



The National Outside School Hours Services Alliance (NOSHSA) is a network of all Australian State and Territory Out of School Hours Services (OSHC) Associations. These organisations promote and support Out of School Hours Services and act as a united voice to advocate both to Government and the community for excellence in service provision.

Out of School Hours Services (OSHC) are a vital and important part of many children's lives in Australia today. NOSHSA believes that access to a quality OSHC service has the capacity to enrich children's lives, support families and build community.

NOSHSA, through the combined memberships of our state and territory associations currently represent over 3500 Australian OSHC services.

As an organisation our work is underpinned by a deep philosophical commitment to the United Nations Convention on the Rights of the Child (UNCRC). In particular, Article 31 (The child's right to play and leisure opportunities) and Article 12 (The child's right to express an opinion and have that opinion considered).

We welcome the opportunity to contribute to the 2019 Review of the NQF.

APPROVALS

1. Imposing conditions on service expansion for providers of multiple services

NOSHSA is concerned that non-compliance and poor quality ratings do not appear to impact Approved Providers with multiple services ability to open new or take on additional OSHC services.

We recommend that larger providers are re-assessed at significant points of growth for continued management capability. The introduction of quality compliance for larger providers requiring that they demonstrate a percentage of services assessed and rated at meeting of at least the national average before growth. NOSHSA recommend establishing a process for monitoring of National compliance history and quality ratings so that each jurisdiction can consider this in granting new service approvals. NOSHSA supports a rating system for large Approved Providers based on their compliance and quality history.

2. Defining Management Capability and Fit and Proper

NOSHSA is concerned that Management Capability is vaguely defined for Approved Providers.

We recommended that a clear definition and framework for management capability is established and that this framework is applied to the Approved Provider as an entity (where applicable) rather than each individual member. The introduction of an assessment process for management capability would be possible once a definition and framework is established. NOSHSA recommend that provision for volunteer management committees to develop management capability as a requirement of ongoing provider approval be considered.

The fit and proper requirements are complex for providers to navigate under the NQF and Family Assistance Law. NOSHSA recognise the importance of implementing a rigorous financial integrity framework for the administration of CCS. NOSHSA support that these measures may be deemed sufficient for determining fit and proper thus requiring no additional or duplicate process to streamline this aspect of approval.

3. Processing applications and incomplete information

Significant investment is made by providers when making an application for Service Approval including those involving buildings or building approvals. NOSHSA supports that clarification is required of what an incomplete application is and whether a Regulatory Authority may reject an incomplete application. NOSHSA would further recommended greater support pre-application for Approved Providers from the Regulatory Authority.

4. Increase to service approval – timeframes and capability

The timing of approvals for service increases is a priority in communities where the demand for care is high and waiting lists exist. NOSHSA recommends that when a provider demonstrates capability to increase that the timeframe could be reduced to meet the genuine needs of the community.

NOSHSA have ongoing concerns about the standards used to assess providers' capacity to increase the number of children being educated and cared for. The indoor and outdoor space requirements alone are an insufficient standard for assessing service increases. NOSHSA recommend that consideration is also given to qualifications, ratios and risk assessments for services with a very large capacity e.g. over 150 places

5. Transfer of service approval

NOSHSA is aware that some providers have not been relinquishing the service approval when they are unsuccessful in re-tendering for their OSHC service. We suggest the introduction of a duty to transfer requirement linked to ongoing provider approval requiring that a provider relinquish their service approval when they no longer have the right to occupy.

Service quality often changes significantly upon transfer and NOSHSA suggest that 'not yet assessed' apply to any transferred services when there are significant changes and a new Quality Improvement Plan is required to be developed. Retaining the rating is not an accurate representation of service quality.

6. Changing ages that the services is approved to educate and care for

NOSHSA support re-assessment of service approval when an OSHC service takes children of difference ages (over or under preschool age). NOSHSA believe that the centre-based OSHC environment is not suitable for 3 year old children.

PHYSICAL ENVIRONMENT

7. OSHC Premises

The definition of premises for OSHC is not applied in a nationally consistent way. There are different interpretations about indoor space (e.g. verandas and undercover areas being included as indoor space). The suitability of the physical environment and service premises has a significant impact on service quality and experiences for children. OSHC is a play based learning environment and the

indoor and outdoor spaces approved to educate and care for school age children should facilitate this in an age appropriate and meaningful way. NOSHSA has concerns about perceptions of suitable indoor space for OSHC. For example, indoor space such as halls are great for bringing typically outdoor play indoors but do not necessarily make appropriate play based learning environments for the provision of OSHC without significant investment in how the service is set up and packed down each session or each day.

The issue with the vast majority of OSHC facilities not being purpose built has significant impacts on how a service operates, how children are adequately supervised and how the program is designed and implemented. The sharing of facilities with schools has both benefits and challenges. Schools are placing increasing demands on OSHC providers to make financial returns to them. NOSHSA believe that any financial returns beyond recovery of outgoings and reasonable rental/hire fees should be disallowed as these financial returns to schools are not a genuine cost of care and raise real concerns about the Child Care Subsidy system being exploited. Refer to financial integrity framework for Child Care Subsidy.

<https://docs.education.gov.au/system/files/doc/other/finintegritystratmar19.pdf>

NOSHSA encourage governments to review requirements for OSHC premises and consider nationally consistent standards to incorporate into occupancy agreements to improve the transparency and use of shared facilities.

The NQF's physical space requirements for school age children require reconsideration given that services continue to expand year after year. NOSHSA recommend that governments consider current research into physical space requirements for OSHC undertaken by the Queensland Government. NOSHSA also recommend that the physical space requirements take into account different operating contexts e.g. whether the service has its own dedicated space or is required to share space and whether services need to run the program from multiple locations across a school site. In this way physical space may be linked to ratios with improved ratios being required if the physical space impacts the capacity for adequate supervision.

OPERATION

8. Sustainability of the NQF

Prior to increasing the fees charged to services to recoup some of the costs associated with regulatory functions, NOSHSA recommend a comprehensive review is undertaken of the current efficiencies and inefficiencies of how the NQF is implemented in each jurisdiction. NOSHSA do not support an increase based on the current approach to regulation and assessment and rating. We seek more transparency and accountability in how public funds are used to regulate the sector. NOSHSA request that the Australian Government continue to invest in the NQF.

9. Regulatory Approach and Earned Autonomy

NOSHSA supports the 'Regulating for Quality' approach undertaken with priority issues identified to improve compliance monitoring. It is appropriate and effective to use a risk framework with monitoring and compliance. However, while earned autonomy is an important, NOSHSA is concerned about the increasing timeframes between assessment and rating for services.

10. OSHC within the NQF

NOSHSA supports OSHC's inclusion within the NQF, however we promote that OSHC is unique and complex and being regulated, assessed and rated in the same way as an 'early childhood' service is

not fit for purpose. NOSHSA strongly supports the opportunity for the OSHC sector to be recognised within the National Law as its own service type as well as in the broader NQF and all its component parts. This would enable aspects of the NQF to be contextualised for the sector to improve relevance. Some of the contexts requiring consideration include (but are not limited to): being hosted by schools (physical environment, facilities and premises); age and developmental appropriateness of regulations and standards for school age children; educator qualifications; service sizes and establishing relevant standards for expansion; program requirements; the role of the educational leader and the ability for large OSHC services to appoint multiple educational leaders.

11. Qualification requirements

NOSHSA encourage governments to introduce a nationally consistent approach to qualifications for OSHC built on a strong evidence base and contemporary practice in the OSHC sector. NOSHSA is currently preparing a position statement on qualifications for OSHC in Australia.

12. Authorised Officer's knowledge of OSHC

NOSHSA encourage governments to consider the introduction of a nationally consistent approach to authorised officer qualifications requiring those that undertake work with the OSHC sector to have specific OSHC expertise.

13. Protecting children and staff in an emergency

NOSHSA supports the importance of well organised, regularly conducted emergency procedure rehearsals. Risk assessments identifying various types of emergencies that may require preparation through rehearsal should be undertaken in context with recognised risks. Consideration should also be given to rehearsals for the different components of care where relevant e.g. if different children are attending different sessions. NOSHSA also recognise that there is trauma associated with rehearsals for many children and that efforts should be made to minimise this impact. A balance between the number of rehearsals required (given that school age children are also practicing them at school) and the types of rehearsals should be considered.

PUBLIC AWARENESS

14. Working towards rating

NOSHSA recognise the issue with the 'Working towards' overall rating and public perception that this rating is seen as a service failure to ensure quality. Unfortunately, the working towards rating does not give cause for a service to celebrate their achievements and therefore is also seen by the sector as a failure. Governments are asked to consider developing more helpful resources about assessment and rating so that services can better explain to families. Consideration could also be given to how the Meeting rating is calculated and whether a similar approach to the exceeding rating calculation would work at the Meeting level.

15. Regulation 74 and documentation of child assessments

NOSHSA support a jurisdictional approach to Regulation 74 and that any jurisdictions wanting to adopt the approach used in Queensland, New South Wales and the Northern Territory should have this opportunity reconsidered. Documentation of child assessments should be relevant and purposeful having regard for the information about children's time in OSHC that is meaningful and useful to families, children and educators.

OTHER ISSUES

16. Transport for School Age Care (OSHC)

NOSHSa is aware of national inconsistencies with how a staff member is treated within ratios when they are the driver of a vehicle transporting children as part of the OSHC program. NOSHSa support that the driver, when a staff member should be included in the ratio. NOSHSa recommend a full risk assessment is undertaken by the service to ensure the suitability of this approach.

NOSHSa appreciate the opportunity to contribute to this review and future consultations. Communication regarding this submission can be directed to:

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