



Ms Anasina Gray-Barberio MLC
Chair, Select Committee on the ECEC Sector in Victoria
Parliament House
Spring Street
EAST MELBOURNE VIC 3002

Dear Ms Gray-Barberio

Thank you for the opportunity to provide a submission as part of the Victorian Parliament's *Inquiry into the early childhood education and care sector in Victoria*. This submission focuses on those aspects of the terms of reference that relate to the National Quality Framework (NQF), under which approved providers and their services must operate for the safety and benefit of children and young people attending early education and care services.

Who we are

The Australian Children's Education and Care Quality Authority (ACECQA) is the independent national authority established by the nine governments of Australia under the Education and Care Services National Law Act 2010 (National Law)¹ to perform a range of functions, including:

- reporting to Education Ministers on the implementation of the National Quality Framework (NQF);
- working with regulatory authorities to establish consistent, effective and efficient procedures for the operation of the NQF through our Regulatory Practice Committee;
- training and testing Authorised Officers (AOs), employed by regulatory authorities, to undertake assessment and quality rating processes;
- communicating and publishing guides and resources to support state and territory regulatory authorities, approved education and care services and families to understand the NQF and achieve its objectives;
- promoting continuous quality improvement by approved education and care services;
- assessing and approving individual and organisation qualifications;

¹ Education and Care Services National Law Act 2010, Section 225.

- maintaining national registers of approved providers and services;
- managing external, independent expert reviews of quality rating decisions by regulatory authorities (second tier reviews) and making determinations regarding the highest quality rating level (the Excellent rating) for education and care services.

In addition to these legislated functions, we also:

- manage and host the National Quality Agenda IT System (NQA IT System) on behalf of all Australian Governments. The NQA IT System contains national data, provided by all jurisdictions, on education and care services and providers. The NQA IT System enables ACECQA to report on and provide insight into trends and emerging issues in the sector, and to provide families with information to be able to choose services that are best for their children and circumstances.
- play a role in NQF review processes to identify and inform issues to be addressed (including through our national data and insight role), provide advice on workable solutions, and assist with the implementation of governments' agreed reforms to support the children's education and care sector and state and territory regulators in the change management process.
- participate and provide advice in national forums and committees that may relate to the operation and policy settings of the sector.

It is important to note that ACECQA does not regulate regulatory authorities. Rather, the National Law is clear that ACECQA, regulatory authorities and approved providers and their staff are expected to work together to ensure the safety, health and wellbeing of children and young people attending services to maximise their developmental and educational outcomes.

Quality and safety standards across education and care services: Ensuring the safety, health and wellbeing of children

Children's education and care is an integral part of the Australian education system and sets the foundations for lifelong learning and skill development. The benefits of quality education and care are internationally recognised. Contemporary research demonstrates that participation in high quality early childhood education and care leads to better long-term health, wellbeing, social, employment and educational outcomes for children and young people, providing significant return-on-investment for governments.

Research also demonstrates that children from disadvantaged backgrounds gain the most from high quality education and care. Children experiencing disadvantage and vulnerability who participate in quality education and care demonstrate gains in

cognitive function, language and social-emotional development as well as improved long-term outcomes².

The rights and best interests of the child are paramount in creating high quality services. The first objective of the NQF is the safety, health and wellbeing of children and is the foundation of children's ability to flourish in their developmental and educational journey.

To this end, the [National Child Safe Principles](#)³ are embedded throughout the NQF and speak to a service's organisational culture that ensures child safety, wellbeing and cultural safety within the physical and online environment. Approved providers and their staff are required and obligated to implement a child-focused approach, to take actions that promote children's wellbeing and prevent risk or harm to children and young people in all aspects of their service operation.

The quality of ECEC services

The NQF is a national system which sets explicit standards for safety and quality in long day care, preschool/kindergarten, outside school hours care and family day care services.

The NQF commenced in 2012 and increased the focus on quality by replacing nine disparate regulatory systems. It is jointly governed by the Australian Government and all state and territory governments. Based on empirical evidence of the components of quality practice in early education and care, the NQF encompasses the National Law⁴ and the Education and Care Services National Regulations (National Regulations) which define the minimum requirements for safety and quality which approved providers must meet before they are able to operate. Regulatory authorities monitor the application of these standards and undertake investigations and compliance action where there is a failure to comply.

Another component of the NQF, the National Quality Standard (NQS) is applied to services in addition to the minimum standards set by the National Law and Regulations. The seven quality areas of the NQS are expected to be achieved by services in meeting the objective of continuous quality improvement.

² OECD (2017), [Starting Strong V: Transitions from Early Childhood Education and Care to Primary Education](#), OECD Publishing, Paris.

³ Australian Human Rights Commission (2018) [National Principles for Child Safe Organisations](#).

⁴ The National Quality Framework (NQF) operates under an applied law system, comprising the Education and Care Services National Law and the Education and Care Services National Regulations, except Western Australia, which has a corresponding law. The National Law is not a Commonwealth law.

The fourth component of the NQF is the assessment and rating of services' performance against the NQS by AOs. In undertaking this assessment and publishing the rating, families are better informed in making the best choice for their children.

The NQF also includes two outcomes-based curricula (the national approved learning frameworks)⁵:

- *Belonging, Being and Becoming: The Early Years Learning Framework for Australia* (EYLF) V2.0 2022, the national approved learning framework for children from birth to five years of age, and
- *My Time, Our Place: Framework for School Age Care in Australia* V2.0 2022, the national approved learning framework for school age children.

The components of the NQF⁶



Strengthening the NQF

Reviews of the NQF are undertaken by all governments to maintain currency of the regulatory system and for continuous quality improvement. These national reviews ensure it continues to achieve its objectives, as well as to support Australia's approved providers and their services to provide high quality education and care to approximately

⁵ There is an approved learning framework specific to Victoria, the [Victorian Early Years Learning and Development Framework](#).

⁶ The Guide to the NQF, September 2025.

1.4 million children who daily attend approved services. The NQF has undergone two formal reviews, one in 2014 and one in 2019.

In 2023, at the request of the Australian Government and supported by state and territory governments, ACECQA undertook a [Review of Child Safety Arrangements under the NQF](#) (the Review). The purpose was to review the child safety provisions and arrangements under the NQF, with a particular focus on reducing harm, including abuse and neglect, in all approved education and care settings. The Review made 16 recommendations to further strengthen the NQF and interrelated child protection mechanisms.

A number of expedited recommendations from the Review were approved by the Education Ministers on 12 June 2025 as amendments to the *National Regulations*. These amendments strengthen child safety by:

- reducing the notification reporting timeframes for any physical or sexual abuse allegations or incidents from seven days to 24 hours ([regulation 176](#));
- requiring that service environments are free from the use of vaping devices and vaping substances ([regulation 82](#));
- requiring services to have in place a policy and procedure relating to the safe use of digital technologies and online environments ([regulation 168](#)).

From 1 January 2026, refinements to the NQS will also commence, which sharpen the focus on child safety within Quality Areas 2 and 7. These changes reinforce the existing intent of the NQS about quality education and care services being child safe services. ACECQA is currently preparing guidance to support services to implement these changes, including within the [Guide](#) to the NQF.

Recommendations from the Review have also been progressed through a Regulatory Impact Statement (RIS) process, which involved wide consultation with the education and care service sector and finalised options to strengthen child safety under the NQF. Education Ministers approved the recommendations on 22 August 2025 and ACECQA is currently working with all governments to prepare the sector for the implementation of these recommendations. It is anticipated that amendments to the [Education and Care Services National Law](#) and the [Education and Care Services National Regulations](#) will be made by the end of 2025.

In addition, ACECQA has led the development of three new resources to support providers in creating and maintaining child safe environments for children:

- 1) The [National Model Code- Taking images in early childhood education and care](#) (National Model Code) and [Guidelines](#), released on 1 July 2024, to promote a child safe culture when it comes to taking, sharing and storing images or videos of children in early childhood education and care.

- 2) The [NQF Child Safe Culture Guide](#), released on 16 June 2025, a resource for services to help keep children safe, address risks and respond to concerns and incidents.
- 3) The [NQF Online Safety Guide](#), released on 16 June 2025, a resource for services that helps all staff understand and use digital technologies safely with children.

On 22 August 2025, Education Ministers announced that ACECQA would also undertake a range of new child safety initiatives. These include:

- **Building a national educator register** that will give regulators better visibility of who is working in the sector and where. The foundational educator register will better support the existing role of regulatory authorities to monitor, identify and respond to risk with respect to persons working in children’s education and care. The [foundational educator register](#) will be built by ACECQA within the [NQA IT System](#) with testing to commence with the sector in December 2025 with the aim of a national mandated rollout from February 2026.

Education Ministers have also asked ACECQA to work with all governments to commence scoping work to provide a blueprint for the potential evolution of the foundational register. Potential later phases will be informed by sector consultation and be subject to agreement by all governments. Options provided will aim to better support approved providers to screen workers, including through:

- identification verification processes
- integration with Working With Children Checks and similar agencies.

A full national educator registration scheme will also be considered as part of later phases.

- Upgrading the [Starting Blocks website](#) to **strengthen transparency and awareness** of our regulatory system and support family decision-making by displaying information about conditions imposed on services and regulator visits from September, and enforcement actions in November 2025.
- **Undertaking a rapid assessment** to examine whether current operational applications **of the educator to child ratio requirements** are being appropriately applied and are adequately supporting child safety. Further information is provided below.

Assessment and quality ratings

The NQF provides a regulatory framework and clear objectives for regulators and providers to work together to achieve continuous quality improvement. As a result, there have been sustained improvements in quality across all areas of the NQS since

the NQF began in 2012. When quality ratings were first published in 2013, 56% of rated services were rated Meeting or Exceeding NQS. In 2025, 91% of services meet or exceed the NQS.

The children's education and care sector in Australia is growing. As at 1 July 2025, there are 18,018 children's education and care services approved under the NQF, with 7,215 providers approved to operate them. Of these, 5,672 (79%) providers are approved to operate a single service.

There is a total of 4,929 services in Victoria (as at 1 July 2025). This includes 4,795 centre-based services and 134 family day care services.

In Victoria, 90% (or 4,457) of ECEC services have a quality rating. This includes 109 Family Day Care services, 1,858 Long Day Care services, 1,167 Preschool/Kindergartens and 1,323 Outside School Hours Care services. In terms of their quality rating, 96% of these services were rated as Meeting NQS and above:

- 98% were meeting or exceeding Quality Area 1, Educational program and practice
- 97% were meeting or exceeding Quality Area 2, Children's health and safety
- 99% were meeting or exceeding Quality Area 3, Physical environment
- 99% were meeting or exceeding Quality Area 4, Staffing arrangements
- 99% were meeting or exceeding Quality Area 5, Relationships with children
- 100% were meeting or exceeding Quality Area 6, Collaborative partnerships with families and communities
- 97% were meeting or exceeding Quality Area 7, Governance and leadership

Nationally, 93% of services hold a quality rating, while in Victoria 90% of services hold one. The proportion of services with a quality rating will not reach 100% at any one time because a small proportion of services will only recently have been approved and may not have started operating, or they may have only been operating for a short period.⁷

Services that have yet to be assessed and rated by the regulatory authority hold a 'Provisional – Not yet rated' rating. In general, regulatory authorities will assess and rate newly approved services within 9-18 months of operations commencing. This time allows quality practice to be embedded by the approved provider, service leaders and staff. It is important to note that regulatory authorities have already assessed and approved providers to be able to operate against the minimum regulatory licensing standards.

⁷ ACECQA (2025) [NQF Snapshot Q 2 2025](#).

Assessment and rating, one of many tools available to regulators

Regulatory authorities adopt a risk-based approach to regulation guided by best practice regulation to:

- further the objectives of the National Law
- monitor the behaviour of providers, nominated supervisors, teachers and educators to ensure services are fulfilling their obligations under the National Law and Regulations.

Regulatory authorities undertake various methods to monitor and oversee practice within services to ensure the health, safety and wellbeing of every child and to undertake the assessment and quality rating process. The regulator undertakes investigations or monitoring activities to respond to emerging trends in non-compliance, complaints or notifications of incidents and changes to the operation of the service.

Regulatory authorities typically undertake almost four times as many ‘other types of visits’ as assessment and quality rating visits each quarter, emphasising that the majority of regulatory work occurs outside of the quality assessment and rating process. Nationally, there were 1,156 quality and rating assessment visits completed by regulatory authorities in quarter 2 of 2025, and 4,712 other types of visits.⁸

The NQF provides various regulatory tools for regulators to use when they respond to non-compliance including, for example, compliance tools (such as emergency action notices and compliance directions), enforceable undertakings and prohibition notices, prosecutions, and directions to exclude inappropriate persons from service premises.

Regulatory authorities can also apply conditions to service approvals, suspend services and family day care educators, and cancel service and provider approvals. The response by the regulator depends on the severity of the problem, the risk to children, and any remedial actions taken by the approved provider that have mitigated any ongoing risk to children.

The National Law allows regulatory authorities to prevent a provider or service from operating if the regulatory authority is satisfied there is an unacceptable risk to the safety, health or wellbeing of children at the service. For example, in the case of a prohibition notice, the regulatory authority can prevent a person from having any involvement with any service if they are satisfied that there is an unacceptable risk⁹.

The regulatory authority may consider that there is an unacceptable risk if the operation of the service has resulted in harm to children and there are no options for effectively

⁸ ACECQA (2025) [NQF Snapshot Q2 2025](#).

⁹ Education and Care Services National Law Act 2010 Section 182

reducing the risk to children. For example, the regulatory authority may have made previous attempts to ensure the provider reduces or eliminates risk to children, without success. When analysing risk, the regulatory authority will look at potential consequences and they might also be satisfied that there is an unacceptable risk to children even where no child has been harmed.

The effectiveness of the regulatory framework for the ECEC sector

The intent of the National Law is that regulatory authorities have the appropriate tools when there is a failure by approved providers to protect the safety, health or wellbeing of children. An approved provider (and/or nominated supervisor in some circumstances) must notify the regulatory authority in writing of any serious incident or complaint¹⁰.

Family day care educators must notify the approved provider of the service about any serious incident or complaint alleging a serious incident has or is occurring¹¹.

Approved providers must also make notifications to the regulatory authority in respect of any other prescribed matters¹². These matters include any incident where the approved provider reasonably believes that any physical abuse or sexual abuse of a child or children has occurred or is occurring while the child or children are being educated or cared for by the service¹³.

In 2024, ACECQA launched the [National Decision Tree](#) (NDT) to guide approved providers through their notification obligations and to facilitate a consistent notification process for large providers operating across multiple jurisdictions. Designed collaboratively by all governments, the NDT assists approved providers in understanding whether a notification is required and the timeframe in which the notification should be made.

The data related to notifications of serious incidents captured in NQA IT System is submitted to the Productivity Commission for their review of government service provision, published in the Report on Government Services (RoGS). The 2025 RoGS indicates that there were 26,219 serious incidents reported, with 6,142 notifications made in Victoria in the reporting period of 2023-24¹⁴.

On behalf of governments, ACECQA analyses NQA IT System data to identify known and emerging trends and to help services reduce risks to children. The findings are published as Occasional Papers and fact sheets. The ninth Occasional Paper (which is the most recent) was published in June 2023 and reported on the serious incidents

¹⁰ Education and Care Services National Law Act 2010 Section 174

¹¹ Education and Care Services National Law Act 2010 174A.

¹² Education and Care Services National Law Act 2010 Section 174(2)(c).

¹³ Education and Care Services National Regulations Regulation 175(2)(d)(e).

¹⁴ Steering Committee for the Review of Government Service Provision (2025) [Report on Government Services 2025.Table 3A.33](#).

related to injury, trauma and illness between 1 April 2020 and 31 March 2022. The Occasional Paper found that:

- the most common types of injury, trauma or illness incidents are cuts/open wounds or bleeding, broken bones/fractures or dislocations (known or suspected), and head injuries or concussions.
- the most common causes of serious incidents include a fall or trip, child-to-child interaction and equipment/furniture or toys
- serious incidents are most likely to happen outdoors to male children aged 3 and 4 years old.
- long day care services had the highest rate of serious incident cases per 100 approved services, followed by family day care services. Preschools/ kindergartens had the lowest rate.
- centre-based services with the smallest number of maximum total places available to educate and care for children have the lowest rate of serious incidents, while centre-based services with the largest number of maximum places have the highest rate.
- the rate of serious incidents increases with each increase in the category of maximum total place numbers. This is to be expected as there are likely to be higher numbers of serious incidents where more children attend a service.

Importantly, most reported serious incidents under the National Law do not require formal compliance action to be taken by state and territory regulatory authorities. ACECQA is developing information to better quantify and communicate this to the public, to provide a more accurate picture of the quality and safety of children's education and care services.

Higher quality services have a higher rate of serious incidents than lower quality services. It is likely that higher quality rated services may have more robust and better reporting systems than lower quality services. This may account for the higher rate of incidents reported by higher quality services¹⁵.

It also should be noted that comparisons between centre-based and family day care services need to be treated with caution. A centre-based service represents a single, standalone education and care premises, whereas a family day care service represents multiple, individual family care residences or venues operating under a coordinated unit.

¹⁵ ACECQA (2023) [Occasional Paper 9: Serious incidents – injury, trauma or illness](#).

The quality and oversight of educator training, professional development and qualifications

Higher educator and teacher qualifications and consistent relationships with children are strongly associated with improved child outcomes. Appropriately qualified staff are better able to involve children in intentional teaching, develop positive interactions, and use a range of strategies to extend and support their learning, development and wellbeing. This is underpinned by growing evidence linking structural mechanisms in staff workforce development and working conditions to higher quality and more consistent staff-child interactions, as well as to overall gains in child development, learning and well-being¹⁶.

A fundamental feature of the NQF was the introduction of mandatory minimum qualifications for educators and early childhood teachers to build a highly skilled workforce, ensuring teachers and educators are equipped to facilitate children's learning and development. The NQF has progressively introduced higher qualification requirements, most notably improved educator to child ratios, a requirement to employ an early childhood teacher in all relevant services, and a requirement for at least half of educators included in relevant ratios to hold, or be actively working towards, an approved diploma level (or higher) qualification.

ACECQA's role in relation to qualifications is to determine and publish lists of approved qualifications for three types of early childhood educators and teachers under the NQF¹⁷. The early childhood teacher, diploma and certificate III level qualifications. Course providers apply to ACECQA to have their education programs assessed and added to the list of NQF approved qualifications. ACECQA assess early childhood teaching program applications against the [Requirements for early childhood teaching program assessments](#).

We also sit on several national committees overseen by HumanAbility, the Jobs and Skills Council for the children's education and care sector, on potential reforms to the national training packages. Recent projects include improving access to a key VET qualification, the Diploma of Early Childhood Education and Care and transitioning the nationally accredited outside school hours care Certificate III to a national training package. Both projects aim to improve the qualifications offered and the career progression of the workforce.

In relation to the provision and regulation of training institutions, the Australian Skills Quality Authority (ASQA) is responsible for regulating vocational education and training (VET) providers and accrediting VET courses. The Tertiary Education Quality and

¹⁶ OECD (2018), [Engaging Young Children: Lessons from Research about Quality in Early Childhood Education and Care, Starting Strong](#), OECD Publishing, Paris.

¹⁷ Education and Care Services National Law Act 2010, Section 225

Standards Agency (TEQSA) is responsible for regulating and assuring the quality of all providers of higher education in Australia. ASQA is taking regulatory action against providers where they have detected concerning behaviour, including a lack of commitment to deliver quality training and assessment.

Several of these providers are known to have delivered children's education and care qualifications, and ASQA provides information to the regulatory authorities to determine the impact of qualification cancellations on former students and any services affected. While it is the approved provider's role to ensure educators and teachers working with children are suitably qualified in line with the National Law, regulatory authorities and their AOs are vigilant in monitoring for qualification compliance during visits and contact with services. Regulatory authorities also communicate information to approved providers about ASQA's regulatory decisions.

There are several [workforce initiatives](#) across states and territories to improve access to training, most notably fee-free TAFE and scholarships to assist with the cost of qualifications.

The impact of workforce conditions, such as pay, job security, workload and recognition on educator wellbeing, retention and service quality

Limited public understanding of the value and professional role of qualified educators and teachers in the early years has a negative impact, with educators and teachers in prior to school settings often feeling undervalued and underappreciated for the essential service that they provide.

The current and persistent workforce concerns in the children's education and care sector reflect ongoing challenges around recruiting and retaining high quality educators and teachers. This is particularly problematic in the context of a sector that is providing a service critical to supporting increased social and economic benefits for families. Globally, the impact of the COVID-19 pandemic emphasised the social and economic importance of the sector and its workforce.

On behalf of all governments, ACECQA coordinated the development of [Shaping our Future](#), the [National Children's Education and Care Workforce Strategy \(2022-2031\)](#). The strategy was co-designed with the education and care sector and stakeholders in response to persistent concerns about the recruitment and retention of high-quality educators and teachers. The strategy is supported by an implementation and evaluation plan, along with a comprehensive Dashboard featuring an implementation tracker, complementary initiatives, and a measuring progress tab all publicly available on [ACECQA's website](#).

The strategy has six focus areas:

- professional recognition
- attraction and retention
- leadership and capability
- wellbeing
- qualifications and career pathways
- data and evidence.

In July 2025, ACECQA released the second iteration of the measuring progress tab on the Dashboard, which is designed to track the implementation and progress of the strategy over its lifetime. The measuring progress tab shows that some indicators are showing signs of improving, and other indicators remain stable and show no improvement to date. As this is a ten-year strategy, it is important to note that visible, lasting change will take time.

Data from the 2023 and 2024 Staff Survey, conducted by the Australian Government, has been used to inform some of the evaluation. Further details about the evaluation are available on the [Workforce Dashboard](#).

It is important to note that initiatives to increase access and participation in children's education and care will increase demand for services and, subsequently, impact the demand for a qualified education and care workforce. To assist in attracting and retaining educators and teachers, investments are being made by all governments, for example, the Australian Government's [Worker Retention Payment](#), the [Paid Practicum subsidy](#) and the [Commonwealth Prac payment](#).

The adequacy of staff-to-child ratio regulations, including ratios being averaged across entire services rather than applied per room

Educator to child ratios

The NQF, specifically the National Regulations, prescribe educator to child ratios to ensure the safety, health and wellbeing of all children while attending a service, including during excursions. The presence of adequate numbers of qualified and experienced educators has been consistently linked with quality interactions and positive learning experiences for children.

To be counted in the required educator to child ratio, educators must be:

- directly involved in the education and care of children and, where required,
- hold or be actively working towards an approved qualification.
- in addition to meeting the required educator-to-child ratio, adequate supervision of children must be maintained at all times.

An approved provider and nominated supervisor have the legal responsibility and must ensure that:

- whenever children are being educated and cared for by the service, the relevant number of educators educating and caring for the children is no less than the number prescribed for this purpose¹⁸.
- each educator educating and caring for children for the service meets the qualification requirements relevant to the educator's role as prescribed by the National Regulations¹⁹.

Carefully planned rosters support educators to be available and responsive to children, and support quality experiences and adequate supervision at all times when children are attending the service (NQS Element 4.1.1).

Services must always maintain the prescribed educator to child ratios based on the ages and number of children being educated and cared for at the service.

Educators must be working directly with children to be included in ratios²⁰. Working directly with children means being physically present with the children and directly engaged in providing education and care to those children²¹. The National Regulations require the educator to child ratio to be maintained at all times, no matter what activity the children or the educators at the service are undertaking.

Educator to child ratios are calculated across the service (not by individual rooms) and are based on the youngest child in care. This approach provides flexibility to more effectively respond to the needs of children.

Maintaining the ratio for each age range of children in the mixed age group does not mean the educator to child ratio for the youngest age range must be applied to all children in an older age range. In a mixed age group of children, an educator who is caring for one age range of children can also be counted against another age range of children, as long as the ratio for each age range is maintained and adequate supervision is maintained at all times²².

Some jurisdictions have specific provisions that modify these ratio requirements when educators are taking short breaks and are not working directly with children (Queensland, Tasmania, South Australia and Western Australia).

¹⁸ Education and Care Services National Law Act 2010, Section 169 (1)(3)

¹⁹ Education and Care Services National Law Act 2010, Section 169 (2)(4)

²⁰ Education and Care Services National Regulations, Regulation 122

²¹ Education and Care Services National Regulations, Regulation 13

²² The Guide to the NQF, September 2025

Figure 1. National ratios for centre-based services

National ratios for centre-based services		
Age of children	Educator to child ratio	Where requirement applies
Birth to 24 months	1:4	In all states and territories
Over 24 months and less than 36 months	1:5	In all states and territories Saving provision applies in VIC
36 months up to and including preschool age	1:11	In all states and territories Saving provision applies in NSW, TAS, WA
Over preschool age	1:15	In all states and territories Saving provisions apply in ACT and WA

Staff record

An approved provider of a centre-based service must ensure that a staff record is kept. It must include evidence of any relevant qualifications held by the staff member or evidence that the staff member is actively working towards that qualification²³.

The approved provider of a centre-based service must also keep a record of educators working directly with children that includes the following information:

- a. the name of each educator who works directly with children being educated and cared for by the service;
- b. the hours that each educator works directly with children being educated and cared for by the service²⁴.

The information contained in the staff record is the same information that approved providers will be required to record in the National Educator Register from 2026 and be proactively available for all regulatory authorities nationally.

Qualifications

At least 50 per cent of the educators who are required to meet the relevant educator to child ratios for the service must hold (or be actively working towards²⁵) at least an approved diploma level education and care qualification.

All other educators who are required to meet ratio requirements must have (or be actively working towards) at least an approved certificate III level education and care qualification.

²³ Education and Care Services National Regulations, Regulation 147 (b)

²⁴ Education and Care Services National Regulations Regulation 151

²⁵ Education and Care Services National Regulations Regulation 10

Centre-based services with children who are preschool age or younger must have access to, attendance of, or employ or engage an early childhood teacher. The requirements are based on the number of children at the service.

Each jurisdiction has requirements that modify these regulations, and there are provisions to ensure children attending a service in remote or very remote areas have access to an early childhood teacher.

Quality Area 2 – Children’s health and safety

The aim of Quality Area 2 of the NQS is to safeguard and promote children’s health and safety, minimise risks and protect children from harm, injury and infection.

The NQS guides the practice of adequate supervision through Standard 2.2, Safety. That is that children have a fundamental right to be protected and kept safe when they attend a children’s education and care service. Unsafe settings and situations can negatively impact children’s physical health and wellbeing, which in turn can negatively affect their experiences, learning and wellbeing in the present and throughout their lives²⁶.

Supervision is a key aspect of ensuring that each child's safety is protected at all times, including in the service environment, while on excursion and during transportation provided or arranged by the service.

The intent of Standard 2.2 is to ensure each child is protected and the intent of Element 2.2.1, Supervision, is that at all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

Quality Area 4 – Staffing arrangements

The aim of Quality Area 4 focuses on the provision of qualified and experienced educators who build secure, respectful and reciprocal relationships with children and young people.

The intent of Standard 4.1, Staffing arrangements, is for services to always have sufficient educators and staff members available when children are attending the premises. This enables the service to deliver quality education and care programs that respond to and promote children’s learning, development and wellbeing.

Educators and teachers are more likely to be responsive, purposeful and reflective when staffing arrangements at the service enable them to direct their full attention to their work with children, and when they do not have to attend simultaneously to other tasks. Responsive learning relationships are strengthened as educators, teachers, and children engage and learn together.

²⁶ National Quality Standard, Standard 2.2 Safety – The Guide to the NQF
<https://www.acecqa.gov.au/media/38281>

The aim of Element 4.1.1, Organisation of educators, is the organisation of educators across a service to support all children to have opportunities to engage in meaningful learning and interactions with educators and teachers with whom they are familiar and comfortable²⁷.

The Rapid Assessment

The safety and protection of children is the highest priority for all Australian governments, and governments are committed to improving child safe practices in education and care services operating under the NQF.

Education Ministers asked ACECQA to undertake a rapid assessment to examine whether current operational applications of the educator to child ratios requirements are being appropriately applied and are adequately supporting child safety in children's education and care services.

The purpose of the rapid assessment is to identify whether further action may be needed to improve expectations and/or guidance to support the safeguarding and supervision of children. This project focusses on centre-based services only. By its design of a single educator model, family day care was excluded from this review.

The rapid assessment has two focus areas and Education Ministers asked ACECQA to develop recommendations for their consideration, to strengthen the operational application of ratio requirements in practice and/or strengthen safeguarding and supervision expectations and associated guidance.

- Focus area 1: Operational application of educator-to-child ratio requirements (regulation 123) in practice
- Focus area 2: Operational practices that improve the safeguarding and supervision of children.

A review of, and any amendment to, educator-to-child ratios (i.e. [regulation 123](#)) was out of scope for this rapid assessment.

The rapid assessment includes:

- a desktop review of existing documentation, guidance and materials relevant educator to child ratios and supervision. The review includes publicly available information sourced from ACECQA, regulatory authorities, peak organisations, approved providers, consultants and different media.
- an analysis of data from the NQA IT System in relation to relevant supervision and educator-to-child ratio provisions, NQS quality and assessment ratings,

²⁷ National Quality Standard, Standard 4.1 Staffing arrangements – The Guide to the NQF <https://www.acecqa.gov.au/media/38281>

compliance and other data, such as service or temporary waivers and conditions on a service approval.

- national targeted consultation with each state and territory regulatory authority and children’s education and care stakeholders through:
 - a sector survey
 - a regulatory authority survey and a request for information
 - meetings with stakeholders.

The consultation with educators, teachers, service leaders, large providers, peak organisations and regulatory authorities sought their views and experiences on practice, premise design, assessment and rating and compliance of supervision and safeguarding practices.

The rapid assessment ran for eight weeks from August until October 2025. ACECQA is finalising its report and will provide it to Education Ministers later this year.

Further information relevant to this inquiry

The [NQF Snapshot](#), published each quarter by ACECQA, is the national report on children’s education and care services operating under the NQF. It provides analysis and information on the profile of the sector and the quality ratings of services against the NQS.

As part of ACECQA’s ongoing commitment to openness and transparency, information is publicly available about our [operational functions](#), including the number of [Excellent rating applications](#), [second tier reviews](#), [NQF qualification assessment](#) and [skilled migration assessment](#) applications that have been received.

The [NQF Annual Performance Report](#) is published by ACECQA to monitor and report on the administration of the NQF. The report focuses on various aspects of the NQF, including:

- children’s health and safety
- educational program and practice
- children from vulnerable and disadvantaged backgrounds
- the children’s education and care workforce, and
- service provider perceptions of the NQF.

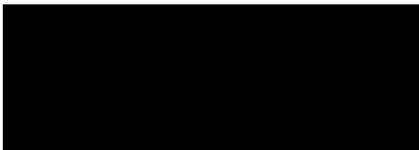
The report covers continuous quality improvement across all seven quality areas of the NQS and continued support of the NQF by the sector.

In line with the first objective of ACECQA’s 2024-28 Strategic Plan, I affirm ACECQA’s commitment to continuing to prioritise our efforts to work with governments and the sector in facilitating continuous quality improvement in the delivery of services to

children. This includes a priority focus on risk identification, prevention and responsive, effective, national solutions which promote the safety, health and wellbeing of children and young people.

If you would like to discuss any part of this submission, please do not hesitate to contact me at [REDACTED] or Craig Bennett, General Manager - Policy and Regulatory Systems [REDACTED].

Yours sincerely

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Gabrielle Sinclair
Chief Executive Officer
27 October 2025