

Dear Rosemary,

On behalf of Early Childhood Teachers Association (ECTA), we have viewed the Inquiry into the 'Education and Care Services Bill 2013' document.

We support the notion of amending legislation to cover the points in the overview letter;

The bill would amend legislation to:

- establish a new regulatory framework for child care services regulated under the *Child Care Act 2002*;
- repeal the *Child Care Act 2002*; and
- make consequential amendments to other legislation.

The new regulatory framework would align with the *Education and Care Services National Law (Queensland) Act 2011* (national law) while retaining some elements of the *Child Care Act 2002*. The bill would apply to those services not covered by the national law, including

- limited hours care services that receive Queensland Government funding;
- early childhood education and care services that are also disability services under the *Disability Services Act 2006*, which are excluded from the national law;
- occasional care services; and
- Budget Based Funded services that do not receive child care benefit (CCB).

To support the committee please consider these comments in relationship to key areas indicated from our perspective as early childhood professional educators. ECTA advocacy focuses on the **realities facing Early Childhood Professionals who work** in a variety of sectors and programs with children under eight years of age and with the families with primary responsibilities for these children.

The Areas that were covered include the objective from sections 116 – 134 and including Sub division 2. These were looked over carefully and we have listed some points for consideration in red.

Regarding the objective of the bill we also support and advocate these very strongly for our professional colleagues.

Page 15 - 4 Objective

(1) The object of this Act is to ensure the safety, health and wellbeing of children attending a Queensland education and care service.

(2) The ways in which the object is to be achieved include—

- (a) establishing a provider approval and service approval system for Queensland education and care services; and
 - (b) regulating the way stand-alone services are conducted;
- and

- (c) setting standards for persons who provide education and care for children.

Page 15 - Division 3 Guiding principles of Act / 5 Guiding principles

(1) Queensland approved education and care services are to be conducted under the following principles—

- (a) the best interests of a child are the paramount concern;
- (b) education and care should be provided to a child in a way that—
 - (i) protects the child from harm; and
 - (ii) respects the child's dignity and privacy; and
 - (iii) promotes the child's health and wellbeing; and
 - (iv) provides positive experiences for the child;
- (c) education and care should be provided to a child in a way that stimulates and develops the child's creative, emotional, intellectual, lingual, physical, recreational, and social potential; **Include their competence as an individual human being**
- d) parents have the primary responsibility for the upbringing, protection and development of children, and should be supported in that role;
- (e) education and care should be planned and provided in a way that—
 - (i) involves parents and other members of the community; and
 - (ii) reflects the multicultural and multilingual nature of the community.

Page 17 - Part 1 Preliminary

children under 13 years of age but does not include any of the following services—

Meaning of *stand-alone service*

A ***stand-alone service*** is a QEC service that—

- (a) is not a QEC approved service; and
- (b) is not a service in which education and care is regularly provided to more than 6 children under the age of 13 at the same time. **Tighter regulations need to be considered here as to the ages of the children in care and documented accordingly.**

Page 21 - 15 Matters for deciding if an individual is suitable

(1) An individual is not a suitable person to operate, or to be involved in the operation of, a QEC service unless the individual—

- (a) has a current positive notice; or
- (b) has a current positive exemption notice; or
- (c) is the subject of an application for an exemption notice.

Suggestion- Inclusion of age should be stipulated here as a point ie; aged 18 years with qualifications and only with FULL qualifications

Page 75 – Division 2 / 116 Presence of at least 2 adult staff members

(1) This section applies to an approved provider of a QEC approved service at all times that education and care is being provided at the QEC service premises in the course of delivering the service.

(2) If the service is not a school age care service, the approved provider must ensure that at least 2 adult staff members are present at the premises.

Maximum penalty—40 penalty units.

(3) If the service is a school age care service, the approved provider must ensure that, at all times, at least—

(a) 2 adult staff members are present at the premises; or

(b) one adult staff member is present at the premises and one other adult staff member is near the premises and able to attend at the premises immediately if required.

Maximum penalty—40 penalty units. Tighter regulations here need to be considered as school aged care could include here 30 prep students

(4) In this section—

adult staff member includes the following—

(a) a qualified supervisor;

(b) a staff member who is at least 17 years of age and is a qualified assistant. Tighter regulations required here as in earlier section at least 18 years of age / care provided up to 13 years of age. That leaves 4 years difference does this make the 17 year old experienced and an adult?

Page 76 - 117 Certain unqualified person may fulfil requirement for qualified person

(1) A reference in this Act to a person with a qualification includes a person who does not have a qualification if, in the circumstances prescribed under a regulation—

(a) the person is an adult who is engaged in a position for which the qualification is prescribed and has not been engaged in the position for more than the prescribed time; or

(b) the person is enrolled in a course that leads to the qualification. Tighter regulations required here, adult age consideration at least 18 years of age.

(2) For subsection (1)(a), in deciding how long a person has been engaged in a position, the engagement is taken to continue during any break of less than 30 days.

(3) In this section—

position means a position in a QEC approved service.

prescribed time means the time, not more than 6 months, prescribed under a regulation.

Page 78 Division 3 Other

120 Required programs for children

Additional suggestions:

(d) that these programs also include and support the direction learning is taking now and in the future (technological age)

(e) the needs of the child as competent and creative as an individual. (The need to be looked at as a whole child for who they are not what they may look or the inability that they may have)

Page 84 - **132 Person involved in conduct of, or provision of care for, stand-alone service must be an adult Tighter consideration required here the age of adult needs to be verified – at least 18 years of age**

A child must not conduct a stand-alone service.

Maximum penalty—5 penalty units.

(2) A person must not engage a child as a carer in a stand-alone service.

(1) Maximum penalty—50 penalty units.

Page 220 - Sub Division 2 URL Data

– pleased of the inclusion and documentation of data within the document.

Thank you for allowing us to participate in the parliamentary bill and look forward to seeing some changes in this that will support young children, professional early childhood educators and the community for the future.

Kind Regards,

Allison Borland
Secretary Early Childhood Teachers Association- ECTA