



Date of Decision: [REDACTED]

File number:

STR0045

PANEL MEMBERS:

[REDACTED]
[REDACTED]
[REDACTED]

APPLICANT:

[REDACTED]
[REDACTED]
[REDACTED]

REGULATORY AUTHORITY: Education and Care Regulatory Unit Western
Australia Department of Communities.

Decision

The Ratings Review Panel (the Panel), by consensus, decided to amend the rating for:

- Standard 1.1, Element 1.1.1 from 'not met' to 'met', and hence the overall rating for Standard 1.1 to 'Meeting NQS'.

The Panel, by consensus, decided to confirm the ratings for:

- Standard 1.3, Element 1.3.1 as 'not met'
- Standard 1.3, Element 1.3.2 as 'not met'

As such, the overall rating for Quality Area 1 remains at 'Working Towards' the NQS, and the overall quality rating remains at Working Towards the NQS.

Issues under review

1. The approved provider (the provider) sought a review on the grounds that the regulatory authority in making its determination, failed to take into account or give sufficient weight to facts existing at the time of the rating assessment (section 144(3)(b) *Education and Care Services National Law* (National Law)).
2. The approved provider sought a review of:
 - Quality Area 1, Standard 1.1, Element 1.1.1
 - Quality Area 1, Standard 1.3, Element 1.3.1
 - Quality Area 1, Standard 1.3, Element 1.3.2



3. After the initial assessment, the service was rated as:
 - Quality Area 1: Working Towards the NQS
 - Standard 1.1 – Working Towards the NQS (Element 1.1.1 'Not Met')
 - Standard 1.2 – Meeting NQS
 - Standard 1.3 – Working Towards the NQS (No Elements met)
 - Quality Area 2: Meeting NQS
 - Standard 2.1 – Meeting NQS
 - Standard 2.2 – Meeting NQS
 - Quality Area 3 – Meeting NQS
 - Standard 3.1 – Meeting NQS
 - Standard 3.2 – Meeting NQS
 - Quality Area 4 – Meeting NQS
 - Standard 4.1 – Meeting NQS
 - Standard 4.2 – Meeting NQS
 - Quality Area 5 – Meeting NQS
 - Standard 5.1 – Meeting NQS
 - Standard 5.2 – Meeting NQS
 - Quality Area 6 – Meeting NQS
 - Standard 6.1 – Meeting NQS
 - Standard 6.2 – Meeting NQS
 - Quality Area 7 – Meeting NQS
 - Standard 7.1 – Meeting NQS
 - Standard 7.2 – Meeting NQS
4. The approved provider applied for first tier review on the basis that they believed insufficient weight was given to evidence that was made available to the Authorised Officer.

Regulatory authority's view

5. At first tier review, the regulatory authority amended the rating of Element 1.3.3 to 'Met' and confirmed all other ratings awarded following the service's Assessment and Ratings visit.

Applicant's view

6. In their application for second tier ratings review, the Approved Provider made the following statement:



The original draft report referenced only Kindergarten summative assessments that were based on the Kindergarten curriculum guidelines however the Centre's Room Leaders complete summative assessments for all children from Nursery 1 through to Kindergarten.

These assessments are based on the Educators knowledge and referencing of the ACECQA developmental milestone checklist which have direct links to the EYLF. The summative assessments provided from 2017 were included to show an ongoing cycle of decision making for the children's learning that include family feedback and participation in their child's ongoing learning goals and show an embedded practice throughout the service and an expectation of the families regarding their children's learning.

All summative assessments are shared with families and families have the option of requesting a copy of the child's current developmental checklist. Learning goals are reflected upon, reviewed every six months and new goals set in consultation with families.

The developmental checklists are reflected on quarterly, and embedded learning is marked off as achieved through observation, collected and sighted by Educators who are familiar with the child. This information as noted by the extensive documented learning journey of ██████████ who is a casual child within the centre shows that all children are considered and have documented learning paths throughout the rooms.

Additional spontaneous notes ensure that children's learning and interest is recognised throughout the day and validates children's interests outside of planned weekly activities. Families have access to the room curriculum planners and photos and stories on ██████████ give families a direct connection to their child in real time. The Educators have built positive relationships with families and are confident to talk to families regarding their progress and future learning opportunities that have been planned for their child.

The Ed Leader planner critically reflects on the progress of all Educators and this leads to better outcomes for children through an ongoing cycle of improvement and up skilling.

We request that you review all of the evidence that has been submitted to date to the Regulatory Authority.

Evidence before the panel

7. The Panel considered all the evidence submitted by the provider and the regulatory authority. This included:
 - the application for second tier review and its attachments



- the Assessment and Rating Instruments and the final Assessment and Rating Report
 - the service's feedback to the draft report
 - the application for first tier review and its attachments
 - the regulatory authority's findings at first tier review
 - the regulatory authority's submission to second tier review
 - the provider's response to the regulatory authority's submissions.
8. The Panel was also provided with advice from ACECQA on the Elements under review.

The law

9. Section 151 of the National Law states that following a review, the Ratings Review Panel may:
- (a) confirm the rating levels determined by the Regulatory Authority; or
 - (b) amend the rating levels.

The facts

10. [REDACTED] is a [REDACTED] approved places. The service is based in [REDACTED]
11. The assessment and rating visit took place on [REDACTED]
12. The draft report was sent to the approved provider on [REDACTED] and the approved provider provided feedback to the draft report on [REDACTED]. The final report was sent to the provider on [REDACTED]
13. The provider applied for first tier review on [REDACTED]. The regulatory authority made a decision on the review on [REDACTED]. The provider received the decision on [REDACTED]
14. The provider applied for second tier review on [REDACTED]

Review of rating levels

15. The Panel considered each Quality Area and Element under review.

Standard 1.1

16. Standard 1.1 – Program is:
The educational program enhances each child's learning and development.

Element 1.1.1

17. Element 1.1.1 – Approved Learning Framework is:
Curriculum decision-making contributes to each child's learning and



development outcomes in relation to their identity, connection with community, wellbeing, confidence as learners and effectiveness as communicators.

Assessment and Rating

18. In the draft Assessment and Rating report, Element 1.1.1 was rated not met. A statement relating to this Element is contained within the broader analysis for Standard 1.1. The report states:

Educators have access to the Early Years Learning Framework (EYLF) and the WA Kindy Curriculum guidelines through both the program planner document and the programming application utilised by the service. Program documentation showed the children participated in a science activity and learnt about their respiratory system by using straws and bags. This activity was linked to aspects of Learning Outcome (LO) 4. Educators can link their observations of the children to the learning outcomes by highlighting them on the side of the planner or by ticking boxes on the programming application.

However, documentation sighted demonstrated this does not occur consistently. Whilst educators interacted with children during daily routines and encouraged their play, documentation about children's progress towards the learning outcomes and planning that establish further learning goals were minimal. There was limited evidence available that demonstrated how curriculum decisions contribute to each child's learning and development.

19. The approved provider submitted feedback and additional evidence to the draft report.
20. In their feedback to the draft report, the provider responded directly to the following comment from the above extract of the draft report: "*However, documentation sighted demonstrated that this does not occur consistently ...learning and development*". The approved provider submitted that:

Curriculum decision-making is guided by the principles, practice and learning outcomes of the Early Years Learning Framework (EYLF). The service has a 6-monthly cycle of observation, planning, implementing plans and reflecting/reviewing children's learning outcomes and development.

The Educators gather information regarding each child's strength and goals using "Developmental Milestones and the EYLF/NQS" in January or on commencement of enrolment. This information is shared with families and this informs the development of individual goals for teaching and learning for each child for the next 6 months. Goals. These goals are planned for on the weekly curriculum and children's progress is monitored and documented through "Additional Spontaneous notes" and ██████████ to share children's learning with families and provide opportunity for family feedback. Educators reflect weekly on learning, environments, practice and extension for children to



achieve goals. This is documented on the back of the weekly program. The centre has a culture of reflective conversation between educators and families, so their feedback can be added into the next weekly program. Educators use tracking tools to record the dates and links to observations to ensure continuity of learning for all children regardless of booking.

In June/July educators reflect/review children's learning over the past 6 months against the January Developmental milestones and EYLF/NQS to evaluate children's learning. A summative assessment is written and shared with families outlining the child's strengths, learning and progress towards Developmental Milestones and the EYLF. The summative assessments and conversations with parents are then used to set goals for the child's next 6-month learning cycle. Educators follow the same process as outlined above, with a review of "Developmental Milestones and the NQS/EYL" and a summative assessment completed in November/December.

As children transition to the next room information is shared between educators and a new Developmental Milestone and EYLF/NQS is completed to gain a new perspective of their emerging capabilities and transition to their new learning environment.

21. In support of their statement, the approved provider submitted the following evidence:

- [REDACTED] Example of child's learning and documentation cycle from enrolment"
- [REDACTED] Example of learning and documentation cycle for a child enrolled on a casual basis"
- "Summative assessments"
- "Examples of kindergarten children and report"

22. In the final assessment and ratings report, Element 1.1.1 was rated not met, and the Regulatory Authority provided the following response to the Provider Submission:

The provider feedback included summative assessments, examples of the program cycle, developmental milestone checklists and observation trackers completed by educators and references to the draft report. This has been considered in conjunction with the evidence gathered at the time of the visit. A review of evidence provided showed documentation dating back to 2017, as this is a point in time assessment evidence over six months old could not be considered. Based on the information provided there was limited evidence to demonstrate that educators effectively linked programmes and children's learning to an approved learning framework. Learning outcomes were sometimes listed through codes and numbers, however, no further meaningful consideration was given to demonstrate how the learning outcome was met



for each child.

23. The final rating for Standard 1.1 was Working Towards NQS.

First tier review

24. In their application for first tier review, the approved provider submitted the following over-arching statement:

The original draft report referenced only Kindergarten summative assessments that were based on the Kindergarten curriculum guidelines however the Centre's Room Leaders complete summative assessments for all children from Nursery 1 through to Kindergarten.

These assessments are based on the Educators knowledge and referencing of the ACECQA developmental milestone checklist which have direct links to the EYLF. The summative assessments provided from 2017 were included to show an ongoing cycle of decision making for the children's learning that include family feedback and participation in their child's ongoing learning goals and show an embedded practice throughout the service and an expectation for the families regarding their children's learning.

All summative assessments are shared with families and families have the option of requesting a copy of the child's current developmental checklist. Learning goals are reflected upon reviewed every six months and new goals set in consultation with the families.

The developmental checklists are reflected on quarterly, and embedded learning is marked off as achieved through observation collected and sighted by Educators who are familiar with the child. This information as noted by the extensive documented learning journey of ██████████ who is a casual child within the centre shows that all children are considered and have documented learning paths throughout the rooms.

Additional spontaneous notes ensure that children's learning and interest is recognised throughout the day and validates children's interests outside of planned weekly activities. Families have access to the room curriculum planners and photos and stories on ██████████ give families a direct connection to their child in real time. The Educators have built positive relationships with families and are confident to talk to families regarding their progress and future learning opportunities that have been planned for their child.

The Ed Leader planner critically reflects on the progress of all Educators and this leads to better outcomes for children through an ongoing cycle of improvement and up skilling.



25. The first tier review panel made the following comments regarding the evidence:

In making this decision we have considered the evidence in the Authorised Officer's instrument that was gathered at the time of the visit, the draft report, provider feedback received in response to the draft report, the final report and the additional information received that accompanied the application for First Tier review. As there are no additional learning stories, observations, or documented learning against the EYLF for the children aged under pre-school aged, the element has not been met. There is no evidence of how the programs (curriculum decision making) has contributed to the learning and development outcomes for each child. The Additional Spontaneous Notes provided documented the children's ideas or ad hoc changes to the program, and there is the opportunity to link the spontaneous moments to the EYLF, however many of these were not completed.

The review panel referred to the following documents provided alongside the provider feedback as well as the statement provided with the First-Tier review; Summative assessments 3 provided N1, N2 and Toddlers.

- *Two dated 2017- too old to be considered in this point in time assessment*
- *One dated June 2018 would be considered but there is only one.*
- *Portfolio- [REDACTED] for one year shows some EYLF and KCG outcomes ticked off or references.*
- *Additional Spontaneous Notes- majority did not link to EYLF learning.*

26. The panel confirmed the initial rating of 'not met' for Element 1.1.1, stating:

The initial decision of Working Towards NQS is supported as the evidence submitted with the First-Tier review application is consistent with the original evaluation of evidence

27. As such, the rating for Standard 1.1 remained rated as Working Towards the NQS

Second tier review

28. In their application for second tier review, the approved provider submitted the statement quoted at paragraph 6 above and requested that the existing evidence be reviewed in relation to all elements within scope for this review.

Panel's Considerations



29. In making their decision, the panel considered:

- Previous ratings decisions (at assessment and rating and first tier review) were heavily informed by documentary evidence. The panel outlined the three evidence collection methods covered in the Guide to the NQF – observe, sight and discuss - and agreed that when the evidence was considered broadly in terms of practice observed and discussed at assessment and rating, this Element had been met. For example, observed practices appeared to demonstrate educators consolidating and extending children's communication, including through supporting and promoting early attempts of children to initiate interactions / conversations.
- The following statement in the regulatory authority's response to the approved provider's submission to the draft assessment and rating report found in the final assessment and rating report, that:

A review of evidence provided showed documentation dating back to 2017, as this is a point in time assessment evidence over six months old could not be considered.

The panel considered that disregarding evidence that is more than six months old to be an unnecessarily arbitrary approach that discounts the fact that, while contemporary evidence is important to demonstrate practices remain current, an embedded approach to quality practice would typically involve demonstrating a cycle of practice that extends beyond this time period.

Decision

20. The panel found that the requirements of Element 1.1.1 had been satisfied, and agreed to amend the rating of this Element to 'met'. As a result, the overall rating for Standard 1.1 was amended to 'Meeting NQS'.

21. The panel found that no exceeding themes were demonstrated in the available evidence.

22. *The rating for Element 1.1.1 has been amended to 'Met'.*

23. *As a result of this decision, all Elements in Standard 1.1 are rated as 'met', and the overall rating for Standard 1.1 is now 'Meeting NQS'.*

Standard 1.3

24. Standard 1.3 – Assessment and planning is:

Educators and co-ordinators take a planned and reflective approach to implementing the program for each child.



Element 1.3.1

25. Element 1.3.1 – Assessment and planning is:

Each child's learning and development is assessed or evaluated as part of an ongoing cycle of observation, analysing learning, documentation, planning, implementation and reflection.

Assessment and Rating

26. In the draft Assessment and Rating report this Element was rated not met. A statement relating to this Element is contained within the broader analysis for Standard 1.3. The report states:

Programming for children starts by educators gathering their interests through enrolment forms, verbally, key educator books, 'Getting to know you' forms, observation trackers and developmental checklists. Observations are recorded in the programming application and spontaneous and planned activities are added to the program planner. Documentation sighted showed spontaneous activities were sometimes extended on in future programs. The program planner allows the educators to reflect on the learning of the children as both individuals and groups. However, there is no evidence to show that educators assess or evaluate each child's learning as part of an ongoing cycle. For example, a number of reflections stated: 'cooking experience – successful – children were so engaged with the cooking process', 'children enjoyed musical instruments', 'following and adapting centre holiday plan to fit with staff and children's interests and attendance' and threading seemed an issue with a few children as they struggled with how to get the needle and thread to work together'. These reflections were not followed up.

27. The approved provider submitted feedback and additional evidence to the draft report.

28. In response to the comment from the draft report stating: "However, there is no evidence to show that educators assess or evaluate each child's learning as part of an ongoing cycle.", the approved provider submitted that:

Summative assessments are completed every 6 months to reflect and review on children's learning. Summative assessments document what educators understand about each child and their learning and development, their learning styles and identified support needs. Examples provided (3. Summative assessment) show documented evidence of children's developmental needs, interest, experience and participation in the program.

Summative assessments are shared with families to inform families of their child's progress and encourage contribution about their child. The practice is



embedded in the centre and valued by the parents for example, when the December assessments were sent out to families one parent from nursery two did not realise her child's assessment was in her bag as she had been on an extended holiday. The parent approached staff requesting an assessment for her child as she was accustomed to receiving these in nursery 1. A new copy was printed out and given to the parent the same day as per her request and the parent shared with [REDACTED] her appreciation of the assessment and hearing her child's learning progression.

Attached to the summative assessment is a copy of the Developmental milestones and EYLF/NQS, highlighting areas of embedded learning and a feedback sheet for families inviting to collaborate and set goals for learning.

In response to the comment in the final report that: "centre holiday plan to fit with staff and children's interests and attendance' and threading seemed an issue with a few children as they struggled with how to get the needle and thread to work together'. These reflections were not followed up." The approved provider submitted:

Further evidence submitted (5. Threading) demonstrates holiday program experience Threading was intentionally planned for the Tuesday [REDACTED] but was accessible to children for the following two weeks and beyond assessment and rating. Children were able to access the resource to further their learning with or without assistance from educators. Children were observed again with the experience on the [REDACTED]. As [REDACTED] was on leave for the following week, a follow up experience was planned for Tuesday the [REDACTED] (day of assessment and rating) for children to work with the same educator to further develop their fine motor skills.

29. In support of their statement, the approved provider submitted the following evidence:

- a. "Summative assessments"
- b. "Examples of kindergarten children and report"
- c. "Threading experience"

30. In the final assessment and ratings report, Element 1.3.1 was rated not met, and the same analysis was provided as in the draft report, and the regulatory authority provided the following response to the approved provider's submission to the draft report (please note that this paragraph relates to the whole of Standard 1.3, not just Element 1.3.1):

The provider feedback included summative assessments, examples of two children's learning and program cycle including developmental milestone checklists and observation trackers and several statements and references to the draft report. This has been considered in conjunction with the evidence gathered at the time of the visit. It is noted that some of the evidence



submitted was sighted during the visit. Evidence provided does not demonstrate an ongoing planning cycle that is used by educators to analyse each child's learning and development. A review of evidence provided showed documentation dating back to 2017, as this is a point in time assessment evidence over six months old could not be considered. The remaining evidence reviewed along with the evidence sighted during the visit failed to demonstrate that critical reflection of children's learning is used to inform the program. The majority of daily stories on the programming application consisted of group stories showing what the children did during the day and did not consistently document individual children's progress for families to review.

First tier review

31. At first tier review the approved provider submitted the additional statement quoted at paragraph 6.
32. In their assessment of the evidence available, the regulatory authority considered Standard 1.3 holistically. Regarding Standard 1.3, the regulatory authority provided the following:

While the summative assessment summarises a child's developmental stages over a period of time, there is not additional evidence that shows any individual learning that has occurred based on either a child's own interest or through intentional teaching. There are many reflections yet limited evidence that any further activities or opportunities were offered to continue the learning as part of an ongoing cycle of learning and planning; or how this learning is analysed. The summative assessments provided appear to be cut and pasted as there are mistakes, which the service has rectified by crossing out and re-writing the gender of the child in question. None of the evidence provided has shown a clear cycle of planning for any individual child to progress towards further learning and development. There does not appear to be any critical reflection for the child named [REDACTED]. The same statement regarding her settling in can be found on all 3 provided programs, and there are no thoughts, provocations, ideas on how to settle the child if she requires this. There is no evidence of learning other than a exploring sensory play, yet there are no follow up experiences to extend on this. The child named [REDACTED] portfolio has photos and a brief explanation from the educator about what is happening and his enjoyment. There are no reflections, or extensions on how these activities could be extended upon to meet learning outcomes. Throughout the document the educator has not make any additional comments under the "comment section" that could be used to further the learning. The educator has used a code of Learning Outcome (4.1.3) but no explanation of what that is or what the next outcome should be. Whilst [REDACTED] was mentioned a number of times through the additional spontaneous notes, there was no reflection of his learning or progress. It has been decided that



the evidence provided such as the portfolios, the summative assessments which the service states are completed for each child every 6 months, and the family's access to [REDACTED] shows that families are informed of the program and are provided with basic information about their child's progress. The element does not talk about the child's learning, and the service should consider a more in-depth approach to documenting each child's learning and development along with interests and ideas, however the review panel believes that this element has been sufficiently evidenced.

The review panel referred to the following documents provided alongside the provider feedback as well as the statement provided with the First-tier application;

- o Portfolio-[REDACTED] for one year shows some EYLF and KCG outcomes ticked off or references.*
- o Summative assessments 3 provided N1, N2 and Toddlers.*
- o [REDACTED] form My 1st Day- No reflection on how to better settle the child, the tags of "actively seeking carer does not align with the educator's observation which states she requires encouragement and reassurance, therefore the wrong learning outcome has been selected. Copy and paste of same observation for the 30 Aug and 6 September and 13 September.*
- o [REDACTED] - form My 1st Day- lots of photos, and explanation of what is occurring, no comments, no reflection of the photos, or extensions, just numbers re the learning outcomes.*
- o Summative assessments 3 provided N1, N2 and Toddlers.*

33. The first tier review panel confirmed the original decision of 'not met' for Element 1.3.1, stating:

In making this decision we have considered the evidence in the Authorised Officer's instrument that was gathered at the time of the visit, the draft report, provider feedback received in response to the draft report, the final report and the additional statement received that accompanied the application for First Tier review. The First-Tier review application is comprised of a statement.

*Whilst the panel felt that the overall evidence provided for 1.3.3 **did** demonstrate that families have ready access to both the program (curriculum) and information pertaining to their child's learning journey through a number of platforms which in turn supported the 'Not Met' for 1.3.3 to be overturned to be 'Met' this however did not change the initial decision of Working Towards NQS for the standard, therefore the overall rating for Standard 1.3 will remain Working Towards NQS based on a review of all documentation.*

Second tier review



34. In their application for second tier review, the approved provider submitted the statement quoted at paragraph 6 and requested that the existing evidence be reviewed in relation to all Elements within scope for this review.

Panel's considerations

- The panel made a general comment that there appeared to be gaps in the planning cycle as documented, or that documentation was not consistently undertaken for all children.
- The panel discussed the evidence provided by the Approved Provider demonstrating the service's use of the [REDACTED] platform, and agreed that it was unclear how educator observations and parent feedback were being drawn into the planning cycle. The panel commented further that daily stories were brief and descriptive and lacked deeper insight into children's progress and that in turn, it was difficult to find a clear link between practice, documentation and the service's planning cycle on the basis of this evidence.
- The panel made a similar comment regarding the summative assessments evidence – that they provided a summary, rather than reflection or analysis which could meaningfully progress learning, or drive the service's planning cycle. It was agreed that these assessments suggested that the service may have assessment and planning processes in place, but that there was not sufficient evidence to support a rating of met.

Decision

35. **The panel confirmed the rating of Element 1.3.1 as 'not met'.**

36. ***As such, the overall rating for Standard 1.3 is confirmed as 'Working towards the NQS'.***

Element 1.3.2

37. Element 1.3.2 – Critical reflection is:

Critical reflection on children's learning and development, both as individuals and in groups, drives program planning and implementation

Assessment and Rating

38. In the draft Assessment and Rating report this element was rated not met. A statement relating to this element is contained within the broader analysis for Standard 1.3. The report states:

Educators were observed speaking briefly to one another during the day



about aspects of their practice that can be modified to support children's play. For example, an educator discussed with the centre director the children's interests in hair dressing and how they would be able to accommodate this into the program. The centre director advised an educator in another room had previously created a hair salon and may still have the resources available. The educational leader completes summative assessments on the kindy children biannually. However, documentation sighted show there was limited critical reflection on children's learning and development for individuals and groups.

39. The approved provider submitted feedback and additional evidence to the draft report.

40. In response to the comment from the draft report stating: "However, documentation sighted show there was limited critical reflection on children's learning and development for individuals and groups" the approved provider submitted that:

Educators critically reflect on individual and group learning on a weekly basis. Reflection is documented on the back of the program and include reflection on learning, learning environments, children participation in the program and future planning/extension. These reflections are used in discussion with educators to inform the next weeks curriculum.

Educators reflect on weekly reflections and information gathered through from 6 monthly completion of the Developmental milestones and EYLF/NQS to critically reflect on children's learning over 6 months.

The Educational Leader meets quarterly with all Senior Educators to reflect on the program, teaching and learning in each room. Conversations are guided using the Planning Cycle & Documentation Review Tool to guide the conversation. Together the Educational Leader and Senior Educator reflect on children's individual and group learning, planning, the environment, educators and practice.

41. In support of their statement, the approved provider submitted the following evidence:

- a. [REDACTED] Example of child's learning and documentation cycle from enrolment"
- b. [REDACTED] Example of learning and documentation cycle for a child enrolled on a casual basis"
- c. "Summative assessments"
- d. "Examples of kindergarten children and report"

42. In the final assessment and ratings report, Element 1.3.2 was rated not met, and the same analysis was provided as in the draft report.



First tier review

43. In their assessment of the evidence available, the regulatory authority considered Standard 1.3 holistically. Their considerations can be found at paragraphs 32 and 33 of this advice.
44. The regulatory authority confirmed the original rating of 'not met' for Element 1.3.2, and hence the overall rating of Working Towards the NQS for Standard 1.3.

Second tier review

45. In their application for second tier review, the approved provider submitted the statement quoted at paragraph 6 and requested that the existing evidence be reviewed in relation to all Elements within scope for this review.

Panel's considerations

46. The panel noted that some of their considerations in relation to Element 1.3.1 bore relevance to this Element. The members re-iterated that the service missed opportunities to engage in deeper reflection and analysis of children's learning in their documentation processes and that there was a tendency towards descriptive, rather than critically reflective observation. The panel agreed that it was unclear whether there was a link between observation and future planning and noted that it was unclear how issues raised by families, for example transitions and supporting group interactions, were being critically reflected on, and driving program planning or implementation.
47. The panel made a general comment that the assessor's analysis in the final report considers Standard 1.3 as a whole, and that the rationale for each of the three Element level decisions made in this Standard may have been more clearly understood if they were separately identified.

Decision

48. ***The panel confirmed the rating of Element 1.3.2 as 'not met'.***
49. ***As such, the overall rating for Standard 1.3 is confirmed as 'Working towards the NQS'.***