
CHILD CARE ACT 2002
CHILD CARE REGULATION 2003

QUALIFICATIONS REVIEW

**Results of consultation and review of the
qualifications provisions for licensed child
care services in Queensland**



Queensland Government
Department of Communities

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The report has been prepared by the Department of Communities (Office for Children) for the Minister for Communities, in accordance with s.172 (2) of the *Child Care Act 2002*. The Minister tabled the report in Parliament on 29 August 2007.

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Executive Summary

1 Executive summary

1.1 Background

The growth in Queensland's population has been reflected by growth in the child care sector, with more than 2,283 licensed child care centres (including 539 school age care services and 85 licensed family day care schemes) operating in the State as at 30 April 2007. This represents a 67% increase in the total number of licensed services since the commencement of the *Child Care Act 2002* in September 2003. The Report on Government Services 2007 states that 201 873 children attended approved child care services in 2006 in Queensland.

The *Queensland Child Care Strategic Plan 2000 – 2005* was endorsed by the Government on 18 October 1999. One of the key outcomes from the Strategic Plan was the development of a new regulatory framework that would promote flexibility and innovative service delivery.

The *Child Care Act 1991*, the *Child Care (Child Care Centres) Regulation 1991* and the *Child Care (Family Day Care) Regulation 1991* were repealed with the introduction of the *Child Care Act 2002* and *Child Care Regulation 2003* on 1 September 2003.

The repealed 1991 legislation included prescriptive qualification requirements for child care workers. The *Child Care Act 1991* included a provision that allowed unqualified workers to be issued with a Certificate of Endorsement where special circumstances existed but did not require unqualified staff to undertake study.

The *Child Care Act 2002* and *Child Care Regulation 2003* strengthened the qualification requirements by introducing a minimum qualification requirement for assistants in centre based services and incorporating the recognition of qualifications in accordance with the Australian Qualifications Framework. The system of issuing Certificates of Endorsement to unqualified staff was removed which effectively required staff to hold qualifications or be studying towards an appropriate qualification. The flexibility provisions contained in the legislation include generous time frames for workers to complete a qualification.

In recognition of the impact of the changes, transitional provisions were included in the legislation to assist services to meet their requirements and a statewide training strategy for child care was implemented to assist staff to gain the requisite qualifications.

Section 172 of the *Child Care Act 2002* requires a review of the qualification requirements to be conducted within three (3) years of the commencement of the legislation, and for a report on the outcome of the review to be tabled in the Legislative Assembly within four (4) years of the commencement of the legislation. Therefore, the report is required to be tabled in the Legislative Assembly by 1 September 2007.

In addition to this legislative requirement, the review of the qualifications provisions outlined in the *Child Care Act 2002* and the *Child Care Regulation 2003* was also undertaken recognising the link between the qualifications levels of staff working in child care and the quality of the care provided, and as part of the Department of Communities commitment to support best practice.

During debate of the Child Care Bill in 2002, the then Minister for Families indicated to Parliament that the staffing requirements during rest periods would also form part of this review.

Since the commencement of the *Child Care Act 2002* and the *Child Care Regulation 2003*, the sector, peak organisations and the Department's regional Community Support Officers have raised the following matters:

- the capacity of services in rural, remote and Indigenous communities to meet the qualification requirements of the legislation due to systemic shortages of qualified staff;
- the staffing requirements during rest periods, particularly in relation to the complexity of the relevant provision and the reduction in the number of qualified staff in a room for the two (2) hour period;
- the number of "qualified" staff in each service and the potential for all staff in a service to be unqualified; and
- concern that the current legislation does not include a qualification requirement for family day carers.

1.2 Introduction

The issue of quality child care service delivery has featured on the Australian national policy agenda, as evidenced by the commitment made by the Council of Australian Governments to develop an intergovernmental agreement on a national approach to the quality assurance and regulations for early childhood education and care. This agreement is to be developed by 2008, and aims to improve standards in early childhood services, streamline regulations for service providers and reduce duplication between State and Commonwealth regulations.¹

The issue of quality child care service provision has also featured in the international forum through the generation of international reports, such as *Starting Strong II*, published by the Organisation for Economic Co-operation and Development (OECD)².

A common theme of the body of national and international research is the inherent link between the quality of child care service provision, including the qualification levels of staff, and the long-term outcomes for children and families.

In developing options to guide the future of child care service delivery and regulation in Queensland, the broader context of service delivery and the current legislative arrangements must be appreciated. Child care in Queensland is delivered across a range of settings, in accordance with a range of models of service delivery.

Achieving a balance between the desire for qualified staff and the need to support services given the realities of service provision, especially in rural and remote communities, can be difficult. The need for policy solutions that are workable within the sector, and that support sustainable service delivery is critical. Acknowledging these issues, and engaging with the

¹ Council of Australian Governments, 2007.

² Organisation for Economic Co-operation and Development, 2006

sector to achieve an appropriate level of balance is both vital and necessary to achieve high-quality education and care outcomes for all Queensland children.

This report presents the findings from the State-wide consultation process of the review of the qualifications provisions outlined in the *Child Care Act 2002* and the *Child Care Regulation 2003*. The report also outlines recommendations, including regulatory amendment, for exploration. These recommendations are found in section 1.5.

The findings and results of this report are based on a review of the relevant literature and responses received during consultation.

A total of 797 responses were received to the review. These included:

- 77 written submissions;
- 165 online responses, from the Get Involved website;
- Input from more than 300 participants at the 31 face-to-face consultation sessions held in 16 locations across Queensland in March, April and May 2007
- 214 surveys specifically designed for parents;
- Input from 2 teleconferences with regional departmental staff held across the State in April 2007; and
- Consultation with relevant government agencies.

The profile of the respondents is as follows:

- 51 licensees;
- 41 representatives of peak organisations;
- 225 child care staff;
- 47 representatives of registered training organisations;
- 226 parents;
- 16 members of the wider public;
- 12 representatives of community childcare;
- 13 representatives of community kindergartens;
- 2 government agencies;
- 20 Child Care Forum members; and
- 68 departmental employees.

The Department of Communities looks forward to further engaging with child care industry and sector representatives, training organisations, government agencies, parents and the wider community to further progress the vital issue of the qualifications requirements for staff in centre and home based services in Queensland.

Thank you to all parties who have provided feedback into the review. Your experiences in operating and accessing the child care system in Queensland have provided valuable guidance in this review.

1.3 Investment in Child Care Training

Recognising the clear and integral link between staff qualifications and training and child outcomes, over the last six years, the Department of Communities has implemented and contributed funding to various statewide joint initiatives with the Department of Education, Training and the Arts to assist child care professionals to access affordable and flexible child care training and to enhance the capacity of services to meet legislative requirements.

In August 2004, the then Minister approved the implementation of the *Child Care Training Plan 2004-2006* to focus on identified high need communities particularly rural, remote and Indigenous communities. The Training Plan included specific components targeting child care training needs in Indigenous communities in Far North Queensland and a *Teacher Recognition Strategy* to assist qualified teachers to meet the qualification requirements of the *Child Care Act 2002*.

Since 2001, approximately 3200 people have graduated as part of the joint funded initiatives with either a Certificate III, Diploma or Advanced Diploma in Children's Services Qualifications including approximately 150 students (including trainees) who have graduated from the *Cape/Gulf RAATSICC Training Strategy*, *Torres Strait Training Strategy* and *Indigenous Remote Area Strategy* (IRAS).

The department has also contributed funding to a suite of other training initiatives for existing workers in the industry, including subsidising the *Teacher Recognition Strategy* resulting in 62 primary trained teachers gaining a qualification to work in children's services.

The *Children's Services Skilling Plan 2006-2009* is continuing to support workers in meeting the qualification requirements of the *Child Care Act 2002* as well as supporting the child care sector to address workforce management issues including attracting and retaining qualified staff.

Through this and other initiatives, the department is highlighting its commitment to investing in training to support individuals and the child care sector more broadly.

1.4 Key Findings

The following is a summary of the key findings of the review:-

- A) There is general support for the current levels of qualifications prescribed under the *Child Care Act 2002* (i.e. Assistants at Certificate III level, Group Leaders at Diploma level, Directors at Advanced Diploma and Degree levels etc).
- B) There is general support for the current provisions that allow the engagement of carers without the relevant qualification provided they commence and complete a relevant course within a certain period of time.
- C) There is some confusion over the application of the provisions relating to starting and completing study, and in particular, there is concern within the sector that some Assistants are changing centres to avoid enrolling in a course relevant to their position, therefore remaining unqualified.

-
- D) There is concern over the level of experience of Group Leaders, who may under the current legislation continue working in the position without having completed the relevant qualification for a significant period of time.
 - E) There is concern that in some centre based services where potentially no Group Leaders hold the prescribed qualification, there is a deficit in programming skills across the whole centre.
 - F) There is concern about the level of staffing during rest periods in child care centres and in particular, the stress placed on staff during those periods and the perceived risk to children.
 - G) The nature of school age care poses significant challenges to recruiting and retaining a qualified, stable workforce.
 - H) There is general support for the range of qualifications acceptable for carers in school age care services to be broadened to enhance the experiences available to children accessing those services and to further support recruitment to those sectors.
 - I) There is general support for the introduction of a qualification requirement for Family Day Carers, and a perception that formal study would assist carers in their position.
 - J) The wages and conditions of child care staff remain a vital concern to the industry and sector more broadly.

1.5 Summary of recommendations

The listing of the recommendations is given below. The results of feedback, options and detailed recommendations are provided throughout the report.

The Department of Communities will examine regulatory amendments to implement recommendations 1, 3, 4 and 7. The Department will also assess the costs and benefits and potential competition implications of recommendations 2, 5, and 6, and undertake targeted consultation with sector stakeholders and relevant government agencies prior to finalising any legislative proposals.

Recommendation 1

- That the current qualification requirements for Assistants in centre based services remain the same; and
- That the period of time for an Assistant to enrol in study from the time of commencement in the role be reduced from six months to three months, under section 118 of the *Child Care Regulation 2003*.

Recommendation 2

- That the current qualification requirements for Group Leaders in centre based services remain the same;
- That the period of time for a Group Leader to enrol in study from the time of commencement in the role remain the same;
- That child care centres with a licensed capacity of less than thirty children must have at least one fully qualified Group Leader; and
- That child care centres with a licensed capacity of more than thirty children must have at least two fully qualified Group Leaders.

Recommendation 3

- That the current qualification requirements for Directors in centre based services remain the same; and
- That the period of time for a Director to enrol in study from the time of commencement in the role be reduced from six months to three months.

Recommendation 4

- That the current qualification requirements for staff in school age care services, as prescribed under section 120 of the *Child Care Regulation 2003*, be extended to include areas such as the arts, music, drama.

Recommendation 5

- That the current qualification requirements for Coordinators in home based services remain the same;
- That a requirement for family day carers to have commenced study towards a Certificate III within a transitional period of two years be introduced; and
- That the experience of senior family day carers is recognised within the industry by providing that family day carers over 55 years of age are not required to meet the requirement to commence study within two years.

Recommendation 6

- That the current rest period provision for centre based services in the *Child Care Act 2002* be amended to require all services to comply with schedule 1 in the *Child Care Regulation 2003* at all times throughout a day; and
- That the staffing requirements as outlined in section 25 of the *Child Care Regulation 2003* be reviewed to allow for increased flexibility during rest periods.

Recommendation 7

- That the legislative provisions in relation to prescribed finishing periods under sections 118 and 119 of the *Child Care Regulation 2003* be reviewed to clarify the requirements; and
- That a requirement be introduced to develop and maintain policies about monitoring the progress of employees through qualifications.

Recommendation 8

- That the Department of Communities conduct a policy review to streamline the process of determination of qualifications.

Report

2 General overview and scope of the review

The *Child Care Act 2002* (the Act) and the *Child Care Regulation 2003* (the Regulation) came into force on 1 September 2003. The *Child Care Act 2002* and *Child Care Regulation 2003* strengthened the qualification requirements by introducing a minimum qualification requirement for assistants in centre based services and incorporating the recognition of qualifications in accordance with the Australian Qualifications Framework.

The system of issuing Certificates of Endorsement to unqualified staff was removed which effectively required staff to hold qualifications or be studying towards an appropriate qualification. The flexibility provisions contained in the legislation include generous time frames for workers to complete a qualification.

In recognition of the impact of the changes transitional provisions were included in the legislation to assist services to meet their requirements and a State wide training strategy for child care was implemented to assist staff to gain the requisite qualifications.

The content of the qualification provisions proved to be contentious during consultation about the *Child Care Act 2002*. It was agreed that the Act would include a requirement to review the qualification provisions so that the issues could be revisited.

Section 172(2) of the Act requires the Minister for Communities to conduct a review of the qualifications provisions in the Regulation and to table a report in Parliament by 1 September 2007.

The review will examine issues relating to the qualification requirements for child care workers contained in the child care legislation in Queensland. This includes:

- The definition of “qualified carer” in the legislation that allows people who do not hold the appropriate qualification to take up a position provided that they meet certain requirements regarding ongoing study;
- The introduction of the minimum qualification for Assistants in child care centres;
- Qualification levels for Group Leaders and Directors in child care services (Diploma and Advanced Diploma or Bachelor) and areas of specialisation (i.e. early childhood, child care, primary teaching);
- The recruitment and retention of qualified staff to meet the legislative requirements;
- The determination of qualifications process; and
- The staffing requirements during the operation of a “rest period” in a centre based service.

While the consultation processes identified some concerns and comments that are vital to the operation of home and centre based services in Queensland, there are some areas of comment that are outside of the jurisdiction of the Department of Communities, and therefore outside of the scope of this review.

In order to appropriately capture this valuable information, the Department of Communities has provided feedback to other relevant agencies about the outcome of the review, such as the Department of Education, Training and the Arts. Details of the issues that have been referred to other agencies have been captured in Section 16 of this report.

3 Research base

3.1 International research context

A significant international body of research exists that explores the link between qualifications of staff and staff-child interactions.

The issue of quality child care service provision has also featured in the international forum through the generation of international reports, such as *Starting Strong II*, published by the Organisation for Economic Co-operation and Development (OECD)³. This report argues the need for a suitable profile and specific training for all early childhood education and care staff. Staffing working with childhood in early childhood education and care programs have a major impact on children's early development and learning. Research shows the link between strong training and support of staff, including appropriate pay and conditions and the quality of early childhood education and care. In particular, staff who have more formal education and more specialised early childhood training provided more stimulating warm and supportive interactions with children.

A common theme of the broader body of national and international research is the inherent link between the quality of child care service provision, including the qualification levels of staff, and the long-term outcomes for children and families. The concentration on staff qualifications reflects international consensus that the qualification and quality of staff in early childhood education and care services is the critical determinant of quality outcomes for children, families and the broader community. Staff qualifications has been directly linked to positive attachments between children, parents and staff, the provision of sensitive and responsive care, the quality of interactions, experiences and the early learning environment, and thereby to early learning and successful transition to school.

While there has long been acceptance of the importance of well qualified and specialised early childhood staff working with preschool age children, new research into infant brain development is strengthening the argument for qualified and experience early childhood staff to work across the early years, from birth to school entry. This also goes to issues of improving access to quality early childhood education and care, and to ensuring equity of outcomes for children across early childhood education and care settings.

In a significant UK study, the *Effective Provision of Preschool Education (EPPE)*⁴, it was found that those centres with highly qualified teaching staff had better outcomes for children.

New Zealand, another country that has made substantial moves to improve the quality of early childhood services, found important connections between staff qualifications and children's experiences. The major longitudinal research project conducted in the United States, by the researcher Perry found the long-term effects of high quality child care and education on a child are significant, and continue into adulthood⁵.

In the United Kingdom, staff qualification requirements vary according to the setting and the service type. Generally, for children under eight (8) in child care and occasional care

² Organisation for Economic Co-operation and Development, 2006

⁴ Sylva, Melhuish, Sammons, Siraj-Blatchford, Taggart, and Elliot, 2003

⁵ Schweinhart, Montie, Xiang, Barnett, Belfield and Nores, 2005.

the legislation requires the 'person-in-charge' and group supervisors to have an appropriate Level 3 (professional diploma) as a minimum requirement. At least half the staff in each setting must hold at least Level 2 qualifications.

In the United Kingdom, it has been identified that there are still problems with too few qualified staff in the ECEC sector, so plans are under way to develop and maintain a new ECEC worker profile to cover the 1-6 age group. More staff will be trained to degree level and graduate level professionals will lead all long day settings. Substantial funding has been provided by the United Kingdom Government to reach targets.

The qualifications requirements of child care workers in New Zealand are such that a three-year university Diploma of Teaching is the minimum qualification set for all early childhood workers. A variety of funding options were also developed to support the reforms, including extra funding to services that meet standards higher than the licensing requirements and different subsidy rates for children younger than two years and children over three. There is a national early childhood curriculum for children aged birth to five years.

Research has found that the level and quality of staff-child interaction was directly related to the level of staff qualification, with those centres where all staff had early childhood qualifications showing higher quality interactions. At the same time, services with fewer early childhood qualified staff were also services where there was more likely to be more aggressive behaviour among children.

3.2 Australian context

The Australian policy context surrounding this issue includes a commitment by the Council of Australian Governments (COAG) to develop an intergovernmental agreement on a national approach to the quality assurance and regulations for early childhood education and care.⁶ Another feature of the recent national policy context has been discussion in relation to the value of having four year trained Early Childhood teachers in all child care services.

Other important work has been done nationally to advance the understanding of the link between the qualifications of child care staff and outcomes for children⁷, and in Australia, the desire for an evidence-based research framework also remains a theme and commitment of individual State Governments. It has been noted that the Victorian Government has taken a proactive approach to this issue, and has developed a position paper, outlining their reform agenda consistent with the policy directions set by COAG⁸. Queensland has published a similar position paper, outlining Queensland's plan to address early childhood, education and care reforms⁹. The South Australian Government has also conducted research in this area, through their Early Childhood Services Inquiry¹⁰.

A comparison of Queensland's qualification requirements with other Australian jurisdictions is broadly favourable. The requirement for home based care Coordinators to have a

⁶ Council of Australian Governments, 2007

⁷ For example, Elliott, 2006; Tayler, Wills, Hayden, and Wilson, 2006.

⁸ Victoria's plan to improve outcomes in early childhood, 2007

⁹ Queensland's Plan to Address to Address Early Childhood Education and Care Reforms, 2007.

¹⁰ Early Childhood Services Inquiry, 2004

Diploma and Directors of long day care services to have a three year tertiary qualification ensures that there are qualification requirements above and beyond some of the other States in Australia. Queensland's requirement for Assistants to have a Certificate III level qualification in long day care services, ensures that all contact staff have some formal study related to their care and education role, a requirement that exceeds those in other jurisdictions. Queensland also has one of the highest levels of qualified staff working within licensed services with children and a large proportion of staff continue to access ongoing training and education¹¹ However, some caution is needed when looking at comparisons. The Community Services Ministers' Advisory Council, along with other researchers and government departments, have also commented on the lack of comparable data relating to workforce issues within children's services in Australia¹².

There are some examples where other States have a higher level requirement, in particular, in New South Wales all long day care centres that have thirty or more children enrolled at the centre are required to employ a university trained early childhood teacher, with not less than a three year qualification. In Tasmania and South Australia, family day carers are required to have a Certificate III level qualification. An exception to this is in Tasmania where carers providing care for four children or less are not required to hold a qualification.

However, the complex mix of qualifications, group size, adult to child ratios also impact on the overall quality of care and education.

There are currently other states, including South Australia, Victoria and the Northern Territory in which a review of the legislation covering children's services is either underway or is proposed.

4 Rural and remote considerations

The difficulties in delivering human services, including child care, in the rural and remote areas of Queensland is acknowledged.

A consistent theme expressed throughout the consultation related to the ability of services, particularly those in rural and remote areas of Queensland to attract and retain qualified staff. This is confirmed by research that indicates that the endemic issues of recruitment and selection of qualified child care staff across the nation are more extreme in rural and remote communities.

The department is committed to continuing to implement strategies to enhance the capacity of child care services to meet legislative standards, particularly in rural and remote areas. The department will continue to engage with relevant stakeholders across Queensland and enhance existing strategies to improve the capacity of child care services in rural and remote communities to attract and retain qualified staff. These strategies are outlined in Part 12 of the report.

¹¹ Productivity Commission, 2006

¹² Tayler, et al., 2006;Community Services Ministers' Advisory Council, 2006, p6

5 Methodology

5.1 Consultation processes

In order to ground the qualifications review in a solid evidence base and to explore research themes in contemporary early childhood education and care, a background report and literature review was developed prior to commencing the consultation. The development of policy options and recommendations in this report has been informed by an assessment of the evidence base and the findings of the consultation process.

Community consultation was undertaken via five consultation methods:

- Distribution of a Consultation Paper to all licensed services in Queensland to invite written feedback;
- Invitation to submit online feedback via the Get Involved website;
- Conducting 31 face-to-face consultation sessions in 16 locations across Queensland;
- Distribution of a parent survey to all licensed child care services in Queensland; and
- Consulting with members of the Child Care Forum.

Consultation activities also occurred with staff from the Department of Communities and other government agencies, such as the Department of Education, Training and the Arts.

In supporting this review, posters and advertisements were also produced. Information about the review and consultation activities were also available online, at the Department's website www.communities.qld.gov.au

5.2 Information on submissions received

The feedback of respondents via the consultation methods outlined above was fundamental in exploring the issues and challenges, and developing policy options and recommendations. The respondent group was as follows:

The online respondents were comprised of:

- 20 licensees;
- 12 representatives of peak organisations;
- 64 child care staff;
- 9 representatives of registered training organisations;
- 5 parents;
- 5 members of the wider public;
- 3 community childcare centres; and
- 2 community kindergartens.

Written submissions were received by the following groups:

- 9 licensees;
- 11 representatives of peak organisations;
- 15 child care staff;
- 6 representatives of registered training organisations;
- 1 parent;
- 1 member of wider public;

-
- 3 community childcare centres; and
 - 2 government agencies.

The face-to-face consultation sessions in 16 locations across Queensland were attended by:

- 22 licensees;
- 18 representatives of peak organisations;
- 146 child care staff;
- 32 representatives of registered training providers;
- 6 parents;
- 10 members of the wider public;
- 6 community childcare centres;
- 11 representatives of community kindergartens;
- 2 government agencies;
- 20 Child Care Forum members; and
- 68 employees of the Department of Communities.

6 Centre based care services

As of 30 April 2007, the breakdown of centre based services in Queensland was as follows:

- 1344 long day care (15% community based, 83% commercial, 2% Government);
- 63 limited hours care (83% community based, 3% commercial, 14% Government)
- 337 kindergartens; (99% community based, 1% commercial) and
- 539 school age care services (89% community based, 6% commercial, 4% Government).

In consulting in relation to the qualifications levels and types for staff in centre based services, the requirements for Assistants, Group Leaders and Directors were examined. Other legislative provisions relevant to centre based care, such as the prescribed finishing period, rest period conditions, and the determination of qualification process also were consulted on.

6.1 Qualifications for Assistants

6.1.1 Current legislative provisions

The current legislation introduced a minimum qualification requirement for Assistants working in child care centres.

The current legislation requires that an Assistant in a centre based service must hold:

- A Certificate III or IV in an area applying to child care; **or**
- A 1 year early childhood or child care qualification (e.g. Certificate III); **or**
- A qualification prescribed for a Group Leader or Director (under sections 113 (2) or 114 of the *Child Care Regulation 2003*; **or**
- Be 18 years of age or older; **and**
- Commence an appropriate course within 6 months of commencing in the position of an Assistant; **and**

-
- Complete their course within the “prescribed finished period”; **or**
 - Be 17 years of age and studying a course leading to the qualification. (see sections 112, 118 and 119 of the *Child Care Regulation 2003*).

The child care legislation also contains transitional provisions for Assistants in section 193 of the *Child Care Act 2002*. These provisions were designed for the purpose of recognising current workers, and not disadvantaging those who already hold significant and valuable industry experience. Under these provisions, an individual is not required to obtain a qualification in order to continue to work as an Assistant in a centre based service if the individual was:

- Employed as a Director, Assistant Director, Group Leader or Assistant on 5 June 1992 when the repealed legislation commenced; and
- 45 years of age or older at that time; and
- Working as a Director, Assistant Director, Group Leader or Assistant when the *Child Care Act 2002* commenced

N.B: The “prescribed finishing period” means the period that is twice as long as the period in which the course would be completed by a person undertaking the course by full-time study.

6.1.2 Results of consultation

The consultation paper posed the following questions in relation to Assistants in centre based services –

- | |
|--|
| <ul style="list-style-type: none">• <i>Is the qualification requirement (Certificate III) for an Assistant in a child care service suitable?</i>• <i>Are the provisions for unqualified persons to take up positions in child care services still relevant?</i>• <i>Do you experience difficulty recruiting qualified Assistants?</i>• <i>Do you have other comments on centre and home based services?</i> |
|--|

6.1.3 Written submissions

In written submissions to the above questions,

- An extremely high level of respondents believed the level of qualifications prescribed for an Assistant are suitable;
- A high proportion of respondents believed that the provisions for unqualified persons to take up positions in child care services are relevant; and
- A moderate number of respondents reported difficulty in recruiting qualified Assistants.

6.1.4 Online submissions

In generating online responses in relation to the qualifications requirements for Assistants in centre based services, the following responses were obtained:

- An extremely high level of respondents believed the Certificate III is an appropriate qualification for Assistants;

-
- A moderate number believed that the provisions for unqualified persons to take up positions in child care services were relevant; and
 - A high proportion of respondents reported difficulty in recruiting qualified Assistants.

6.1.5 Face-to-face consultations

There was consensus throughout the State that the current qualification requirement for Assistants in centre based services is adequate for the role and responsibilities of an Assistant.

There was much debate in relation to the period of time that an Assistant can be engaged in the position before needing to commence an appropriate course. A high proportion supported reducing this six (6) month period to three (3) months. The primary reason for this reduction in time related to the fact that six (6) months is a significant period of time in a child's life and development. During the consultations, indication was given that a three (3) month period would allow enough time for the employee to both ascertain whether they wish to pursue a career in child care and to enrol in an appropriate course of study. The benefits of aligning the period to enrol with the standard employee's probationary period of three (3) months were also mentioned widely across the consultations.

6.1.6 Key considerations

Significant concerns were raised across the State in relation to the quality and relevance of the training delivered throughout Queensland and the different levels of support provided to students by various Registered Training Organisations (RTOs). Some participants stated that many students were gaining the required qualifications; however, on completion of the program the students were not considered to hold the necessary skills and knowledge required to provide quality care to children and their families. Participants suggested that in order to address these issues, it is necessary to increase the level of support and mentoring both internally within services and by Registered Training Organisations. It was also raised that the specific modules contained within qualifications need to be continually assessed by Registered Training Organisations to ensure that they reflect the required skills and knowledge of specific roles.

Another issue of concern raised by participants in the face-to-face consultations relates to the ability for Assistants in centre based services to move from service to service and effectively "restart" the period of time in which they have to have commenced studying a qualification prescribed for an Assistant. While this provision was intentionally designed to provide Assistants with flexibility to determine if they wished to remain in the child care industry, concern was raised that the result of this provision is that staff who do not wish to commence study can potentially continue in an Assistant's role indefinitely without gaining the prescribed qualification. Concern was also raised that the current provision provides unintended flexibility to allow licensees to move staff from centre to centre. It was suggested that a reduction in time from six to three months may help to reduce the occurrence of this.

The historical context of allowing Assistants this period of time before which they are expected to commence study was in recognition of broader issues surrounding their employment, including the cost of study. The risk to children of having an unqualified Assistant in a room is mitigated by the requirement for Group Leaders to at least hold the

prerequisite qualification of a Certificate III. The flexibility that the provision created to move staff between centres can be addressed in part through reducing the period of time from six months to three months, and the recommendation outlined in section 10.1.4 in relation to the requirement for a licensee to develop a policy in relation to the progression of staff through qualifications.

The qualification requirements for Inclusion Support Workers were highlighted as an issue requiring future possible action. An Inclusion Support Worker is currently funded by the Commonwealth Department of Families, Community Services and Indigenous Affairs to support children with additional needs in centre based services. These workers represent staffing in addition to the child: carer ratios outlined in Schedule 1 of the *Child Care Regulation 2003*. At present, an Inclusion Support Worker is not required to hold a minimum qualification to act as an Assistant. They are considered to be an additional staff member and are therefore not part of the required carer: child ratios as outlined in Schedule 1 of the *Child Care Regulation 2003*. Participants expressed the view that a minimum qualification should be required to ensure both equity in staff qualifications for Assistants across a service, and to ensure that the Inclusion Support Worker is remunerated appropriately.

Additionally, it was expressed that the current Commonwealth funding attached to the Inclusion Support Worker position needs to be reviewed. Services currently experience a gap between the funding received from the Commonwealth and the wage of the assistant, often placing a financial burden on services. This may impact on whether or not a service accepts the enrolment of a child with additional needs.

6.1.7 Options

- A) Change the prescribed qualification for an Assistant under section 112 of the *Child Care Regulation 2003*;
 - Certificate III was widely deemed as a suitable means of delivering the skills and knowledge required to undertake the role of an Assistant in a centre based service. It is therefore not considered appropriate to change the qualification for an Assistant under this provision. **and/or**
- B) Require that an Assistant in a centre based service hold a one year qualification before they can commence in the position of an Assistant in a centre based service;
 - Results of consultation indicate that it is highly desirable for Assistants to hold the qualification prior to commencing in the position. However, practical implications such as the inability for services to recruit qualified staff, the reluctance of potential staff to train prior to determining whether they wish to pursue a career in child care, the cost of study and the benefits of training whilst in the position result in the view that implementing a requirement of this nature would not be practicable. **and/or**
- C) Remove/alter the period of time in which an Assistant must commence a course of study under section 118 of the *Child Care Regulation 2003*;
 - Across the sector, there was consensus on the need to reduce the time in which an Assistant must commence a course of study under this provision. A reduction from six (6) months to three (3) months was considered appropriate to allow staff members time to both consider their career path and enrol in study. **and/or**
- D) Remove/alter the prescribed finishing period, essentially changing the period in which an Assistant can study;

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- Consultations did not indicate a need to remove or alter the prescribed finishing period as currently this provision allows fairness and flexibility for staff to meet work, study and life balances whilst gaining the qualification. **and/or**
- E) Not amend the existing legislative arrangements for Assistants in centre based services.
- Based on the consultation feedback, it is recommended that consideration be given to amending the existing legislative arrangements for Assistants in centre based services in accordance with the recommendations below.

6.1.8 Recommendations

- 1) That the current qualification requirements for Assistants in centre based services remain the same.
- 2) That the period of time for an Assistant to enrol in study from the time of commencement in the role be reduced from six months to three months, under section 118 of the *Child Care Regulation 2003*.

The recommended period of enrolment is consistent with the current requirement for Group Leaders, and therefore standardises the period for enrolment in a course of study for positions in centre based child care services. The recommendation is expected to have minimal impact on the child care sector, although in the short term, there may be an increased demand for places in courses because of the proposed reduction in time for people to enrol in a course of study. Implementing this recommendation will require an amendment to the Regulation to be examined, and the department will further consult registered training organisations, and the Department of Education, Training and the Arts (DETA) during implementation.

6.2 Qualifications for Group Leaders

6.2.1 Current legislative requirements

The legislation currently requires a Group Leader to hold the following prescribed qualification:

- 2 year early childhood or child care qualification (e.g. Diploma); **or**
- A qualification prescribed for a Director under section 114 of the *Child Care Regulation 2003*; **or**
- Hold the qualification prescribed for an Assistant; **and**
- Commence an appropriate course within 3 months of commencing the position; **and**
- Completes the course within the “prescribed finishing period” (see sections 113 and 118 of the *Child Care Regulation 2003*) **or**
- Is an eligible primary teacher; **and**
- Is undertaking a course leading to the qualification at the time of commencement in the position ; **and**
- Completes the course within the “prescribed finishing period”.

(see section 114, 118 and 119 of the *Child Care Regulation 2003*).

The legislation also provides transitional provisions in relation to the requirements for Group Leaders under section 193 of the *Child Care Act 2002*. A person may be regarded as meeting the transitional provisions (and would therefore not be required to obtain a

qualification in order to continue working in that position in a centre based service) if they were:

- Employed as a Director, Assistant Director or Group Leader on 5 June 1992 when the repealed legislation commenced; and
- Were 45 years of age or older at that time; and
- Were working as a Group Leader when the *Child Care Act 2002* commenced.

6.2.2 Results of consultation

6.2.2.1 Face-to-face consultations

There was agreement across the State that a desirable outcome of the review would be for the legislation to require Group Leaders to hold a two year (Diploma) qualification prior to commencing in a Group Leaders role. It was also acknowledged, however, that there is already a shortage of Group Leaders throughout Queensland and that changing the legislation would be a further obstacle in the recruitment of Group Leaders.

A majority of participants agreed that the current Group Leader qualification is appropriate. However, there was considerable discussion about the need to attach some experience to the qualification. Participants discussed the pressure being placed on Assistants by licensees to step into the role of a Group Leader immediately upon completion of their Certificate III and of the associated stress that the Group Leader role entails. It was widely agreed that a person should not be permitted to act as a Group Leader until they have had at least six (6) months experience in a centre based service following their completion of the Certificate III qualification (or equivalent).

The remuneration for Group Leaders was widely discussed as not equivalent to the level of responsibility attached to the role, further contributing to the lack of Group Leaders in Queensland. It was also stated across the State that staff who have their Certificate III and step into a Group Leader's role often delay the more expensive modules of the Diploma course until last. Feedback received from Registered Training Organisations highlighted that these more expensive modules often relate to programming and evaluation which are essential skills for the Group Leader role. Participants suggested incentives be provided to students to encourage completion of these modules early in the Diploma.

The appropriateness of the current prescribed finishing period for Group Leaders was widely discussed. Participants outlined that there is confusion in the sector as to the prerequisite requirements for entering the two year qualification and the interpretation of the prescribed finishing period. In some cases it was considered that the prescribed finishing period was too long particularly where a number of Group Leaders in one service are studying.

6.2.3 Key considerations

Group Leaders play a significant role in centre based services, as they lead and guide the activities within a group, as well as playing a vital mentoring and peer support role to other staff members, particularly Assistants.

Through the consultation process, it was identified that in practice, some staff in centre based services who hold a Certificate III and were enrolled in a qualification leading to that prescribed for a Group Leader were acting in the Group Leader capacity without having

vital experiences, particularly in relation to programming and other “practical” elements of training. It was recommended by participants throughout the consultation that the legislation should prescribe that a person acting in a Group Leader capacity should have completed programming competencies, so that they can most appropriately act in their supervisory and mentoring role as Group Leaders. While it is acknowledged that the practical elements of training including programming are vital to the role of a Group Leader, the structure and delivery of courses is not within the jurisdiction of the Department of Communities. This concern is captured in feedback to be provided to the Department of Education, Training and the Arts and the Health and Community Services Workforce Council.

During the consultation, confusion was also expressed in relation to the requirements in the event that a person holds a Certificate III before they enrol in a Diploma qualification. The confusion relates to whether a person must hold the Certificate III before beginning the two year qualification, and the prescribed finishing period for the Diploma qualification.

Participants questioned the implications for children and families in the event that numerous Group Leaders within the service do not hold the Diploma qualification. The possibility of introducing a requirement that limits the number of Group Leaders within a service who do not hold the prescribed qualification was raised. It was also suggested that the prescribed finishing period for Group Leaders should be reduced as the Certificate III should already be held in addition to ensuring the person receives the qualification sooner.

6.2.4 Options

- A) Change the prescribed qualification for a Group Leader under section 114 of the *Child Care Regulation 2003*;
 - The two year (Diploma) qualification was widely deemed as a suitable means of delivering the skills and knowledge required to undertake the role of a Group Leader in a centre based service. It is therefore not considered appropriate to change the qualification for a group Leader under this provision. **and/or**
- B) Remove/alter the requirement for a person to either be undertaking a two-year qualification or to hold the prerequisite qualification and commence in a two year qualification within 3 months of commencing in the position of a Group Leader under section 118 of the *Child Care Regulation 2003*;
 - There was general agreement that the three month period was suitable for a Group Leader to commence study for a qualification required for a Group Leader. **and/or**
- C) Require that a Group Leader in a centre based service hold a two year qualification before they can commence in the position of an Group Leader in a centre based service;
 - Results of consultation indicate that it is highly desirable for Group Leaders to hold a qualification prior to commencing in the position. However, similarly to provisions for Assistants, practical implications such as the inability for services to recruit qualified staff, the cost of study and the need for staff to retain a work, study, life balance, indicate that such a requirement would not be feasible. **and/or**
- D) Introducing a requirement that child care centres with a licensed capacity of less than thirty children must have at least one fully qualified Group Leader and that child care centres with a licensed capacity of more than thirty children must have at least two fully qualified Group Leaders;

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- In addressing concerns raised by the sector in relation to situations where multiple Group Leaders in a service are studying and do not hold the qualification, and situations where Assistants who have only just obtained the Certificate III and are working towards their qualification acting as Group Leaders, it is considered appropriate to introduce a requirement in relation to the number of qualified Group Leaders within a service. **and/or**
 - E) Remove/alter the prescribed finishing period, essentially changing the period in which a Group Leader can study;
 - Whilst it is acknowledged that there is confusion in relation to the period of time in which a Group Leader can complete a qualification, consultations did not indicate a need to remove or alter the prescribed finishing period as currently this provision allows fairness and flexibility for staff to meet work, study and life balances whilst gaining the qualification. **and/or**
 - F) Recognise experience by requiring that a Group Leader who does not hold the qualification prescribed for a Group Leader must (in addition to holding a prerequisite qualification) have an experience level of a prescribed number of years in an Assistant's role in a centre based service.
 - Whilst experience is valuable, this option would be problematic in practice, as experience is difficult to quantify and to test, whilst a qualification provided a clear standard. **and/or**
 - G) Not amend the existing legislative arrangements for Group Leaders in centre based services.
 - Subsequent to further targeted consultation, that consideration be given to amending the existing legislative arrangements for Group Leaders in centre based services in accordance with the recommendations below.

6.2.5 Recommendations

- 1) That the current qualification requirements for Group Leaders in centre based services remain the same.
- 2) That the period of time for a Group Leader to enrol in study from the time of commencement in the role remains the same.
- 3) That child care centres with a licensed capacity of less than thirty children must have at least one fully qualified Group Leader.
- 4) That child care centres with a licensed capacity of more than thirty children must have at least two fully qualified Group Leaders.

This recommendation is expected to ensure services have a minimum number of staff who hold a Group Leader qualification (diploma level) and may address concerns raised by respondents that some Group Leaders lack relevant experience because they take on the role of Group Leader shortly after gaining the required prerequisite qualification (Certificate III), but prior to completing their diploma. Increasing the number of qualified staff across a service is likely to lead to better outcomes for children by raising the minimum level of monitoring and supervision, and increase opportunities for staff mentoring.

However, as the recruitment and retention of qualified staff (particularly those in rural and remote areas) is a known difficulty for the sector, this recommendation has the potential to negatively impact on the recruitment of qualified staff and impose a financial burden on some services. The department will assess the potential impact of this proposed requirement in consultation with key centre based stakeholders and relevant agencies.

Subject to this assessment, it may be necessary to amend the Act and Regulation to implement this recommendation.

6.3 Directors

6.3.1 Current legislative requirements

The current legislation draws a distinction between the qualifications requirements for Directors of centre based services based on the licensed capacity of the service.

If the licensed capacity of the service is not more than 30 children, the qualifications prescribed for a Director are the same as a Group Leader:

- 2 year early childhood or child care qualification (e.g. Diploma); **or**
- A qualification prescribed for a Director under section 114 of the *Child Care Regulation 2003*; **or**
- Hold the qualification prescribed for an Assistant; **and**
- Commence an appropriate course within 3 months of commencing the position; **and**
- Completes the course within the “prescribed finishing period” (see sections 113 and 118 of the *Child Care Regulation 2003*) **or**
- Is an eligible primary teacher; **and**
- Is undertaking a course leading to the qualification at the time of commencement in the position ; **and**
- Complete the course within the “prescribed finishing period”.

(see section 114, 118 and 119 of the *Child Care Regulation 2003*).

Section 193 of the *Child Care Act 2002* outlines transitional provisions in relation to the requirements for Directors. A person may be regarded as meeting the transitional provisions (and would therefore not be required to obtain a qualification in order to continue working in that position in a centre based service) if they were:

- Employed as a Director, Assistant Director or Group Leader on 5 June 1992 when the repealed legislation commenced; **and**
- Were 45 years of age or older at that time; **and**
- Were working as a Group Leader when the *Child Care Act 2002* commenced.

If the licensed capacity of the service is more than 30 children, the legislation imposes the following requirements for Directors:

- 3 year early childhood or child care qualification under the Australian Qualifications Framework (AQF) (e.g. Bachelor or Advanced Diploma); **or**
- Post graduate qualification of at least 1 year in early childhood studies or child care studies; **or**
- Hold the qualification prescribed for a Group Leader; **and**
- Commence an appropriate course within 6 months of commencing the position; **and**
- Complete the course within the “prescribed finishing period” (see sections 114, 118 and 119 of the *Child Care Regulation 2003*).

The legislation also provides transitional provisions for the qualifications requirements for a Director of a centre based service with a licensed capacity of more than 30 children, as it provides that a person is not required to obtain a qualification in order to continue working

in that position at a centre based service (Assistant Directors who fit into the category are taken to have the qualifications of a Director) if they:

- were employed as a Director or Assistant Director on 5 June 1992 when the repealed legislation commenced; **and**
- were 45 years of age or older at that time; **and**
- were working as a Director when the *Child Care Act 2002* commenced.

6.3.2 Results of consultation

In seeking feedback about the qualifications requirements for the Directors of centre based services, the consultation paper posed the following questions:

- *Should the qualification requirement for a Director in a large centre (over 30 children) or one offering a pre-prep or prep alternative program be a bachelor Degree?*
- *Is the qualification of (Diploma) for a Director of a service with no more than 30 children suitable?*
- *Is the qualification requirement (Advanced Diploma or Bachelor Degree) for a Director in a child care service for more than 30 children suitable?*
- *Do you have other comments on centre and home based services?*

6.3.2.1 Written submissions

In responding to the above questions:

- In answering the question “Should the qualification requirement for a Director in a large centre (over 30 children) or one offering a pre-prep alternative be a bachelor Degree?” a low level of support was expressed.
- In answering the question of whether a Diploma is an appropriate qualification for the Director of a service with no more than 30 children, a low proportion of respondents responded yes.
- A high level of respondents believed that either an Advanced Diploma or a Bachelor Degree is an appropriate qualification for a Director of a service with no more than 30 children.

6.3.2.2 Online submissions

In generating online responses in relation to the qualifications requirements for Directors in centre based services, the following responses were obtained:

- In answering the question “Should the qualification requirement for a Director in a large centre (over 30 children) or one offering a pre-prep alternative be a bachelor Degree?” a low level of support was expressed.
- In answering the question of whether a Diploma is an appropriate qualification for the Director of a service with no more than 30 children, an extremely high proportion of respondents replied yes.
- An extremely high level of respondents believed that either an Advanced Diploma or a Bachelor Degree is an appropriate qualification for a Director of a service with no more than 30 children.

6.3.2.3 Face-to-face consultations

Throughout the face-to-face consultations there were varying opinions expressed relating to qualifications prescribed for Directors. The majority of participants considered the

Advanced Diploma to be appropriate, given that it was stated that it is difficult across the State to attract qualified staff to this role due to the pay and conditions. Management and human resource skills were highlighted as necessary and indeed vital components within the Advanced Diploma qualification.

When debating which qualification is most appropriate for a Director, many participants stated that they felt the Advanced Diploma was more suitable than an Early Childhood Degree based on their belief that the modules in the Advanced Diploma course better prepared staff specifically for the role of Director. A small number of people felt that the ideal minimum qualification for a Director should be an Early Childhood Degree.

It was agreed by the majority of participants that the flexibility provision allowing a person to be engaged in a Director's position for six months before commencing study should be reduced from six to three months. The basis for this suggestion focused on the importance of a Director in a centre based service holding specific skills and knowledge integral to the operation of a service.

There were differing views expressed in relation to the qualification requirements of Directors for services under/over 30 places. The majority of people felt that the Director's role and responsibilities were the same in all services, regardless of the size of the service and the qualification requirement should therefore be the same. There was significant discussion relating to the impact that this change would have on smaller services, particularly in rural and remote areas. It was agreed that it is vital for services in these areas to remain sustainable; therefore maintaining the existing minimum qualification of a Diploma for Directors in services with less than 30 places was supported.

6.3.3 Key considerations

Throughout the consultation, concern was raised about the distinction drawn between the qualifications requirements for smaller and larger services. The concern was consistently raised that, by drawing a distinction between the level of qualification required for smaller and larger services, it was implied that it is appropriate for the children attending a smaller centre to have access to a Director with a "lesser" qualification.

There are currently 449 centre based services throughout Queensland with a capacity of 30 or less places. Considering that these services represent a significant proportion of the licensed centre based services in Queensland, amending the current legislation to impose changes to the qualifications of directors would have a substantial impact on services across the state. This includes services in rural and remote areas which have identified that the recruitment and retention of qualified staff are already issues of concern.

The view was also consistently raised that an element of experience is a very necessary requirement for the Director of a centre based child care service.

The nature of the role of the Director in a centre based service also promoted some discussion. While the administrative requirements imposed on a centre Director are acknowledged, concern was also raised about the recognition of Directors of centre based services as "not just administrators". Similarly, concern was also raised that Directors of centre based services are required to undertake a large volume of administrative

functions, and that training and qualifications should reflect this, and include competencies relating to such elements as human resources and management.

The complexity of a Director's role and the many expectations placed on Directors by licensees, staff and families was expressed on a number of occasions in the face-to-face consultations. The high level of administration required in the Directors' role was linked to reduced time available to interact with children and mentor and support staff.

6.3.4 Options

- A) Remove/alter the prescribed qualification for a Director of a centre based service under section 114 of the *Child Care Regulation 2003*;
 - Results of consultation indicate that the Advanced Diploma and Diploma are widely deemed to be appropriate qualifications for the position of a Director. It is therefore not considered appropriate to change the qualifications for a Director under this provision. **and/or**
- B) Remove/alter the period of time to commence study outlined in section 118 of the *Child Care Regulation 2003*;
 - Subsequent to consultation, it is considered desirable to reduce the period of time in which a Director has to commence study from six months to three months. **and/or**
- C) Remove the disparity between the qualifications requirements for the Director of a centre based service based on the size of the service;
 - Subsequent to consultation, it is considered necessary to retain the qualification distinction between services of more than thirty places and less than thirty places, given the difficulties in recruiting qualified staff in rural and remote areas. **and/or**
- D) Require that a Director in a centre based service hold a three year qualification before they can commence in the position of a Director in a centre based service;
 - Results of consultation indicate that it would be desirable to require Directors to hold the qualification before commencing in the role. However, practical considerations such as the difficulty in recruiting and retaining qualified staff indicates that this option may not support the viability and sustainability of the sector. **and/or**
- E) Not amend the existing legislative arrangements in relation to the qualifications prescribed for Directors in centre based services.
 - Based on consultation feedback, it is recommended that consideration be given to amending the existing legislative arrangements for Directors in centre based services in accordance with the recommendations below. **and/or**
- F) The legislation recognises experience by requiring a Director who does not hold the qualification prescribed for a Director to have an experience level of a prescribed number of years in a Group Leader's role in a centre based service since obtaining the qualification.
 - Across the sector, the vital role of experience within a position was consistently acknowledged. However, recognising the element of experience within a position is problematic, and raises questions about how the experience could be appropriately quantified. There is also a desire to ensure that those employed in the role of a Director hold the competencies outlined in the current qualification requirement for a Director.

6.3.5 Recommendation

- 1) That the current qualification requirements for Directors in centre based services remain the same.
- 2) That the period of time for a Director to commence study from the time of commencement in the role be reduced from six months to three months.

The recommended period of enrolment is consistent with the current requirement for Group Leaders, and therefore standardises the period for enrolment in a course of study for positions in centre based child care services. The recommendation is expected to have minimal impact on the child care sector, although in the short term, there may be an increased demand for places in courses because of the proposed reduction in time for people to enrol in a course of study. Implementing this recommendation will require an amendment to the Regulation to be examined, and the department will further consult registered training organisations, and the Department of Education, Training and the Arts (DETA) during implementation.

7 School age care

There are currently 539 licensed school age care services in Queensland. The *Child Care Act 2002* and the *Child Care Regulation 2003* also provide for the minimum level of qualifications requirements for qualified carers and qualified staff members in school age care programs.

7.1 Qualified staff member in school age care services

7.1.1 Current legislative requirements

For services that began operation on or after 1 September 2003, a person is required to be present in a school age care service under sections 113 and 120 of the *Child Care Regulation 2003* to hold a:

- 2 year qualification (e.g. Diploma); **or**
- A qualification prescribed for a Director under section 114 of the *Child Care Regulation 2003*; **or**
- A Diploma in community services under the AQF; **or**
- A 2 year qualification in an area of study referred to in section 120 of the *Child Care Regulation 2003*; **or**
- Commence an appropriate course that leads to the qualification within 6 months of starting the position; **and**
- Completes the course within the “prescribed finishing period”

Transitional provisions for the position of a qualified staff member also exist, as under section 187 of the *Child Care Act 2002* and sections 113 and 120 of the *Child Care Regulation 2003*, staff in existing services (i.e. services that were operating before 1 September 2003) will have until 1 September 2008 to meet the qualifications requirements. This means that:

- At September 2008, a person has six months to commence a relevant course; **and**
- Completes the course within the “prescribed finishing period”

The legislation includes a range of qualifications for staff in school age care services, in recognition of the need for flexibility to meet the needs of school children outside of school

hours. Section 120 of the *Child Care Regulation 2003* outlines the areas of study approved for qualified carers and qualified staff members in a school age care service as the following:

- Nursing, physiotherapy, occupational therapy, diversional therapy or speech pathology;
- Primary, secondary or special education, sport and recreation;
- Human welfare studies and services;
- Behavioural sciences; and
- Sport and recreation.

7.1.2 Results of consultation

In ascertaining sector and community perceptions in relation to the qualifications requirements for staff in school age care services, the consultation paper posed the following questions:

- *Are these ranges of qualifications suitable to meet the needs of school age children?*
- *Should the area of study be revised to increase flexibility?*
- *Which areas of study would you like to include or exclude from the list above?*
- *Do you have any other comments?*

During the consultation, the question was posed in relation to whether the broader list of qualifications requirements outlined in section 120 of the *Child Care Regulation 2003* was sufficiently descriptive.

7.1.2.1 Written submission

Of those who provided a response to these questions in their written submission:

- There was a moderate level of support that the current range of qualifications in section 120 of the *Child Care Regulation 2003* is suitable;
- There was a moderate level of support that the areas of study under section 120 of the *Child Care Regulation 2003* be revised to increase flexibility;
- In suggesting the areas of study that could be included under section 120, it was suggested additional modules focusing on the needs of school age children be completed on top of existing qualifications, such as Certificate III.
- Of the respondents who suggested areas of study be excluded from section 120, the following areas were suggested as exclusions: nursing; physiotherapy and speech pathology were the most frequent suggestions.

7.1.2.2 Online submissions

In providing online responses to the above questions:

- There was a moderate level of support that the current range of qualifications in section 120 of the *Child Care Regulation 2003* is suitable;
- There was a very high level of support that the areas of study under section 120 of the *Child Care Regulation 2003* be revised to increase flexibility;
- In suggesting the areas of study that should be included it was suggested that additional modules based on school age care children should be added to existing

qualifications, and specific qualifications could be created that are suitable to the needs of school age care children;

- Of the respondents who suggested areas of study be excluded from section 120, the following areas were suggested as exclusions: nursing; human welfare, physiotherapy and occupational therapy were the most frequent suggestions.

7.1.2.3 Face-to-face consultations

In relation to School Age Care services, a qualification that covers the specific age group of school children was identified in some consultations as being more appropriate than some of the qualifications outlined in section 120 of the *Child Care Regulation 2003*. Many representatives from the school age care sector, however, expressed the view that a broad list of qualifications enabled people with a variety of talents and interests to be employed in school age care. This was thought to be beneficial for recruitment and for the staff and the children. It was suggested that the list in section 120 of the *Child Care Regulation 2003* be expanded to include areas such as the arts, music and drama.

Participants supported the current provision that allows university students to be employed as qualified carers, citing them as vital in meeting staff: child ratios and ensuring service viability. Many representatives from the sector expressed concern about more potential changes being made to the current legislative arrangements for school age care, given the high number of changes that the sector has recently experienced.

7.1.3 Key considerations

During consultation, many respondents raised the inherent difficulties in attracting and retaining qualified carers and staff members in school age care services, in part due to the logistics of employing a staff member to work such a limited number of hours per day. The inherently different nature of children between 0-5 years and of school age (and therefore their different care needs) were also raised.

It was suggested that the list in section 120 of the *Child Care Regulation 2003* be expanded to include areas such as the arts, music and drama.

7.1.4 Options

- A) Introduce the requirement for the coordinator of a school age care service to hold a qualification under section 115 of the *Child Care Regulation 2003*;
 - The existing qualification provisions provide that a qualification is not necessarily linked to the coordinator. This will retain the flexibility in relation to how school age care services title staff in their services, whilst at the same time maintaining the requirement that a higher qualified person must be present at the service. For this reason, introduction of a coordinator qualification requirement is not supported. **and/or**
- B) Alter the qualifications deemed as appropriate qualifications under section 115 and 120 of the *Child Care Regulation 2003*;
 - Across the sector, the numerous changes experienced in the school age care sector were noted, including the difficulties in recruiting and retaining qualified staff. Based on consultation feedback, it is recommended that consideration be given to an increased level of flexibility in this broader range of qualifications, to

support the school age care sector to recruit and retain staff, and to promote sustainability and viability in school age care services. Providing this increased flexibility would also represent a benefit to children, as recognising a broader range of qualifications will facilitate a service having staff able to engage in diverse activities with the children. **and/or**

- C) Alter/remove the transitional provisions for the qualified staff member in a school age care services outlined in section 118 of the *Child Care Regulation 2003*; and/or
- Based on consultation feedback, it is not considered necessary to amend the transitional arrangements under this provision, in order to promote flexibility and support viability.

7.1.5 Recommendation

- 1) That the current qualification requirements for qualified staff members in school age care services, as prescribed under section 120 of the *Child Care Regulation 2003*, be extended to include areas such as the arts, music and drama.

The recommendation is expected to help address staff shortages being experienced across the State by enabling a wider range of staff to be recruited to school age care, with skill sets that are appropriate to the provision of care to school age children. An amendment to the Regulation to effect this recommendation will be examined by the Department of Communities.

7.2 Qualified Carers in school age care services

7.2.1 Current legislative requirements

The legislation prescribes that a qualified Carer in a school age care service must fulfil the following requirements:

- 1 year qualification (e.g. Certificate III); **or**
- A Certificate III or IV in an area applying to child care; **or**
- A qualification prescribed for a Group Leader or Director under sections 113 (a) or 114 of the *Child Care Regulation 2003*; **or**
- Commence an appropriate course that leads to the qualification within 6 months of starting in the position; **and**
- Completes the course within the prescribed finishing period under sections 112 or 120 of the *Child Care Regulation 2003*.

Transitional provisions also exist in relation to the qualifications requirements for a qualified carer in school age care. These transitional provisions provide that staff in existing services (i.e. services that were operating before 1 September 2003) will have until 1 September 2008 to meet the qualification requirements.

This means that at 1 September 2008, a person has six months to commence a relevant course, and must complete the course within the prescribed finishing period under sections 187 of the *Child Care Act 2002* and sections 112 and 120 of the *Child Care Regulation 2003*. These transitional provisions also apply to a person who has commenced a course of study. The related areas of study under section 120 of the *Child Care Regulation 2003* are:

- Nursing, physiotherapy, occupational therapy, diversional therapy or speech pathology;

-
- Primary, secondary or special education;
 - Human welfare studies and services;
 - Behavioural science; and
 - Sport and recreation.

7.2.2 Results of consultation

In ascertaining community perceptions in relation to the qualifications requirements for staff in school age care services, the consultation paper posed the following questions:

- *Are these ranges of qualifications suitable to meet the needs of school age children?*
- *Should the area of study be revised to increase flexibility?*
- *Which areas of study would you like to include or exclude from the list above?*
- *Do you have any other comments?*

7.2.2.1 Written submissions

In generating written submissions into the qualifications review, a moderate level of respondents believed that the range of qualifications were suitable, and a moderate level of respondents believed that the range of qualifications should be revised to increase flexibility.

7.2.2.2 Online submissions

In generating online submissions into the qualifications review, a moderate level of respondents believed that the ranges of qualifications is suitable, and a very high level of respondents believed that the range of qualifications should be revised to increase flexibility.

7.2.3 Options

- A) Remove the requirement for a qualified carer of a school age care service to hold a qualification under sections 112 and 120 of the *Child Care Regulation 2003*; and/or
 - Based on consultation feedback, the requirement for a qualified carer to hold a qualification prescribed under these provisions was supported. Therefore, the removal of the qualification requirement was not considered to be beneficial to the sector. **and/or**
- B) Alter the qualifications deemed as appropriate qualifications under sections 112 and 120 of the *Child Care Regulation 2003*;
 - Based on consultation feedback, it was considered necessary to provide an increased level of flexibility in this broader range of qualifications, to support the school age care sector to recruit and retain staff, and to promote sustainability and viability in school age care services. Providing this increased flexibility would also facilitate a diverse range of programs and activities to be provided to the children at the service. **and/or**
- C) Alter/remove the transitional provisions for a qualified carer of school age care services outlined in section 118 of the *Child Care Regulation 2003*;
 - Across the sector, it was considered necessary to retain the flexibility of this provision to support viability within the school age care sector; therefore, amendment to this provision is not recommended. **and/or**

-
- D) Alter/remove the provision that a person may be deemed to be qualified to hold the qualification prescribed for an qualified carer in a school age care service if they commence study within six months;
- Based on consultation feedback, it was considered necessary to retain this provision to promote flexibility and support viability within the sector more broadly. **and/or**
- E) Not amend/alter the existing legislative arrangements in relation to the qualifications required for Assistants in school age care services.
- Based on the consultation feedback, it is recommended that consideration be given to amending the legislative arrangements for Qualified Assistants in school age care services in accordance with the recommendation below.

7.2.4 Recommendation

- 1) That the requirements for qualified carers in school aged care services under section 120 of the *Child Care Regulation 2003* be extended to include areas such as the arts, music and drama.

The recommendation is expected to help address staff shortages being experienced across the State by enabling a wider range of staff to be recruited to school age care, with skill sets that are appropriate to the provision of care to school age children. An amendment to the Regulation to effect this recommendation will be examined by the Department of Communities.

8 Home based care services

The *Child Care Act 2002* and the *Child Care Regulation 2003* also provide for the licensing and monitoring of home based care, which is also known as family day care. In reviewing the qualifications provisions for staff in home based care, the qualifications levels and types for Carers and Coordinators are being reviewed.

As at 30 April 2007, there were 85 licensed family day care schemes in Queensland.

8.1 Requirements for Coordinators

8.1.1 Current legislative requirements

A Coordinator for a licensed family day care service is required to hold a 2 year qualification (e.g. a Diploma) under section 115 of the *Child Care Regulation 2003*.

In Queensland, the number of hours that must be completed by a Coordinator of a home based service appears on the licence for the home based service. If the licence conditions for a home based service require more than 35 Coordinator hours to be completed each week for the service, at least 1 hour each week must be completed by a qualified Coordinator who holds an early childhood qualification, as per section 67 (5) of the *Child Care Act 2002*.

Transitional provisions also exist under the current legislation for Coordinators of a licensed home based service. These transitional provisions provide that if, on the day the repealed legislation commenced (5 June 1992), a person was engaged as a Coordinator under that Act, the person is taken to be a qualified Coordinator.

Under section 194 of the *Child Care Act 2002*, this provision stops applying if any time after the commencement of the *Child Care Act 2002* on 1 September 2003, the persons stops carrying out the functions of a Coordinator of a home based service, even if the person later resumes this position.

8.1.2 Results of consultation

In ascertaining sector and community views about the qualifications requirements for family day care Coordinators outlined in legislation, the consultation paper posed the following questions:

- *Should the qualification requirements include provisions for a person with Certificate III (in appropriate course) to take up a position as a Coordinator in a Family Day Care scheme for a period of three months before enrolling in appropriate Diploma course?*
- *Do you have other comments on centre and home based services?*

8.1.2.1 Written submissions

In generating written submissions to the consultation paper, a low proportion of respondents believed that a person should be able to take up the position of Coordinator provided that they hold a Certificate III and commence study in an appropriate Diploma course within three months.

In making other comments in their written submissions, the nature of home based care as a business was recognised, as was the leadership role of Coordinators within a scheme. There were also calls to develop a qualification more tailored to the home based care setting.

8.1.2.2 Online submissions

In generating online submissions to the consultation, a low proportion of respondents believed that a person should be able to take up the position of Coordinator provided that they hold a Certificate III and commence study in an appropriate Diploma course within three months.

Respondents to this question also advised of the difficulty in recruiting and retaining qualified home based care Coordinators, particularly in rural and remote areas.

8.1.2.3 Face-to-face consultations

The requirement for Coordinators to hold a Diploma prior to commencing in the position was supported across the State. The need for specific skills in areas such as budgeting and financial management, policy development and workplace health and safety were raised as being important skills for Coordinators to have. The possibility of requiring at least one Coordinator per large scheme to hold an Advanced Diploma was also raised.

8.1.3 Options

- A) Remove/alter the requirement for the Coordinator of a home based service to hold a 2 year qualification;
 - Results of consultation indicate that the requirement for Coordinators to hold a qualification prior to commencing in the position is supported. Given the leadership and mentoring role of a Coordinator within a family day care scheme, a two year qualification is widely deemed an appropriate level of qualification for a Coordinator of a home based care service. **and/or**
- B) Remove/alter the requirement for the Coordinator of a home based service to hold an early childhood qualification if the number of Coordinator hours appearing on the licence is more than 35 hours/week;
 - Given the link between the number of Coordinator hours on a licence and the scope of the coordinator functions to be undertaken, it is considered desirable for a scheme with more than 35 Coordinator hours on their licence to have the expertise of one Coordinator with an early childhood qualification available. **and/or**
- C) Remove/alter the existing transitional provisions;
 - Across the sector, the need for flexibility and concession to practical considerations in relation to the transitional provisions for Coordinators of home based services was highlighted. Based on consultation feedback, it is widely considered that the existing transitional provisions are appropriate. **and/or**
- D) Introduce provision for a person to be recognised as holding a qualification equivalent to that required for a Coordinator if they hold a one-year qualification, provided that they are enrolled in a 2-year qualification within a certain period of time, and complete the qualification within a prescribed period of time;
 - Results of consultation indicate that it is highly desirable for Coordinators to hold a two year qualification prior to commencing in the position, given their leadership and mentoring role of a Coordinator within a family day care scheme. **and/or**
- E) Not amend/alter the existing legislative arrangements in relation to the qualifications required for Coordinators in home based services.
 - Based on consultation feedback, it is not considered necessary to amend the existing legislative arrangements for Coordinators in home based care services (as indicated in the recommendation below).

8.1.4 Recommendation

That the current qualification requirements for Coordinators in home based services remain the same.

8.2 Requirements for Carers

8.2.1 Current legislative requirements

Under the current legislative arrangements, there is no requirement for a family day carer in a licensed home based service to hold or enrol in a qualification.

8.2.2 Results of consultation

In assessing community and sector expectation in relation to the qualifications requirements for carers in home based care services, the consultation paper posed the following questions:

- *Should family day care providers be required to have a qualification?*
- *What level of qualification would you consider appropriate for carers in a home care setting?*
- *Do you have other comments on centre and home based services?*

8.2.2.1 Written submissions

In response to the question “*Should family day care providers be required to have a qualification?*” a high level of support was shown.

Of those who explicitly suggested an appropriate qualification, a moderate level suggested a Certificate III, and a very low level suggested either a Certificate III or a Diploma would be appropriate.

8.2.2.2 Online submissions

In response to the question “*Should family day care providers be required to have a qualification?*” a high level of support was shown.

Of those who suggested a qualification, a very high level suggested a Certificate III was an appropriate qualification, and a very low level suggested that either a Certificate III or a Diploma would be an appropriate qualification.

Other comments consistently made across the written and online submissions in relation to the qualifications requirements for carers were the need to support carers to gain these qualifications, namely by providing transitional provisions and funding initiatives. The desirability for recognition of the existing skills and knowledge of carers was also strongly communicated.

8.2.2.3 Face-to-face consultations

There was significant representation across the State from the family day care sector. Most representatives felt that a minimum qualification should be introduced, and it was stated that this would not only benefit the children, families and the carers, but would help to lift the professional status of family day care as a sector. A range of potential qualification levels were discussed, with general support given to the Certificate III qualification. The professional development opportunities offered to some carers by schemes were recognised as being extremely valuable.

The need for a transitional provision and sufficient flexibility was identified as being important factors in the event that a minimum qualification requirement is introduced. The importance of the Recognition of Prior Learning (RPL) program was highlighted as a way to acknowledge the experience and skills of carers who have worked in family day care for extensive periods of time. The possibility of enabling care providers over a specific age to

remain in family day care without having to obtain a qualification was suggested as another way in which to retain experienced carers. The availability of funding to support family day carers to gain a qualification was identified as essential in the event that a qualification requirement is introduced.

As an alternative to the introduction of a minimum qualification, it was also suggested that legislating the need for schemes to provide a minimum amount of professional development (i.e. statements of attainment) could occur to ensure that carers throughout Queensland receive an equivalent amount of support and training.

8.2.3 Key Considerations

The availability of funding for family day carers was identified as essential in the event of a minimum qualification requirement being introduced.

There was much discussion by the sector about the high level of support provided by some individual schemes to family day care providers. Along with the school age care sector, the family day care sector has also experienced significant changes in the past few years with the introduction of Quality Assurance. Concern was expressed that consideration be given to any changes to avoid the exiting of carers from the sector. This was expressed particularly in rural and remote areas where participants indicated that they are currently experiencing difficulty in recruiting carers.

8.2.4 Options

- A) Introduce a requirement for a carer to hold a qualification;
 - Results of consultation indicate that it is desirable for a carer to hold a qualification, due to the responsible and highly autonomous nature of the role. However, the perceived need for a carer to hold a qualification before commencing providing care must be balanced with the realities of the cost of study, the pay of the position and the desire to support family day carers to have a work, study and life balance. It is therefore not considered appropriate to introduce a requirement to hold a qualification upon commencing providing care. **and/or**
- B) Introduce a requirement for a carer to be enrolled in/commencing a qualification;
 - Results of consultation indicate the need to balance the desire for a carer to be enrolled in or commencing a qualification immediately upon providing care with the realities of the cost of study, the pay of the position and the desire to support family day carers to have a work, study and life balance. It is therefore not considered appropriate to introduce a requirement for a carer to be enrolled in or commencing study immediately upon providing care. **and/or**
- C) Introduce a transitional provision for carers to gain the prescribed qualification;
 - In addressing the concerns held by the sector in relation to balancing the perceived need for carers to undertake a qualification and the need to acknowledge the impost of obtaining a qualification requirement on carers, consideration is to be given to amending the legislative arrangements for carers in home based services in accordance with the recommendations below, subsequent to further targeted consultation. **and/or**
- D) Not amend the existing legislative arrangements in relation to the qualifications required for carers in home based services.

-
- Subsequent to further targeted consultation, that consideration be given to amending existing legislative arrangements for Carers in home based services in accordance with the recommendations below.

8.2.4.1 Recommendations

- 1) Introduce a requirement for family day care providers to have commenced study towards a Certificate III within a transitional period of two years; and
- 2) Recognise the experience of senior family day care providers within the industry by providing that family day carers over 55 years of age are not required to meet the requirement to commence study within two years.

Introducing a qualification requirement for family day carers would create parity with the qualification requirements for assistants in centre based services. The majority of family day care sector stakeholders who provided feedback to the Qualifications Review support the proposal, and indicate some carers are currently studying towards a Certificate III qualification. However, introducing a new qualification requirement has the potential to place a financial burden on carers due to the cost of study, and there may also be a negative impact on ability of family day care schemes to recruit qualified carers, especially if carers who do not want to engage in formal study exit the industry. The recommendation to consider transitional arrangements that recognise the experience of senior family day care providers is proposed to mitigate this risk. The department will assess the potential impact of introducing qualification requirements in consultation with family day care stakeholders and relevant agencies. Subject to this assessment, it may be necessary to amend the Act and Regulation to implement this recommendation.

9 Rest periods

9.1.1 Current legislative requirements

When the current legislation commenced in September 2003, licensees of child care centres were able to apply for rest period conditions to be included on the licences. This enables licensees to have less onerous staffing requirements for certain periods of the day in a centre (see section 63 of the *Child Care Act 2002* and section 25 of the *Child Care Regulation 2003*).

The then Minister for Families, during debate of the Child Care Bill in 2002, indicated to Parliament that staffing requirements during rest periods would be included in the review of qualifications under section 172 of the *Child Care Act 2002*. In particular, the staffing requirements for periods noted as “rest periods” on the licence for a centre based service are as follows:

- In a group that includes a child who is less than two years old, the number of qualified carers specified in schedule 1 of the *Child Care Regulation 2003* will be present (e.g. if there are eight children in the group, two qualified carers are required, however, a qualified Group Leader may not be present during the specified rest period).
- In a group that does not include a child who is less than two years old – the number of staff working with the group may be one less than the number required to comply with the ratio for the group stated in Schedule 1 but at least one qualified carer must be present (e.g. if schedule 1 state that two qualified carers are required, during the nominated rest period one qualified carer may be present and the carer need not be

a qualified Group Leader). This means that one qualified Assistant may be present with the group during rest periods.

In addition to the above, the legislation also requires other adult/s to be present to enhance the safety and wellbeing of children including:

- If the licensed capacity is not more than 30 – one additional adult staff member;
- If the licensed capacity is at least 31 but not more than 75 – two adult staff members;
- If the licensed capacity is at least 76 – three adult staff members;
- (The additional adult staff members need not hold any qualification); and
- The Director must be present but may be one of the qualified carers or adults required under the regulation (i.e. additional Director does not need to be present).

Since the current child care legislation commenced in 2003, approximately 899 child care services have been operating with the rest period condition noted on their licence. Of the services with a rest period condition on their licence, most have the period of time noted as between 12:30pm and 2:30pm in a day.

9.1.2 Results of consultation

In ascertaining how the sector and the public view the qualifications and staffing requirements during the operation of a rest period condition, the consultation paper posed the following questions:

- *Are the staffing requirements during rest period conditions suitable to ensure safety and wellbeing of children?*
- *Do you have any other comments about the rest period provisions?*

9.1.2.1 Written submissions

In response to the question “*Are the staffing requirements during rest period conditions suitable to ensure safety and wellbeing of children?*” a moderate level of support was expressed.

9.1.2.2 Online submissions

In response to the question “*Are the staffing requirements during rest period conditions suitable to ensure safety and wellbeing of children?*” a low level of support was expressed.

9.1.2.3 Face-to-face consultations

Throughout the face-to-face consultations, rest period conditions were identified as being problematic. Concerns raised included the situation where children in some groups are being encouraged to rest at times which do not necessarily meet the individual needs of the child. The vulnerability of individual staff members in being left alone with a group of children and how emergency situations would be handled during this time were also highlighted as issues of concern. Adherence to the ratios outlined in Schedule 1 of the *Child Care Regulation 2003* at all times throughout a day was identified as being essential in relation to managing emergent risks within the centre.

There was significant discussion across the State in relation to these issues and the majority of participants expressed the opinion that the current rest period provision that allows for less onerous staffing requirements should be removed from the legislation.

9.1.3 Key Considerations

It was suggested that whilst it is important to maintain the staff: child ratios as outlined in Schedule 1 of the *Child Care Regulation 2003*, some flexibility could be implemented which allows the qualification levels to be relaxed over the rest period. The major view of most participants was the importance of having two staff with a group of children at all times throughout a day. The vital need for children in centre based services to rest during the day has been highlighted by the Serious Injury Project, which was recently conducted by the Department of Communities. This project highlighted the importance of rest periods to manage the risk of serious injury to children.

During the consultations, the need to develop strategies to address any workplace “burnout” experienced by child care workers was discussed, and the introduction of a centralised telephone service offering counselling and support to staff members was suggested. The need for government funding for such an initiative was raised as was the need to have people staffing this service who are experienced in working in child care.

9.1.4 Options

- A) Amend or remove the staffing requirements during rest periods as outlined in section 25 of the *Child Care Regulation 2003*.
 - Subsequent to further targeted consultation, that consideration be given to amending the existing legislative arrangements for staffing requirements during rest periods in centre based services in accordance with the recommendations below.

9.1.5 Recommendation

- 1) That the current rest period provision for centre based services in the *Child Care Act 2002* be amended to require all services to comply with schedule 1 in the *Child Care Regulation 2003* at all times throughout a day.
- 2) That the staffing requirements as outlined in section 25 of the *Child Care Regulation 2003* be reviewed to allow for increased flexibility during rest periods.

This recommendation is to ensure the safety and wellbeing of children for the duration of their care by the service, and would effectively impose additional staffing requirements on services that currently have rest period conditions on their licences. The potential impact on these services may be mitigated by the outcome of reviewing the staffing requirements during rest periods to allow for increased flexibility. Increasing the flexibility of staff qualifications during a rest period is expected to enable services to exercise their discretion in relation to staffing (for example, it may not be necessary for a service to ensure all staff during rest periods are qualified, provided the required number of staff are present during this period). However, the nature and extent of this flexibility needs to be refined in consultation with stakeholders. Subject to this assessment, it may be necessary to propose amendments to the Act and Regulation to implement this recommendation.

10 Person engaged in a position and person enrolled in a course of study

10.1.1 Current legislative requirements

In response to the shortages of qualified child care staff, the legislation allows a child care worker who is enrolled in an appropriate course to have twice the time to complete the course as it would take to complete the qualification on a full-time basis. For example, to complete a one year full time course, the person will have up to two years to complete the qualification. This provision was introduced to assist child care workers in managing cost and balancing work, study and life commitments.

There has been some concern that staff are not completing their qualification within the prescribed finishing period and that this is likely to affect the ability of the licensee to meet legislative requirements. Given the licensee's overriding responsibility for the conduct of the service under section 75 of the *Child Care Act 2002*, licensees are required to ensure compliance with the qualification requirements of the *Child Care Act 2002* and the *Child Care Regulation 2003*.

The current legislation does not explicitly provide for the progress of a staff member through a qualification to be "checked" to ensure that the qualification will be completed within the prescribed finishing period. Instead, the current legislation provides that the responsibility to monitor the progress of a qualification rests with the licensee of the child care service, given their overriding responsibility under section 75 of the *Child Care Act 2002*.

10.1.2 Results of consultation

In gauging the perceptions of sector and community members in relation to the prescribed finishing period, the consultation paper posed the following questions:

- *Is the prescribed finishing period provision suitable?*
- *How does your service ensure that staff remain engaged with their studies and complete their qualification within the prescribed period?*
- *Should licensees be required to monitor staff progress during their study and report non-compliance with the prescribed finishing period to the department?*
- *Do you have any other comments?*

10.1.2.1 Written submissions

- A moderate level of responses agreed that the current prescribed finishing period provision is suitable.
- In listing ways in which a service ensures staff remain engaged with their studies, written submissions included feedback such as that an individual should be able to apply for an extension of the prescribed finishing period in extenuating circumstances.
- A moderate proportion of written submission responses stated that the responsibility for monitoring staff progress through their qualification should be the responsibility of the licensee.

10.1.2.2 Online submissions

- In response to the question “*Is the prescribed finishing period provision suitable?*” in their online submission, a moderate proportion of respondents answered yes.
- In listing ways in which a service ensures staff remain engaged with their studies, online submissions included methods such as engagement with the employee, regular monitoring and requesting evidence upon completion of modules.
- A high proportion of online submission responses stated that the responsibility for monitoring staff progress through their qualification should be the responsibility of the licensee.

10.1.2.3 Face-to-face consultations

The majority of participants felt that the prescribed finishing periods were appropriate and provided people with enough time in which to complete their qualification.

10.1.3 Options

- A) Alter/remove the prescribed finishing periods for all positions outlined in section 119 of the *Child Care Regulation 2003*;
- Across the sector, the need to clarify the amount of time in which a child care worker may complete a qualification was identified. The existing prescribed finishing periods were generally agreed as being acceptable across the sector. It is therefore not considered appropriate to remove or alter the existing prescribed finishing periods under the provision. **and/or**
- B) Alter/remove the prescribed finishing periods for some positions outlined in section 119 of the *Child Care Regulation 2003*;
- Results of consultation generally support the existing prescribed finishing periods, particularly given the need to balance the desire for qualifications with the cost of study and the need to support child care workers in achieving a work, study and life balance. It is therefore not considered appropriate to alter the prescribed finishing periods for any of the positions prescribed in legislation. **and/or**
- C) Introduce a requirement that under section 76 of the *Child Care Act 2002* licensees must develop and maintain policies about monitoring the progress of employees through qualifications;
- Section 76 of the *Child Care Act 2002* provides that it is the responsibility of the licensee to develop policies in relation to prescribed issues within services. Therefore, it is recommended that a requirement for a licensee to develop a policy about staff progress through a qualification to facilitate the ongoing management of the study being undertaken by staff members at a service be introduced. **and/or**
- D) Conduct a review of sections 118 and 119 of the *Child Care Regulation 2003* to streamline the provisions and develop resources to clarify the requirements;
- Results of consultation indicate that while the existing prescribed finishing periods allow sufficient flexibility, the existing legislative provisions in relation to prescribed finishing periods could be simplified. Consideration is to be given to amending the existing legislative arrangements for prescribed finishing periods in centre based services in accordance with the recommendations below. **and/or**

-
- E) Not alter/amend the existing legislative provisions in relation to prescribed finishing periods.
- Based on consultation feedback, consideration is to be given to amending the existing legislative arrangements for prescribed finishing periods in centre based services in accordance with the recommendations below.

10.1.4 Recommendation

- 1) That the legislative provisions in relation to prescribed finishing periods under sections 118 and 119 of the *Child Care Regulation 2003* be reviewed to clarify the requirements; and
- 2) That a requirement be introduced that licensees must develop and maintain policies about monitoring the progress of employees through qualifications.

The review identified that the prescribed finishing periods are not readily understood by the sector, for example the length of time a person has to complete a higher level qualification (eg a diploma) if the person already holds a pre-requisite qualification (eg a Certificate III). Clarifying the prescribed finishing period is expected to provide the sector with greater certainty and result in more consistent application of the provisions. Amendments to the Regulation to effect this recommendation will be examined by the Department of Communities.

11 Determination of qualifications process

11.1.1 Current legislative arrangements

In recognition of the diverse backgrounds from which child care professionals enter the sector and the value of adding diversity to the experiences and education of children, the Department of Communities conducts a process under sections 109 and 110 of the *Child Care Regulation 2003* for determining whether a particular qualification held by an individual, or a qualification offered by a training provider, meets the required standard for a position in a licensed child care service.

The Director-General as the Chief Executive holds the ability to determine whether an individual has a qualification which is deemed to be equivalent to one prescribed under the child care legislation for an Assistant, Group Leader or Director of a centre based service, a qualified carer or qualified staff member of a school aged care service or a Coordinator of a home based service. Decisions made as a result of the process are only relevant to the individual applicant and for the purposes of working in child care services licensed under the *Child Care Act 2002*. Under section 111(4) of the *Child Care Regulation 2003*, the department has a period of 90 days from the time that all of the information to support an application is received in which to make the determination.

From January 2005 until May 2007, the department approved 139 applications for determination of qualification, and did not approve 116 applications for determination of qualification. A list of qualifications that have been approved is publicly available on the departmental website www.communities.qld.gov.au

The process of determination involves assessing qualifications that are obtained by an individual that are not listed as approved qualifications. In the event that a qualification is obtained overseas, the determination will be referred to the National Overseas Office of

Skills Recognition (NOOSR) for a determination as to the level (e.g. Diploma level) to which the qualification equates in Australia. The Department of Communities then examines the competencies gained within the qualification to map them to the equivalent competencies in approved qualifications and makes a determination as to which positions the individual is qualified to work in child care services in Queensland

The process of determination of qualifications requires significant resources and time to ensure that equitable and consistent decisions are made. These decisions are reviewable by the Children Services Tribunal upon application.

11.1.2 Results of consultation

Consultation processes focussed on establishing the level of experience that the sector and community members had with the determinations of qualifications process, and their views about the operation of the determination process. In seeking this feedback, the consultation paper posed the following question:

- *Have you or any of your staff used the determination of qualification process? If yes, please provide feedback about the process.*

11.1.2.1 Written submissions

In providing a written submission, 52% of the respondents who answered this question identified that they have utilised the determination of qualification process.

In making comments about the process, the length of time that making the determination took was identified as a major issue, as was the view that the process was overly bureaucratic.

Respondents also observed that the process for determining qualifications gained from international institutes was particularly difficult, due to the confusion between the roles and responsibilities of the Commonwealth (such as National Overseas Office of Skills Recognition) and State Government (such as the Department of Communities) agencies.

11.1.2.2 Online submissions

In providing an online submission, 45% of respondents who answered this question identified that they have utilised the determination of qualification processes. Of these respondents, the major issues identified were similar to those outlined above.

11.1.3 Options

- A) Amend the length of time outlined in section 111(4) of the *Child Care Act 2002* for the Department of Communities to issue a determination in relation to an application for determination of qualification;
 - Results of the consultation indicate the perception within the sector that the process for determining qualifications is not sufficiently timely. This perception and the Department's desire to facilitate the transition to working in child care in the timeliest manner possible must be balanced with the need to make equitable and transparent determinations and the significant time investment involved in

making the determination. It is therefore not considered appropriate to alter the existing legislative arrangements in relation to the determination of qualification process. **and/or**

- B) Not alter/amend the existing legislative provisions in relation to the determination of qualifications process;
- Based on consultation feedback, it is not considered necessary to amend the existing legislative arrangements in relation to the determination of qualification process. However, it is recommended that a policy review be undertaken to streamline the process of determination of qualifications.
 - Further to the concerns about the process outlined above, and the Department's commitment to making these determinations, the Department will review its internal processes in relation to determination of qualifications, with a view to streamlining the process as much as possible, while maintaining its commitment to making equitable and transparent decisions.

11.1.4 Recommendation

- 1) That a policy review be conducted to streamline the process of determination of qualifications.

This recommendation responds to feedback indicating the administrative process implemented by the department to assist the Director-General determination qualifications is seen as overly bureaucratic and lengthy.

12 Recruitment and retention

The Department is aware of the issues in relation to the recruitment and retention of qualified staff across the State and particularly in rural, remote and Indigenous communities.

The department has implemented specific strategies to enhance the capacity of child care services to meet the qualification requirements. Some of the strategies include:

- Implementation of the *Child Care Training Plan* including a specific component for Indigenous child care workers;
- Funding of remote support teachers to assist workers in rural and remote areas to complete their qualifications;
- Recent amendment to the *Child Care Regulation 2003* to allow qualified primary school teachers to take up a position as an Assistant, Group Leader or Director in a child care service while enrolled and studying appropriate early childhood course (e.g. teacher bridging program) and;
- Allocation of resources for the implementation of the skills formation strategy to facilitate workforce planning within the child care sector.

In addition to the above initiatives, sections 118 and 119 of the *Child Care Regulation 2003* include transitional provisions which allow child care workers to work in the position of Assistant, Group Leader or Director if they hold a prerequisite qualification and are enrolled in an appropriate course.

This review was recognised as an opportunity to ascertain the current situation in relation to meeting the qualifications requirements in rural and remote communities. In ascertaining the particular challenges that the sector is experiencing in relation to the recruitment and

retention of qualified staff in centre based and home based services, the consultation paper raised the following questions:

- *Have you experienced difficulty recruiting staff with the qualifications to meet the legislative requirements? If yes, what are the likely reason/s for this?*
- *Do the provisions which allow unqualified carers to take up positions in child care services help you to recruit new staff?*
- *What issues are likely to create the most difficulty for your service when recruiting qualified staff?*
- *What strategies have you used in the past to successfully recruit qualified staff?*
- *Do you have a workforce plan for your service? If yes, please describe*
- *What strategies would you suggest to address the shortages of qualified staff in rural and remote communities?*
- *Other comments?*

12.1.1 Results of consultation

12.1.1.1 Written submissions

In responding to the question, “*Have you experienced difficulty recruiting staff with the qualifications to meet the legislative requirements*”, a very high proportion of written submissions indicated that they had experienced difficulty in recruiting and retaining staff members.

In responding to the question “*Do the provisions which allow unqualified carers to take up positions in child care services help you to recruit new staff?*” an extremely high proportion of written submissions indicated that the provisions are useful in this sense.

In responding to the question “*What issues are likely to create the most difficulty for your service when recruiting qualified staff?*”, the likely reasons were cited as industrial shortages of qualified child care staff, poor wages and conditions, difficulty in attracting applicants in rural and remote areas and the level of responsibility placed on staff in certain roles, for example, in Group Leader positions. Much mention was also made of the variation in the skill sets of qualified staff members, and the distinction between being qualified for a position and being both qualified and “suitable” for a position.

In outlining strategies used to successfully recruit qualified staff, suggestions included advertising, traineeships, and offering employees flexibility, support and improved conditions and resources in their workplace.

Few written respondents indicated that they had a workforce plan for their service.

In answering the question “*What strategies would you suggest to address the shortages of qualified staff in rural and remote communities?*” in the written submissions, respondents identified such strategies as:

- Improve wages and conditions for child care staff;
- Promote subsidies to attract staff to rural and remote areas;
- Promote flexible modes of training delivery (including mobile training delivery);
- Enhance professional recognition of the child care industry; and
- Promote traineeships.

12.1.1.2 Online submissions

In generating an online submission into the review, an extremely high proportion of submissions indicated that they had experienced difficulty in recruiting and retaining staff members.

In responding to the question *“Do the provisions which allow unqualified carers to take up positions in child care services help you to recruit new staff?”* a very high proportion of online submissions indicated that they did.

In responding to the question *“What issues are likely to create the most difficulty for your service when recruiting qualified staff?”* and outlining strategies used to successfully recruit qualified staff, the responses given were similar to those outlined above.

Again, few online respondents indicated that they had a workforce plan for their service.

In responding to the question *“What strategies would you suggest to address the shortages of qualified staff in rural and remote areas?”* in their online submission, respondents identified similar strategies to those identified by respondents in their written submissions.

12.1.1.3 Face-to-face consultations

The recruitment and retention of staff in centre based services was raised as a significant issue in many communities across the State. In particular areas such as Emerald and Mt Isa, the strong mining industry and the benefits provided to employees and their families has had a major impact on the community in relation to the willingness of community members to work in the child care sector. This is due primarily to the conditions and remuneration of child care staff.

Most profoundly, the cost of housing and living in these communities often prevents child care staff from obtaining affordable housing. It was suggested that an incentive scheme should be developed to address the issue of encouraging qualified child care staff to relocate to these areas.

There were a number of strategies suggested to address some of the issues currently being experienced in some rural and remote communities. These included the need for increased opportunities for networking with peers and the need to mentor and support staff. The notion of up-skilling current members of the community was also suggested as a possible strategy. Additional professional development opportunities and having funding available to allow all regions to access these opportunities was raised as essential. Providing funding for additional resources for services in rural and remote areas was discussed as being highly desirable.

12.1.2 Key Considerations

Research at State and national levels indicates that recruitment and selection of qualified child care staff is a nationwide problem and that this problem is more extensive in rural and remote communities.

Research further indicates that several factors other than qualification requirements are likely to be contributing to the significant shortages of child care staff. These factors may include wages, professional development, career pathways, and workforce planning issues within a child care sector.

Access to quality care and experiences in the early developmental years is very important for children wherever they may live, consequently the child care legislation includes the same qualification requirements for all child care staff including rural and remote services.

12.1.3 Options

Options for the progression of these issues involve referring the concerns to the relevant agencies where appropriate and using the information as a basis for consideration of future policy options. The issues that are being referred to other agencies are outlined in section 16.

13 Parent Feedback

13.1 Results of Parent Consultation:

The views and experiences of the parents and families of children accessing child care in Queensland were invited as a vital part of this review.

Parents were invited to have their say and inform the review in the following ways:

- Complete a survey specifically designed for parents; and/or
- Complete a written or online submission; and/or
- Attend a face-to-face consultation session, held in 16 locations across the State.

The survey was developed in conjunction with the Child Care Forum, and was distributed to all licensed child care services throughout Queensland.

In gauging the perceptions of families accessing centre based care, school aged care and home based services, the survey posed the following questions:

- *What do you expect from your child care service?*
- *What types of skills and knowledge do you think a child care Assistant should have?*
- *What types of skills and knowledge do you think a child care Director, Coordinator, Group Leader should have?*
- *How long do you think child care staff should be allowed to work at a centre before starting their relevant qualifications?*
- *Are you satisfied with the staff at your child care service, and why?*
- *Do you think that if all child care staff held formal qualifications it would add to the overall quality of the service, and why?*

214 survey responses were received, of which:

- 141 were parent of children accessing centre based care;
- 40 were parents of children accessing school aged care;
- 30 were parents accessing home based care; and
- 3 did not disclose the type of service that their child accessed.

A number of themes were consistently expressed by parents regarding the care of their children, the roles and responsibilities of the persons caring for their child and the industry as a whole. These included the desire for:

- High quality care;
- The improvement of low wages and poor working conditions of child care staff;
- Improved communication skills of workers in communicating with both children and families;
- All workers to have an understanding of child development and age appropriate experiences for children;
- Directors, Group Leaders and Coordinators to have communication, organisational and “people skills”;
- Training initiatives to be funded;
- Improved retention of existing staff (acknowledging high staff turnover); and
- A safe, hygienic, stimulating environment in which to leave their children.

13.1.1 Assistants in centre based services

When asked about the skills and knowledge an Assistant should possess, 115 respondents explicitly stated a Certificate III or higher is desirable.

The respondents who did not identify a specific qualification level identified desirable skills and knowledge such as:

- some level of training;
- experience;
- knowledge of child development;
- knowledge of behaviour management strategies;
- knowledge of age appropriate experiences;
- workplace health and safety skills;
- communication skills;
- ability to assist the Group Leader;
- first aid certificate;
- positive prescribed notice (Blue Card); and
- a love of children.

Some of these desirable skills and knowledge are captured within modules of the prescribed qualifications.

13.1.2 Other positions

122 parent respondents believed that the types of skills and knowledge a Group Leader, Director or Coordinator should have stated that the current qualification requirements or higher would be appropriate for these roles.

Those respondents who did not identify a desirable qualification level identified desirable skills and knowledge such as:

- human resource management and leadership skills;
- communication skills (written and verbal);
- “people” skills;
- ability to develop relationships with families;
- ability to generate age and developmentally appropriate plans, programs and experiences;
- child development knowledge;
- organisational skills;
- experience working with children;
- first aid certificate;
- workplace health and safety knowledge; and
- supervision skills.

Some of these desirable skills and knowledge are captured within modules of the prescribed qualifications.

13.1.3 Holding a qualification

The responses of parents to the question *“How long do you think child care staff should be allowed to work at a centre before starting their relevant qualification?”* varied.

Responses included the belief that qualifications should be held prior to commencement of the position, that current requirements are adequate, that employees should have commenced study prior to employment, that commencement of study occur immediately upon employment, and that employees should be permitted to have either three (3) to six (6) months or over six (6) months of employment prior to the commencement of study.

13.1.4 Satisfaction

Parents were asked to comment on their level of satisfaction with the staff at the child care services they accessed.

177 parents (representing 85%) reported being satisfied or more than satisfied with the staff at the service their child accessed, citing the following reasons for this satisfaction:

- friendly and caring manner;
- qualified staff;
- passion for children;
- provide safe environment;
- child happy to stay;
- organised;
- professional;
- enthusiastic;
- warm and positive; and
- approachable.

Parents of children accessing family day care also cited their satisfaction with the small numbers of children accessing the service, the flexibility of the arrangements and the one-to-one attention that their child receives.

31 parent respondents indicated they are not satisfied with the staff at the service for the following reasons:

- high staff turnover;
- no on-going training for long term staff;
- lack of communication skills;
- staff have no understanding or patience in dealing with difficult children;
- not enough evidence of programming, planning or evaluation;
- lack of information exchange/feedback about child's day;
- lack of consistency in room staff;
- too much time sent on paperwork;
- centre facilities need upgrading;
- staff / children personality clashes;
- disorganisation;
- lack of professional manner;
- staff having lots of sick days;
- unqualified staff;
- lack of supervision;
- no staff handover; and
- negative interactions with staff.

Parents of children accessing school age care programs cited a lack of physical activities in the program, and stated their preference to have more experienced staff at the service.

161 parent respondents believe that formal qualifications would add to the overall quality of the services; while 50 respondents stated that formal qualifications would not add to the overall quality of the service.

14 Training providers

Throughout the consultations, many concerns were raised across the sector and wider community that are outside of the jurisdiction of the Department of Communities, particularly in relation to training providers, and the training packages that they deliver.

Some of the concerns relate to the quality and delivery of training modules, competencies and programs, and to the consistency of practice and level of involvement and interaction between the Registered Training Organisations and their students.

As these concerns are outside of the scope of this review and of the jurisdiction of the Department of Communities, these views will be communicated to the relevant agency, for their consideration. These items for feedback are outlined in section 16.

15 Professional Development

The consultations also resulted in continuing comment in relation to how to achieve professional development within the sector, for the purposes of supporting best practice and addressing some concerns that exist within the sector.

Suggestions included the promotion of mentoring and work shadowing within individual services, and developing systems of peer support and career pathways for progression within the sector more broadly.

The issue of the need for professional association continues to emerge, with the Department of Communities to investigate taking a leadership role in the area, and to explore partnerships with agencies such as the Community Services and Health Industry Skills Council.

16 Other comments

While the comments that are relevant to the themes being consulted on in this review were collated as feedback throughout this report, comments were made during the consultation process that were outside of the scope of this review.

Many of the issues raised by respondents are highly complex in nature, and rely on many agencies acting cooperatively to attempt to address the concerns. In order to most appropriately ensure that the valuable comments and feedback provided throughout the review are relayed to the agency with jurisdiction for the issue, the Department will undertake to write to the agencies with details of the issues for their information and consideration.

Concerns in relation to the structure and delivery of training packages as outlined throughout the report will be referred to the Department of Education, Training and the Arts and the Industry Skills Council, for their consideration and relevant action. The Commonwealth Department of Families, Community Services and Indigenous Affairs will be advised of the concerns expressed during the consultations in relation to Inclusion Support Workers, as outlined in section 6.1.3.

Issues were consistently raised in relation to the need for professional development within services and across the sector more broadly. These comments will be referred to both the Industry Skills Council and the Professional Support Coordinator Queensland, which has jurisdiction for the service delivery of professional development activities.

Correspondence will also be drafted to the National Childcare Accreditation Council (NCAC) in relation to the concerns expressed throughout the consultations in relation to the duplication of monitoring and quality assurance activities, particularly in home based care settings. The Department of Communities is aware of the concerns, and will endeavour to engage collaboratively with NCAC to address them.

The issue of poor wages and conditions for child care staff was raised consistently throughout this consultation. These are acknowledged as very real concerns for the sector, and will be referred to the Department of Employment and Industrial Relations, for any possible relevant action.

Respondents to this review should also note that the Department of Communities is planning to conduct a broader review of the *Child Care Act 2002* and the *Child Care Regulation 2003* in the future. When this review commences, the normal consultation processes will apply. More information will be available on the Department of Communities website at www.communities.qld.gov.au when it becomes available.

Thank you again to all parties who have contributed valuable feedback into this review process. Your views and experiences have been vital in informing the review, and supporting and promoting safe and suitable child care in Queensland.

Appendices

17.1 Glossary (Definitions – *Child Care Act 2002*)

“centre based care” (1) A licence for a centre based service authorises the licensee to conduct a child care service at the premises stated in the licence, subject to the Integrated Planning Act 1997.

(2) A licence for a centre based service may only authorise the provision of child care in 1 child care centre.

“eligible primary teacher” means a person who has full registration as a teacher under the Education (Teacher Registration) Act 1998; and holds a qualification that enables the person to teach in a school that provides primary education (see section 119 (4) of the *Child Care Regulation 2003*).

“home” means premise used as a private residence.

“home based service” means a service for regularly providing child care in in 1 or more homes. (Section 10b of the *Child Care Act 2002*)

“licensee” means any person licensed according to the provisions of the *Child Care Act 2002* and the *Child Care Regulation 2003*.

“prescribed finishing period” means the period that is twice as long as the period in which the course would be completed by a person undertaking the course by full-time study.

“qualified Assistant” means a person, who is at least 17 years old, with a qualification for an Assistant prescribed under a regulation.

“qualified Coordinator”, in relation to a home based service, means an adult staff member of the service with a qualification for a Coordinator prescribed under a regulation.

“qualified Director”, in relation to a centre based service, means an adult staff member of the service with a qualification for a Director prescribed under a regulation.

“qualified Group Leader”, in relation to a centre based service, means an adult staff member of the service with a qualification for a Group Leader prescribed under a regulation.

“registered training organisation” means any training organisation registered in accordance with the Australian Quality Training Framework providing vocational education, training and or assessment services. Includes Technical and Further Education colleges/ institutes, private commercial providers, community providers, schools, higher education institutions, enterprises and firms, industry bodies and any other organisation which meets the requirements for registration.

“school age care” - school age care service means a licensed centre based service for which, under its licence conditions, the children in care must never include a child who is not a school child.

17.2 Reference List

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