence
- providing ongoing support to children and young people who have experienced family violence
- trauma informed care



## Additional support services include:

- Safe Steps (formerly Women's Domestic Violence Crisis Service) 1800 015 188 (toll free 24 hour 7 days a week) - telephone crisis counselling, referral, information and support, and central contact point for women's refuges in Victoria
- National Sexual Assault, Domestic and Family Violence hotline - 1800 RESPECT (1800 737 732) - 24 hour phone and online counselling service.

# New Working With Children Check requirements for community groups

Organisations engaging staff or volunteers in child-related work are being urged to update their Working with Children (WWC) Check policies after new laws came into effect 1 August 2017.

Under the changes, community groups, sporting clubs and other organisations may soon need personnel to have valid WWC Checks in circumstances where they were not previously required.

The changes are designed to help keep Victorian children safe and will implement key recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse.

Currently, an organisation is not required to ensure its personnel hold a current WWC Check if the staff member or volunteer's child-related work is supervised.

The amendments to the Working with Children Act 2005 will remove the element of supervision from the definition of 'child-related work', ensuring that WWC Checks will be required regardless of whether the contact with a child is supervised or not.

The reforms will also expand the definition of 'direct contact' to include oral, written or electronic communication.

For example, a person providing online tuition services to children did not require a WWC Check prior to 1 August because their child-related work does not involve physical or face to face contact.

From 1 August 2017, the online tutor needs a WWC Check regardless of whether their child-related work is limited to oral, written or electronic communications.

Organisations with their own WWC Check policies need to take steps now to ensure their policies remain in line with the new laws.

WWC Check applications can be made online at [workingwithchildren.vic.gov.au](http://workingwithchildren.vic.gov.au) and are free for volunteers.

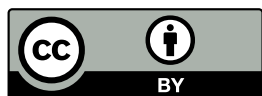
Organisations can also contact the WWC Check Customer Support Line on 1300 652 879 for further information.

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