



the really simple guide to ...

NOVEMBER 2011

# The New Regulations

*(The Education and Care Services National Regulations)*

For NSW centre-based early education and care services.

The *Education and Care Services National Regulations* approved as part of the National Quality Framework (NQF), have now been finalised.

**This guide is designed as a simple introduction to the new *Regulations* for preschools and long day care centres.**

This resource assumes you know the background to the NQF and you know if your service is covered by the new *Regulations* or not.

We are also making the assumption that what you need to know are the big things:

- ▶ What's new;
- ▶ What's different; and
- ▶ What changes you will need to make.

We'll also point you to more information when you are ready to use it.

## USING THIS GUIDE



### READ MORE

We know you have a lot to do, so this is an essential reading signpost.



### WHAT YOU NEED TO DO

The actions you must take to comply with the new world of regulations.



### GOOD TO KNOW

Snippets of handy information.

Throughout this guide, we refer to **DEC** and **ACECQA**. **DEC** is the NSW Department of Education and Communities. It is the 'state regulatory authority' in NSW — in other words, it will assess services under the National Quality Framework and is responsible for ensuring compliance under the *Regulations*. **ACECQA** is the Australian Children's Education and Care Quality Authority. This is the new national organisation which oversees the NQF.

This resource has been funded by the NSW Department of Education and Communities, specifically as a resource for state-funded services. The information applies to preschools and long day care services, community-based or for-profit.

Community Child Care would like to thank the Department and also the many people from the sector who helped us determine what services wanted to know about the *Regulations*.

# [ The Laws ]

## What are the *Regulations*?

The *Regulations* are the rules under which children's services must operate.

Before January 2012

### OLD WORLD

The Law – *The Children and Young Persons (Care and Protection) Act 1998* – Children's Services covered in Chapter 12.

The Regulation – *Children's Services Regulation 2004*

After January 2012

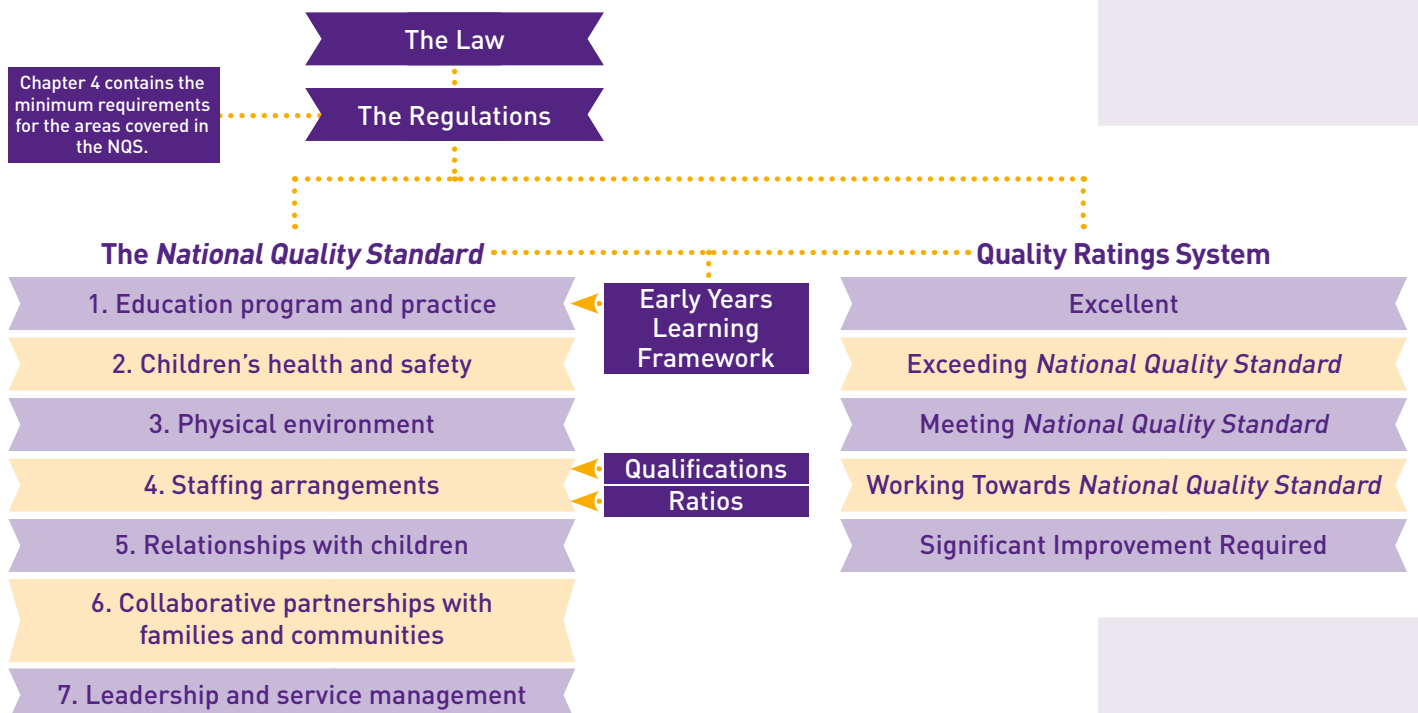
### NEW WORLD

The Law – *Children (Education and Care Services National Law Application) Act 2010* – a National Law to regulate education and care services for children.

The Regulations – *Education and Care Services National Regulations*.

Regulations are the way that the Law is applied. The *Regulations* are the practical details and rules made under the Law. It is the *Regulations* that services need to be really familiar with but there is also important information in the National Law.

## The National Quality Framework



## So where do you get a copy of the Regulations and do you need one?

Yes, you do. In fact, the *Regulations* require you to have a copy of the *Regulations* (and the Law the *Regulations* are under) at the service accessible to staff, supervisors, volunteers and parents!

DEEWR will be sending all services a copy of the *Regulations* on CD, but in the meantime you can download them from the Community Child Care website – [www.cccnsw.org.au](http://www.cccnsw.org.au). Everything you need is behind the big yellow 'NQF and other changes' button.



LOOKS LIKE THIS!

## So what has changed?

Before January 2012

### OLD WORLD

In the old world we had the *NSW Children's Services Regulation 2004*. It covered NSW Children's services only and took up 113 pages.

After January 2012

### NEW WORLD

In the new world we have the *Education and Care Services National Regulations*. It covers LDCs, preschools, FDCs and OOSH services across Australia.

The new *Regulations* are 269 pages, but are well laid out and easy to follow.



**READ MORE**

A copy of the *Regulations* is on the Community Child Care website:

[www.cccnsw.org.au](http://www.cccnsw.org.au)

as well as at the ACECQA

website: [acecqa.gov.au](http://acecqa.gov.au)

and the DEC website: [www.educationandcommunities.nsw.gov.au](http://www.educationandcommunities.nsw.gov.au)

## WHAT YOU NEED TO DO ...

... Become familiar with the new *Regulations*.

### → GOOD TO KNOW

The sections of the *Regulations* that have the parts you need to consult more regularly are Chapter 4 – Operational Requirements and Chapter 7 which contains the specific parts which apply to NSW services.

# [ Regulations & the NQS ]

## How do the *Regulations* fit in with the *National Quality Standard* (NQS)?

The NQS is part of the *Regulations*. This is what makes the NQS law. The *Regulations* support the implementation of the NQS.

The NQS also stems from the *Regulations*. If you are following the *National Quality Standard*, you are well on your way to meeting the *Regulations*.

## It is important to remember that:

- ▶ Chapter 4 of the *Regulations* describes minimum requirements;
- ▶ The *National Quality Standard* is about moving beyond the minimum. The *Standard* is about Quality.

As a children's service which has approval to operate under the national law, your service is legally obliged to comply with the *Law* and *Regulations*, including the minimum requirements set out in Chapter 4 and assessment against the *National Quality Standard*.



## READ MORE

Download ACECQA's *Guide to the National Quality Standard* from Community Child Care's website:

[www.cccnsw.org.au](http://www.cccnsw.org.au)  
or the ACECQA website:  
[www.acecqa.gov.au](http://www.acecqa.gov.au)

## WHAT YOU NEED TO DO ...

... Read the *Guide to the National Quality Standard*. Assess your service against the Standard. Make and plan for changes as necessary. The Quality Improvement Plan is your tool for this.

## → GOOD TO KNOW

The *Regulations* specify the minimum requirements that you must meet. Something may be 'allowed' under the *Regulations* but you should consider striving to meet a higher quality standard. For example, the qualifications set in the *Regulations* are minimum ratios. A service aiming for an 'Excellent' qualification may consider employing staff with higher qualifications than required.

# [ Approvals ]

Before January 2012

## OLD WORLD

CHILDREN'S SERVICES PROVIDER LICENCE AND SERVICE APPROVAL

After January 2012

## NEW WORLD

**PROVIDER APPROVAL:** nationally recognised – enables providers to apply for Service Approvals in any Australian state or territory.

**SERVICE APPROVAL:** authorises an approved provider to operate a specific education and care service.

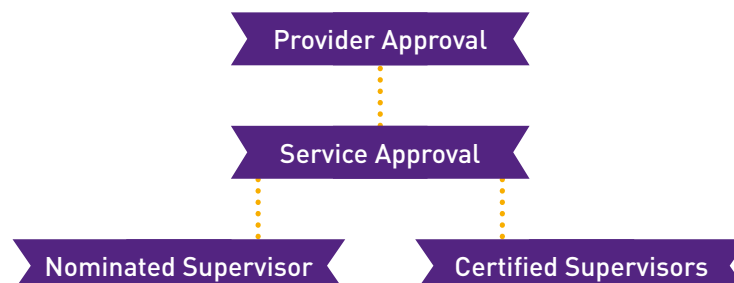
If you are currently licensed and operating a DEC-approved service, you will automatically be granted a provider and service approval. DEC will send your Service and Provider approvals by June 2012.

## Are you responsible?

Under the *Regulations*, you must have a **responsible person** present whenever there are children being educated and cared for by the service.

A responsible person can be:

- ▶ The **APPROVED PROVIDER** – if this is an individual. If it is an organisation or company then someone with management and control of the service;
- ▶ The **NOMINATED SUPERVISOR** – this is a person with a Supervisor's Certificate designated by the service as the Nominated Supervisor.
- ▶ A **CERTIFIED SUPERVISOR** – this is a person with a Supervisor's Certificate who has been placed in day-to-day charge of the service.



# [ Supervisors ]

Before January 2012

## OLD WORLD

AUTHORISED SUPERVISOR

After January 2012

## NEW WORLD

NOMINATED SUPERVISORS and CERTIFIED SUPERVISOR

- ▶ Services will need to ensure a number of staff are Certified Supervisors so there can always be someone available to take on the role of *responsible person* (see previous page).
- ▶ One of these must be designated by the provider as the Nominated Supervisor.



The detail about Approvals and Certificates can be found in Chapter 2 of the *Regulations*.

## Certified Supervisor

A Supervisor Certificate belongs with the person – it's portable from service to service within Australia.

## Nominated Supervisor

The Nominated Supervisor is responsible for the operation of a specific service, along with the Approved Provider, and for ensuring it is following the *Law* and the *Regulations*. They need to ensure for example that the service is meeting the required ratios and qualifications targets.

To become a Certified Supervisor,  
you need to have 3-years' experience  
OR have approved early childhood  
teaching qualifications  
OR have approved diploma qualifications.

## WHAT YOU NEED TO DO ...

... You need to ensure you have enough Certified Supervisors so that there is always a 'responsible person' on site whenever the service is operating. DEC will let you know how educators can apply to become Certified Supervisors.

## → GOOD TO KNOW

If you are licensed now and operate a DEC-approved service, you automatically receive Provider Approval and Service Approval under the NQF.

If you have one Authorised Supervisor, they will automatically become your Nominated Supervisor. If you have two, you'll need to tell DEC which one is to be your Nominated Supervisor but both will receive a Supervisor Certificate.

When a Certified Supervisor assumes the position of responsible person for a service, they are not taking on the legal responsibilities of the Nominated Supervisor.



You can download ACECQA's *Guide to the National Quality Standard* from Community Child Care's website: [www.cccnsw.org.au](http://www.cccnsw.org.au) or the ACECQA website: [acecqa.gov.au](http://acecqa.gov.au). The assessment and ratings process is outlined in Chapter 3 of the *Regulations*.

# [ Assessment and ratings ]

The *National Quality Standard* is the standard against which services:

- ▶ Self-assess their performance in delivering quality education and care;
- ▶ Plan future improvements to their service via the *Quality Improvement Plan*.

The outcome of self-assessment against the Standard is the development of a Quality Improvement Plan.

Your service can be awarded one of 5 quality ratings:



The highest award DEC can give your service is Exceeding NQS. If you receive an overall rating of Exceeding NQS, you can apply to ACECQA for an Excellent rating.

## What if you don't agree with the rating you have been given?

Once you have received notice of your rating, you have 14 days to apply for a **review**. This review is undertaken by someone from DEC other than the initial assessor. You can then apply to ACECQA for a **further review** by a Ratings Review Panel if you think DEC didn't take something into account or didn't review your service correctly.

You can apply for **reassessment** (only once every two years) against all or one area of the NQS.

## WHAT YOU NEED TO DO ...

... Read the *Guide to the National Quality Standard*. Assess your service against the *Standard*. Make and plan for changes as necessary via your QIP. Download the guide to help you develop your Quality Improvement Plan.

### → GOOD TO KNOW

The draft *National Quality Standard* has changed. You must now refer to Schedule 1 of the *National Regulations*.

Prior to Assessment under the NQF, services are rated as *Provisional—Not Yet Assessed* under the *National Quality Framework*.

# [ Quality Improvement Plans ]

Services need to complete a self-assessment and quality improvement planning process as part of the NQF. Although you need to assess your service against all of the 7 quality areas, you only enter those areas that you have assessed as needing improvement in the *Quality Improvement Plan*. ACECQA has developed a template for the *Quality Improvement Plan* which can be used. You need to do a self-assessment to develop the *Quality Improvement Plan*, but it is only the plan that is submitted.

- ▶ You need to prepare your plan by 30 April 2012.
- ▶ You only need to send it to DEC when they request it.  
This will generally only be in the lead-up to an assessment visit.
- ▶ DEC can request to view your QIP whenever they visit your service.
- ▶ You need to update it annually.
- ▶ You need to keep a current plan at the service and ensure families and DEC can view it upon request.
- ▶ You will have six weeks to revise the plan before submission after you have been notified of your assessment date.
- ▶ You will need to update the final plan after you have been assessed and rated.

## → GOOD TO KNOW

The *Quality Improvement Plan* must include:

- ▶ Your service details;
- ▶ The philosophy of your service;
- ▶ A summary of strengths and areas for improvement for those of the 7 Quality Areas you have assessed as needing improvement;
- ▶ How you plan to improve – your goals, priorities, steps and measures of success.



You can download ACECQA's *Guide to Developing a Quality Improvement Plan* from [www.cccnsw.org.au](http://www.cccnsw.org.au) or the ACECQA website: [acecqa.gov.au](http://acecqa.gov.au). You can also download a *Quality Improvement Plan template*.

## WHAT YOU NEED TO DO ...

... Prepare your first Draft *Quality Improvement Plan* by the end of April 2012. Submit it when requested to by DEC. Update your QIP each year.

# [ Staffing arrangements ]

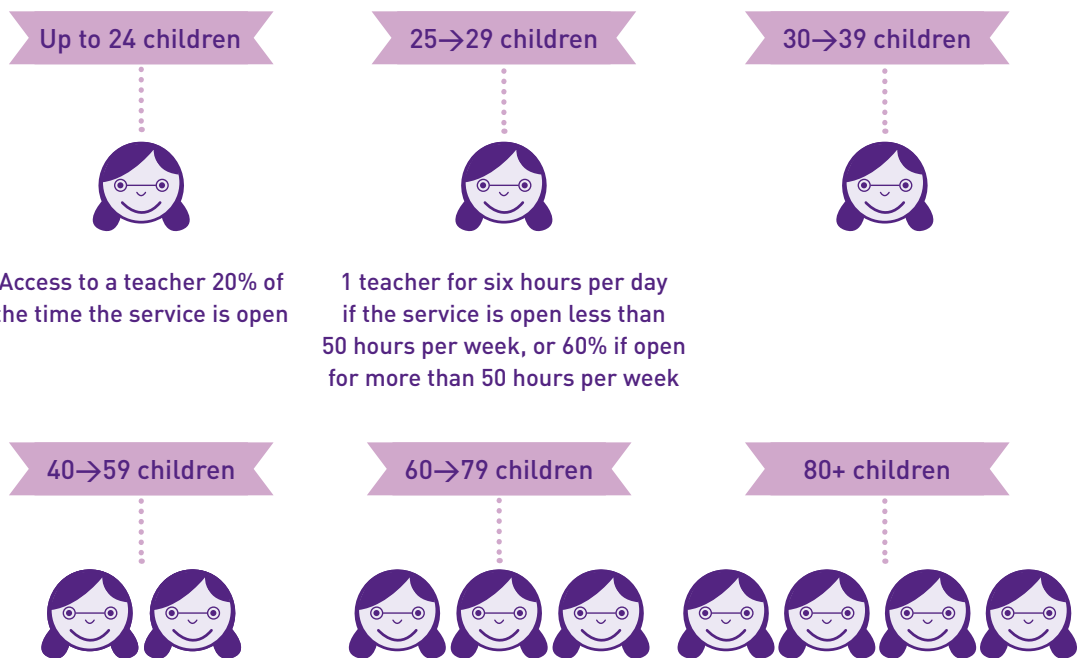
## Educator Qualifications Requirements (from 2014)

**Minimum Qualification:** Certificate III in Children's Services (or working towards this qualification)

**50% of staff:** a Diploma or higher qualification (or working towards this qualification)

### Early Childhood Teachers:

- ▶ Up to 24 children = access to a teacher 20% of the time the service is open
- ▶ 25 to → 29 children = 1 teacher for six hours per day if the service is open less than 50 hours per week, or 60% if open for more than 50 hours per week. Alternatively, they may engage a full-time teacher.
- ▶ 30 to → 39 children = 1 teacher
- ▶ 40 to → 59 children = 2 teachers
- ▶ 60 to → 79 children = 3 teachers
- ▶ 80 + children = 4 teachers



NSW has a higher standard regarding teachers than other states. It is therefore important that if your centre is over 29 places you read Part 7.3 for rules concerning teachers in NSW. These requirements apply in place of Regulations 132–134.

**Educational Leader** – each service must have one – no specific qualifications (just ‘suitably qualified and experienced’).

**First Aid Certificates** – services must always have an educator at the centre who holds a Certificate. Their qualification needs to include Anaphylaxis and Asthma management training from 1 January 2013.

**Child Protection** – all Nominated Supervisors and Certified Supervisors placed in day-to-day charge must have undertaken child protection training.

**Cooks** – no specific qualification required under the Regulations.

Community Child Care can provide or tell you where to obtain first aid, child protection and cook’s qualifications.

### → GOOD TO KNOW

For NSW Services with over 29 children in attendance, early childhood teachers ‘must be in attendance at all times’. Therefore the parts of the Regulation about when teachers are ill or away for short periods (Regulation 135) do not apply to NSW services.

If an untrained educator has worked in the sector for 15 years, they have until 2016 to enrol in or obtain a Certificate III see Regulation 240.

Non-teaching directors with ECT qualifications can be counted towards your teaching number requirements (because they are ‘in attendance’ at a centre) but cannot be counted as part of the 50% of staff who must have a diploma or above qualification (because they are not working directly with children).

## [ Ratio requirements ]

For NSW services the only change to ratios is for toddlers (25 months to 35 months). The new ratio from 2016 is 1 educator to 5 children. Educators must be working directly with children to be included in the ratios.

Educator-to-child ratios are not the only consideration in determining appropriate staffing. You also need to maintain adequate supervision and organise your staffing in a way to achieve quality education, health and wellbeing outcomes under the 7 Quality areas of the NQS.

### → GOOD TO KNOW

If you have less than 25 places, the teacher you are required to have access to for 20% of the time, cannot be included in your ratios.

### WHAT YOU NEED TO DO ...

... Ensure you have enough qualified staff to cover the requirements whenever you are open. Appoint an Educational Leader.



Part 4.4 and 7.3 of the Regulations.

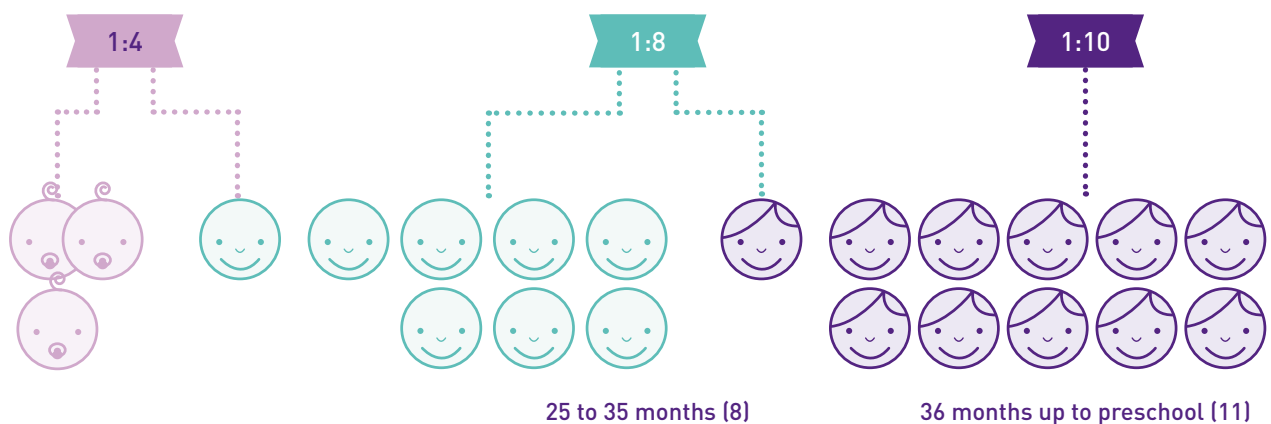
### WHAT YOU NEED TO DO ...

... Consider how you are going to meet the new toddler ratios from 2016, look at budgets, child numbers etc. Work out how you are going to manage group sizes and ratios for mixed age groups.

## What about mixed age grouping ratios?

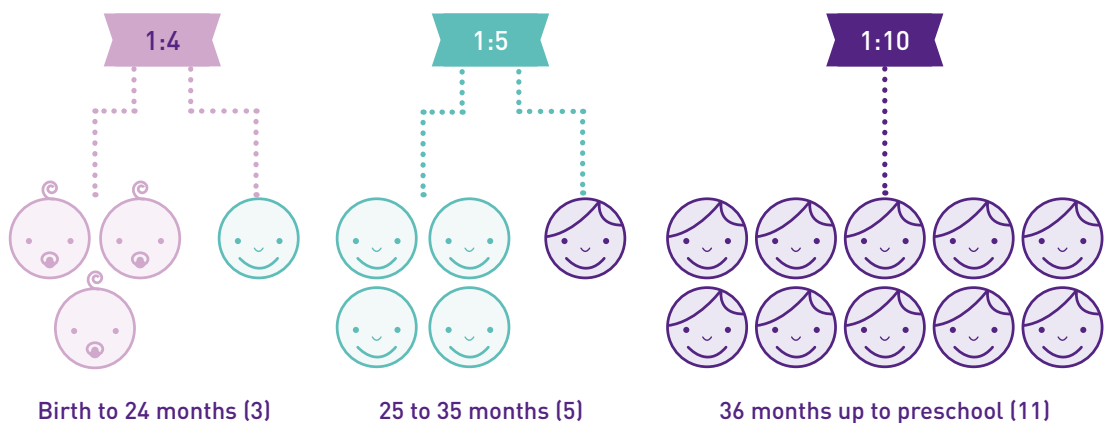
If you join rooms at the beginning or end of the day or run family groupings throughout the day, you still need the minimum number of educators for the children required under the ratios – so 1:4 for babies, 1:8 for toddlers (or 1:5 after 2016) and 1:10 for preschoolers. For each educator, the relevant ratio for each age group needs to be maintained. Older children can be included in the ratio of younger children.

### From now until 2016



In the above scenario, the required educator for the babies could also be responsible for one of the toddlers and still meet the 1:4 ratio for babies. The educator with the toddlers could also be responsible for one of the preschoolers and still meet the current 1:8 ratio. The final educator would therefore be responsible for 10 preschoolers.

### From 2016



In the above scenario, the required educator for the babies could also be responsible for one of the toddlers and still meet the 1:4 ratio for babies. The educator with the toddlers could also be responsible for one of the preschoolers and still meet the new 1:5 ratio. The final educator would therefore be responsible for 10 preschoolers.

# [ Waivers ]

If you cannot meet some of the **physical environment** or **staffing requirements** of the *Regulations*, you can apply for a waiver.

**Service Waiver** – provides a waiver on an ongoing basis.

**Temporary Waiver** – provides a waiver for a fixed period (up to 12 months).

## Service Waiver:

- ▶ Gives an exemption from a physical environment or staffing requirement
- ▶ Will mean the service is rated for the relevant NQS Standard as 'meeting National Quality Standard'
- ▶ Will be specified on Service Approval.

**What sort of thing might you need a service waiver for?** If your service does not have a separate administrative space as required under Regulation 111, you may be granted a service waiver for this requirement.

## Temporary Waiver:

- ▶ Gives a temporary waiver from a physical environment or staffing requirement
- ▶ Service with a temporary waiver will be rated for the relevant NQS Standard as 'working towards the *National Quality Standard*'
- ▶ Will be specified on Service Approval.

**What sort of thing might you need a temporary waiver for?** If your service cannot recruit a teacher as required under Regulations 130–134, you may be granted a temporary waiver for this requirement.



Regulations 41 to 45 cover Waivers.

## WHAT YOU NEED TO DO ...

... Work out if your service can meet the staffing (ratios and qualifications) and physical environment requirements of the *Regulations*. (Parts 4.3 and 4.4 of the *Regulations*). If not, you will need to apply for the appropriate waiver.

# [ Other changes for NSW Services ]

As well as the big areas we have already covered, the *Regulations* contain many smaller changes for what NSW services must do and what our procedures must be. The *National Regulations* are generally less proscriptive than our previous state regulation. They give services more flexibility in how they are going to meet the required outcomes. A good example of this is group size. Our previous regulation stipulated maximum group sizes whereas the *National Regulations* say that providers 'must have regard to the size and the composition of the groups' to ensure children have 'opportunities to interact and develop respectful and positive relationships with each other and with staff'.

The following are just some of the areas of change for NSW services that Community Child Care thinks services should be aware of.

## OTHER CHANGES YOU MAY LIKE TO THINK ABOUT

<b>Using the Early Years Learning Framework</b>	This is mandatory!
<b>Documenting child assessments</b>	You have to document assessments of each child's developmental needs, interests, experiences and participation in the educational program and assess their progress against the outcomes
<b>Natural environments</b>	Premises must allow children to explore natural environments
<b>Educational Leader</b>	Must have one
<b>Educators under 18 years</b>	Allowed but must be supervised by an educator above the age of 18
<b>ACECQA determines qualifications not DEC</b>	ACECQA will publish lists of approved qualifications
<b>Group size</b>	No maximum group sizes
<b>Changes to policies and procedures</b>	You must inform parents of any significant changes 14 days prior
<b>Information to be displayed</b>	A range of new information needs to be displayed at your service. See page 18 for more information

## → GOOD TO KNOW

Do you have an Early Childhood Teacher Interim Policy Approval? This will convert to a Temporary Waiver. This will expire when it was due to end or January 2013, whichever is earlier. Are you operating under Savings for indoor or outdoor space? You will be taken as meeting Regulations 107 and 109.

### FEES FOR CENTRE-BASED SERVICES

Annual Fee	→ 24 places = \$185 25–80 places \$275 81+ places \$365
Transfer of Service Approval	\$100
Application for service or temporary waiver	\$100
Application for re-assessment, re-rating or review by Ratings Review Panel	→ 24 places = \$400 25–80 places \$600 81+ places \$800
Application for Excellent rating	→ 24 places = \$200 25–80 places \$400 81+ places \$600
Application for determination of equivalent qualification	\$100

## → GOOD TO KNOW

Part 7 of the Regulation contains **transitional** and **saving** provisions. **Transitional** provisions are arrangements that remain in place for a defined period of time following commencement of the NQF, e.g. the 1:8 ratio for toddlers is a transitional provision which gives services until 2016 to move to a 1:5 ratio. **Saving** provisions are arrangements that remain in place indefinitely or until a decision is made in the future to amend such arrangements.

For example, the regulation which requires NSW services to have a 1:10 ratio for preschoolers, saves our existing ratio for this age group.

## → GOOD TO KNOW

The Department of Education and Communities will be preparing a table comparing the existing regulation and the new *Regulations*. This will be available to download from Community Child Care's website at [www.ccccnsw.org.au](http://www.ccccnsw.org.au) or from the DEC website at [www.educationandcommunities.nsw.gov.au](http://www.educationandcommunities.nsw.gov.au) once it is completed.

## → GOOD TO KNOW

Finding the part of the *Regulations* or *Standards* that covers a particular area is easier if you save a copy of both of them to your desktop. Then when you need to find what the *Regulations* says about, for example, 'shade', you go to the 'edit' menu, click on 'find' and type in 'shade'. This will take you to the first time 'shade' is found in the document – you can then use the arrows to find every other time the word 'shade' appears!

# [ Enforcement and Compliance ]

Under the *National Law*, DEC has a range of different mechanisms to use for ensuring services comply with the *Regulations* (as well as the rating system of course!).

- ▶ The *National Law* and *Regulations* contain certain offences, for example failing to adequately supervise children.
- ▶ Many of the offences in the *National Law* and *Regulations* would be familiar to services as they are similar to offences under existing NSW legislation.
- ▶ The Department of Education has a range of compliance powers which are set out in the *National Law*, again, many of these would be familiar to services (e.g. prosecution, infringement notices and compliance notices).
- ▶ The maximum penalty for an offence is set out under each offence provision.
- ▶ It is the courts that determine the amount of the penalty that must be paid, following a prosecution.
- ▶ In the last amendment to the NSW Regulation, the Department was given the power to issue penalty notices. This power also exists in the *National Regulations*, where they are called Infringement Notices. Infringement notices are just one of the range of enforcement and compliance tools available to the Department.
- ▶ The only penalty that can be issued to Educators in long day care and preschool services is for inappropriately disciplining a child. A wider range exist for Nominated Supervisors. See Regulation 190 of the *Regulations* and Section 291 of the *National Law*.
- ▶ The Department will also be using education and awareness strategies to increase knowledge of services' and individuals' responsibilities under the *Regulations* and *Law*.



## READ MORE

Read Regulation 190 of the *Regulations* and Sections 165–171 of the *Law*. Community Child Care has a checklist for Nominated Supervisors to check their compliance: see [www.ccccnsw.org.au](http://www.ccccnsw.org.au).

## WHAT YOU NEED TO DO ...

... Comply with the *Regulations* and law – remember ignorance of your obligations is not a defense!

### → GOOD TO KNOW

Any section of the *Regulations* for which a Compliance Direction may be issued is marked at the bottom of the *Regulations* with a specific note in smaller type.

# [ Policies ]

## What policies does your service need?

Under the National Quality Framework, your service will be required to have particular policies. The development of a range of other policies may help your service meet the *National Quality Standard*.

## Policies you must have under the *Regulations*

<ul style="list-style-type: none"> <li>• Health and Safety including:               <ul style="list-style-type: none"> <li>- Nutrition/food/beverages/dietary requirements</li> <li>- Emergencies and evacuation</li> <li>- Sun protection</li> <li>- Water safety</li> <li>- First aid</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Staffing including:               <ul style="list-style-type: none"> <li>- Code of conduct</li> <li>- Determining responsible person</li> <li>- Volunteers and students</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Incidents, injury, trauma, illness</li> </ul>	<ul style="list-style-type: none"> <li>• Interactions with children</li> </ul>
<ul style="list-style-type: none"> <li>• Infectious diseases</li> </ul>	<ul style="list-style-type: none"> <li>• Enrolment and orientation</li> </ul>
<ul style="list-style-type: none"> <li>• Medical conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Governance and management including:               <ul style="list-style-type: none"> <li>- Confidentiality of records</li> </ul> </li> </ul>
<ul style="list-style-type: none"> <li>• Arrival and departure</li> </ul>	<ul style="list-style-type: none"> <li>• Acceptance and refusal of authorisations</li> </ul>
<ul style="list-style-type: none"> <li>• Excursions</li> </ul>	<ul style="list-style-type: none"> <li>• Fees</li> </ul>
	<ul style="list-style-type: none"> <li>• Complaints</li> </ul>
	<ul style="list-style-type: none"> <li>• Child protection</li> </ul>

## Policies you may want to consider having to help you in meeting the *National Quality Standard*

<ul style="list-style-type: none"> <li>• Accident prevention</li> </ul>	<ul style="list-style-type: none"> <li>• Inclusion/cultural diversity</li> </ul>
<ul style="list-style-type: none"> <li>• Curriculum (Pedagogy) development</li> </ul>	<ul style="list-style-type: none"> <li>• Professional development</li> </ul>
<ul style="list-style-type: none"> <li>• Guiding children's behaviour</li> </ul>	<ul style="list-style-type: none"> <li>• Dental health</li> </ul>
<ul style="list-style-type: none"> <li>• Media and technology</li> </ul>	<ul style="list-style-type: none"> <li>• Communication with families</li> </ul>
<ul style="list-style-type: none"> <li>• Environmental sustainability</li> </ul>	<ul style="list-style-type: none"> <li>• Family orientation/enrolment</li> </ul>
<ul style="list-style-type: none"> <li>• Feedback from families</li> </ul>	<ul style="list-style-type: none"> <li>• Record keeping</li> </ul>
<ul style="list-style-type: none"> <li>• Risk management</li> </ul>	<ul style="list-style-type: none"> <li>• Priority of access</li> </ul>



More about these policies can be found in Chapter 4 of the *Regulations*, and a summary of what is required can be found in Clause 168 of the *Regulations*. You may also find the book *Policy Development in Early Childhood Settings: From idea to evaluation*, (2008) published by Pademelon Press a useful resource.

## Policy development

Many of the policies that are legally required will already be in place in your service. You need to update these policies in line with the new *Regulations*.

### How do you do this?

- ▶ Find which part of the *Regulations* would cover the area. Most operational areas are covered in Chapter 4. Use the index at the front to narrow down the pages and clauses (the name of the part will tell you the relevant quality area).
- ▶ Then refer to the corresponding Quality Area of the NQS.
- ▶ Read about that quality standard in the *Guide to the Quality Standard*.
- ▶ Adapt the policy so that when your policy is implemented you are doing what is legally required by the *Regulations* and what will help you meet or exceed the requirements of the NQS.

## Forms and Signs

The *Regulations* require you to keep some different records and to display specific information at your centre.

### RECORDS

• Child assessments	• Educators working directly with children
• Incident, injury, trauma and illness record	• Children's attendance
• Medication record	• Enrolment record
• Staff record	• Compliance record
• Responsible person record	• Certified Supervisor record
• Record of volunteers and students	• Emergency risk assessment
• Excursion authorisation	• Excursion risk assessment
• Notification of changes to policies and procedures	• Access to early childhood teacher records

### SIGNS THAT MUST BE DISPLAYED

• Emergency evacuation floor plan and instructions
• A sign with your provider name; approval number; any conditions your provider approval is subject to, the name of the service; the service approval number; any conditions on the service approval; the name of the nominated supervisor; the current rating levels for each quality area of the NQS and the overall rating of the service; details of any waivers (including NQS elements or Regulations waived + duration and type of waiver); hours and days of operation; name and telephone number for complaints; name of responsible person in charge at any given time; name of educational leader; contact details of DEC; details if there is a child at risk of anaphylaxis enrolled; and details if there is a current occurrence of an infectious disease at the service.
• Weekly menu

## WHAT YOU NEED TO DO ...

... Work out if you have the policies you are absolutely required to have under the *Regulations*. Update these and all other policies and procedures in line with the new *Regulations*.

### → GOOD TO KNOW

Services are legally required to ensure families are notified of any changes to policies which affect: the service's provision of education and care to any enrolled child or a family's ability to use the service; fees; or fee collection procedures, 14 days in advance. Community Child Care has an 'NQF in a Box' ([www.nqfinabox.org.au](http://www.nqfinabox.org.au)) website for Community Child Care members. This has draft policies as well as pro formas for all forms and signs services need to have and display.



