

Tracy Mackey  
Executive Director, Early Childhood Education  
NSW Department of Education  
GPO Box 33  
Sydney NSW 2001  
tracy.mackey@det.nsw.edu.au

27 May 2019

Dear Ms. Mackey,

The Independent Education Union (New South Wales/ACT Branch) has over 32,000 members working in non-government educational institutions including early childhood centres in NSW and the ACT. Our early childhood members are university degree qualified teachers, and work in both private and community based services, preschools and long daycare centres as Directors and Teachers.

We are writing to you on behalf of IEU members who have raised significant concerns about their experiences with the current NQS Assessment and Ratings process. The IEU was contacted by more than 20 individual preschools and long day care centres about this issue, in addition to a group representing of 40 regional services in NSW. Specific feedback received from services is included in Appendix 1. Please note that this letter is seeking to address issues with the NSW Regulatory Authority and is not a response to the 2019 National Quality Framework Review. The IEUA Federal Office shall be making a submission to the review.

### **1. Timing of correspondence including visit notification and draft reports**

1.1 Preschools have stated they received notification of their Assessment and Rating (A&R) visit or draft reports during school holidays. This meant they did not receive the notice until

preschool re-opened, significantly shortening the timeframe available to upload required pre-visit documentation or the already tight 14 calendar-day timeframe to provide feedback / evidence for draft reports.

The IEU's position is that the Regulatory Authority should issue correspondence to preschools during school terms, when preschools are actually open. The sending of correspondence from mid-December to late January is particularly inappropriate as directors/ teachers should not be required to respond to correspondence whilst on annual leave.

**2. A narrow focus on compliance “checklist approach” leading to the overlooking of quality practices including interactions / relationships with children and families and the educational program.**

2.1 A narrow focus on compliance “checklist approach” leading to the overlooking of quality practices including interactions / relationships with children and families and the educational program, including reports that during their visit employees were “quizzed” on technicalities of the National Regulation, which they were expected to recite by rote, despite this information being readily available on the ACECQA website.

2.2 It was reported that some AO do not understand the National Regulation and incorrectly stated that services were in breach during visits. Experienced directors who consult the National Regulations regularly to ensure the service is compliant find the lack of recognition for their qualifications and experience insulting when they are informed the service is in breach of a regulation by an AO who clearly does not understand what is required by law.

2.3 Multiple services raised the issue of rejection of policies on the grounds that only the exact wording from the National Regulations is acceptable.

2.4 Compliance checks on qualifications and training during their A&R visit perceived as unnecessary at one service as these were checked during a recent compliance visit.

2.5 Preschools were penalised in QA2 Children's health and safety for inappropriate or trivial reasons because the AO failed to recognise potential learning opportunities for children.

2.6 Early childhood pedagogy is based on the premise that the educational program is approached in a holistic manner, as children's learning is not segmented into individual subject areas, yet some AO expected to see evidence for isolated elements, standards and Exceeding Themes.

2.7 A lack of flexibility was displayed by an AO in regard to acknowledging documentation when a centre had made a genuine mistake when trying to upload their QIP.

2.8 Services reported that professional learning, research, collaboration and critical reflection were ignored or misunderstood by AO. Other services reported their AO did not seem to

understand that critical reflection is demonstrated by reflecting on past practice as a group, making modifications to current practice and documenting the process. Evidence of critical reflections documented in staff meeting minutes was completely disregarded.

The IEU's position is that the NSW Early Childhood Education Directorate should provide support and information for services to improve the quality of their practice instead of constraining and devaluing teachers and educators by reducing all centre practices to a fit yes/no compliance checklist approach.

### **3. Authorised Officers**

3.1 Services report there does not seem to be a correlation with the number of AO or the amount of time they spend in a service and the licensed places or number of employees.

3.2 Services state a distinct lack of professionalism was displayed by some Authorised Officers during A&R visits including stating upfront that they should not expect to receive an Exceeding rating.

3.3 Some AO demonstrated a lack of understanding of the role of Management Committees in community-based services.

3.4 A number of services raised concerns about subjectivity of the A&R process due to AO being influenced by their culture, expectations, past experiences, values and beliefs.

The previous NCAC system of teachers employed in services intermittently undertaking accreditation visits across various states appears to be a more equitable and supportive model as these assessors were early childhood qualified colleagues with extensive experience working in preschools and long day care services.

3.5 Services reported that professional learning, research, collaboration and critical reflection were ignored or misunderstood by AO.

3.6 Some AO appeared to lack an understanding of early childhood pedagogy and thus what quality in ECEC looks like. This led some IEU members to question whether AO are adequately qualified and experienced to perform their role competently.

3.7 Some services have stated that AO did not provide useful advice to services on how they could improve and when questioned, were unable or unwilling to explain the "Exceeding themes" or provide concrete examples how these could be effectively embedded in practice.

The IEU's position is that all AO must have at least a Bachelor of early childhood education degree in addition to at least 5 years' experience in an early childhood service to ensure they have a comprehensive understanding of quality practices in order to rate services against the NQS. Further, if a service can demonstrate they are exceeding the NQS then they should be rated as Exceeding, regardless of the number of other services rated as Exceeding.

4.1 Services state they have received draft reports that were seemingly cut and pasted from the reports received by other services as information in draft reports has been inaccurate or included physical attributes that were not applicable to the service.

4.2 When Nominated Supervisors / Approved Providers address inaccurate, incomplete or missing information in draft reports, they report that their feedback is ignored in first tier reviews.

4.3 Centres have received final reports with unhelpful advice regarding how they can improve in future, including suggestions so vague services could not work out how it could be used and feedback advising centres they should do something they have already been doing.

4.4 Services state they feel unable to provide honest feedback to the survey they receive after their A&R visit due to concerns their draft report may be impacted.

4.5 Services have reported incorrect rating information was displayed on the ACECQA website, being required to prove to ACECQA what their correct rating should be and then waiting up to 7 days to have this corrected.

4.6 The process for seeking a review is too onerous and has a strict 14 calendar-day timeframe, which causes even greater stress to employees that consider they have received an inaccurate report and/ or inappropriate draft rating. This timeframe appears even less reasonable given the Early Childhood Education Directorate has 60 days to respond to a centre's submission. Incredibly, at times draft reports are sent to preschools with deadlines to submit a review application falling during school holidays.

4.7 A number of services report they chose not to proceed with requesting a first or second tier review due to the hours of paperwork required. In addition, the cost of applying for a second-tier review is prohibitive for some services and should be refunded if any change to the NQS rating is made.

The IEU's position is that draft and final reports should be specific to the individual service and provide feedback that clearly details practical and relevant steps the service can take to improve their performance against the National Quality Standards. Further, the period allowed for early childhood services to request a first and second tier review should be extended to 28 days.

## **5. Impact on Teachers and Educators**

5.1 Teachers report they are disillusioned, confused and disappointed with the A&R process, which they describe as grueling, deflating and exhausting, rather than uplifting and inspiring.

5.2 A number of services stated that the current A & R process will contribute to more early childhood teachers and educators leaving the sector.

### 5.3 Teachers and Educators have lost faith in the A&R process.

The IEU's position is that the A&R process should support, recognise and inspire teachers and employees to improve the quality of their practices instead of demoralizing and undermining their confidence and professional knowledge.

## 6. Comparison across Jurisdictions

The Union believes the above issues have led to a disproportionate number of NSW services that were previously rated as Exceeding or Excellent being re-rated at a lower level (57%) under the current system when compared to Victoria (44%) and the ACT (46%) (table data calculated from information available on the ACECQA Registers):

	NSW	VIC	ACT
Services re-rated in 2018/2019 that were previously rated as Exceeding or Excellent	316	301	13
Percentage who retained that rating	43%	56%	54%
Percentage who dropped to meeting	47%	36%	15%
Percentage who dropped to Working Towards	10%	7%	31%

The IEU notes that the number of requests for tier two reviews is higher in NSW than in other states. In addition, 50% of tier two reviews undertaken by ACECQA led to changes to either partial or overall quality ratings. In these instances it is clear that the NSW Early Childhood Education Directorate rating was incorrect.

[http://snapshots.acecqa.gov.au/OA/OA\\_secondtier.html](http://snapshots.acecqa.gov.au/OA/OA_secondtier.html)

### In Summary

One service Director summed up the issues with A&R as follows: *We are confused, disillusioned and drawn to now understand this process as one that is more based around performativity pressures that disable and constrain educators and reduce practice to proving beyond what is required, than a motivating and empowering one that works to lift the practices and professional identity of our profession. I feel very strongly that the system of*

*assessment and rating needs to be reimagined as a relational one that empowers, supports and respects the work of the practitioner.*

The IEU is seeking a meeting to hold discussions around how these issues could be addressed as soon as practicable. We request a written response to our letter within 28 days.

Yours sincerely,

John Quessy

Secretary

[john@ieu.asn.au](mailto:john@ieu.asn.au)

## Appendix 1

### 1.1 Timing of correspondence including visit notification and draft reports

**Centre 9** reported that their paperwork was due on the last day of fourth term in 2018 with their visit scheduled any time from the first week of 2019. The Director and other employees had no access to relevant paperwork during that time as the preschool was closed and they were on annual leave. In addition, no members of the Management Committee were available to submit a review at this time of year.

**Centre 11** director stated: “We received the draft report in the first week of the October holidays so I had just under a week to send in my objections by the time I had properly consulted with the staff and the Board of management. I didn’t want to ruin their holidays by starting the discussions before term resumed”. Further, I sent in a submission for a tier one review which also took a little longer than the maximum sixty days to be responded to. Quality area three was changed to exceeding but that was the only real difference that was made. Again, the email response was sent in the second last week of the January holidays and trying to gather the team and Board of management members at that time was next to impossible. This is also my official annual leave time in which I wouldn’t necessarily be checking emails.”

According to **Centre 14**: “It was a very stressful time in preparation as we got notified in the school holidays, so we didn’t receive the notice until we came back on the Monday and we had to have our documents in by the Wednesday.”

**A Group of Regional Services** raised the issue of “The timing of publication of draft reports and subsequent opportunities to give feedback, and final reports with opportunities to seek review, in closure or shutdown periods. Many local services had reports issued in late December or January, with feedback periods closing in mid-January. Some services unable to give feedback as key staff were already on leave. One service received their report in mid-December, just a day before their annual shut-down, with feedback due on January 7<sup>th</sup>.”

## 2. A narrow focus on compliance

### 2.1 A narrow focus on compliance “checklist approach” leading to the overlooking of quality practices including interactions / relationships with children and families and the educational program.

In **Centre 17** the Director was asked to relay the circumstances when a notification should be made to the authority and the timeframes in which they should be notified for each type of incident. Although the Director was able to answer this correctly, she does not agree it is her role to memorise the National Regulations, particularly when not only is the information readily available on the ACECQA website, but the preschool had a permanent laminated document containing this exact information displayed on a wall in her office.

**Centre 10** reported that the AO asked educators questions about child protection and the centre was penalized for stating that “Keep them Safe” was the name of the applicable website services are now to use the website called “Child Story”. The centre also stated that it is confusing because the NSW Government Keep them Safe website is still up and running.

**Centre 22** expressed concerns that: “So much time was taken up with compliance checklists that she had very little time to actually look at some of the essentials like programming and planning and cycles of learning. She really didn’t even look at this until around 3.45 in the afternoon, and we close at 4.00”.

## **2.2 It was reported that some AO do not understand the National Regulation and incorrectly stated that services were in breach during visits.**

The Director / Nominated Supervisor of **Centre 17**, whose anaphylaxis and asthma training had expired 4 days previously was told the service was in breach of Regulation 136 despite all other educators having their anaphylaxis and asthma training up to date. When the director showed the AO Regulation 136 states: “at least one staff member or one nominated supervisor of the service who has undertaken current approved emergency asthma management training” the AO stated that “or can sometimes mean and.” The Director again disagreed the service was in breach and the AO stated she would check with her supervisor. The Director received a telephone the following week confirming the centre was not in breach of Regulation 136.

The Director of **Centre 17** was questioned in regard to Regulation 101 despite having a detailed risk assessment tool for excursions that followed the requirements of Regulation 101. The AO informed the director that the risk assessment did not contain the correct information because a map showing the exact route that would be taken was not included. The risk assessment stated that the route and method of transport were considered and listed the reasons for their decision. The wording in Regulation 101 (2) confirms the director was correct as it states that “a risk assessment must consider the proposed route and destination for the excursion”.

**Centre 10** reported that the AO complained the service did not display the Provider Approval, but this is not required by the National Regulations. The centre state they always display the Provider Name and Provider Number as required by the National Regulation.

## **2.3 Multiple services raised the issue of rejection of policies on the grounds that only the exact wording from the National Regulations is acceptable.**

**Centre 9** stated their AO complained the exact wording of Regulation 160 was not on a permission note but the language in the National Regulation is not necessarily comprehensible to parents, particularly those from culturally and linguistically diverse backgrounds.

**Centre 17** reported that their AO referred to Regulation 161 and requested to see the service's enrolment form, stating even high quality services in her experience did not get this correct. The AO then complained that the enrolment form only stated that parents gave authority for the centre to call an ambulance instead of stating the parents gave authority for the centre to call an ambulance and that the child could be transported by ambulance. Surely the AO did not really believe that parents would give authority for the centre to call an ambulance for their child without the expectation that the ambulance would transport the child to hospital.

**Centre 8** was told to "refer to the relevant section of the National Regulations and National Law when developing forms or templates to ensure all required information is included" yet these are already referenced in all of the preschool's policies. The preschool was also told to update written information to reflect current language because even though links to the websites were correct, licensing is now called "approval" and the Department of Education and Communities is now known to be referred to the Department of Education. It is difficult to see how these minor details could have an impact on the quality of the education and care children receive on a day-to-day basis.

#### **2.4 Compliance checks on qualifications and training during their A&R visit perceived as unnecessary since these were checked during a recent compliance visit.**

**A Group of Regional Services** reported that a service had a compliance visit within 12 weeks of their A&R visit where no breaches or concerns were raised, recognises that whilst compliance is paramount, felt that the AO focused on this to the exclusion of all else. The AO again checked qualifications, WWCC, First Aid and Child Protection training, even though these had already been checked during the previous compliance visit.

**Centres 10 and 11** commented that the staff were nearly all asked about their child protection knowledge but hardly spoken to about anything else.

#### **2.5 Preschools were penalised in QA2 Children's health and safety for inappropriate or trivial reasons.**

**Centre 21** was given "Working Towards" in QA2 "Children's health and safety" because the Authorised Officer (AO) saw a cobweb in the centre. There was no recognition of the cob web being a potential learning opportunity.

**Centre 17** informed the IEU that another service was chastised for having a slice of tomato in their yellow paper bin, presumably put there by a child.

**Centre 19** report their AO took issue with an educator touching a chair and a room divider whilst wearing a glove to assist a child to open their morning tea. This example seems to conflict with knowledge that children's immune systems develop through exposure to germs

in their environment including whilst playing with mud, sand, water, dough, finger paint and other children etc.

**Centre 10** reported they were marked down because one child reportedly did not wash their hands despite the staff asking all children if they had washed their hands before eating. The AO seemed to believe that it would be a good use of an educator's time to remain in the bathroom for the entire two-hour progressive morning tea period to ensure every child's hands were washed. The centre, on the other hand, believes that giving children reminders about the importance of washing their hands and asking if they have done so promotes the development of self-help skills in children.

## **2.6 Expectation to view evidence for standards, elements and Exceeding Themes in isolation**

Early childhood pedagogy is based on the premise that the educational program is approached in a holistic manner, as children's learning is not segmented into individual subject areas.

**Centre 13** was concerned when the AO wanted to see evidence for each individual standard, element and exceeding theme in isolation, even going so far as to state that the preschool could not use the same "example" to illustrate more than one standard or element.

## **2.7 There was a lack of flexibility displayed by one AO in regard to acknowledging documentation when a centre had made a genuine mistake when trying to upload their QIP.**

**Centre 9** was unaware that the portal required two extra steps to upload their QIP, which consequently was not uploaded correctly. The service left a printed copy on the table for the AO, which she ignored. The AO then waited until 4.45pm on the day of the visit to inform the Director that she had never seen their QIP.

## **3. Authorised Officers**

### **3.1 Services report there does not seem to be a correlation with the number of AO or the amount of time they spend in a service and the licensed places or number of employees.**

**Centre 5** is a 24-place preschool who reportedly had two AO visit for a full two days.

**Centre 11** is a 40-place preschool and was visited by one AO for 8.5 hours.

**Centre 12** reports a local preschool with 60 licensed places was visited by one AO for less than six hours on the last day of term.

**Centre 20** is a 20-place preschool that was visited by one AO for 11 hours over two days.

Centre 22 is a 60-place preschool that was visited by one AO for 1 day.

**A Group of Regional Services** reported that some services in their area received a 6 hour visit and other visits were 12 hours and the length of the visit did not appear to correlate to the size of the service or their previous NQS rating.

### **3.2 Services state a distinct lack of professionalism was displayed by some Authorised Officers during A&R visits.**

**Centre 21** reported the AO refused to identify herself (other than by first name) and did not wear any identification despite centre policy stating that all visitors need to record their contact details when signing in and out of the preschool.

**Centre 11** reported that the AO visited 8.5 hours over 2 days, arriving no earlier than 9.35am and leaving well before 3.00pm on both days, yet signed in on the second day as having arrived at 8.30am. This same AO reportedly did not bring a hat to wear outside (not exactly setting a positive example for the children), complained her laptop was getting wet because it was raining lightly and described her difficulties with her teenage children and their friends in detail. The service reported there was an overall lack of professionalism during the A&R visit in two separate submissions but received no response to their concerns.

**Centre 17** stated the AO could have managed her time more efficiently as a number of conversations initiated by the AO were about her personal life, which the director perceived as unprofessional “over-sharing”. This was not raised during the visit as the director was concerned such a conversation could negatively impact their draft report. The centre is concerned that there was insufficient time during the A&R visit to enable them to share enough information that would demonstrate high quality practices. The assessor apparently confirmed this by stating throughout the day that she was only one person, she only had some much time and could not possibly see everything. The preschool considered this to be inadequate after they had spent the previous five years gathering evidence of critical reflection leading to improvements in their practice.

**Centre 10** complained that the AO took photographs in the service without discussing this with employees beforehand.

**Centre 14** stated they were told at the very beginning of the process: “The system has changed so don’t expect to get exceeding”.

**A Group of Regional Services** reported that one AO went so far as to state that she had “already given her quota of exceeding for the year”.

**Centre 19** also raised a concern that ECEC have raised their expectations to unachievable levels: “...when they start the conversation about Assessment and Rating with ‘Just because

you received Exceeding before don't expect that you will get it again", this discourages teachers and educators from maintaining faith in the A&R process . In NSW "...nearly 50% of services that received Exceeding in their first Rating have now been downgraded to Meeting in their second round."

**Centre 20** questions why "Directors that they are told before the visit even starts that they will not receive an exceeding rating because they haven't been open long enough (this from a director whose service expanded last year – not a new service)". They conclude that this disadvantages services before the A&R visit has even taken place. The centre suggests in circumstances where a significant change (such as an increase in licensed places, staffing etc) would prevent a service from gaining an Exceeding rating, the visit should be scheduled at least 6 months after the change has occurred.

### **3.3 Some AO demonstrated a lack of understanding of the role of Management Committees in community-based services.**

**Centre 17** also introduced their AO to four Management Committee members (Approved Providers) who play a vital role in their service, particularly in regard to leadership and management according to the Preschool. The AO did not utilise this opportunity to ask the Management Committee about any part of the NQS and instead engaged in "superficial chit-chat". Whilst the AO was in the room observing practice and taking notes the director attempted to share insights as to why a particular practice was taking place on several occasions. The AO asked the director to share this information with her at another time but unfortunately the AO did not allow time for such discussions to take place during her visit. The director felt this was another lost opportunity the preschool should have had to share quality practices which were informed by family and community connections and/ or critical reflection.

**Centre 17** Questioned why some of the evidence they had provided had not been considered as exceeding theme 3 'Practice is shaped by meaningful engagement with families and/or the community' in many of the standards. The response of the AO was that she "had received direction that if the evidence reflects a parent on the committee this can't possibly be meaningful as that is their role as approved provider and would they be involved if they weren't on the committee". The Director found this comment to be greatly concerning as although that parent may be on the committee, they are also a very valued parent and their contribution as a parent should always be valued and considered. She cautions that if this is genuinely informed by the AO training process it is very biased against community based preschools, particularly for those services located in a rural and remote area whose committee may also be the majority of their families.

**A Group of Regional Services** report "There is some confusion between the dual role of the committee as approved providers and their role as parents who teachers and educators have meaningful relationships with. Parents who support not for profit services and take on committee roles are often the most interested and committed families. To not validate this role in the assessment and rating process is worrying."

**Centre 22** stated: “The main area that we fell down in was Reflective Practice, we had embedded everything but our community involvement was not quite perfect. Being a community managed preschool we found this a difficult concept to grasp as they are involved at all levels of decision making!”.

### **3.4 A number of services raised concerns about subjectivity of the A&R process due to AO being influenced by their culture, expectations, past experiences, values and beliefs.**

**A Group of Regional Services** reported they are aware of Inconsistencies between what different AO consider to be “minor adjustments” that can be made by services without this being reflected in their draft report / rating. They also state that: “Some assessors ask for more information prior to visit, others ask for more after and before draft report others ask for none. Some services even got a phone call after the draft report by assessor ‘to see how they were as she knew they would be disappointed’ in the draft report.” They were also concerned that AO displayed “...inconsistencies around what individual AOs consider to be Compliance Issues and those considered to pose risk to children and how they should be dealt with; some officers identify these on the day while others wait up to 6 weeks for these to be identified when the service receives the draft report.”

The previous NCAC system of teachers employed in services intermittently undertaking accreditation visits across various states appears to be a more equitable and supportive model as these assessors were early childhood qualified colleagues with extensive experience working in preschools and long day care services.

### **3.5 Services reported that professional learning, research, collaboration and critical reflection were ignored or misunderstood by AO.**

**Centre 7** stated that their participation in award-winning research action research projects in conjunction with a university was trivialised by the AO, who recorded this as “training courses attended”.

**Centre 10** reported their AO did not seem to understand that critical reflection is demonstrated by reflecting on centre practice as a group, making modifications / introducing new practices and documenting the process. Their evidence of critical reflections documented in staff meeting minutes were completely disregarded. The AO was “not interested in the ongoing and comprehensive staff assessment process” and “Every time I showed her how we had evolved she just said, ‘Just show me what you do now’.” The AO reported there was no critical reflection in regard to relationships with children, but the centre staff were never asked about this.

**Centre 11** stated that during their A&R visit “We had many discussions about group time, the children lining up for short periods (due to the structure of our building) and shared meal times. I explained as a team we have had critical reflective conversations about all these issues, along with why we don’t have simultaneous indoor/outdoor play, again a safety issue due to staffing numbers

and the layout of the yard. There was evidence of these reflections in staff meeting minutes which were completely disregarded and we were criticised for all of these things”.

**3.6 Some AO lack an understanding of early childhood pedagogy and thus what quality in ECEC looks like. This led some IEU members to question whether AO are adequately qualified and experienced to perform their role competently.**

Services reported AO appeared to be unaware of the important influence of context in assessing quality, with AO unknowledgeable about the demographics of the local area and the families enrolled in services they were assessing.

**Centre 7** stated “I am sadly not confident that the DoE are familiar with what exceeding contextual practice really looks like... We understand that there are constraints of time on AO but from our experience feel that more focus, care, reflective conversation and efforts to really position themselves within the concepts and contexts of services, needs to be consciously and obviously occurring by officers.... The delivery system in place is unable to understand what exceeding practice in context really is.”

**A Group of Regional Services:** “ACECQA talks about the new ‘self -assessment tool’ as being able to be used by services to ‘*meet the needs of their unique service context*’, and yet the assessment and rating process by the authorised officer is a template against all services no matter what the service type, no matter what the context. There was no recognition of local contexts, needs or perspectives. In one case, the AO had never been to our region prior to the visit and had little knowledge of regional and local context.”

**Centre 11** report their AO did not know the difference between Acknowledgement of Country and Welcome to Country.

**Centre 10** raised the issue that their AO stated she could not see a planning cycle even though the preschool had written observations, goals, plans for learning and play, evaluations and summative assessments on children’s development. The AO showed a lack of understanding of programming and planning by stating that she wanted to see a weekly cycle when interest based learning can last a week, a month or a whole term.

**3.7 Some services have stated that AO did not provide useful advice to services on how they could improve and when questioned, were unable or unwilling to explain the “Exceeding themes” or provide concrete examples how these could be effectively embedded in practice.**

**Centre 11** informed the IEU that the director utilised her 6 years’ experience in a previous role with a peak body in the area of leadership theory and implementation to change the leadership style at the preschool in the past two years and there is now genuine shared and distributive leadership across the whole staffing team and Board of management. Despite this, the preschool was advised to read up on transformational leadership as part of the advice given in QA7.

**Centre 13** described their “feedback report as positive, yet somewhat vague and general. As a team we wondered how we could use the feedback to support us. We felt compelled to provide feedback and not to accept the report for what it was. I have no doubt that the A&R Officer wanted to provide us with a report that was supportive, however I found that some of the feedback was actually quite demoralising and insulting.” The director goes on to say that the staff were baffled by the suggestion to read a Facebook article about “Nurture in Nature” when the A&R visit started at their weekly beach experience –the service does not take any “resources” to the beach in order to enable children to engage directly with nature. Their feedback to the draft report offered many examples of evidence but the service was perplexed about why they needed to justify what they do when they felt the inclusion of nurturing through nature was explicit in their program.

**Centre 17** consider that: “There needs to be an inquiry into assessment and rating officer’s conduct, knowledge and training and required changes made immediately if we are to continue to support quality and acknowledge teachers and educator’s hard work and the contributions they make to children’s lives.”

The position of **A Group of Regional Services**: Overall, we believe that some AOs come to the Assessment and Rating process with limited experience and a poor understanding of Early Childhood pedagogy and practice. Many don’t have a good understanding of the Exceeding themes and are not able to describe what these would look like in practice.”

**Centre 22** raised their concern that: “Our report gave us nothing in terms of room for improvement. It just said to keep doing what we are already doing. So in our thinking, if they had nothing to offer us in terms of improvement, why then were we not exceeding? Also, if everything was embedded practice, my question is how you have everything embedded if we are not engaging in critical reflection...We spent the next two weeks gathering evidence of reflective practice. This involved myself spending all day and night and weekends writing a feedback form to refute every single ‘no’ that we had received. We had evidence for reflective practice in all areas that she had said ‘no’ to. We had evidence for reflective practice in all areas that she had said ‘no’ to... the actual feedback form was very lengthy and time consuming. I sent 7 emails with wads of scanned in documentation. We received our final report within 2 weeks and it had changed 21 ‘no’ to 21 ‘yes)... Our overall rating changed to Exceeding and we were now exceeding in 5 quality areas.”

#### **4. Issues with Reports, Reviews and Ratings**

##### **4.1 Services state they have received draft reports that were seemingly cut and pasted from the reports received by other services as information in reports has been inaccurate or included physical attributes that were not applicable to the service.**

**Centre 7** stated that employee reflections were incorrectly quoted as parent feedback in draft reports: “Our service has been terribly misrepresented in the draft report, reflections that were shared with the officer were misinterpreted and quoted as parents statements,

huge assumptions were reported and when addressed in first tier reviews were just restated again as obviously they believe the word of the officer's 7 hours experience at our service over ours, who are there every day."

#### **4.2 Centres report that their feedback is ignored in first tier reviews.**

According to **Centre 8**: "We questioned this in a first tier review, sending in an additional 75 pieces of evidence. Little time was given to consider this evidence as we received our final report the next day with 'evidence already considered when developing your draft summaries'. 'No change to rating' was indicated in every standard and element that we questioned!"

**Centre 11**: "I included quite a bit of evidence to state our case and once I sent the review in I had a response within twenty two hours! At first I assumed I had forgotten to include something and it was just an administration email. However, apparently the assessor and her manager had had the time to review my feedback report within this short timeframe, about four hours of actual work time and they only changed one area which in no way changed the overall rating. It felt as though I had been physically slapped; they didn't even bother to wait a day or two so I would think they actually read and considered by feedback."

#### **4.3 Centres have received final reports with unhelpful advice regarding how they can improve in future, including suggestions so vague services could not work out how it could be used and feedback advising centres they should do something they have already been doing.**

**Centre 8** reported that their report suggested "ridiculous improvement notes such as considering how medical management plans/ medication authorities are filed" when this practice has not changed in over 10 years and is understood by all staff. The report included "recommend the relevant authority provide guidance regarding the evacuation procedures at the preschool" yet the centre says there are displayed, practiced and reviewed regularly and were developed by referencing and sourcing appropriate bodies and information. "They now expect us to pay for a consultant to review perfectly adequate plans and procedures just to have a stamp of approval". Another unhelpful suggestion was for the centre to "ensure the relevant authority is referred to regarding exist signage requirements at the doorways identified on the emergency plan as exit points yet the emergency evacuation path and meeting points are already signposted. The preschool sought clarification from the local council, Standards Australia and the Department of Education before A&R and they had been advised by the Early Childhood Education Directorate that it was not in the National Regulations and when the preschool checked the Standard themselves this confirmed that their building is under the size where exit signs are required above all doors. This service was also told to "Consider access to the outdoor area for the children after 11.20am dependent on risk factors such as UV rating but the preschool stated that they already do this, display the UV rating outside their classrooms each day and are a Sunsmart approved centre!

**Centre 10** says the AO "reported that we work with mutual respect, collaboratively, challenge and

learn from each other but this is not embedded. After she reported the above our suggested reading was around working collaboratively - when she had reported we already did?" The report inaccurately stated that a staff member standing in the doorway had left the room. The report stated that children were not allowed to play outside but omitted to explain this was because it was raining.

**Centre 11's** report took almost six weeks to arrive, an included poor spelling and grammar in addition to incorrect information about the preschool, as though the AO had forgotten what occurred during her visit. When the director compared their report to those of other preschools in the local area she stated it was obvious the report had been cut and pasted "...without regard for each service's individual strengths and exceptional qualities". Further, the Director states that used her more than 6 years' past experience in a role at a peak body that involved leadership theory and implementation to transform leadership at the preschool to genuine shared and distributive leadership across the staffing team and Board of Management. Despite this, the service was advised to read up on transformational leadership. This left the Director feeling as though "...my history and knowledge didn't even matter."

**Centre 19** stated that as a community they successfully challenged "...the State Government Department of Urban Affairs and Planning to ensure the future financial viability and sustainability of accessible quality Early Education in the area..." with assistance from Local and State Governments, peak bodies, support from families and the wider community. The Director summarises her concerns: "This was way out of my Job Description as a Director of our Community Preschool to take on this advocacy role. It was challenging, sometimes frustrating and definitely a learning curve. To be assessed as having "NO" meaningful connection to families and community is just downright insulting."

**A Group of Regional Services** stated: "The draft and final reports including the analysis give little or no direction to support services to understand their ratings and work to improve. For example, 'To build on its achievements in this quality area the service may wish to: reflect on the exceeding theme.' The services thought they had and for some this was evident in their QIP." They state they have received: "Many reports of errors in reports: some reports included evidence that had not occurred at this service, or evidence that was simply incorrect. Spelling and punctuation errors in some reports make them hard to decipher. Some information recorded as 'evidence' without context is irrelevant to service quality, for example, one assessor recorded, "There is a fish tank with fish in it in the room" as evidence for Quality Area 1." Further, "The suggested resources for improvement were in general not helpful, replicating resources the service already had and in one case suggesting resources the educational leader had herself been commissioned to write by one of our National peak bodies."

**Centre 22:** "One area that we were still not reflective in (in the final report, but I was not going to argue any more!) was around staffing arrangements. I had discussed on the day and provided reflective evidence that we have consistent staffing (our newest staff member has been here for 4 years, average staff have been here 10-15 years, one has 25 years of service. Families can request educators, each year we have discussions with families and educators about the best place to place their child for the following year. Sometimes it is with the same

educator and sometimes not – really taking into account family needs and what is best for the child, but in collaborative discussions with families. We have set classes with the same three educators so as to support a strong sense of security and belonging and for children and families to develop strong relationships. Those same three educators are there every day on drop off and pick up times. We have a higher than required ratio of educators to children and higher levels of qualifications than required. We are consistent and reflective and collaborative. It was difficult to determine why this was still a ‘no’. And no evidence was given as to why it was a still a ‘no.’”

**Centre 22:** “The final report – Whilst it had changed no’s to yes’s, there were no comments changed or suggestions for improvement which was disappointing. So now it will say we are not reflective in a particular standard or element, yet the box will be ticked ‘yes’. If we are required to put so much detail and effort into the feedback form, then they should also put the effort into fixing our report.”

#### **4.4 Services state they feel unable to provide honest feedback to the survey they receive after their A&R visit due to concerns their draft report may be impacted.**

**A Group of Regional Services:** “We question the purpose and timing of the survey between the assessment and the draft report. We know services felt unable to complete this in an honest and frank manner without it impacting on the unseen draft report.”

#### **4.5 Services have reported incorrect rating information was displayed on the ACECQA website, being required to prove to ACECQA what their correct rating should be and then waiting up to 7 days to have this corrected.**

**Centre 13 and Centre 21’s** quality rating was incorrect on the ACECQA website and they were expected to “prove” their correct rating by submitting a copy of the Preschool A & R Report to Early Childhood Education Directorate (which had actually issued the rating).

#### **4.6 The process for seeking a review is too onerous and has a strict 14 calendar-day (or 10 working day) timeframe, which causes even greater stress to employees that consider they have received an inaccurate report and/ or inappropriate draft rating.**

This timeframe appears even less reasonable given the Early Childhood Education Directorate has 60 days to respond to a centre’s submission. Incredibly, at times draft reports are sent to preschools with deadlines to submit a review application falling in school holidays.

According to **Centre 10:** We sent a feedback form which they didn’t read so our rating was finalised so I sent a first tier review which they denied. I had 10 days to reply and my mother was sick in hospital and I had to go 5 hours away so had to coordinate the response from there.

**Centre 21** asks: “Is it fair that we have only 10 working days for review/right of reply/feedback and submission of extra documentation when they have 60 days to assess this extra information?”

**4.7** A number of services report they chose not to proceed with requesting a first or second tier review due to the hours of paperwork required. In addition, the cost of applying for a second-tier review is prohibitive for some services and should be refunded if any change to the NQS rating is made.

**Centre 7** stated: “We have worked tirelessly for many years now on the arrangement, structure and empowerment of our team with a view that is always focused on the learning and development outcomes of all children. This is reflected in our daily meetings, varied monthly collaborations, professional learning planning, practitioner research, recruitment, short term and long term rostering, team development planning and retreats etc. As much as we believe our efforts in governance and leadership support all of this work, we feel the time that has taken to prepare evidence in previous reviews and appeals has detracted from the core purpose of our role as educators and educational leaders and therefore reluctantly we will not be seeking an amendment of the exceeding theme decision in QA7”.

According to **Centre 8**: “We considered asking for a second tier review but as a team and extended community felt that it was not worth it.”

**Centre 15**: “We submitted a first tier review and it came back with Working Towards they did change area 2 but not 7. From what I can read they are not happy with the wording in our Child Protection and Parent Grievance Policy as I referred to ACECQA and the NQF - Its system rather than the “Regulatory Body” they also mentioned the prescribed time frames. I have checked and they do reflect the correct timeframes. Anyway I gave up.”

## **5. Impact on Teachers and Educators**

**5.1** Teachers report they are disillusioned, confused and disappointed with the A&R process, which they describe as gruelling and exhausting, rather than uplifting and motivating.

**A Group of Regional Services**: “There is real confusion in the sector. Many of the services now being rated as 'working towards or meeting' are services that did extremely well in the initial A & R, and if anything their practice has grown and strengthened and there is great distress that this is not at all recognised.”

**Centre 10** stated A&R “was a very traumatic experience for my staff... It was a very tick and flick experience and she did nothing to make us feel comfortable...”

**Centre 22** provided feedback “Our draft report gave us the rating of Meeting Quality Standards in all areas. We were beyond disappointed and had many issues of staff feeling

undervalued and demoralised and feelings of 'what was the point?' We had given more of ourselves than ever before, and since our last assessment and ratings had refined processes and improved EVERYTHING, and then to get a lesser rating was just beyond disappointing. It's hard to put into words just how awful and heartbroken all of our staff felt. We did not believe this to be a true indication of us or our service."

**Centre 22:** "I have to say that it took our staff quite some time to get their passion back, and I'm not convinced we are fully back into our groove. The thought was that if we were giving everything that we could possibly give, and even then it wasn't enough, then what more could we possibly do, and why actually bother if giving our best doesn't matter anyway. I'm hoping this is helpful in changing the system. I was beyond disappointed in the system and have continued to be so as I hear others' stories."

## **5.2 A number of services stated that the current A & R process will contribute to more early childhood teachers and educators leaving the sector.**

The Educational Leader of **Centre 6** stated that she resigned partly because the service was insisting she work full time instead of part time. She also states "Stressing over A&R has cost me dearly, physically, mentally, emotionally and financially... There's no way I'd return to teaching, not unless I absolutely had to. I'm not prepared to risk my mental health".

**Centre 20** says that "Despite our good results, and positive experience, I would have to say that the process is enormously stressful – for myself as well as all the staff involved... As the director/ nominated supervisor/ educational leader I felt a huge responsibility to the Preschool Board of Management, staff and families to deliver a result that reflected the hard work, dedication and long hours that everyone puts in all the time – not just for an A&R visit. Educators on the day were very stressed that they were going to say or do the wrong thing – even though we had tried to support them to just be themselves because they know what they are doing! Our own families feel the impact of the extra hours being worked in preparation for the visit..."

**Centre 17** also raised concerns that the A&R process may exacerbate the current shortage of early childhood teachers: "The Early Childhood industry already has a shortage of quality trained teachers and unfortunately this assessment and rating process will only continue to contribute to the decline if action is not taken. It is no secret that teachers are underpaid in Early Childhood but to also be undervalued by this system is insulting and demeaning."

This concern is mirrored by **A Group of Regional Services** "Most importantly, the profession is at risk of losing experienced and passionate teachers and educators as they will ultimately leave the profession. Additionally, how does a process which deflates educators wellbeing continue to attract new and ambitious teachers and educators? We know most university graduates already prefer to work in the school sector – the assessment and rating process will certainly be another reason why they do not wish to work in the prior to school sector."

According to **Centre 19:** "The results of our A and R visit this time have left me in tears – angry, frustrated, disappointed, in shock that these are the values the people who are

overseeing us hold. I have been a passionate advocate for Early Childhood for nearly 30 years and this is the first time I have seriously wanted to walk away as I feel undervalued and that the amount of my personal time (I regularly put in 12 hour days) is not worth the heartache... I, for one, do not want to go through the process again anytime soon and my educators echo my feelings saying that they do not want to go through A and R again. These are not new educators – these are experienced, qualified professionals, who have had enough of being undervalued, and not trusted in their roles despite the fact that have recognised qualifications and many years’ experience.”

According to **Centre 21**: We are losing valuable and experienced people through this process. Nobody is looking at the wonderful things happening in the services or the work of the passionate teachers and educators who are seriously underpaid – it is all about compliance! It is a negative process!”

One teacher with 25 years’ experience and who has been through A&R in long day care and preschool (**Centre 18**) says: “This process is just so stressful and random. I decided to go casual this year and one of the main reasons was this process. From the time the centre receives notice that the A & R will be happening everything in the centre becomes about that. Staff are stressed out that they will be the ones who are working on the day or days of the Assessment. For me teaching always begins with developing relationships with the children, the families and the other staff. If these relationships are all positive then everything else falls into place. How can an assessor really see what happens in a short planned visit? Staff are so nervous that they can’t be themselves or give a true picture of how they work with children...”

### 5.3 Teachers and Educators have lost faith in the A&R process

The Director of **Centre 5** says “I don’t want to ‘dumb down’ the system or anything like that, but the amount of change that the A&R system has now gone under and the amount of stress and harm it causes, makes me really stop and think ‘why are we doing this’ and ‘what is the reason behind this?’ The system should be about quality interactions and engaged and happy children and families. This has not occurred here and it is not fair. I am very happy to be at this Preschool and working as the Nominated Supervisor but am shattered...”

**Centre 7**: “Our Early Childhood Education and Care service has worked exceptionally hard over the last 5 years on continuous improvement in all areas of program delivery and are dedicated to and advocates for the National Quality System as a tool for lifting the status and evidence of the professional work that is undertaken in our sector. We are frustrated and feel unheard in our latest experience of assessment and rating. We understand that there are constraints of time on authorised officers but from our experience feel that more focus, care, reflective conversation and efforts to really position themselves within the concepts and contexts of services, needs to be consciously and obviously occurring by officers. This will allow them to be able to comment objectively on years’ worth of practice and pedagogy within services... We would like to say that easy links to where we could improve have been evident, but this has not been the case. We are confused, disillusioned and drawn to now understand this process as one that is more based around performativity pressures that

disable and constrain educators and reduce practice to proving beyond what is required, than a motivating and empowering one that works to lift the practices and professional identity of our profession. As an Educational Leader, Approved Provider and also an academic who teaches pre-service ECEC teachers at the University of Newcastle I feel compromised in being able to promote this experience as one that is truly about contextual quality and not the distant and narrow subjective lensed experience that we have been through after a wait of 5 years.”

**Centre 8:** “We had been previously rated as exceeding in all quality areas and also applied for and were successful in achieving an excellent rating. All of the practices, policies and procedures that were successful in achieving this result in our first A&R visit have all been continued (embedded) and in fact extended or improved upon since this time through critical reflection and meaningful engagement with our families and community. Whilst we achieved exceeding overall in our recent visit, we were disappointed to be deemed to be meeting in 3 Quality Areas. We questioned this in a first tier review, sending in an additional 75 pieces of evidence. Little time was given to consider this evidence as we received our final report the next day with ‘evidence already considered when developing your draft summaries’. ‘No change to rating’ was indicated in every standard and element that we questioned!”

**Centre 17** stated “I can see the value and importance in the assessment and rating process, in particular for creating better outcomes for children and families. However, I personally do not want to lead a team through this system/process again whilst it continues to be flawed and subjective to an individual officer’s opinion of quality. I know the department would say this is not the case but I am aware our service is not the only one feeling or believing this.”

**A Group of Regional Services:** “A sector, certainly in our region, that is now disheartened and dissatisfied with a process that in the past affirmed rather than criticised what we did and loved. Many directors, educational leaders and educators feeling frustrated and disheartened by the process, many reporting increased stress levels in their staff, and some cases of a deterioration in staff mental health as a result of the process. In many cases, these are reputable services who are known in our communities for their commitment to quality.” They further state: “Services in our region have a continued commitment to high quality education and care and pride in our work with children, families and communities. However, there is high distress around the current process and practices of the assessment and ratings system. What concerns us most is the integrity of the national system.”

According to **A Group of Regional Services:** “The feedback process is so onerous and has such a short timeframe that many services who were dissatisfied with their rating did not have the resources to pursue this. In addition, as the feedback process only accepts written evidence, some services felt it was very difficult to provide enough evidence of educator practices, when the AO has missed or misinterpreted evidence.” They continue, “We know we are not the only services in NSW struggling to understand the ‘new’ assessment and rating process. We believe that if our concerns are not met and changes aren’t implemented to improve the assessment and rating process, the profession will increasingly come to regard service ratings as not a true reflection of services quality practices.”