

Implementation Plan for the National Quality Agenda for Early Childhood Education and Care

NATIONAL PARTNERSHIP AGREEMENT ON THE NATIONAL QUALITY AGENDA FOR EARLY CHILDHOOD EDUCATION AND CARE

NOTE: This Implementation Plan will be published on the website of the Ministerial Council for Federal Financial Relations alongside the National Partnership.

1. PRELIMINARIES AND TERMS

1. This Implementation Plan is created subject to the provisions of the *National Partnership Agreement on the National Quality Agenda for Early Childhood Education and Care* (the National Partnership Agreement) agreed in December 2009, and should be read in conjunction with that Agreement.
2. It provides the basis for the Commonwealth and the States and Territories to report to the Ministerial Council on Education, Early Childhood Development and Youth Affairs (MCEECDYA) on the implementation of the National Quality Agenda (NQA).
3. The Plan will commence as soon as it is agreed with reference to the delegations outlined in clauses 13 and 14 of the National Partnership Agreement and may be varied by written agreement in accordance with these same delegations.
4. The Plan will be reviewed by MCEECDYA on an annual basis up until 1 January 2016 after which MCEECDYA will determine its requirement for the Plan.
5. Either the Commonwealth or a State or Territory may terminate this Plan by providing 30 days notice in writing. Where this Implementation Plan is terminated, the Commonwealth's liability to make payments to the terminating jurisdiction is limited to payments associated with performance benchmarks achieved by that jurisdiction by the date of effect of termination of this Plan. The parties to this Implementation Plan do not intend any of the provisions to be legally enforceable. However, that does not lessen the parties' commitment to the Plan.

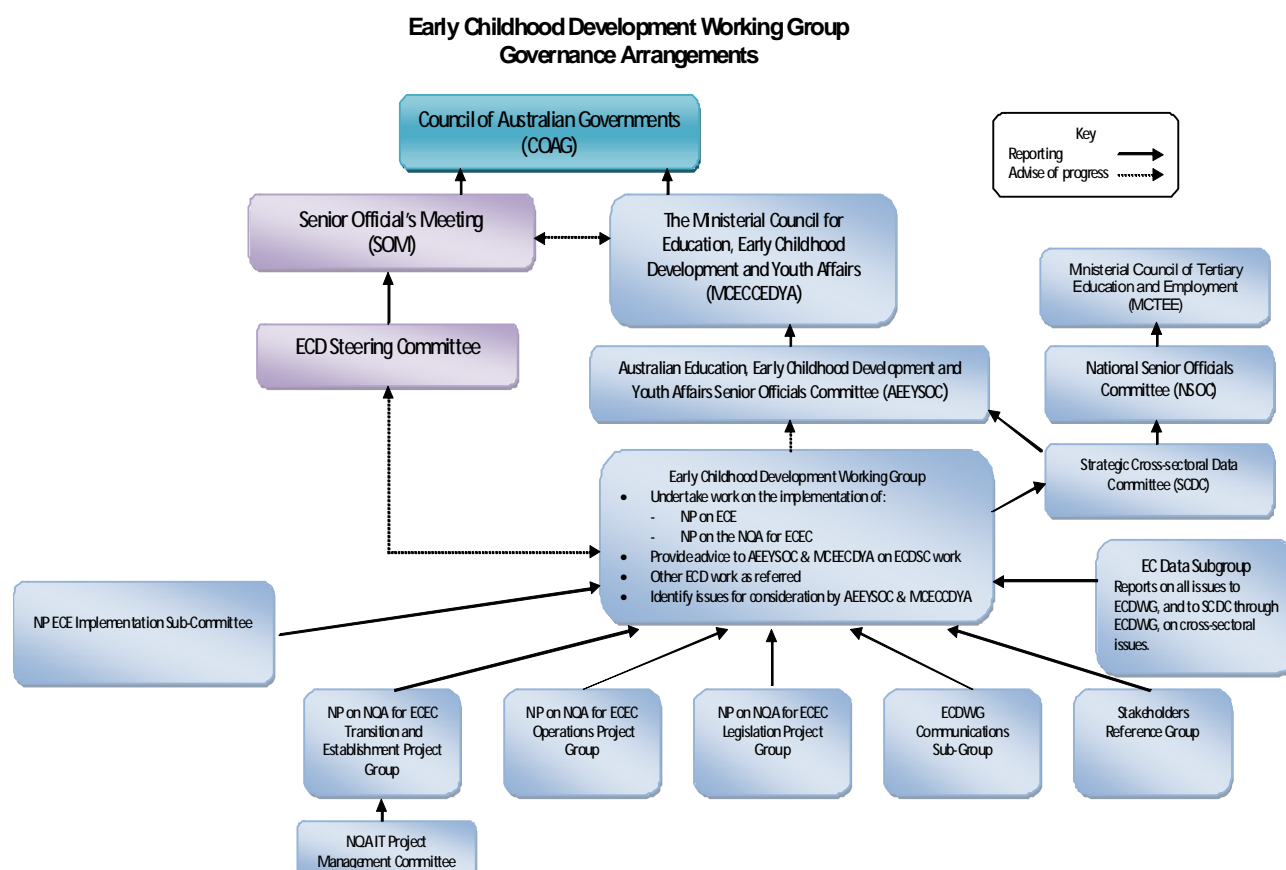
2. ROLES AND RESPONSIBILITIES

6. The Commonwealth and the States and Territories will work in partnership to implement the NQA. The specific roles and responsibilities are set out in detail in Part 3 of the National Partnership Agreement.

7. In addition to these, the Commonwealth and the States and Territories will:
 - a. participate in the MCEECDYA Early Childhood Development (ECD) Working Group that will monitor and oversee the implementation of the National Partnership Agreement and this Implementation Plan; and
 - b. implement the NQA in accordance with the activities outlined in this Plan, as well as the jurisdiction-specific activities outlined in the Schedules, to ensure a uniform, jointly-governed national system.
8. The significant effort that will be required by the States and Territories to reform their existing systems and services to ensure the NQA is in effect from 1 January 2012 and to continue to regulate services that are currently out of scope of the NQA is acknowledged. The Schedules to this Plan record some of the key aspects of implementation to be undertaken by all jurisdictions in implementing the NQA.

3. OVERARCHING GOVERNANCE ARRANGEMENTS

9. The following governance arrangements support the implementation of the National Partnership Agreement:



NB: Diagram as of 17 December 2010

10. Three Project Groups have been established under the ECD Working Group to support implementation of the National Partnership Agreement, including delivery of the objectives, outputs and activities outlined below. These are the Transition and Establishment Project Group (T&EPG), Operations Project Group (OPG) and Legislation Project Group (LPG). Each is chaired by the Commonwealth and includes representatives from all jurisdictions, while the National

Childcare Accreditation Council (NCAC) is represented on the Transition and Establishment, and Operations Project Groups. Each Project Group has developed a Project Plan reflecting their responsibilities in relation to the National Partnership Agreement and reports regularly to the ECD Working Group.

11. These governance arrangements will be kept under review by the ECD Working Group.

4. OBJECTIVES

12. The objective of this Implementation Plan is to implement the National Partnership Agreement and the National Quality Agenda (NQA). The NQA will formally commence on 1 January 2012. The objectives are outlined in Part 2 of the National Partnership Agreement.
13. Critical to the implementation of the NQA will be for States and Territories to reform their existing regulatory systems for early childhood education and care and Outside School Hours Care (OSHC) systems so that the new system is in effect from 1 January 2012. Similarly, the Commonwealth's management of the process for winding up the NCAC and assisting with the establishment of the new Australian Children's Education and Care Quality Authority (ACECQA) is also a critical part of the implementation process.
14. The objectives will be achieved by a number of outputs, which are outlined in Part 2 of the National Partnership Agreement.

5. MAJOR ACTIVITIES TO DELIVER OUTPUTS

15. The implementation of the NQA will include four major activities which are central to delivering the outputs articulated within the National Partnership Agreement:
 - a) Development and introduction of national applied laws legislation and national regulations;
 - b) Introduction of a National Quality Standard and ratings system;
 - c) Establishment of streamlined regulatory arrangements and State and Territory reform of existing regulatory systems; and
 - d) Establishment of the ACECQA and wind-up of the NCAC.
16. The National Partnership Agreement sets out two phases over which the major activities will be implemented:
 - a) Transition phase: This phase includes activities undertaken from 7 December 2009 (the date of signing of the National Partnership Agreement) until 1 January 2012. From 1 July 2010, as part of this phase, the new assessment and rating system against the NQS will begin to be applied to a number of services; and
 - b) Implementation phase: This phase includes activities undertaken from 1 January 2012 until 1 January 2016. This includes ACECQA and the state and territory regulatory authorities becoming fully operational from 1 January 2012 and gradual introduction of improved ratios and qualifications.

Activity 1: Development and introduction of national applied laws legislation and national regulations

17. **Overview:** New national legislation is required to underpin the NQF and associated regulatory system. Enabling powers for key policy matters will be included in the Act, while the articulation of processes to operate the NQF will be detailed in the Regulations or the non-legislated guidelines.

The substantive provisions of the national applied laws legislation (National Law) has been enacted by Victoria as the host jurisdiction with the other States and Territories enacting legislation to incorporate the National Law by reference, except for Western Australia which will pass its own corresponding legislation, so as to permit the national system to be established and fully operational by 1 January 2012.

National regulations will be made by Ministerial Council and tabled in Parliament of each participating jurisdiction with corresponding arrangements for Western Australia.

The LPG is responsible for leading this activity. Victoria, as the host jurisdiction, is the lead jurisdiction.

Requirements to support the legislative changes are outlined in Schedule A.

Table 1: Major actions for Activity 1

Actions	Due date
(i) Successful passage of Bill and Royal Assent to Act in Victoria	Completed
(ii) Draft National Regulations agreed by MCEEDYA for public consultation	February 2011
(iii) National Regulations agreed by MCEEDYA	May/June 2011
(iv) National Law enacted and National Regulations tabled in Parliament in all other jurisdictions (corresponding legislation for WA) and consequential amendments made to existing legislation	No later than 31 December 2011
(v) Date of effect of legislation for new national system and ACECQA's commencement	1 January 2012

Activity 2: Introduction of a National Quality Standard, including a new rating system

18. **Overview:** The NQS, which is outlined in Schedule B of the National Partnership Agreement, communicates a national view about the quality of the early childhood education and care and school age care that all families should expect to find in the diverse types of education and care settings available across Australia (including Long Day Care (LDC), Family Day Care (FDC), OSHC and Preschool services). The seven quality areas in the NQS will be assessed against a five point rating scale to describe the quality of an early childhood education and care service.

Field testing took place with a small number (approximately 20) of Long Day Care (LDC) services in June 2010.

Following that, a limited sample of services (starting with LDC) started being assessed from July 2010 against the NQS. The number and range of services has increased and around 200 providers will have participated in developing assessment and rating processes against the new standard. The assessment and rating system will be finalised no later than June 2011 and agreed by Ministers jointly with Regulations. National training of assessors and the sector will be undertaken from 1 August 2010 through to December 2011.

All services will be formally assessed against the NQS from 1 January 2012. A process will be devised to select the first services to be assessed against the NQS, and they will be notified by the relevant authority by the end of September 2011. The NQS includes two prime structural indicators of quality of care: staff to child ratios and the educational qualifications of the workforce. These two indicators will be implemented progressively from 1 January 2012 until 1 January 2020 as follows:

- 1:4 staff to child ratio for children between birth and 24 months (1 January 2012);
- proportional formula for children from mixed age groups (1 January 2012);
- first teacher Diploma and Certificate 3 requirements (1 January 2014);
- 1:5 staff to child ratio for children between 25 to 35 months (1 January 2016);
- 1:11 staff to child ratio for children between 36 months to school age (1 January 2016); and
- second teacher or another suitably qualified leader requirement (1 January 2020).

There are jurisdictional specific staff to child ratios that will continue to apply on transitional or savings basis, these will be set out in the National Regulations.

The OPG is responsible for leading this activity. The T&EPG is responsible for developing advice for ACECQA as to how it may assess and determine applications for the Excellent rating.

Table 2: Major actions for Activity 2

Actions	Due date
(i) Field testing and development of the NQS with selected LDC services	Completed June 2010
(ii) Application of the assessment and rating process commences with approximately 200 services and provisional ratings awarded	From October 2010 – March 2011
(iii) Draft Assessment and rating process finalised	By May/June 2011
(iv) Regulators' Operating Manual on the NQF (including assessment and rating process) and national training for State and Territory regulatory staff available	By July 2011
(v) National Guidelines on the NQF for Services (including assessment and rating) available	By July 2011
(vi) All services to be assessed against the NQS (to be completed by 31 December 2014)	From 1 January 2012
(vii) Progressive implementation of new staff to child ratios	From 1 January 2012
(viii) Progressive implementation of new workforce qualification requirements	From 1 January 2014

Activity 3: Establishment of streamlined regulatory arrangements and State and Territory reform of existing regulatory systems

19. **Overview:** A new streamlined regulatory system for early childhood education and care and OSHC services will come into effect on 1 January 2012, replacing the existing separate licensing and regulatory systems across the country. The new national regulatory system will have joint governance with ACECQA guiding the implementation and management of the system and State and Territory Regulatory Authorities administering the NQS. It will be an integrated national system, designed to remove duplication of regulation across levels of government and across service types, and promote efficiency and cost effectiveness.

The benefits from streamlining the regulation of services will be experienced by services that are scoped into the new system, service users, as well as State and Territory Regulatory Authorities and ACECQA.

In terms of its implementation, the new regulatory system has the following key components and processes that are being enabled through the National Law:

- a) An assessment and ratings system based on the NQS administered by State and Territory Regulatory Authorities, except for an excellent rating that will be awarded and administered by ACECQA (see Activity 2);
- b) An approval to operate regime administered by State and Territory Regulatory Authorities that provides for an approval to operate to be granted to a provider and a service, and certified supervisors.
- c) A monitoring, compliance and sanction regime administered by State and Territory Regulatory Authorities that administers and enforces compliance of services against the NQF;
- d) A review and appeals process for the assessment and rating of services and the approval to operate that would be administered in the first instance by State and Territory Regulatory Authorities and a second tier appeal process managed by the National Authority;
- e) A complaints process that receives and investigates complaints against services in relation to the NQF;
- f) A national monitoring and oversight of consistency function undertaken by ACECQA to monitor and evaluate national trends in the administration of the NQF and support and promote consistency across all States and Territories;
- g) A national fee structure that applies to different transactions offered by the State and Territory Regulatory Authorities and/or ACECQA; and
- h) A national register of appropriate Early Childhood Education and Care qualifications and a process to assess applications for approved qualifications.

Information about the detail of how these processes apply to services, State and Territory Regulatory Authorities, and ACECQA to ensure national consistency in the implementation of the NQF will be documented in national Guidelines and other supporting materials as required.

To support ACECQA and the Regulatory Authorities in the delivery of the NQF, a new national IT system/solution may be required. The Commonwealth has engaged a consultant to undertake a study to determine the scope of the IT system, and development of the most appropriate IT solution.

During the transition phase, from 7 December 2009 until 1 January 2012, the NCAC and the State and Territory Regulatory Authorities will maintain their existing responsibilities with regard to the assessment and regulation of services, though they will follow a joint planning approach from 1 July 2010.

The OPG is responsible for leading the work to develop the new regulatory system. The T&EPG is responsible for the transition arrangements to the new system.

Requirements relating to the reform of the regulatory workforce are set out in Schedule B. Requirements relating to the establishment of the regulatory frameworks are set out in Schedule C.

Table 3: Major actions for Activity 3

Actions	Due date
(i) Transitional plans outlining how services will move into the new system and outlining arrangements to conduct all assessments and ratings by 31 December 2014, including pre-schools within schools to be submitted by all jurisdictions to the ECDWG	September 2011
(ii) Regulators' Operating Manual on the NQF (including assessment and rating process) and national training for State and Territory regulatory staff available	July 2011
Development of the national IT system/solution	
(iii) Scope of new national IT system & issue tender to build system	November 2010
If agreement to proceed with national IT system:	
(iv) New national IT system operational	1 January 2012

Activity 4: Establishment of ACECQA

20. **Overview:** ACECQA will have responsibility for guiding the implementation and administration of the new system and monitoring and promoting consistency in its implementation and administration. ACECQA's functions and powers and arrangements for its CEO, Board and staff are set out in the National Law.

ACECQA will be fully operational by 1 January 2012. It will be located in New South Wales and will be enacted as a Victorian statutory authority under the National Law.

The NCAC will be wound-down during 2011. Jurisdictions are cooperating to assist NCAC staff seeking to apply for positions in either State and Territory Regulatory Authorities or ACECQA. The NCAC will officially cease to exist from 1 January 2012, noting that there may be some residual reporting requirements that apply to the entity for the end of the 2012/13 financial year. However, during the transition period the NCAC will continue to undertake its current quality assurance role, in a joint planning approach with State and Territory Regulatory Authorities.

The T&EPG is responsible for this activity.

Table 4: Major actions for Activity 4

Actions	Due date
Establishment of ACECQA	
(i) Establishment of ACECQA as an entity in the National Law when passed by Victorian and NSW Parliament	December 2010
(ii) ACECQA fully operational and assumes responsibility for the NQF, and NCAC and ADRC cease to exist 31 December 2011.	1 January 2012

6. CONSULTATION AND COMMUNICATION

21. Consultation and communication with stakeholders during the implementation of the NQA is imperative to ensure that stakeholders have the opportunity to comment on and are kept abreast of major changes that are occurring to the early childhood education and care system to assist with a smooth transition to the new system.
22. Stakeholders have been engaged through the development of the NQF through the public consultation process that occurred as part of the COAG Regulation Impact Statement processes in 2009.
23. In March 2010, a Stakeholder Reference Group (SRG) was established as a key consultation mechanism to help inform the implementation of the NQA.
24. Stakeholders will also have the opportunity to feedback on key activities, such as the development of the assessment and ratings process.
25. A Communications Strategy has been developed and agreed to by all jurisdictions to ensure that key stakeholders receive consistent messages about the reforms.
26. All jurisdictions will use existing advisory and reference groups and communications channels for consultation and to disseminate key communications material.

7. STRATEGIC RISKS

27. There are a number of strategic risks associated with the delivery of the NQF:
 - a) The National Law (corresponding legislation in Western Australia) and any required consequential legislative amendments are not implemented in each jurisdiction prior to 1 January 2012 to give effect to the uniform, jointly-governed NQF.
 - b) The adequacy of the support for stakeholders to understand and implement the required changes to give effect to the new NQF.
 - c) That there is an appropriately qualified and available workforce to meet the qualification and staffing requirements of the NQS, from January 2014.
 - d) That ACECQA and state and territory regulatory authorities are not established in time or lacks operational capacity or sufficient resourcing to undertake its intended functions.
 - e) Any unintended impacts on the education and care sector, particularly on the delivery of service providers and for users of services.
28. These risks are being collectively managed by all jurisdictions through the following mechanisms:
 - a) The ECD Working Group currently meets monthly to progress implementation arrangements and reports regularly on implementation progress to MCEECDYA. The frequency of meetings will be reviewed as required.
 - b) The ECD Working Group has established three cross-jurisdictional Project Groups — the LPG, OPG and T&EPG. Each of these Groups has Project Plans in place and meet regularly

(currently fortnightly or more frequently) to progress implementation arrangements and review risks and mitigation strategies.

- c) A SRG has been established which is a key consultation mechanism to help inform the implementation of the NQA. The SRG is chaired by the Australian Government and is comprised of peak bodies representing providers, Indigenous and disadvantaged groups; early childhood education experts covering the university and VET sector; and workforce specialists including unions.

8. BUDGET

- 29. It is recognised that implementation of the National Partnership Agreement will draw on existing State and Territory and Commonwealth resources.
- 30. The National Partnership Agreement is based on a shared investment approach between the Commonwealth and States and Territories, as outlined in Part 5 of the National Partnership Agreement. It also outlines that any subsequent enhancements that are agreed to the new system through the process set out at Schedule D of the National Partnership Agreement will be shared by the Commonwealth and the States and Territories.
- 31. It is intended that from 1 January 2016, the Commonwealth's contribution will begin to adjust, in preparation for the final distribution approach from 2020. A process will be engaged in to determine ongoing Commonwealth funding beyond 2020.
- 32. Arrangements for other types of fees that could be levied under the new system and funding for the new national IT system are yet to be determined and will be agreed by MCEECDYA on the basis of the funding principles set out in Part 5 of the National Partnership Agreement.

9. PERFORMANCE REPORTING ARRANGEMENTS

Transition phase

33. During the transition phase, Commonwealth, State and Territory officials will collectively report through the ECDWG six-monthly to MCEECDYA against relevant actions for each of the four major work activities described at Section 5 of the Plan.
34. Reports to MCEECDYA will fall due in December 2010, April and October 2011, and April 2012. The December 2010 report was provided through the ECDWG updates to the MCEECDYA on 15 October 2010 and 8 December 2010. The April 2012 report will cover activities undertaken in both the transition and implementation phases. Reporting requirements for each of these reports are outlined in detail at Schedule D of the Plan.

Implementation phase

35. During the implementation phase, ACECQA will report six-monthly to MCEECDYA, drawing on input from all jurisdictions, against relevant actions for each of the four major work activities at Section 5 of the Plan and the performance indicators provided at Table 5 below.
36. Reports to MCEECDYA will fall due in April and October each year from 2012 to 2015 and in March 2016. The April 2012 report will cover activities undertaken in both the transition and implementation phases. Reporting requirements for each of these reports are outlined in detail at Schedule D of the Plan.
37. During the implementation phase, ACECQA will determine the most appropriate mechanism for measuring and reporting on the performance indicators.

Table 5: Performance Indicators (from 1 January 2012 to 1 January 2016)

Performance indicators reported on	Frequency
<p>Application of the assessment and ratings system to services:</p> <ul style="list-style-type: none"> - The proportion of early childhood education and care services with a current assessment against the NQS. - The proportion, location and characteristics of services at each level under the NQS ratings framework. - The proportion of services with waivers for the Staffing Arrangements or Physical Environment standards, including the number of those services by socio-economic or regional locations. 	Ongoing, commencing with April 2012 MCEECDYA report/July 2012 COAG report.
<p>Understanding of the rating system: The proportion of parents who indicate that they know their service's rating and understand its meaning</p>	Ongoing, commencing with April 2012 MCEECDYA report/July 2012 COAG report
<p>Regulatory burden experience by services: The experience of services under the NQF, with respect to the level of regulatory burden</p>	Ongoing, commencing with April 2012 MCEECDYA report/July 2012 COAG report

Additional reporting arrangements

38. MCEECDYA will also report to COAG annually on progress of the implementation of the NQA, drawing on the six-monthly reports. Reports to COAG will commence in 2011, then annually each July from 2011 to 2015 inclusive. The final report will fall due in March 2016.

ACECQA will provide an annual report to MCEECDYA in accordance with the National Law, which will be published in accordance with National Law.

10. PAYMENT SCHEDULE

39. The financial contribution to be provided by the Commonwealth to States and Territories for the National Quality Framework (NQF) is \$61.27 million over 2010/11 to 2013/14, as set out at Clause 49 and Schedule D of the National Partnership Agreement. Funding is not subject to indexation or other adjustments.
40. Payment amounts for States and Territories are outlined in Table 6 below. Amounts have been rounded to two decimal places. Subject to the Commonwealth's acceptance of the performance reports, payments will be made each year as part of the next monthly payment round. There will be two payments in 2013-14 FY.

Table 6: Payment Schedule by jurisdiction

	Payment 1	Payment 2	Payment 3	Payment 4	Payment 5	Total
MCEECDYA reporting date	Oct-10	Oct-11	Oct-12	Oct-13	Apr-14	
	(\$m)	(\$m)	(\$m)	(\$m)	(\$m)	(\$m)
Jurisdiction						
NSW	2.89	5.94	9.60	4.24	4.24	26.90
VIC	1.34	3.15	5.14	2.32	2.32	14.26
QLD	1.02	0.91	1.59	0.74	0.74	4.99
SA	0.73	1.50	2.45	1.15	1.15	6.98
WA	1.22	0.75	1.17	0.44	0.44	4.02
TAS	0.11	0.19	0.30	0.14	0.14	0.88
NT	0.42	0.49	0.86	0.42	0.42	2.61
ACT	0.03	0.16	0.23	0.11	0.11	0.63
Total	7.76	13.09	21.34	9.54	9.54	61.27

41. States and Territories are to contribute to reports as outlined in Sections 5 and 9 and specified in detail at Schedule D of the Plan. When the responsible Minister is satisfied the reports demonstrate achievement against milestones and report on the agreed performance indicators, payment will be made consistent with clause 42 of the Plan.
42. Any Commonwealth financial contribution payable will be processed by the Commonwealth Treasury and paid to the State Treasury in accordance with the payment arrangements set out in Schedule D of the *Intergovernmental Agreement on Federal Financial Relations*.

11. REVIEW OF PROGRESS

43. The National Partnership Agreement sets out three review points:
 - a) A review at the beginning of 2013 on progress towards meeting the qualification requirements due to come into force from 1 January 2014, particularly in relation to requirements for an early childhood teacher and for those jurisdictions in which there are significant rural and remote workforces.
 - b) An initial review of the National Partnership Agreement by COAG in 2014 with regard to progress made by the Commonwealth and the States and Territories in achieving the objectives and outcomes of the National Partnership Agreement. Specific issues to be examined within the context of the review are set out at Clause 65 of the National Partnership Agreement.
 - c) Following the initial review in 2014, the National Partnership Agreement will be reviewed every 5 years, with the next review to be undertaken in 2019.
44. It is envisaged that MCEECDYA and its ECD Working Group would have a key role in providing advice to COAG on the reviews as set out above.
45. This Implementation Plan will be reviewed by MCEECDYA on an annual basis, or as it determines.

SCHEDULE A

LEGISLATIVE CHANGE

Jurisdiction	Date to introduce the National Law to Parliament	Date Completed
Commonwealth	<ul style="list-style-type: none"> As the Commonwealth is not a participating jurisdiction in the National Law, there is no requirement for the national legislation to be introduced into the Commonwealth Parliament. However, consequential amendments to the Commonwealth family assistance law are required. 	
NSW	<ul style="list-style-type: none"> By November 2010 (passed 23 November 2010). 	Completed
Victoria	<ul style="list-style-type: none"> By August 2010 (passed 5 October 2010). 	Completed
QLD	<ul style="list-style-type: none"> By Spring sittings 2011. 	
SA	<ul style="list-style-type: none"> By Autumn sittings 2011. 	
NT	<ul style="list-style-type: none"> By Autumn sittings 2011. 	
ACT	<ul style="list-style-type: none"> By Autumn sittings 2011. 	
TAS	<ul style="list-style-type: none"> By Spring sittings 2011. 	
	Date to introduce corresponding legislation to Parliament	Date Completed
WA	<ul style="list-style-type: none"> Autumn sitting 2011 following RIS in second half of 2010. 	
	Consequential amendments required to other existing legislation	Date Completed
Commonwealth	<ul style="list-style-type: none"> Consequential amendments to the family assistance law: <ul style="list-style-type: none"> Amending the <i>A New Tax System (Family Assistance) (Administration) Act 1999</i> and the legislative instruments (particularly the Eligibility Determination) – proposed for Autumn and or Winter sittings 2011. 	
NSW	<ul style="list-style-type: none"> Amending existing NSW Act and Regulation to transition to the NQF – first stage by December 2010. Amending NSW legislation in relation to outside school hours care - by December 2011. Amending NSW Act and Regulation in relation to residual services – by December 2011. 	
Victoria	<ul style="list-style-type: none"> Amending Children’s Services Regulations to align with the NQA – September 2010. Amending Children’s Services Act and Regulations in relation to residual services - December 2011. 	

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QLD	<ul style="list-style-type: none"> Consequential amendments required to the <i>Child Care Act 2002</i> and other legislation are planned to be progressed as a consequence of the national legislation during June - November 2011. 	
SA	<ul style="list-style-type: none"> Revoking relevant sections of the <i>Children's Services Act 1985</i> and the <i>Education Act 1972</i> and establishing a new Act to apply the national laws and regulate other prescribed education and early childhood services February 2011 Possible consequential amendments to other relevant South Australian legislation, if required April 2011. 	
NT	<p>Amendments to NT legislation by June 2011: <i>Care and Protection of Children Act</i> and <i>Care and Protection of Children (Children's Services) Regulations</i> in relation to:</p> <ul style="list-style-type: none"> Definition of a children's service. Scope of licensing and registration requirements. Timing of compliance for services. 	
ACT	<p>Amendments to ACT legislation by December 2011:</p> <ul style="list-style-type: none"> <i>Children and Young People Act 2008</i>. <i>Education Act 2004</i>. 	
TAS	<ul style="list-style-type: none"> Amending the <i>Child Care Act 2001</i> – by December 2011. Possible consequential amendments to numerous other Acts. 	
WA	<ul style="list-style-type: none"> Amending <i>School Education Act 1999</i> and regulations either to align with NQF or to repeal inconsistent provisions, as identified by Parliamentary Council. Amending <i>Child Care Services Act 2007</i> to align with NQF (or to repeal inconsistent provisions), and in relation to residual services. Possible consequential amendments to <i>State Administrative Tribunal Act 2004</i>, SAT Regs and SAT Rules, <i>WACOT Act</i>, <i>Children and Communities Act 2004</i>, <i>Working with Children (Criminal Record Checking) Act 2004</i>, <i>Spent Convictions Act 1988</i>, <i>Health and Safety (Schools and Child Care Services) Act 2010</i>, <i>Health (Notification of Anaphylaxis) Regulations 2010</i>, <i>Food Act 2008</i>, <i>Health Act 1911</i> and <i>Health (Public Buildings) Regulations 1992</i>, <i>Evidence Act 1906</i>, Local Government legislation 1960 and 1995, <i>Curriculum Council Act 1997</i>, <i>Building Code of Australia</i>. 	

SCHEDULE B

REFORM OF THE REGULATORY WORKFORCE

Jurisdiction	Key Activities e.g. jurisdiction strategy/plans for training/up-skilling of qualifications
Commonwealth	Development of a human resources plan to allow for a smooth transition from the current regulatory arrangements to the NQA, including determining the future workforce requirements across jurisdictions and for ACECQA. This will include: (1) a job functions audit; (2) an audit of the current responsibilities of the workforce currently employed to undertake licensing and regulation of children’s services in states and territories agencies; (3) a gap analysis between these skills sets; (4) the identification of training and recruitment needed to fill the gaps; and (5) the identification of the workforce requirements for the new regulatory and quality improvement framework.
NSW	Development of a plan for NSW to effectively undertake its regulatory responsibilities under the NQF, including: <ul style="list-style-type: none"> • Development of a draft model and organisational structure that will allow NSW to fulfil the regulatory and quality improvement responsibilities under the NQF; • Development of a proposed structure for the workforce required for the new regulatory and quality improvement framework, including potential roles, skill requirements, functions and expected number of staff required; • Development of an implementation plan for the new model and structure, including a recruitment strategy, a workforce development plan and a change management strategy - to be completed by April 2011; and • Implementation of the new structure and workforce plans - from May 2011.
Victoria	Development of a plan for Victoria to efficiently and effectively undertake its regulatory and quality improvement responsibilities under the NQF including organisational structure and governance. This will include the following: <ul style="list-style-type: none"> • An audit of the current workforce employed to undertake licensing and regulation of children’s services; and development of options for a model, including an organisational structure that allows Victoria to fulfil the regulatory and quality improvement responsibilities under the NQF; and • Development of a proposed structure for the workforce responsible for the new regulatory and quality improvement framework, including potential roles, skill requirements and expected number of staff required; and development of an implementation plan for the new model including a workforce development plan and a change management strategy (to be completed end November 2010).

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QLD	<ul style="list-style-type: none"> • Training of regulatory managers and workers is planned on a continual basis throughout the transition period. This includes targeted sessions for field testing and trial assessments, face-to-face sessions with managers (first to be held in May 2010). • Queensland will consider the outcomes of the workforce profiling work being commissioned by DEEWR during 2010. • Following this analysis, Queensland will estimate the number of staff and skills required for Queensland's regulatory workforce into the future, and develop a HR change management strategy to achieve any necessary changes. • Should new or revised positions be required, Queensland will aim to recruit in the first half of 2011. • Substantial training and development of regulatory staff is planned to be undertaken in 2011 to enable them to work with the sector to implement the new regulatory approach from January 2012.
SA	<ul style="list-style-type: none"> • Implement training and development of a plan for SA to establish, lead and manage its new state regulatory agency. • Identification of regulatory work force needs including staff numbers and skill/qualification mix: potential staffing models: organisational structures and a training and development plan for current regulatory staff for implementation in 2011. • Should new or revised position be required, SA will aim to recruit in the first half of 2011.
NT	<ul style="list-style-type: none"> • Assessment of skills and training needs for current regulatory staff. • Transition project to align education and licensing expertise.
ACT	<ul style="list-style-type: none"> • Develop a transition plan (through an interdepartmental committee) to facilitate the implementation of the NQF from January 2012. • Establish governance processes and systems to include Department of Education and Training School Improvement Framework to include ACT public preschools in the NQF. This will include relationships, communication and processes to enable reporting to the National Body on children's services and preschool ratings. • Assessment of current regulatory agency structure, roles and responsibilities to ensure it can meet the needs of the new system. • Department of Education and Training to develop rating and assessment procedures for preschools. • Training of regulatory staff. • Monitor the qualification levels of the workforce to evaluate progress in meeting NQS. • Training and Scholarships (as required) provided to Department of Education and Training staff to meet the qualification requirements of the new system. • Progress local initiatives and strategies to develop qualified workforce.
TAS	<p>Development of a plan for Tasmania to establish, lead and manage its new state regulatory agency.</p> <ul style="list-style-type: none"> • An audit of the current workforce employed to undertake licensing and regulation of children's services based on the consultant's report as part of the T & E project group plan. • Develop proposed structure for work force that allows Tasmania to fulfil the regulatory and quality improvement responsibilities under the NQF, including training and development plan for new and/or existing staff members. • Any vacancies will be advertised mid 2011.

WA	<p>Development of a plan for WA to identify or establish and manage the state regulatory authority or authorities. This will include:</p> <ul style="list-style-type: none">• Identification of regulatory workforce needs including staff numbers and skill/qualifications mix; potential staffing models; organisational structures and creation of a training and development plan for current regulatory staff by Dec 2010; and• Development of a training and professional development plan for current and new regulatory staff.
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REGULATORY ARRANGEMENTS

Jurisdiction	Establishment of jurisdictional regulatory arrangements
	Identification of Regulatory Authority
Commonwealth	<ul style="list-style-type: none"> • Maintenance of NCAC until 31 December 2011. • Child Care Benefit approval processes.
NSW	<ul style="list-style-type: none"> • Department of Human Services NSW.
Victoria	<ul style="list-style-type: none"> • Department of Education and Early Childhood Development.
QLD	<ul style="list-style-type: none"> • Department of Education and Training.
SA	<ul style="list-style-type: none"> • Establishment of a Statutory Authority.
NT	<ul style="list-style-type: none"> • Department of Education and Training.
ACT	<ul style="list-style-type: none"> • Department of Disability, Housing and Community Services.
TAS	<ul style="list-style-type: none"> • To be advised.
WA	<ul style="list-style-type: none"> • Pending decision by Western Australian Government (as at April 2010).
	Roll out of the assessment and rating process
Commonwealth	<ul style="list-style-type: none"> • Lead development and refinement of national materials required to support implementation of the NQF, including guidelines for seven quality areas, self assessment, quality improvement plan, assessment and rating methodology, assessor and services training materials, regulators operations manual and other supporting materials. • Development and management of processes for transitioning services from Commonwealth Child Care Quality Assurance systems to NQF (in collaboration with the NCAC). • Manage development and implementation of national communications resources and processes.

NSW	<ul style="list-style-type: none"> • Involvement of NSW regulatory staff in the trial and roll-out of the assessment and ratings process. • Provide input into national materials required to support implementation of the NQF. • Participation of NSW regulatory staff in assessor training. • Manage the transition to the new process for the NSW regulator and in-scope services, including communications with the sector in NSW. • Develop and manage processes to support NSW services during the implementation period. • Facilitate participation of the NSW regulator in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF. • Develop business process for internal review of rating decisions by the NSW regulator. • Identification and notification of NSW services to be formally assessed from 1 January 2012.
Victoria	<ul style="list-style-type: none"> • Involvement of Victorian regulatory staff in trial and roll out of the assessment and ratings process. • Manage transition to the new process for Victorian regulators and services. • Develop any supplementary materials required to support implementation of the NQF in Victoria e.g. information for services not covered or partially covered by the NQF. • Facilitate Victorian participation in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF. • Input into the development of national professional development and communications resources and processes. • Develop and manage processes to support services in implementation e.g. incentives and other professional development. • Manage processes to build sector capacity, education and communication about reforms.
QLD	<p>Queensland is finalising a comprehensive NQF transition plan which includes:</p> <ul style="list-style-type: none"> • a detailed communication strategy, including state-wide internal and external communication activities to support the transition; and • those actions required to implement the ratings assessment, taking due consideration of nationally agreed priorities for assessment, risk management, regulatory staffing capacities and the impacts on the commercial operation of services. • Facilitate Queensland participation in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF. <p>Queensland is liaising closely with key state stakeholders to inform the implementation of the new regulatory arrangements.</p>
SA	<ul style="list-style-type: none"> • Involvement of South Australian regulatory staff in field test and roll out of the assessment and ratings process. • Determine the process for assessing and rating SA government preschools, including integration with existing quality assurance mechanisms. • Manage transition to the new process for South Australian regulators, providers and services, including information communication. • Develop any supplementary materials required to support implementation of the NQF in South Australia e.g. implementation guide for SA services. • Facilitate SA participation in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF. • Input into the development of national professional development and communications resources and processes. • Develop and manage processes to support services in implementation e.g. materials and other professional development.

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NT	<ul style="list-style-type: none"> • Involvement of regulatory staff in trial of assessment and ratings. • Manage transitions for preschools into the regulatory environment. • Manage transitions for currently licensed services. • Develop communication strategies and resources for regulators, providers and families. • Assist development of sector capacity to adopt changes. • Continue to input into national processes. • Determine the process for budget based services. • Develop materials to support services/family users of services not covered by legislation. • Facilitate NT participation in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF.
ACT	<ul style="list-style-type: none"> • Identify children’s services and preschools to be assessed and rated in the trial period. • Develop timeline and assign to regulatory staff. • Participate in further training for regulatory staff. • Department of Education and Training to align quality assurance processes for preschools. • Facilitate ACT participation in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF.
TAS	<ul style="list-style-type: none"> • Involvement of Tasmanian regulatory staff in field test and roll out of the assessment and ratings process. • Determine the process for assessing and rating Tasmanian government and non- government preschools, including integration with existing quality assurance mechanisms. • Manage transition to the new process for Tasmanian regulators, providers and services, including information communication. • Develop any supplementary materials required to support implementation of the NQF in Tasmania e.g. information for services not covered or partially covered by the NQF. • Develop and manage processes to support services in implementation e.g. materials and other professional development. • Determine process for out of scope services. • Facilitate Tasmanian participation in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF.

WA	<ul style="list-style-type: none"> • Involvement of Western Australian regulatory staff in field testing and rollout of the assessment and ratings process (second half 2010). • Negotiate within ECD Working Group or with National Body for assessing and rating WA government kindergartens, Catholic kindergartens, other non-government kindergartens and kindergartens in Independent Public Schools, including integration with existing quality assurance mechanisms. • Manage transition to the new process for Western Australian regulators, providers and services, including information communication. • Develop any supplementary materials required to support implementation of the NQF in Western Australia e.g. implementation guide for WA services. • Lead Western Australia's participation in the national monitoring and oversight of consistency function undertaken by ACECQA to support and promote consistency in the administration of the NQF. • Provide input into the development of national professional development and communications resources and processes. • Develop and manage processes to support services in implementation e.g. materials and other professional development. • Establish new stakeholder consultative arrangements in line with the NQA and new regulatory arrangements. • Restructure of Family Day Care sector.
	Additional arrangements required
Commonwealth	<ul style="list-style-type: none"> • Potential alignment of Child Care Benefit approval processes with new regulatory arrangements.
NSW	<ul style="list-style-type: none"> • Review NSW regulator's business processes to align with National Law, and national guidelines and protocols.
Victoria	<ul style="list-style-type: none"> • Review internal and external resources to align with national guidelines. • . • Engage in development work to move to assessing and rating stand alone services delivering a funded kindergarten program
QLD	<ul style="list-style-type: none"> • Implementation of universal access to kindergarten in Queensland will take into account the implications of the NQF. • Consideration of the impact of the NQF on existing state government provided pre-prep programs.
SA	<ul style="list-style-type: none"> • Align SA early childhood education and care policy with requirements of the NQA. • Review of existing government preschool quality assurance processes. • Engage in pilot work to determine the impact of implementing the NQA on all SA services and to determine their support needs. • Maintain existing ratios of 1:10 for children aged 36 months to school age.
NT	<ul style="list-style-type: none"> • Develop policy position for NT Child Day Care Subsidy. • Develop policy position for services operating within government owned facilities. • Develop and manage process to support community based organisations to meet requirements, including responsibilities under corporations law.
ACT	<ul style="list-style-type: none"> • Ongoing information dissemination to agencies involved in the provision of children's services including training organisations, government departments, and local PSC and ISA. • Negotiate with services licensed but not in scope (playschools only at this stage) the capacity to agree to be included for the purposes of 'approval to operate' with option to be voluntarily rated.

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TAS	<ul style="list-style-type: none"> • Review of existing government kindergarten quality assurance processes. • Review of School Registration Board QA process for non government kindergartens. • Manage processes to build sector capacity, education and communication about reforms particularly for government and non-government kindergartens. • Manage the process for services out of scope.
WA	<ul style="list-style-type: none"> • Assist the State Administrative Tribunal to prepare for its new role • Evaluate how to align existing registration and quality assurance of non-government schools and reviews of Independent Public Schools with NQA for Kindergartens in order to reduce regulatory burden. • Manage the restructure of the Family Day Care sector (from regulation of individual carers as at present to regulation of schemes). • Evaluate the impact of implementing the NQF on WA services by category with a view to developing service-specific support materials and procedures. • Continue to work with the Commonwealth to align Commonwealth and State investment in early childhood education and care services. • Participate with the Commonwealth Government and other jurisdictions to develop a National Workforce Strategy; and develop corresponding Western Australian Workforce Strategy. • Develop integrated strategic plans with the Commonwealth Government to improve the quality of Early Childhood Education and Care in Western Australia.

REPORTING REQUIREMENTS

Transition Phase – Jurisdictions will report collectively to MCEECDYA

Activity	Reporting Date	Period	Reporting Requirements (taken from Section 5 and 9 of the Plan)	Reference in IP
MCEECDYA Report 1	December 2010	June – November 2010	I. Field testing and development of the NQS with selected LDC services – by June 2010 II. Application of the NQS commences with approximately 200 services – from October 2010 III. Successful passage of Bill and Royal Assent to Act in Victoria - by end November 2010 IV. Scope of new national IT system and issue tender to build - by November 2010 V. Establishment of ACECQA as an entity in National Law when passed by Victoria and NSW- by December 2010	I. Table 2 II. Table 2 III. Table 1 IV. Table 3 V. Table 4
MCEECDYA Report 2	April 2011	December 2010 – March 2011	I. National Regulations agreed by MCEECDYA for public consultation by February 2011. II. Assessment and rating of approximately 200 services completed by March 2011	I. Table 1 II. Table 2

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MCEECDYA Report 3	October 2011	April 2011 – September 2011	<p>I. National Regulations agreed by MCEECDYA – by May/June 2011</p> <p>II. Assessment and rating process finalised – by May/June 2011.</p> <p>III. Regulators’ Operating Manual on the NQF (including assessment and rating process) and national training for State and Territory regulatory staff available – by July 2011</p> <p>IV. National Guidelines on the NQF for Services available – by July 2011</p> <p>V. Transitional plans outlining how services will move into the new system, including an outline of arrangements to conduct all assessments and ratings by 31 December 2014, including preschools within schools – by September 2011.</p>	<p>I. Table 1</p> <p>II. Table 2</p> <p>III. Table 2 & 3</p> <p>IV. Table 2</p> <p>V. Table 3</p>
MCEECDYA Report 4a	April 2012	October 2011 – March 2012	<p>I. National Applied Laws Legislation and Regulations enacted in all jurisdictions (corresponding legislation for WA) and consequential amendments made to existing legislation – by no later than 31 December 2011</p> <p>II. Date of effect of legislation for new national system and ACECQA’s commencement – 1 January 2012</p> <p>III. New national IT system operational – 1 January 2012</p> <p>IV. ACECQA fully operational and assumes responsibility for the NQF, and NCAC ceases to exist</p> <p>V. All services to be assessed against the NQS – from 1 January 2012</p>	<p>I. Table 1</p> <p>II. Table 1</p> <p>III. Table 3</p> <p>IV. Table 4</p> <p>V. Table 2</p>

Implementation Phase – ACECQA will report to MCEECDYA drawing on input from all jurisdictions

Activity	Reporting Date	Period	Reporting Requirements (taken from Section 5 and 9 of the Plan)	Reference in IP
MCEECDYA Report 4b	April 2012	October 2011 – March 2012	<p>I. Progressive implementation of new staff to child ratios (as outlined in NP Schedule B, Annexure 1 – Staffing Arrangements) - from 1 January 2012</p> <p>II. Progressive implementation of new workforce qualification requirements (as outlined in NP Schedule B, Annexure 1 – Staffing Arrangements) - from 1 January 2014</p> <p>III. The proportion of early childhood education and care services with a current assessment against the NQS -ongoing commencing with April 2012 MCEECDYA report</p> <p>IV. The proportion, location and characteristics of services at each level under the ratings framework - ongoing commencing with April 2012 MCEECDYA report</p> <p>V. The proportion of services with waivers for the Staffing Arrangements or Physical Environment standards, including the number of those services by socio-economic or regional locations - ongoing commencing with April 2012 MCEECDYA report</p> <p>VI. The proportion of parents who indicate that they know their service’s rating and understand its meaning - ongoing commencing with April 2012 MCEECDYA report</p> <p>VII. The proportion of services reporting a reduced regulatory burden under the new regulatory system - ongoing commencing with April 2012 MCEECDYA report</p>	<p>I. Table 2</p> <p>II. Table 2</p> <p>III. Table 5</p> <p>IV. Table 5</p> <p>V. Table 5</p> <p>VI. Table 5</p> <p>VIII. Table 5</p>

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MCEECDYA Report 5	October 2012	April – September 2012	<p>I. The proportion of early childhood education and care services with a current assessment against the NQS - ongoing commencing with April 2012 MCEECDYA report</p> <p>II. The proportion, location and characteristics of services at each level under the ratings framework - ongoing commencing with April 2012 MCEECDYA report</p> <p>III. The proportion of services with waivers for the Staffing Arrangements or Physical Environment standards, including the number of those services by socio-economic or regional locations - ongoing commencing with April 2012 MCEECDYA report</p> <p>IV. The proportion of parents who indicate that they know their service’s rating and understand its meaning - ongoing commencing with April 2012 MCEECDYA report</p> <p>V. The proportion of services reporting a reduced regulatory burden under the new regulatory system - ongoing commencing with April 2012 MCEECDYA report</p>	<p>I. Table 5</p> <p>II. Table 5</p> <p>III. Table 5</p> <p>IV. Table 5</p> <p>V. Table 5</p>
MCEECDYA Report 6	April 2013	October 2012 – March 2013	<p>I. The proportion of early childhood education and care services with a current assessment against the NQS - ongoing commencing with April 2012 MCEECDYA report</p> <p>II. The proportion, location and characteristics of services at each level under the ratings framework - ongoing commencing with April 2012 MCEECDYA report</p> <p>III. The proportion of services with waivers for the Staffing Arrangements or Physical Environment standards, including the number of those services by socio-economic or regional locations - ongoing commencing with April 2012 MCEECDYA report</p> <p>IV. The proportion of parents who indicate that they know their service’s rating and understand its meaning - ongoing commencing with April 2012 MCEECDYA report</p> <p>V. The proportion of services reporting a reduced regulatory burden under the new regulatory system - ongoing commencing with April 2012 MCEECDYA report</p>	<p>I. Table 5</p> <p>II. Table 5</p> <p>III. Table 5</p> <p>IV. Table 5</p> <p>V. Table 5</p>

MCEECDYA Report 7	October 2013	April – September 2013	<ul style="list-style-type: none"> I. The proportion of early childhood education and care services with a current assessment against the NQS - ongoing commencing with April 2012 MCEECDYA report II. The proportion, location and characteristics of services at each level under the ratings framework - ongoing commencing with April 2012 MCEECDYA report III. The proportion of services with waivers for the Staffing Arrangements or Physical Environment standards, including the number of those services by socio-economic or regional locations - ongoing commencing with April 2012 MCEECDYA report IV. The proportion of parents who indicate that they know their service’s rating and understand its meaning - ongoing commencing with April 2012 MCEECDYA report V. The proportion of services reporting a reduced regulatory burden under the new regulatory system - ongoing commencing with April 2012 MCEECDYA report 	<ul style="list-style-type: none"> I. Table 5 II. Table 5 III. Table 5 IV. Table 5 V. Table 5
MCEECDYA Report 8	April 2014	October 2013 – March 2014	<ul style="list-style-type: none"> I. The proportion of early childhood education and care services with a current assessment against the NQS - ongoing commencing with April 2012 MCEECDYA report II. The proportion, location and characteristics of services at each level under the ratings framework - ongoing commencing with April 2012 MCEECDYA report III. The proportion of services with waivers for the Staffing Arrangements or Physical Environment standards, including the number of those services by socio-economic or regional locations - ongoing commencing with April 2012 MCEECDYA report IV. The proportion of parents who indicate that they know their service’s rating and understand its meaning - ongoing commencing with April 2012 MCEECDYA report V. The proportion of services reporting a reduced regulatory burden under the new regulatory system - ongoing commencing with April 2012 MCEECDYA report 	<ul style="list-style-type: none"> I. Table 5 II. Table 5 III. Table 5 IV. Table 5 VI. Table 5

