



Regulatory Priorities

January 2023 - June 2024

As part of its risk-based approach to regulation, the Education Standards Board collects and analyses data to identify where to allocate our regulatory resources to ensure the health, safety and wellbeing of children.

Information collected as part of our regulatory activities throughout 2022 on compliance with the National Law and Regulations along with service quality, provides a solid evidence-base for identifying regulatory priority areas. The Education Standards Board will focus on the following priorities in the coming year and expects to see providers comply with their legal obligations under the National Law and Regulations.

We use these regulatory priorities as focus areas when undertaking assessment and rating or monitoring activities. We also prioritise investigating and responding to incidents and complaints that fall within these priority areas, while continuing to respond to other instances of non-compliance.

1. Adequate supervision

Adequate supervision for children is provided at all times. This means:

- that age-appropriate supervision is evident in daily practice
- that an educator can respond immediately, particularly when a child is distressed or in a hazardous situation
- knowing where children are at all times and monitoring their activities actively and diligently
- balancing supervision and engagement by drawing on a range of skills such as positioning, using peripheral vision and monitoring changes in noise and stress levels
- children of different ages and abilities have different levels of supervision. Travel and excursion might require different levels of supervision.

2. Appropriate discipline

Measures are in place to promote and support positive, safe and respectful relationships with children and young people in education and care settings.

Regulated parties do not tolerate or engage in any form of conduct which might cause physical or emotional harm to children and young people.

There is a consistent approach to behaviour guidance to ensure that each child is supported at all times to regulate their own behaviour, respond appropriately to the behaviour of others, and communicate effectively to resolve conflicts.

3. Medical management

Effective policies and practices for storing and administering medication and managing children's medical conditions are in place, and risk-based measures are implemented in daily practice.

There are accurate, current and accessible individual medical management plans for children with a specific health care need, allergy or a diagnosed relevant medical condition, along with a risk-minimisation plan and communication plan.

Educators are adequately trained to manage the medical conditions of the children who attend the service.

4. Improved reporting of serious incidents

Timely, accurate, and well documented serious incident notifications facilitate critical reflection, analysis, and learnings from an incident. Identified areas for improvement are captured in the service's quality improvement plan.

Regulatory targets

Regulatory Activity	Expectations	Performance Measure
Assessment and rating	The number of services rated under the current National Quality Standard (NQS) will increase.	15% of services rated against the previous NQS are assessed and rated under the current NQS.
Working Towards services	Services rated working towards NQS three times or more require a tailored approach to develop their commitment to continuous improvement.	<p>Targeted, consistent, educative guidance and advice is provided, based on known areas of underperformance.</p> <p>Improvement in the understanding of serious incident reporting requirements, along with timely, better quality incident reporting by these services.</p> <p>Services that undergo a partial reassessment improve the number of elements they meet under the NQS.</p>
New services	A proactive, educative approach will emphasise mutual responsibility and enable services to understand the legal requirements of their service approval within daily practice and prepare for their assessment and rating.	<p>100% of newly approved services have a post approval visit within six months.</p> <p>100% of newly approved services have an assessment and rating within 18 months of opening.</p> <p>Up-to-date and appropriate factsheets and education tools provide consistent guidance for new services.</p>
Monitoring	Risk-based announced and unannounced activities inform and guide continuous improvement and compliance with obligations under the National Law and Regulations.	Undertake targeted campaigns that align to regulatory priorities.
Education and engagement	<p>Proactive engagement with approved providers and sector representatives supports the provision of high-quality services by regulated parties.</p> <p>Provision of clear, accessible, quality and compliance-related guidance and advice to regulated parties.</p>	<p>Communicate timely regulatory advice and guidance about national reforms and regulatory priorities through a variety of channels at least monthly, including newsletters, sector forums and webinars.</p> <p>Target guidance and information to services rated under previous NQS to increase understanding of the current NQS and exceeding themes.</p>