

Summary of findings from the 2014 National Quality Framework Review Consultation Process

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Introduction

In December 2009, the Australian and state and territory governments, through the Council of Australian Governments (COAG), agreed to a National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care (NP NQA) to establish a National Quality Framework for Early Childhood Education and Care.

The National Quality Framework commenced on 1 January 2012 in all states and territories, apart from Western Australian where it commenced on 1 August 2012.

Under the NP NQA, a review must be conducted in 2014 to assess the extent to which the objectives and outcomes of the National Partnership have been achieved. The 2014 Review aims to ensure the goal of improving quality in education and care services is being met in the most efficient and effective way.

The 2014 Review is being undertaken by the Australian and state and territory governments with reference to the agreed Terms of Reference for the 2014 Review (these can be found at [Attachment A.](#))

This paper provides a high level summary of the themes and findings emerging from the communication and consultation process undertaken with the sector and parents and families for the 2014 Review.

The summary presents the main themes emerging from the consultation feedback provided by a variety of interested parties, including:

- long day care, family day care, preschool, and outside school hours care (OSHC) providers and educators
- services not currently within the scope of the National Quality Framework, such as Budget Based Funded services
- peak bodies and organisations
- parents and family members
- interested members of the public.

Where possible the feedback from families has been differentiated.

Overview of consultations for the 2014 Review

As part of the 2014 Review, a public consultation process was undertaken to enable the sector and parents and families to provide feedback on the implementation and operation of National Quality Framework, including how it may be improved.

Woolcott Research Pty Ltd was engaged to facilitate and manage the consultation process on behalf of all governments.

Public consultation sessions were held in each state and territory, from 26 May – 19 June 2014, with a pilot session held on 13 May 2014. A separate consultation session for peak organisations was also held in each capital city. The closing date for feedback was 4 July 2014.

In addition to face to face consultation sessions, Woolcott Research hosted a dedicated website, with the online lodgement of comments or completion of a survey for services or families. Formal submissions were also invited from interested stakeholders.

A consultation paper was released at the commencement of the consultation period to inform and/or prompt responses from those participating in the consultation process.

As well as seeking feedback on the individual components of the National Quality Framework, including the National Law and Regulations, the National Quality Standard and the assessment and rating system, broad feedback was also sought about the:

- strengths of the National Quality Framework and what is working well
- opportunities for streamlining, reducing regulatory burden and improving the National Quality Framework
- cultural or behavioural changes that may have emerged as a result of the implementation of the National Quality Framework.

Feedback was provided from a wide range of stakeholders across the sector, with:

- 1 335 people attending 55 consultation sessions
- 638 responses to the online survey
- 280 online comments
- 187 formal submissions.

Additional targeted family-focused consultations

One of the objectives of the National Quality Framework is to improve public knowledge about, and access to, information about the quality of services. This objective has been particularly targeted towards improving families' understanding of quality early childhood education and care.

To supplement the public consultation process, Woolcott Research was commissioned to undertake additional targeted consultation with families about their understanding and experience of the National Quality Framework. This was considered important to ensure families' views were adequately explored.

The consultation with families involved an online survey on the Woolcott Research microsite, in conjunction with focus groups with parents who use long day care, family day care, preschool, outside school hours care (OSHC) and Budget Based Funded services.

This additional targeted consultation resulted in:

- 92 people attending focus groups
- 132 responses to the online survey.

Additional targeted Outside School Hours Care consultations

The 2014 Review is examining whether legislative requirements can and should be tailored to particular service types and settings, such as OSHC.

Deloitte Access Economics was engaged to examine how OSHC services operate under the National Quality Framework and identify options for alternative approaches or changes to requirements that recognise the significant differences between OSHC and other education and care services covered by the National Quality Framework.

Targeted consultation sessions were held in most states and territories, in metropolitan, regional and remote locations¹. Views were obtained from a sample of OSHC services (before and after school care and vacation care), representing the different settings in which OSHC is delivered such as school based, stand alone and services offered with long day care. Peak bodies representing the OSHC sector were also consulted.

A total of 26 OSHC providers and five peak bodies were consulted covering each of the different types of OSHC services.

¹ This was primarily a qualitative process which was not intended to produce statistically representative sample of the OSHC sector.

Themes emerging from the consultations

Overall, some consistent messages emerged through the consultations. There is broad support for the National Quality Framework and the National Quality Standard and there is no desire for more systematic change at this time. However, there are some improvements to be made to improve consistency and remove red tape for services and regulators, in particular to:

- further streamline the assessment and rating process, to improve consistency of approach and interpretation of the National Quality Standard by authorised officers, within and between states and territories
- address some paperwork, documentation and administration issues to reduce administrative burden.

Key strengths of the National Quality Framework

Throughout the consultations participants supported the National Quality Framework and its current implementation timeframe. While it was thought some improvements could be of benefit and there were some implementation issues, it was clear the National Quality Framework has provided significant benefits to children and services since it began in 2012.

The majority of stakeholders believe the implementation of the National Quality Framework has resulted in improved quality of early childhood education and care across the sector as a result of:

- a nationally consistent framework for a variety of service types in the sector
- the focus on continuous quality improvement and professional development
- an increased focus on outcomes for children, including through the Early Years Learning Framework and the Framework for School Age Care
- better communication between the sector and families about the value of early learning
- improved ratio and qualification requirements.

Respondents from the sector felt the National Quality Framework has enhanced the professionalisation of the workforce due to the qualification requirements and the increased focus on ongoing professional learning and development and reflective practice.

While families' awareness of the National Quality Framework was extremely limited, those who were consulted supported the goal of the National Quality Framework to increase the quality of education and care within a nationally consistent sector. There was specific support for the introduction of quality standards; however, there was an expectation that quality standards and ongoing professional development would already be a requirement within the sector, in accordance with other professional sectors.

Many families had noticed improved quality in the provision of quality education and care over the last two years since the implementation of the National Quality Framework.

Some sector respondents acknowledged the challenges of maintaining a consistent national framework. Many in the sector felt the inconsistency in the approach and interpretation of the National Quality Framework was a result of transitional arrangements – for example, different requirements across jurisdictions for staff to child ratios and state-specific exclusions to the regulations – as well as different state specific laws and differences in some regulatory processes. As such, there was support for a truly national system with a consistent set of requirements, especially in relation to workforce qualification and ratio requirements.

The majority of stakeholders did not support potential delays to the National Quality Framework's existing implementation timeframe or the removal of services from the scope of the National Quality Framework, noting the significant benefits already achieved since its implementation in 2012. Some

felt the sector is still in the transition stage or early phases of implementation and changes to the National Quality Framework should not occur until all services have undergone assessment and rating.

Professionalisation of the sector

Stakeholders strongly believe the National Quality Framework has improved the professionalisation of the workforce. This has been achieved through qualification requirements (which are broadly supported); improved educator to child ratios and an increased focus on continuous quality improvement and professional development.

Many OSHC stakeholders also attributed the increased professionalisation of the OSHC sector to the National Quality Framework. There was widespread agreement the National Quality Framework had lifted recognition of OSHC with schools and the wider community, resulting in OSHC having a higher status as a form of education and care. Some OSHC stakeholders reported improved communication between OSHC services and schools, with a greater willingness from schools to invest in OSHC facilities as a result of the National Quality Framework.

Some stakeholders indicated increased professionalisation of the sector brings with it challenges, including attracting and retaining qualified staff. Some also commented on the poor quality of training delivered by some Registered Training Organisations.

Assessment and rating and maintaining consistency

While there is support for the National Quality Framework, and its current implementation timeframe, there was overwhelming support for improvements to the assessment and rating process. This was a result of perceived inconsistency in the approach to assessment and rating within and across jurisdictions, but particularly in relation to authorised officers. There was support to increase the frequency of assessments, noting the majority of services under the National Quality Framework are currently awaiting an assessment and rating.

Stakeholders also felt the National Quality Standard and assessment and rating system appeared to be more tailored to the long day care sector and had failed to appropriately take account of the OSHC and family day care environments.

Relevance

While the benefits of the assessment and rating process in encouraging the workforce to engage in reflective practice and continual professional development were acknowledged, the majority of respondents felt the system required enhancements.

Positive feedback about the assessment and rating process centred on its value in promoting an increased focus on continuous quality improvement and a collective goal to work towards, its child-centred focus, and increased collaboration and communication between the sector and families.

Many participants and respondents felt the assessment and rating process took too long, with some commenting services with a rating of *Working Towards National Quality Standard* wait for much longer than the promised 12 months to be reassessed. Most felt the assessment and rating process did not allow for the provision of high quality reports or give an appropriate amount of guidance to services on how they could improve quality or their rating.

A common observation of the assessment and rating process was authorised officers view OSHC and family day care in the same lens as long day care, leading to onerous and inappropriate assessments. Some respondents felt refining the assessment and rating process for OSHC and family day care would result in a more consistent and workable framework which was better tailored to suit the unique context of these services.

Consistency

Many who responded during the consultations felt authorised officers were inconsistent in their approach to the assessment and rating process, which conflicted with the objectives of a standardised approach of the National Quality Standard and assessment and rating system.

There was mixed feedback regarding the demeanour of authorised officers, with some supportive of their professionalism and collaborative approach, while others commented that officers used too much personal judgement or were not approachable during assessment and rating visits. The inconsistency in approach and interpretation of the National Quality Standard by authorised officers is seen as resulting in inconsistent or inaccurate ratings across the sector.

To assist in a consistent, fair and transparent approach to the assessment and rating process, the general view from the consultations was for authorised officers to have sector-specific qualifications and/or contextualised training. Participants felt this should involve authorised officers working collaboratively with services, to focus less on compliance-related issues during assessment visits, and more on observing the service interacting with children and delivering the programme of activities. However it must be acknowledged that children's health safety and well-being remain paramount under the National Quality Framework.

Furthermore, contextualised training would enable authorised officers to appropriately explain their approach and rationale for the assessment and rating process to services and reduce the extent of differing practices across jurisdictions.

Overall rating

There was mixed feedback about the overall rating. Many felt the current methodology to calculate the overall rating meant it was not reflective of a service's capacity and/or performance in all seven Quality Areas, and particularly in cases where a service does not meet only one or a few of the 58 elements in the National Quality Standard. However, just over half of survey respondents indicated there should be an overall rating.

The general consensus from the family consultations was the overall rating does not provide sufficient detail on service performance and was therefore not as important as individual Quality Area ratings. Families considered information about the rating for each Quality Area would provide better information about service quality.

With regard to the *Working Towards National Quality Standard* rating, some participants suggested there should be more distinction between services who just missed out on being rated as *Meeting National Quality Standard* and those rated *Working Towards National Quality Standard* across a number of standards or Quality Areas. Some suggested there be more opportunity to rectify issues before a rating is finally determined. There was also a suggestion the label *Working Towards National Quality Standard* be replaced with a more positive term.

With respect to the seven Quality Areas, in general the sector and families (when discussing what was important to them) consider all are important, yet place an increased emphasis on the areas they perceived to be crucial to improving outcomes for children: the educational programme (QA1), health and safety (QA2), and relationships with children (QA5).

Excellent rating

Many participants and respondents in the sector consultation suggested removing the *Excellent* rating. Others thought the *Excellent* rating fee and process should be re-considered or the awarding of the *Excellent* rating should be put on hold until all services have been assessed.

Families' understanding of the assessment and rating system

Generally, families felt the assessment and rating process should not be the highest consideration or priority for services. Some families were concerned services would have an increased focus on administration and paperwork as a result of assessment and rating, and less focus on their children.

When prompted, most families were interested in ratings; however, believed it was too early in the implementation of the National Quality Framework to place any significance on a service's rating when selecting a service provider. Families felt there were other more important factors to consider when selecting a provider, such as availability, proximity, opening hours and the 'feel' of the service.

Families consulted were not aware of the assessment status of their child's service (either rated or awaiting assessment) and respondents believed that *Working Towards National Quality Standard* meant a service had failed an assessment process. If a service received a 'bad' rating, families would prefer to discuss the rating with the service, as opposed to changing service providers (particularly where there was limited choice and issues with accessibility of services).

Regulatory burden

Overall, there was mixed feedback about the National Quality Framework's impact on regulatory burden throughout the consultation process.

Some thought there had been an increase in regulatory burden when the National Quality Framework was introduced but this was to be expected with transition to a new system, and needed to be balanced with the importance of the requirements of the National Quality Framework in improving outcomes for children. Some felt burden had increased due to the implementation of the National Quality Framework, as opposed to the framework itself, and would decrease over time. Some believed increased burden was due to other legislation or policy introduced at the time of the National Quality Framework, while other respondents suggested the National Quality Framework had reduced or had no impact on the level of regulatory burden.

The majority of participants and respondents who felt the National Quality Framework had increased regulatory burden believed this was attributable to the time intensive notification, documentation and record keeping processes, and services needing to continually contact regulatory authorities to clarify 'ambiguous' National Quality Framework requirements. There were concerns from some participants and respondents that adequate face to face time with children was sometimes replaced by the need to complete administrative work, such as updating policies and procedures and documenting children's learning. It should be noted that similar requirements existed before the introduction of the National Quality Framework. The perceived duplication of forms was another factor in increased regulatory burden.

Generally, those who felt the National Quality Framework had little impact on regulatory burden believed the sector needed to distinguish between the perceived notion of regulatory burden with the need to meet legal requirements in the provision of education and care. It was mentioned this did not mean introducing further changes or 'rolling back' National Quality Framework requirements; rather ensuring services have the necessary resources and planning in place to support administrative work.

Some respondents felt the National Quality Framework had reduced regulatory burden by having a nationally consistent system and by bringing licensing and quality assessment together. They felt this provided the sector with greater flexibility in translating National Quality Framework requirements into daily practice.

Outside School Hours Care services

With particular reference to OSHC, most respondents generally felt that some requirements were unnecessarily burdensome and either did not demonstrate quality service provision or suit the service context. Respondents felt a perceived lack of understanding of the nature and circumstances of OSHC, including the community's perceived understanding of OSHC as 'supervised play', lack of engagement by families, the at times sporadic attendance and ages of children at OSHC service, the physical location of some services in school environments and the casualised and more transient nature of the OSHC workforce.

As such, OSHC stakeholders strongly felt the current requirements for documenting the educational programme and individual learning were excessive. Some indicated the documentation requirements for policies and procedures and to support the assessment process were also disproportionate and excessive.

Suggestions to reduce regulatory or administrative burden

Many respondents and participants believe there is a greater need for increased communication and clarification of what is required to meet the requirements of the National Quality Framework between ACECQA, regulatory authorities and the sector, to avoid overcompensation of practices which leads to unnecessary administrative burden.

Almost half of survey respondents stated that paperwork could be streamlined and documentation combined to reduce administrative burden. This was supported in the online comments with many stating that administration requirements and paperwork could be streamlined.

Tailoring of the National Quality Framework

Some stakeholders suggested tailoring the National Quality Framework to better accommodate different service types and supported the inclusion of out of scope services under the National Quality Framework.

Requirements of the Education and Care Services National Law and National Regulations thought to be most in need of tailoring were the documentation and assessment of children's learning, physical environment requirements (particularly where a service does not have control of the premises), and staffing requirements. Consideration could also be given to how the assessment and rating process is conducted.

There was support for greater flexibility for OSHC and family day care educators. As indicated above, OSHC stakeholders raised concerns about the appropriateness of some National Quality Framework requirements due to the at times sporadic attendance and ages of children at OSHC services, lack of engagement by families and the transient nature of the OSHC workforce.

A number of OSHC services, particularly those located on school premises, reported difficulties in meeting the physical environment requirements and felt their limitations were not always recognised in the assessment and rating process. Some OSHC services do not have dedicated space on school sites or may not gain approval from the school for some activities.

While the value of qualification requirements was generally supported by the sector, there were mixed views on the requirements for workforce qualifications and staff to child ratios as a result of the highly transient nature of the OSHC workforce.

Some representatives from the family day care sector felt that little consideration had been given to the amount of documentation they are required to produce and the expectations of family day care

educators are not achievable for just one person. It was thought family day care cannot be expected to run like long day care with the same requirements for evidence of quality assurance.

Scope of the National Quality Framework

There was some support for broadening the scope of services included in the National Quality Framework, with occasional care, Budget Based Funded services and mobile services suggested for consideration. Some respondents felt an analysis of the appropriate inclusion for Aboriginal and Torres Strait Islander targeted services was required prior to any decision making, given the complex nature of these services.

A critical question to be addressed is the timeframe for this to occur. There were varying degrees of support for the immediate inclusion of out of scope services into the National Quality Framework versus gradual inclusion. In particular it was felt strong consideration and planning was essential to ensure National Quality Framework requirements were appropriately tailored to each service type.

Governance arrangements

The general view of stakeholders was improvements were required for how ACECQA and the regulatory authorities communicate with the sector. This included providing greater clarity with regard to the roles and responsibilities of all agencies involved in administering the National Quality Framework. It was felt there should be clearer guidelines and materials to support the requirements for the National Quality Standard and the assessment and rating process.

It was also suggested that there should be improved communication between the state and territory and national bodies to ensure consistency and provide clearer information to the sector. A common suggestion was a 'no wrong door approach' when it came to services seeking information and guidance, as many services are frustrated at consistently being redirected between agencies to have queries addressed.

Potential amendments to the National Quality Framework

Some in the sector believe the National Quality Framework is still in transition or early phases of implementation, and indicated a desire to delay any potential changes to the National Quality Framework until it has been fully implemented and/or all services have undergone an assessment and rating.

This was supported by OSHC services, who reiterated the sector remains in a state of transition and any amendments to the regulation of OSHC services must balance the cost-benefit of increasing quality with an acceptable level of regulatory burden.

Families' awareness and understanding of the National Quality Framework

It was apparent throughout the consultation process that families' awareness and understanding of the National Quality Framework, including the assessment and rating process, is extremely limited, highlighting the need for improved communication. They were, however, supportive of its implementation and the need for strict regulations for the provision of early childhood education and care. Families also have virtually no awareness of the role of, and information provided by, ACECQA.

Families consulted often indicated the National Quality Framework was a system of regulation for services and were not aware that information about quality could help them when choosing an education and care service for their children.

It was particularly apparent the way the National Quality Framework, what quality means or the system as a whole is being communicated to parents and families is not effective and does not resonate. Families in particular commented that information at the service selection phase would be valuable.

Conclusion

The systematic feedback from the consultation process was supportive of the National Quality Framework. While it was felt there were still improvements that needed to be made to the National Quality Framework, particularly in terms of its implementation, it was clear that the Framework had provided significant benefits in the short time it had been implemented.

The particular areas of suggested change include the assessment and rating process, and improved communication and the provision of advice from ACECQA and regulatory authorities to the sector. Broadly, this is to ensure services' understanding of the National Quality Framework requirements to prevent overcompensating on administrative work and reduce the 'perceived' regulatory burden. ACECQA's communication with families could also be improved.

The general view was the sector was still undergoing transition, and therefore further amendments to the National Quality Framework should not be made until it had been fully implemented and/or all services had been through the assessment and rating process.

Next steps in the 2014 Review

The feedback from all forms of consultation has been used by all governments in responding to the findings and considering options to improve the National Quality Framework.

The sector, families and the broader community are an important part of the 2014 Review and will continue to be consulted. A Consultation Regulation Impact Statement (RIS) will be released towards the end of 2014 which will outline any suggested changes to the National Quality Framework that would impact the sector and the community. It will present options for change and improvement for comment and feedback. This will be accompanied by further public consultation.

More information will be provided by the Australian and state and territory governments and ACECQA before the consultation commences.

Terms of Reference for the 2014 Review

1. The degree to which the agreed objectives and outcomes and/or outputs of the NP NQA have been achieved, including:
 - a. whether the National Quality Framework has improved the efficiency and cost effectiveness of the regulation of services and reduced the regulatory burden of service providers, including a review of costs of regulation through modelling and review of fee structures
 - b. whether the system provides an integrated and unified national system with consistency of approach and interpretation of the National Law
 - c. the extent to which the National Quality Standard and the assessment and rating process has contributed to continuous improvement for services and, over time, positive outcomes for children
 - d. the effectiveness of the governance arrangements for the National Quality Framework, including the role and structure of the Australian Children's Education and Care Quality Authority (ACECQA), and the effectiveness of this body in contributing to effective and efficient implementation of the National Quality Framework.
2. The efficiency and effectiveness of regulatory models, including approaches adopted by regulatory agencies and an examination of cost and key cost drivers for services and regulators.
3. Whether the range of services covered by the National Quality Framework should be expanded to include services currently excluded by the regulations (e.g. Budget Based Funded services).
4. Whether legislative requirements can/should be tailored to particular service types/settings (e.g. Outside School Hours Care).
5. Potential connections across other initiatives e.g. Australian Early Development Index, National Information Agreement, the National Partnership Agreement on Universal Access to Early Childhood Education and the national education reform agenda.
6. Future arrangements for funding the regulation of the National Quality Framework under the NP NQA.