



Date of Decision: [REDACTED] 2019
File number: STR0050

PANEL MEMBERS: [REDACTED]

APPLICANT: [REDACTED]

REGULATORY AUTHORITY: Department of Local Government and Communities,
Education and Care Regulatory Unit (Western
Australia)

Decision

The Ratings Review Panel (the Panel) by consensus decided to amend the rating level of Standards 1.1, 1.2, 1.3, 3.1, 4.1, 4.2, 5.1, 5.2, 6.1, 7.1 and 7.2 from Meeting NQS to Exceeding NQS, resulting in the rating levels of Quality Areas 1, 3, 4, 5, 6 and 7 being amended from Meeting NQS to Exceeding NQS, and the service's overall rating being amended from Meeting NQS to Exceeding NQS.

Issues under review

1. The approved provider (provider) sought a review of:
 - Quality Area 1, Standard 1.1 - Exceeding Themes 1, 2 and 3
 - Quality Area 1, Standard 1.2 - Exceeding Themes 1, 2 and 3
 - Quality Area 1, Standard 1.3 - Exceeding Themes 1, 2 and 3



- Quality Area 3, Standard 3.1 - Exceeding Themes 1, 2 and 3
 - Quality Area 4, Standard 4.1 - Exceeding Themes 1, 2 and 3
 - Quality Area 4, Standard 4.2 - Exceeding Themes 1, 2 and 3
 - Quality Area 5, Standard 5.1 - Exceeding Themes 1, 2 and 3
 - Quality Area 5, Standard 5.2 - Exceeding Themes 1, 2 and 3
 - Quality Area 6, Standard 6.1 - Exceeding Themes 1, 2 and 3
 - Quality Area 7, Standard 7.1 - Exceeding Themes 1, 2 and 3
 - Quality Area 7, Standard 7.2 - Exceeding Themes 1, 2 and 3
2. The approved provider (provider) sought a review of the ratings for the above Standards on the grounds that the regulatory authority, in making its determination, did not appropriately apply the prescribed processes for determining a rating level, and failed to take into account or give sufficient weight to special circumstances or facts existing at the time of the rating assessment.
3. After assessment and rating, the service was rated as Meeting NQS in all 15 Standards:
- Quality Area 1: Meeting NQS.
 - Standard 1.1: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Standard 1.2: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Standard 1.3: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Quality Area 2: Meeting NQS
 - Standard 2.1: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Standard 2.2: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Quality Area 3: Meeting NQS
 - Standard 3.1. Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Standard 3.2: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Quality Area 4: Meeting NQS
 - Standard 4.1: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Standard 4.2: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Quality Area 5: Meeting NQS
 - Standard 5.1: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Standard 5.2: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Quality Area 6: Meeting NQS
 - Standard 6.1: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3



- Standard 6.2: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
- Quality Area 7: Meeting NQS
 - Standard 7.1: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
 - Standard 7.2: Meeting. Not demonstrating Exceeding Themes 1, 2 & 3
- 4. The provider applied for first tier review on the basis that it believed an incorrect test had been applied, and requested a rating review for all Standards in relation to all three Exceeding Themes.
- 5. At first tier review, the regulatory authority amended the ratings for Standards 2.1, 2.2, 3.2 and 6.2, and confirmed the ratings for the remaining Standards, making the ratings as follows:
 - Quality Area 1: Meeting NQS
 - Standard 1.1 Meeting NQS
 - Standard 1.2 Meeting NQS
 - Standard 1.2 Meeting NQS
 - Quality Area 2: Exceeding NQS
 - Standard 2.1 Exceeding NQS
 - Standard 2.2 Exceeding NQS
 - Quality Area 3: Meeting NQS
 - Standard 3.1 Meeting NQS
 - Standard 3.2 Exceeding 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 Exceeding NQS
 - Quality Area 7: Meeting NQS
 - Standard 7.1 Meeting NQS



- Standard 7.2 Meeting NQS

The service's overall rating of Meeting NQS was upheld.

6. The provider then submitted at second tier review that the service should be rated as Exceeding NQS in Exceeding Themes 1, 2 and 3 in Standards 1.1, 1.2, 1.3, 3.1, 4.1, 4.2, 5.1, 5.2, 6.1, 7.1 and 7.2.

Evidence before the Panel

7. The Panel considered all the evidence submitted by the provider and the regulatory authority (RA). This included:
 - the application for second tier review and its attachments;
 - the Assessment and Rating Instruments and the final Assessment and Rating Report;
 - the provider'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; and
 - the provider's response to the regulatory authority's submissions.
8. The Panel was also provided with advice from ACECQA on the Quality Areas under review.

The Law

9. Section 151 states '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 long day care service with [REDACTED] approved places. The service is based in [REDACTED], Western Australia.
11. The assessment and rating visit was conducted on [REDACTED] 2019 by one authorised officer.



12. The provider was sent the draft report on [REDACTED] 2019 and feedback from the provider on the draft report was received by the regulatory authority on [REDACTED] 2019. The final report was sent to the provider on [REDACTED] 2019.
13. The provider applied for first tier review on [REDACTED] 2019. The regulatory authority made a decision on first tier review on [REDACTED] 2019 and sent its decision notice to the provider on the same day.
14. The application for second tier review was received on [REDACTED] 2019.

Standard 1.1

15. Standard 1.1 is that:
The educational program enhances each child's learning and development.

Regulatory Authority's view

Assessment and rating report

16. In the assessment and rating report the regulatory authority states:

Curriculum decision making contributes to each child's learning and development outcomes in relation to their identity, connection with the community, wellbeing, confidence as learners and effectiveness as communicators. It was evident in program documentation that the Early Years Learning Framework (EYLF) and the service philosophy guide curriculum planning. For example, learning stories, observations and daily journals note EYLF learning outcomes that have been achieved and reflection documents refer to the service philosophy, "Education is as much about relationships as it is about teaching". Educators supported children to be effective communicators as they sang songs with children who followed along with the actions, verbalised familiar words and danced along. Educators were observed reading books to children in the outdoor area and teaching phonics through song in the Kindy room. Children were observed as confident and involved learners as they touched, smelled and talked about the different colours of the herbs they picked to put into their playdough. Another group of children used their imaginations to create an enclosure using blocks and other wooden resources for a family of dinosaur figurines.

Each child's current knowledge, strengths, ideas, culture, abilities and interest are the foundation of the program. Individual and group goals are identified through observations, parent feedback, children's individual interests, strengths and information gathered from developmental checklists. For example, an educator stated that a parent wanted their child to learn how to hold a pencil and trace letters. Based on observations and information from the developmental checklist it was identified that the child needed support with fine motor skills in order to achieve the overall goal. Through observations the educator stated that many of the children needed support with fine motor skills and so this became a group goal where



activities were planned and implemented to support the achievement of this goal. This was observed on the corresponding program. A 'summary of goals' sheet is used to record children's current interests and goals and note whether the interest is linked to parent feedback, child's interest, developmental checklist, a learning story or follow up activity. For example, a program noted a babies/doll washing station. This activity was linked to a child's interest and learning story documented on the 'summary of goals' sheet.

All aspects of the program including routines, are organised in ways that maximise learning opportunities for each child. Educators were observed revisiting and discussing routines with children. For example, children in the Nursery room were reminded of what to do when preparing for lunch or going outside. As appropriate children followed simple instructions and were observed collecting their own water bottles from the trolley, retrieving their own hats, being supported by an educator to put sunscreen on and using their words to ask for more food. Educators sang songs with children to reinforce hand washing procedures and to remind children to use their manners. Toddler and Kindy children were observed using self-help skills as they scraped their food into compost bins and placed their plates onto the trolley.

First tier review

17. The provider sought an Exceeding rating in Standard 1.1. The regulatory authority upheld their decision that the themes were not present.
18. In its first tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including Program - Part A, G, J, K. of the evidence referred to.*

A review of the documentation confirmed research undertaken by the approved provider was translated into documents such as staff memo's and guidance notes for educator's. Evidence does not show why this research was undertaken in relation to the standard or how it impacts further improvement. It is noted that the AP undertakes this research and summarises it for staff, this does not demonstrate educator understanding. As noted in the instrument and the final report there is limited evidence to demonstrate how this translates into practice in relation to this Standard.



There were no clear explanations regarding the relevance of specific documents in relation to the three Exceeding Themes. These findings align with the level of practice observed and evidenced at the time of the visit. The evidence does not demonstrate the exceeding themes for this standard. Therefore Standard 1.1 Remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

19. In response to the draft report, the provider supplied the RA with claims that the Standard should be rated Exceeding, along with more than 15 pieces of evidence.
20. The provider's submission in relation to QA1 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community. In addition, we'd like to correct a factual inaccuracy on page 12 of the draft report - we do educate and care for children who are in the year that is 2 years before grade 1 of school and we do provide a preschool program, in accordance with Regulation 62. Thank you

First tier review

21. At first tier review, the provider requested a review on the grounds that the service:
 - 1) *disagrees with the overall "meeting" rating, based on the evidence described in the final report*
 - 2) *has additional contextual information about the evidence.*
 - 3) *believes the authorised officer did not take into account all of the relevant evidence.*
 - 4) *believes the Service was not given adequate opportunity to demonstrate how it exceeds the Standards.*
 - 5) *believes the authorised officer failed to take into account or give sufficient weight to special circumstances existing or facts existing at the time of the rating assessment, namely that in Western Australia, an incorrect test to determine the exceeding ratings is being applied and, further, that an*



- incorrect test to determine the exceeding ratings has been applied in our case*
- 6) *believes the authorised officer did not appropriately apply the correct test when determining our Service's exceeding rating levels*
 - 7) *believes that our Service has not been assessed in the same way other Services are being assessed across Australia*
 - 8) *believes that our Service may not have been assessed in the same way as other WA Services have been assessed under the revised NQS in the past.*
22. At first tier review the provider prepared a document, [REDACTED] Standard 1.1 – Summary of exceeding evidence submitted for first tier review, containing a summary of its evidence of Exceeding practice for Standard 1.1, references to the evidence provided in relation to Standard 1.1 at assessment and rating, and additional comments for consideration.
23. The contents of the ratings review request document detailed the provider's grounds for review. This included claims of an incorrect process being used by the regulatory authority to determine whether or not practice demonstrated the Exceeding Themes for a rating of Exceeding NQS, with comparisons made against the Guide to the NQF and Panel considerations from previous second tier reviews. The provider also included ACECQA data comparing the ratings results of services in each jurisdiction, including the number and percentage of services that achieved an overall Exceeding rating under the 2018 NQS.
24. A 16 page second reiteration of the First Tier Ratings Review Request, with updated data as at 24 July 2019, was also submitted. On page one of this document, the provider stated:
- *Our service has demonstrated all three exceeding themes for all Standards. We have done this by:*
 - 1) *describing our exceeding practices in our Quality Improvement Plan (in January 2019)*
 - 2) *attempting to discuss our exceeding practices during the ratings visit responding to the draft report (which did not refer to the exceeding themes or our exceeding evidence at all) by submitting samples of evidence that demonstrate our exceeding practices (on 11 March 2019)*
 - 3) *responding to the final report (which also did not refer to the exceeding themes or our exceeding evidence at all, and which raised the issue of "indicators" for the first time, and set out the WA Regulatory Authority's test that "two or more indicators for a theme must be demonstrated to*



achieve an Exceeding rating") for the first time), by seeking a First Tier Review. As part of seeking the First tier Review we have provided both:

- a detailed document setting out the reasons why an incorrect test has been applied (our document called [REDACTED] first tier ratings review request 14 May 2019"), and*
- a Summary of our exceeding practices addressing each theme for each Standard.*

25. In relation to Exceeding Theme one, the provider submitted that:

- We've demonstrated this theme by giving a variety of both general and specific examples.*
- Our high quality practice is demonstrated consistently and frequently across our service.*
- We've demonstrated that the improvements we've made are now being applied across our Service daily or weekly.*
- We've demonstrated that our new practices are high quality and embedded.*
- We've demonstrated that our new practices are implemented consistently and/or frequently across our service.*
- Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- Our practices are consistent across all educators and across all age groups.*
- We've given specific examples of the ways we've provided continuity and predictability for children.*
- We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement that "we will"*
 - respond to each child's unique needs*
 - work in close partnership with our families and community*
 - continue to improve*
 - seek advice from local experts and professionals*
 - be life-long learners ourselves.*
- We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*



- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*
 - *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
 - *We've worked collaboratively to overhaul our program and to meet our families' and children's unique needs.*
 - *We've made changes to better understand each child's identity, and better connect each child with our community.*
 - *We work collaboratively to consistently make curriculum decisions, including the organisation of daily routines, that maximise learning and development outcomes for every child in relation to their identity, connection with community, wellbeing, confidence as learners and effectiveness as communicators.*
 - *We work collaboratively to consistently develop and implement a purposeful and responsive educational program that reflects and builds on the knowledge, strengths, ideas, culture, abilities and interests of each child.*
 - *We confidently make curriculum decisions throughout the day, week or month to ensure each child's learning and development is maximised.*
 - *Our approach to curriculum decision-making consistently aligns with our philosophy.*
 - *Our approach to curriculum decision-making consistently demonstrates a strong commitment to the principles and practices of the approved learning framework/s.*
 - *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
26. In relation to Exceeding Theme two, the provider submitted that:
- *Our critical reflections are frequent and cover a wide-variety of issues*
 - *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
 - *All educators are involved in the reflection process.*
 - *We've reflected as individuals, in different teams and as a whole service.*
 - *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*



- *Our reflections include reflections on our past practice and on past incidents that have occurred at the Service.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on our practice and how we can facilitate and extend the children's learning and development.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on the changes we can make to strengthen our educational program.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups. Our approach to curriculum decision-making reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *We've described the process of creating our new program, and given evidence on the ways our new program and new templates are being used by all educators, and the ways the new program and templates have been tweaked and refined over time. This demonstrates that the changes to our approach to curriculum/program decision-making have been understood by all and implemented appropriately.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, and that our approach to curriculum/program decision-making is informed by current recognised guidance, such as the EYLF, ACECQA's We Hear You blog, the National Quality Standards and other publications and resources.*
- *Our approach to curriculum decision-making reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to curriculum decision-making is informed by current recognised guidance.*
- *Any change to the service's approach to curriculum decision-making is understood by all and implemented appropriately.*
- *We regularly reflect, individually and with each other on opportunities to strengthen the educational program.*
- *We regularly reflect, individually and with each other on implementation of changes to the program to enhance children's learning and development outcomes, including through the organisation of daily routines.*
- *We regularly reflect, individually and with each other on the evolving knowledge, strengths, ideas, cultures, abilities and interests of children at our service, and how these inform the educational program.*



- *We regularly reflect, individually and with each other on social justice and equity implications of curriculum decisions to ensure that the program considers the circumstances and rights of every child at the service.*
 - *We regularly reflect, individually and with each other on opportunities to cultivate deep respect for, and knowledge of, the cultural diversity of the broader community in the educational program, including Aboriginal and Torres Strait Islander histories and cultures.*
 - *We regularly reflect, individually and with each other on the theoretical and philosophical influences on their curriculum decisions, including the theoretical perspectives identified in the EYLF.*
 - *We regularly reflect, individually and with each other on how we draw on theoretical and philosophical influences and how they have influenced practice over time.*
 - *Our reflections have led to change and action, and this process has been documented in detail.*
 - *Over the past 12 months or so, we've developed a specific culture of reflection and selfassessment.*
 - *We've demonstrated this theme by giving a variety of both general and specific examples.*
 - *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
27. In relation to Exceeding Theme three, the provider submitted that:
- *We believe that 'community' means more than just our neighbours. We've sought and obtained input from a variety of health professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice. (We have set out our arguments and reasoning for this in a separate document).*
 - *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
 - *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
 - *Our approach to curriculum decision-making reflects the unique geographical, cultural and community context of our service.*
 - *Our approach to curriculum decision-making welcomes, respects and draws on the voices, priorities and strengths of the children and families at our service.*



- *Our approach to curriculum decision-making reflects a strong commitment to meaningful, regular engagement with families and the community to promote strong connections between each child's various learning environments.*
 - *We consistently and meaningfully engage with children's families and/or the community to draw on family and/or community understanding of each child's knowledge, strengths, ideas, culture, abilities, interests and learning and development in order to develop a child-centred educational program, for example Aboriginal and Torres Strait Islander children's ways of knowing and being.*
 - *We consistently and meaningfully engage with children's families and/or the community to regularly communicate about the educational program and children's evolving knowledge, strengths, ideas, abilities, interests and learning and development outcomes to support continuity of learning and development across children's various learning environments.*
 - *We actively seek out the voices, perspectives, and views of children throughout the day, and draw on this input to develop a child-centred educational program and enhance children's learning and development.*
 - *We draw inspiration from the unique geographical, cultural and community context of our service to enhance children's learning and development.*
 - *We've demonstrated this theme by giving a variety of both general and specific examples.*
 - *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
28. To conclude, the provider added:
- *On page 7 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'*
 - *With respect, it appears that most of this exceeding evidence has not been considered.*
 - *If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."*
 - *The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.*
 - *We respectfully submit that the above, and the Quality improvement Plan, demonstrate more than enough evidence to conclude that our Service*



demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second tier review

29. The provider submitted a 23 page document as part of its application for second tier review, detailing their grounds for review. The application repeated the concerns raised at first tier review.
30. The request for second tier review document provided their overview of the ratings and review process to date, the numbers of Exceeding ratings awarded by the RA, and the test used by the RA when determining Exceeding ratings. Their main claims were that the assessment and rating process lacked transparency, and that the RA had been unresponsive and failed to properly consider the evidence of their practice that they submitted. The provider asserted bias on the part of the RA in determining the service's rating. They did not make additional submissions specific to Standard 1.1, or the Themes, in this document.
31. The provider resubmitted all documents submitted to the RA as part of assessment and rating, and the first tier review process, with its application for second tier review.
32. The provider submitted a further submission for second tier review document, following its review of the regulatory authority's submissions at second tier review.
33. The submissions reiterated the provider's views on the numbers of Exceeding ratings awarded by the WA RA and the test used by the RA when determining Exceeding ratings. They asserted that the information held by the WA RA "does not assist [its] position", "the records and data held by the [RA] support and prove the claims we have made and verify the concerns we have raised", and "the Second Tier Review Panel should accept our claims, concerns, and exceeding evidence in full." They also asserted bias on the part of the RA in deciding the service's rating.
34. The submissions included a table with comments from the RA first tier internal review document and the provider's responses to them.
35. Finally, the provider asked that the evidence it submitted at first tier review for Standards 3.2 and 6.2 be considered in the panel's review of Standards 3.1 and 6.1 respectively.



36. The provider also submitted, "Samples of Observations", "Samples of Educators' Critical Reflections and Educator Understanding", and a collection of photographs taken during the assessment and rating visit. The "Samples of Observations" document is completed Spontaneous Learning/Observation templates, Transition Preparation and Developmental Checklists and Child Individual Learning Journeys for various children at the service. The "Samples of Educators' Critical Reflections and Educator Understanding" document is various samples of educator reflections from January 2018 to January 2019. The provider describes it in their further submissions document as evidence of educators demonstrating all three Exceeding Themes generally, rather than in relation to any particular Standard.

37. In their further submissions document, the provider described the content in photographs provided as follows:

We would like to emphasise that our service is very high-quality. All of our resources, displays and decorations are unique and have been carefully put together to create a professional yet warm and welcoming environment. Our displays and decorations:

- reflect the needs, voices and strengths of our local families*
- reflect our philosophy*
- demonstrate our high quality Practices across our Service*
- demonstrate consistency across all educators and in all rooms*
- demonstrate a clear understanding of the requirements of the EYLF and Standards.*

For these reasons, we say that these additional photographs form useful evidence and demonstrate the three exceeding themes.

Panel considerations

38. The Panel noted the large volume of evidence provided at second tier view.

39. In considering whether the service demonstrated Theme 1 for Standard 1.1, the Panel noted evidence submitted of high quality practice throughout the service, demonstrating practice embedded in service operations. The Panel noted that it was clear there was a system for programming, which was embedded in service operations. Evidence demonstrated an awareness of the EYLF, and that other strategies were being used on a regular basis. This also appeared to be reflected in notes provided by the authorised officer (AO).



40. The Panel noted that the program incorporated a range of suitable resources and activities for children and that programming was age appropriate. The Panel discussed whether the evidence clearly demonstrated why programming decisions were made or how the program was being built upon, and whether quality practice was being implemented in a way that reflects an understanding of how to best apply the program for individual children. For example, they noted that documentation of programming and notes in the programming book sometimes lacked depth for individual children and didn't always connect back to children's development.
41. The Panel noted that the service has extensive systems of reflection in place for utilising information gathered through reflection, such as the use of templates. They noted that such an extensive system of reflection may be difficult to sustain over time.
42. The Panel noted that the Educational Leader would often devise new ideas for educators to implement. However, they also remarked on an observed process of educators attending a professional development session which led to changes at the service, indicating the contributions of various educators to the program. Contributions were also evident through examples of different educators overseeing activities, and the handwriting of different educators in the various documents submitted as evidence.
43. In considering whether the service demonstrated Theme 2 with respect to Standard 1.1, the Panel remarked that the volume of evidence provided was persuasive of critical reflection informing practice, noting that documents submitted demonstrated the use of multiple tools and templates, which were completed by different educators.
44. The Panel commented that there was clear evidence that staff were trying multiple ideas and utilising some useful resources that they have cut and pasted into various templates. They noted that critical reflection was systematic, as it was being carried out in relation to every part of the NQS.
45. The Panel noted that the service reviewed its daily routines on a regular basis and made changes as appropriate. They noted in particular the service's "Around the world" program, which was discontinued after receiving feedback from parents.
46. The Panel found examples in the service's QIP of considering each child and making changes to the program based on critical reflection.



47. The Panel remarked that while some service practice might be queried, it was evident that the service was identifying relevant sources of information and incorporating sound theoretical ideas into practice.
48. In considering whether the service demonstrated Theme 3 with respect to Standard 1.1, the Panel commented that a key element of the service's engagement with families and the community was evident in its family survey. This demonstrated that the service was seeking information from families to inform what they do, not just in relation to the planning cycle, but educational program and practice more broadly.
49. The Panel commented that the evidence provided indicated a strong commitment to drawing families and community into the program. They described the structures the service has established to elicit feedback as significant evidence that the service was striving to seek out and incorporate new ideas and information into the program based on the feedback provided.

Panel decision

50. The Panel decided by consensus to amend the rating of Standard 1.1 from Meeting NQS to Exceeding NQS.



Standard 1.2

51. Standard 1.2 is that:

Educators facilitate and extend each child's learning and development.

Regulatory Authority's view

Assessment and rating report

52. In the assessment and rating report the regulatory authority states:

Educators were deliberate, purposeful and thoughtful in their decisions and actions. The environment was set up with children's strengths and goals in mind. For example, children saw a butterfly in the garden and then requested the story 'the very hungry caterpillar'. This led to children learning about the life cycle of a butterfly. Children were able to see caterpillars turn into a chrysalis and then a butterfly which was released into the garden. The last chrysalis to change was displayed in the foyer during the visit. To promote sustainability in the Nursery room a bowling game made from recyclable materials was set up for children. This was noted on the program. During the visit a child was observed standing the bottles up and rolling and kicking a ball to knock the bottles down. Children were observed asking an educator to help them build sand castles in the sand pit. The educator stated, 'I'll show you, then you can do it'. The educator then showed the children how to fill the bowls and flip them over to make the castle.

Educators respond to children's ideas and play and extend children's learning. For example, an educator was observed encouraging a child to play on a keyboard playmat by saying 'Press this one' which prompted the child to copy the educator. The child smiled as the note played and walked along the mat to make more music. The educator advised the Assessment Officer that the child's family play musical instruments and the child had recently enrolled in a music class. An educator was observed sitting with a child who was creating with connector resources. In order to scaffold the child's learning, the educator asked 'How can help you?' and 'What colour would you like?' as the child looked unsure. When the child chose some colours and started to create, the educator asked 'What do you think this looks like?'. 'Flower' the child replied. 'You're right' the educator affirmed. 'If this is a flower?' the educator asked, 'then this is the...stem' the child confidently replied as she pointed to the stem of her flower. When a child wanted to build a house for a family of toys, an educator asked, 'What do we need to build a house?' The educator and child then talked about walls and a roof to protect the family from the weather. The child then talked to the educator about staying in a house during a recent holiday with his family.

Each child's agency is promoted, enabling children to make choices and decisions that influence the events of their world. For example, an educator asked a child if they would like to join in a game that was being played. The child nodded her head



and said 'no'. The educator stated, 'That's Ok you don't have to' and the child went to play with another resource. An educator asked a group of children sitting on the mat if they wanted to sing some songs. When the children did not respond the educator asked if they would like to read a story. When the children appeared interested, the educator asked if they would like to choose a story and the children looked through the basket of books to select a story. A child arrived at the service as children were having morning tea. An educator asked, 'Where would you like to sit'. The child chose a seat and the educator asked the child about his weekend as he had his morning tea.

First tier review

53. The provider sought an Exceeding rating and the regulatory authority upheld their decision that the Themes were not present.

54. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Practice - Part B and C as well as Practice - Intentional Teaching.*

The sample documents reviewed, referred to training undertaken in relation to transitions and routines. It is acknowledged that staff undertook some self-assessment as part of this training. However, there is no evidence to demonstrate how this has resulted in improved practice in relation to this Standard. There is no reference to intentional teaching, scaffolding or supporting children's agency.

Program documentation reviewed included group goals and intentional teaching strategies, considered to be written at a meeting level of practice. There was no reference made to high quality teaching practices.

There was no clear explanation regarding the relevance of specific documents in relation to the three Exceeding Themes for this Standard. Furthermore, these findings align with the level of practice observed and evidenced at the time of the visit.

The evidence does not demonstrate the exceeding themes for this standard. Therefore Standard 1.2 remains Meeting NQS.



Approved Provider's view

Assessment and rating feedback

55. The text of the provider's submission in relation to QA1 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

In addition, we'd like to correct a factual inaccuracy on page 12 of the draft report - we do educate and care for children who are in the year that is 2 years before grade 1 of school and we do provide a preschool program, in accordance with Regulation 62. Thank you

56. In addition, the provider submitted four pieces of evidence in relation to Standard 1.2, including results from a parent survey, a list of educators with diverse backgrounds and critical reflection documents.

First tier review

57. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.
58. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 1.2, references to the evidence provided in relation to Standard 1.2 at assessment and rating, and additional comments for consideration.
59. In relation to Exceeding Theme one, the provider submitted that:
- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
 - *We've demonstrated that the improvements we've made are now being applied across the service daily or weekly.*
 - *We've demonstrated that our new practices are high quality and embedded.*
 - *Our high quality practice is demonstrated consistently and frequently across our service.*



- *We've demonstrated that our new practices are implemented consistently and/or frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups. We've given specific examples of the ways we've provided continuity and predictability for children. We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our philosophy statement that "we will"*
 - *respond to each child's unique needs*
 - *work in close partnership with our families and community*
 - *continue to improve*
 - *seek advice from local experts and professionals*
 - *be life-long learners ourselves.*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*
- *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- *We've worked collaboratively to overhaul our program and to meet our families' and children's unique needs.*
- *We've made changes to better understand each child's identity, and better connect each child with our community.*
- *Our new program and templates demonstrate that our educators confidently make curriculum/program decisions throughout the day, week or month to ensure each child's participation, learning and development is facilitated and extended.*
- *We consistently deliberate, purposeful and thoughtful in all of their decisions and actions that impact on children's learning and development.*



- *We consistently and respectfully respond to each child's ideas and play to facilitate and extend each child's participation, learning and development.*
 - *We consistently take every opportunity to extend each child's learning through open-ended questions, interactions, feedback and the provision of resources.*
 - *We consistently consider and promote the agency of each child, and support each child to make a range of choices and decisions to influence events and their world.*
 - *We confidently make curriculum decisions throughout the day, week or month to ensure each child's participation, learning and development is facilitated and extended.*
 - *We are able to explain how our educational practice connects to the EYLF and facilitates and extends each child's learning and development.*
 - *We are able to explain how our service philosophy and supports our broader vision for quality.*
 - *Our new program and templates demonstrate that our educators consistently and respectfully respond to each child's ideas and play to facilitate and extend each child's participation, learning and development.*
 - *Our approach to facilitating and extending children's learning and development consistently aligns our philosophy.*
 - *Our approach to facilitating and extending children's learning and development consistently demonstrates a strong commitment to the principles and practices of the EYLF.*
 - *We've demonstrated this theme by giving a variety of both general and specific examples.*
60. In relation to Exceeding Theme two, the provider submitted that:
- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
 - *Our critical reflections are frequent and cover a wide-variety of issues.*
 - *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our service.*
 - *All educators are involved in the reflection process.*
 - *We've reflected as individuals, in different teams and as a whole service.*
 - *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
 - *Our reflections include reflections on our past practice and on past incidents that have occurred at the service.*



- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on our practice and how we can facilitate and extend the children's learning and development.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on the changes we can make to strengthen our practice.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on past incidents.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, and that our reflections and practices are informed by current recognised guidance, such as the EYLF, ACECQA's We Hear You blog, the National Quality Standards and other publications and resources.*
- *Our educational practice approach to facilitating and extending children's learning and development reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our educational practice approach to facilitating and extending children's learning and development is informed by current recognised guidance.*
- *Any change to our approach to facilitating and extending children's learning and development is understood by all and implemented appropriately.*
- *Our reflections have led to change and action, and this process has been documented in detail.*
- *Over the past 12 months or so, we've developed a specific culture of reflection and self-assessment.*
- *We regularly reflect, individually and with each other on our educational practice approach to facilitating and extending children's learning and development.*
- *We regularly reflect, individually and with each other on alternate practice approaches to facilitating and extending children's learning and development » implementation of changes to strengthen their practice over time.*



- *We regularly reflect, individually and with each other on social justice and equity implications of their educational practice to ensure that practice considers the circumstances and rights of every child at our service.*
 - *We regularly reflect, individually and with each other on opportunities to cultivate deep respect for, and knowledge of, the cultural diversity of the broader community in educational practice, including Aboriginal and Torres Strait Islander histories and cultures.*
 - *We regularly reflect, individually and with each other on theoretical and philosophical influences on our practice, including the theoretical perspectives identified in the EYLF.*
 - *We regularly reflect, individually and with each other on how they draw on theoretical and philosophical influences and how they have influenced practice over time.*
 - *We've demonstrated this theme by giving a variety of both general and specific examples.*
61. In relation to Exceeding Theme three, the provider submitted that:
- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
 - *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of health professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our service and practice.*
 - *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
 - *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
 - *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
 - *Our educational practice approach to facilitating and extending children's learning and development reflects the unique geographical, cultural and community context of our service.*
 - *Our educational practice welcomes, respects and draws on the voices, priorities and strengths of the children and families at the service.*



- *We consistently and meaningfully engage with children's families and/or the community to draw on family and/or community understanding of each child's knowledge, strengths, ideas, culture, abilities, interests and learning and development in order to facilitate and extend children's learning and development*
- *We actively seek out the voices, perspectives, and views of children throughout the day, and draw on this input to facilitate and extend children's learning and development*
- *We draw inspiration from the unique geographical, cultural and community context of our service to facilitate and extend on children's learning and development.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

62. To conclude, the provider added:

- *On page 10 of the final report, the assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'*
- *With respect, it appears that most of this exceeding evidence has not been considered.*
- *If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."*
- *The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding themes.*
- *We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our service demonstrates exceeding quality practice in relation to all three themes in this standard, and this standard should be rated exceeding.*

Second tier review

63. The provider did not submit evidence specific to Standard 1.2 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out earlier in this decision notice.



Panel considerations

64. In considering whether the service demonstrated Theme 1 with respect to Standard 1.2, the Panel remarked on several sound examples of practice pertinent to this Theme in evidence submitted by the provider, as well as information contained in the AO notes.
65. The Panel noted examples of individual observations by staff that indicated that they were carefully observing children as well as tracking their progress. The Panel noted that there were clearly systems in place to facilitate and extend each child's learning and development. Documents submitted as evidence showed they were created by a range of staff members across different points in time, contributing to showing how practice was embedded in educators' practice and service operations.
66. The service showed a consistent and systematic approach and a high level of engagement of staff. This systematic approach was interconnected with ongoing engagement with families, evidence of the sophistication of the service's Exceeding practice with regard to this Standard.
67. When reassessing their rating of the service for this Standard at first tier review, the RA considered the service's goals and intentional teaching strategies to be Meeting NQS. They also observed that there was no clear explanation of the relevance of documents submitted as evidence to the Exceeding Themes.
68. It was the Panel's view that the service had articulated their practice, and made links between the documents submitted as evidence and the relevant Standard.
69. It was the view of the Panel that the service had demonstrated the Exceeding Theme for this Standard, and noted the extent of its efforts across the service operations.
70. In considering whether the service demonstrated Theme 2 with respect to Standard 1.2, The Panel was of the view that the evidence submitted demonstrated that the service reflected critically on individual children. For example, the Panel noted specific examples of educators adjusting routines to make them more responsive to individual children, taking into account their needs and interests.



71. The Panel cited examples of the service making changes to practice following feedback and reflection. The service described a change in practice from allowing parents to provide feedback to all educators, to requesting parents only speak with one educator about their child's progress. This change in practice was an attempt to create a more systematised approach and was in response to parents' concerns about staff not knowing the children well enough.
72. The Panel acknowledged, that being open to changing practice was positive, as it demonstrated a willingness to consider and try out different approaches.
73. It was the Panel's view that the service was demonstrating the Exceeding Theme for this Standard evidenced by having systems in place to facilitate change. This included ways of capturing feedback, reflecting on this feedback and making changes as required.
74. In considering whether the service demonstrated Theme 3 with respect to Standard 1.2, drawing on the example cited previously, it was the Panel's view that the decision to designate one educator to engage with families can constitute effective communication with families. Further, the evidence provided illustrated record-keeping about individual children, family responses, and how the service reflected and responded accordingly.
75. The Panel also noted a number of examples of WA community events reflected in the program, which was considered to be evidence of intentional teaching. The unique geographical, cultural and community context of WA, for example, was reflected in the bush tucker activity.
76. Drawing on another example, the Panel noted how educators used the service library to build a connection between the service and children's homes through children and families reading books at home from the library. The Panel saw this practice as a meaningful and authentic way to engage families through a deliberate focus on children's learning and development.
77. On balance, in the Panel's view, the service was intentional in thinking about and facilitating children's learning and development. There was a strong sense in the evidence provided that there was a high level of engagement between service and families, and that this engagement was informing the practice of children's learning and development.



Panel decision

78. The Panel decided by consensus to amend the rating of Standard 1.2 from Meeting NQS to Exceeding NQS.

Standard 1.3

79. Standard 1.3 is that:
Educators and co-ordinators take a planned and reflective approach to implementing the program for each child.

Regulatory Authority's view

Assessment and rating report

80. In the assessment and rating report the regulatory authority states:

The services approach to curriculum decision making reflects family involvement and input from all educators. This journey began with a well-developed survey which was completed by the majority of families attending the service. The survey asked for feedback regarding the program and other aspects of service operations. Results from the survey indicated that the majority of families identified social/emotional skills, numeracy and literacy and developmental milestones as areas of importance for their child's learning. The information received was a catalyst for change as the Nominated Supervisor stated that the current program 'did not match the priorities of our families'. A new program to assess children's learning and development as part of an ongoing cycle of observation, analysis of learning, documentation, planning, implementation and reflection was developed and implemented within the last year. This evolved through discussions with all educators and was based on identified family priorities, information gathered through professional development and current recognised guidelines. Previously the program included a high focus on learning about different countries around the world. This has changed to include weekly activities and learning experiences regarding agency and resilience and individual learning goals that support numeracy and literacy and developmental milestones. The Nominated Supervisor stated that further feedback regarding the change to the program has been positive. Programs note a focus for the week such as literacy, numeracy and fine motor skills. Group and individual goals are documented with planned activities to support the achievement of these goals. For example, activities such as play dough and art and craft were noted on the program aiming to support a child with the development of fine motor skills. Teaching strategies such as a discovery table and using real fruit and vegetables in kitchen play was documented to support working towards these goals. The service has regular programs such as an outdoor



learning program, let's get moving program, health and safety program, healthy eating program and agency and resilience program which children across the service participate in. For example, developing investigation skills using a magnifying glass was part of the outdoor learning program; musical chairs focusing on children following simple instructions was noted under the let's get moving program; oral hygiene in the health and safety program; setting up a healthy kitchen corner with real vegetables for the healthy eating program and books on emotions for the agency and resilience program. Children's learning is analysed, reflected upon and extended through documented individual learning stories and observations. For example, based on observations and a child's interest, educators set up a tea table near the kitchen corner to support the child's communication skills as observations noted that the child 'Is particularly talkative in roleplay' activities. Program documentation recorded the child forming positive relationships through play as she was invited by her friends to join in. The educator supported the child and her friends to take turns as they shared the tea pot using a timer. To extend the child's learning, real fruits and vegetables were added to the kitchen corner and group sharing experiences such as using a timer as children took turns cuddling 'Mr Caterpillar' were planned and implemented. Program documents also noted that adding real vegetables to the environment incorporated the use of Steiner's philosophy by adding 'Real life elements to play'.

Critical reflection on children's learning and development, both as individual and in groups, drives program planning and implementation. A review of program documentation shows that educators reflect on what occurred, why, how, influencing factors and which theoretical perspective was drawn upon. For example, program documentation noted that a child 'opens up during one on one interactions' and he 'needs to be invited' to join in group play. The educator referred to Vygotsky, regarding 'the need to create environments that support social-emotional competence' and created a 'cosy book corner' for a small group activity where the child could share his favourite book with his friends. The educator also noted supporting the child to 'develop positive relationships through play as pointed out by theorist Erikson'. Feedback from the child's parents noted the child often talked about books that were read to him during the day. A 'critical reflection and quality improvement process' document was displayed in each room. This document guides educators on the process of critical reflection. A review of program documentation shows that educators critically reflect on principles and practices of the EYLF. For example, an educator reflected on her practice as she asked a child to say sorry after throwing a toy at her friend. As the child refused, the educators reflection stated, 'I should have waited for her to regulate her emotions'. The educator stated that the child made her friend a cup of coffee and questioned if



this was the child's way of making amends and how meaningful would the apology have been if the child had listened to her.

Families are informed about the program and their child's progress. Programs and daily journals highlighting the day's activities through photos, observations and learning outcomes are displayed at the service. Portfolios contain a collection of artwork that is given to the child at the end of each year. Child observations, learning stories and learning evaluations are available to families on request. The Nominated Supervisor advised that the decision to omit these documents from the portfolio was based on family feedback. The program is discussed with families during orientation so that parents are aware that the documentation is available to them. Private discussions regarding children's learning and development is also facilitated as needed.

First tier review

81. The provider sought an Exceeding rating and the regulatory authority upheld their decision that the Themes were not present.

82. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Assessment and Planning - Part A and C and Samples - Kindy, Toddler and Nursery Program.*

A review of the program documents provided demonstrates a review and change of the program template. However, there is no further evidence to demonstrate that critical reflection and meaningful engagement with families was considered in relation to this Standard.

The documents did not include any examples of individual observations. There was limited evidence to demonstrate the analysis of learning in relation to identified goals. The documented goals are considered to be broad with no reference made to learning outcomes, skills or dispositions for learning. There is no evidence of high quality practices in line with the service philosophy and in relation to the assessment and planning cycle.



Furthermore, as noted in the instrument and final report the service's current practice for documenting the assessment and planning cycle is considered to be at a meeting level of practice.

There is no evidence to support consistent high-quality practices in relation to this Standard. Therefore Standard 1.3 remains Meeting NQS. The overall rating for Quality Area 1 remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

83. The text of the provider's submission in relation to QA1 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

In addition, we'd like to correct a factual inaccuracy on page 12 of the draft report - we do educate and care for children who are in the year that is 2 years before grade 1 of school and we do provide a preschool program, in accordance with Regulation 62. Thank you

84. In addition, the provider submitted six pieces of evidence in relation to Standard 1.3, including service cycle of planning and room reflections.

First tier review

85. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document. It included a document containing a summary of its evidence of Exceeding practice for Standard 1.3, references to the evidence provided in relation to Standard 1.3 at assessment and rating, and additional comments for consideration.
86. In relation to Exceeding Theme one, the provider submitted that:
- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
 - *We've demonstrated that the improvements we've made are now being applied across the Service daily or weekly.*



- *We've demonstrated that our new practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *We've demonstrated that our new practices are implemented consistently and/or frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups. We've given specific examples of the ways we provide continuity and predictability for children and the ways we take a planned and reflective approach to implementing the program for each child.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement that "we will":*
 - *respond to each child's unique needs*
 - *work in close partnership with our families and community*
 - *continue to improve*
 - *seek advice from local experts and professionals*
 - *be life-long learners ourselves.*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*
- *Our new program and templates demonstrate that our whole team consistently draw on their insights to make changes to the design and implementation of the program.*
- *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*



- *We've worked collaboratively to overhaul our Program and to meet our families' and children's unique needs.*
- *Our new program and templates demonstrate that our whole team consistently engages in planned and spontaneous critical reflection on children's learning and development, as individuals and in groups*
- *We've made changes to better understand each child's identity, and better connect each child with our community.*
- *We demonstrate a deep understanding of the requirements of the standard, the concepts and the component elements, and a commitment to high quality practice at all times.*
- *We consistently engage in planned and spontaneous critical reflection on children's learning and development, as individuals and in groups*
- *We consistently draw on our insights to make changes to the design and implementation of the program.*
- *We work collaboratively to assess or evaluate each child's learning and development as part of an ongoing assessment and planning cycle that drives development of an education program that enhances and extends each child's learning and development.*
- *We are able to explain how our approach to assessment and planning connects to the EYLF and enhances and extends each child's learning and development.*
- *We are able to explain how our approach to assessment and planning connects to our philosophy and supports the service's broader vision for quality.*
- *We consistently engage meaningfully with children's families to inform them about the educational program and their child's participation, learning and development.*
- *Our approach to assessment and planning consistently aligns with our philosophy.*
- *Our approach to assessment and planning consistently demonstrates a strong commitment to the principles and practices of the EYLF.*
- *Our approach to assessment and planning is consistently reflected in our program documentation and required assessment or evaluation documentation.*
- *Our approach to assessment and planning consistently reflects meaningful engagement and communication with families.*
- *Our new program and templates demonstrate that our whole team works collaboratively to assess or evaluate each child's learning and development as part of an ongoing assessment and planning cycle that*



drives development of an education program that enhances and extends each child's learning and development.

- *Our new program and templates demonstrate that our educators confidently make curriculum/program decisions throughout the day, week or month to ensure each child's participation, learning and development is facilitated and extended.*
- *Our new program and templates demonstrate that our educators consistently and respectfully respond to each child's ideas and play to facilitate and extend each child's participation, learning and development.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

87. In relation to Exceeding Theme two, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *Our critical reflections are frequent and cover a wide-variety of issues.*
- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*
- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our reflections include reflections on our past practice and on past incidents that have occurred at the Service.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on our practice and on our approach to assessment and planning.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on the changes we can make to strengthen our practice.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, on past incidents.*
- *Our quality improvement journey, and our new program and templates, demonstrate that we reflect regularly, as individuals and in groups, and that our reflections and practices are informed by current recognised guidance, such as the EYLF, ACECQA's We Hear You blog, the National Quality Standards and other publications and resources.*



- *Our approach to assessment and planning reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to assessment and planning is informed by current recognised guidance.*
- *Any change to the service's approach to assessment and planning is understood by all and implemented appropriately.*
- *We regularly reflect, individually and with each other on our approach to assessment and planning to consider whether it supports the best outcomes for children and families.*
- *We regularly reflect, individually and with each other on our engagement with families and whether communication of the education program and children's participation, learning and development is accessible and understandable.*
- *We regularly reflect, individually and with each other on alternate assessment and planning processes, and make changes where opportunities for improvement are identified.*
- *We regularly reflect, individually and with each other on social justice and equity implications of their assessment and planning to ensure that practice considers the circumstances and rights of every child at our service.*
- *We regularly reflect, individually and with each other on theoretical and philosophical influences on their assessment and planning, including the theoretical perspectives identified in the EYLF.*
- *We regularly reflect, individually and with each other on how we draw on theoretical and philosophical influences and how they have influenced practice over time.*
- *Our reflections have led to change and action, and this process has been documented in detail.*
- *Over the past 12 months or so, we've developed a specific culture of reflection and self-assessment.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

88. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of health*



professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.

- The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- Our approach to assessment and planning reflects the unique geographical, cultural and community context of our service.*
- We consistently seek out the voices, perspectives, and views of children throughout the day, and draw on this input in ongoing assessment and planning.*
- We consistently support children to participate in assessing and planning their own learning and development.*
- Our approach to assessment and planning welcomes, respects and draws on the voices, priorities and strengths of the children and families at our service.*
- Our new program and templates demonstrate how we engage with families and the community to ensure that children's learning and development outside of the service is incorporated into the assessment and planning cycle.*
- We consistently engage with families and the community to ensure that children's learning and development outside of the service is incorporated into the assessment and planning cycle.*
- We consistently engage with families about their child's progress in ways that are tailored to individual families' circumstances and ways of connecting, for example engaging with families using respectful and culturally safe practices.*
- Our new program and templates demonstrate that all educators consistently and meaningfully engage with children's families to draw on each family's understanding of each child's knowledge, strengths, ideas, culture, abilities, interests and learning and development, in order to facilitate and extend children's learning and development.*
- Our new program and templates demonstrate that all educators draw inspiration from our unique geographical, cultural and community*



context of the service to facilitate and extend on children's learning and development.

- *We've demonstrated this theme by giving a variety of both general and specific examples.*

89. To conclude, the provider added:

On pages 13 and 14 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.

If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second tier review

90. The provider did not submit any second tier review evidence specific to Standard 1.3 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out earlier in this decision notice.

Panel considerations

91. In considering whether the service demonstrates Theme 1 with respect to Standard 1.3, the Panel noted that, in their view, the RA indicated the presence of Exceeding practice in relation to this Standard before they then analysed the additional evidence provided.



92. The Panel found multiple examples of educators observing children closely and working with them to develop the educational program.
93. In considering whether the service demonstrates Theme 2 with respect to Standard 1.3, the Panel noted the RA considered at first tier review that documents submitted by the provider did not include examples of individual observations. However, the Panel was able to cite individual observations of particular children and noted that these observations were reflected on, and specific curriculum decisions made as a consequence.
94. The Panel saw evidence of reflective processes being used, noting this led to new templates and practices being developed. The Panel noted that the amount of documentation submitted as evidence demonstrated that the service's critical reflection with regard to this Standard was continuous and sustained over time.
95. In considering whether the service demonstrate Theme 3 with respect to Standard 1.3, the Panel observed evidence of the service bringing community influence into the planning cycle, for example, the Royal WA Show.
96. The Panel commented that the service had developed templates to guide and document reflective practice.
97. The Panel found evidence of strong engagement with families. It noted the service was taking a planned and considered approach to the implementation of the program, and that this included strong engagement with families.
98. The Panel noted that the evidence submitted demonstrated the Exceeding Theme for this Standard.

Panel decision

99. The Panel decided by consensus to amend the rating of Standard 1.3 from Meeting NQS to Exceeding NQS.



Standard 3.1

100. Standard 3.1 is that:

The design of the facilities is appropriate for the operation of a service.

Regulatory Authority's view

Assessment and rating report

101. In the assessment and rating report the regulatory authority stated:

Outdoor and indoor spaces, buildings fixtures and fittings are suitable for their purpose. Indoor environments provided children with opportunities to be involved in self-chosen and negotiated experiences that can be quiet or active learning situations, solitary play experiences or routines with large or small groups. For example, table top activities were set up for children to learn about frogs and insects, play with train sets and draw. Children independently accessed books, puzzles, blocks and shape sorting resources from shelves. Areas of interest were set up which included a home corner, kitchen area, construction area and quiet areas. Children were observed participating in solitary experiences playing with cars and caring for dolls. Children were observed gathered for mat time sessions as educators read stories, led children in songs and involved children in intentional teaching opportunities. Outdoor environments provided both active and quiet zones that comprised of fixed and moveable equipment, open space to engage in physical activities, and spaces that promote investigation and respect for the natural environment. For example, children were observed playing on fixed play equipment climbing through the tunnel and moving counters on the large abacus. Children were mixing and cooking sand cakes in the outdoor kitchen and played games with balls. Children also explored the herb garden and collected rosemary for an activity.

Premises furniture and equipment are safe, clean and well maintained. Upkeep of the premises and equipment is accomplished through regular cleaning and daily safety checks. Maintenance issues are documented in the maintenance file and attended to by a handy person engaged by the service. Educators were observed cleaning throughout the day as needed.

First Tier Review

102. The provider sought an Exceeding rating in Standard 3.1. The regulatory authority upheld their decision that the three Exceeding Themes were not present.



103. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Design Parts A and C.*

A review of the documents demonstrates a focus on the use of the space in relation to the program. The evidence submitted does not relate specifically to the Standard, being the design of the service. Whilst reference is made to the Reggio approach and this was evident in the aspects of the program, it was not included in the service's philosophy and is not evidenced in the design of service.

Furthermore, as noted in the instrument and final report the service's current approach to the design of the service is considered to be meeting level.

Therefore Standard 3.1 remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

104. The text of the provider's submission in relation to QA3 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

105. In addition, the provider submitted five pieces of evidence in relation to Standard 3.1, including changes to the rooms and physical environment document, environment audit documentation and educational leaders audit notes.

First tier review

106. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.



107. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 3.1, references to the evidence provided in relation to Standard 3.1 at assessment and rating, and additional comments for consideration.

108. In relation to Exceeding Theme one, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We've demonstrated that the improvements we've made are now being applied across the Service daily or weekly.*
- *We've demonstrated that our new practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *We've demonstrated that our new practices are implemented consistently and/or frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement that "we will":*
 - *keep our centre a beautiful, welcoming and nurturing place to be*
 - *promote a culture of global citizenship*
 - *support target 4 of the United Nation's Sustainable Development Goals*
 - *teach the children to become environmentally responsible*
 - *work in close partnership with our families and community*
 - *continue to improve*
 - *seek advice from local experts and professionals*
 - *be life-long learners ourselves.*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All*



educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.

- Our new program/s and templates demonstrate that our whole team demonstrate a deep understanding of the requirements of the Standard and its component elements, and a commitment to high quality practice at all times.*
- The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- We've worked collaboratively to overhaul our Program and to meet our families' and children's unique needs.*
- All outdoor and indoor spaces, buildings, fixtures and fittings support the access and full participation of every child.*
- All outdoor and indoor spaces, buildings, fixtures and fittings promote and positively support children's interaction with space, materials and each other.*
- All outdoor and indoor spaces, buildings, fixtures and fittings contribute to a flexible and stimulating environment that enhances each child's development and learning.*
- All outdoor and indoor spaces, buildings, fixtures and fittings are safe, clean and well-maintained at all times.*
- All educators are able to explain how the design of the physical environment, including selection of furniture, equipment and resources, supports safe and inclusive access by all children and promotes each child's full engagement with the program.*
- Our approach to the design and maintenance of the physical environment consistently aligns with our new educational program and our philosophy.*
- Our approach to the design and maintenance of the physical environment demonstrates a strong commitment to the principles and practices of the EYLF.*
- Our approach to the design and maintenance of the physical environment consistently aligns with safety, cleanliness and maintenance advice from recognised authorities and reflects our policies, procedures and record keeping systems.*
- We've demonstrated this theme by giving a variety of both general and specific examples.*



109. In relation to Exceeding Theme two, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *Our critical reflections are frequent and cover a wide-variety of issues.*
- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*
- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our approach to design and maintenance of the physical environment reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to design and maintenance of the physical environment is informed by current recognised guidance on creating an inclusive, safe physical environment that strengthens children's learning and development outcomes and enhances participation in the program.*
- *Any change to our approach to design and maintenance of the physical environment is understood by all and implemented appropriately.*
- *We are attuned to changes to the physical environment throughout the day and confidently adjust practice and the environment as needed to ensure the continued safety, participation and inclusion of all children.*
- *We reflect, individually and together, on the design of the physical environment, and consider opportunities to make changes to strengthen inclusion and participation, and to enhance children's safety, learning and development outcomes.*
- *We are aware of and are able to discuss the theoretical influences on our design choices and how these align with the EYLF and our philosophy, policies and procedures.*
- *We consider and discuss social justice and equity implications of design choices to ensure that the physical environment supports the needs and rights of every child at the service.*
- *Our reflections have led to change and action, and this process has been documented in detail.*
- *Over the past 12 months or so, we've developed a specific culture of reflection and self-assessment.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*



110. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*
- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *The design of our physical environment reflects the unique geographical, cultural and community context of our service.*
- *The design of our physical environment welcomes, reflects and draws on the voices, priorities and strengths of the children and families at the service.*
- *The design of our physical environment shows that we work creatively within the limitations of the physical setting.*
- *Opportunities for collaboration with family and community partners are built into our approach to designing and making changes to the physical environment.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

111. To conclude, the provider added:

On page 24 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.

If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the



three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second tier review

112. The provider did not submit any second tier review evidence specific to Standard 3.1 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

113. In considering whether the service demonstrated Theme 1 for Standard 3.1, the Panel commented that photographs and design plans submitted as evidence indicated a thoughtfully planned and considered environment.
114. The Panel noted that while photographic evidence did not provide a conclusive indication of how the spaces were used, the service had received the rating of Exceeding for Standard 3.2 at first tier review.
115. The Panel noted the corridor space, library corner and spaces for different activities in the photographs submitted. In the Panel's view, the spaces were thoughtfully planned, and incorporated elements of the natural environment. They commented on the variety of spaces made available for children, and on the quality of the resources provided, such as the tee pee and the mirror.
116. It was the view of the Panel that the service provided an array of experiences for children to engage with that were well suited to their purpose. It was evident that educators had spent time thinking about the design of the service and the spaces provided within it, and that this was a collaborative effort across the service.
117. In considering whether the service demonstrated Theme 2 for Standard 3.1, the Panel noted that it was evident in the documentation submitted that



educators has reflected significantly on the physical environment, and that there was a specific process in place to guide this reflection.

118. When considering how practice has been shaped by reflection, the Panel noted that much of the documentation submitted featured ideas that had been discussed by educators, and which were on public display in the service.
119. The Panel discussed examples evident in photographs submitted that showed how the design of the rooms had changed following a process of reflection. There was also evidence of educators coming together to discuss the space (both indoors and outdoors), what should be in the space, and what additional resources might enhance it.
120. The Panel noted that from the evidence provided the physical spaces did not appear to be expansive, however, they did appear to be engaging and challenging. The Panel also considered that the program might provide other opportunities outside the service for children to use and develop their gross motor skills.
121. In considering whether the service demonstrated Theme 3 for Standard 3.1, the Panel noted that the service displayed items that were engaging for families and for children, for example, literature.
122. The Panel considered that the foyer area with ramp looked engaging and noted that this appeared to be an appealing space for families to use and enjoy.
123. The Panel noted there were opportunities for parents to give feedback on the physical environment, and that the parent survey touched on the design of the facilities.
124. The Panel commented on the focus on WA flora and fauna in the physical environment. They cited evidence in the service's QIP where the service described its committed to enhancing outdoor and indoor spaces. They also noted the service's trip to the [REDACTED] Environmental Education Centre in [REDACTED], as evidence of engagement with the local Indigenous community.

Panel decision

125. The Panel decided by consensus to amend the rating of Standard 3.1 from Meeting NQS to Exceeding NQS.



Standard 4.1

126. Standard 4.1 is that:

Staffing arrangements enhance children's learning and development.

Regulatory Authority's view

Assessment and rating report

127. In the assessment and rating report the regulatory authority states:

Educator-to-child ratios were above legislative requirements throughout the visit. All educators hold an approved first aid, asthma and anaphylaxis management qualification. Staff records were complete for all educators and included qualifications and other prescribed information in accordance with legislative requirements. All staff are encouraged to work in each room to enable children and families to become familiar with all staff at the service. This enables children to have a familiar face during arrival and departure times, providing continuity of care. This arrangement also supports educators to learn from each other and build and model positive relationships to children. A full time non-contact manager and the Educational Leader oversee staffing arrangements and training.

Every effort is made for children to experience continuity of educators at the service. The Nominated Supervisor stated that a change in the recruitment of educators has evolved as the service not only focuses on educator qualifications but includes determining if an educator will fit in with the service philosophy. Information is gathered regarding educator preferences and strengths when considering room allocations. Where possible educator preferences are accommodated. Educators are also empowered through professional development to use their skills across the service. This is achieved through on the floor discussions and team meetings. When discussing programming with three different educators, good working relationships and supporting each other was a consistent theme. Career building opportunities are available to staff members and educators are encouraged to pursue their own educational goals. The Nominated Supervisor stated that to 'Grow senior staff within the service it is important to retain staff'. Educators were observed greeting children by name. Educators also wore name bands on their arms to ensure all parents knew educators' names. The Nominated Supervisor stated the service has trialled many different methods such as badges and lanyards and that arm bands have proved to be the best fit. The service uses a regular pool of relief staff to support continuity of care.



First Tier Review

128. The provider sought an Exceeding rating and the regulatory authority upheld their decision that the Themes were not present.

129. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Staffing Arrangements Parts A and C.*

A review of the documents submitted demonstrates a focus on procedures, routines and transitions, including staff training. There is no tangible evidence of how staffing arrangement enhance children's learning and development. The evidence submitted does not relate specifically to the Standard and there is no explanation of the context of various documents.

Furthermore, as noted in the instrument and final report the service's current approach to staffing arrangements and the continuity of staff is meeting level practice.

The evidence does not demonstrate the exceeding themes for this Standard. Therefore Standard 4.1 has remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

130. The text of the provider's submission in relation to QA4 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

131. In addition, the provider submitted three pieces of evidence in relation to Standard 4.1, including a summary of professional development document.



First Tier Review

132. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.
133. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 4.1, references to the evidence provided in relation to Standard 4.1 at assessment and rating, and additional comments for consideration.
134. In relation to Exceeding Theme one, the provider submitted that:
- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
 - *We've demonstrated that the improvements we've made are now being applied across the Service regularly.*
 - *We've demonstrated that our practices are high quality and embedded.*
 - *Our high quality practice is demonstrated consistently and frequently across our service.*
 - *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
 - *Our practices are consistent across all educators and across all age groups.*
 - *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement that "we will"*
 - *be professional, gentle and kind*
 - *work in close partnership with our families and community*
 - *continue to improve and seek advice from local experts and professionals*
 - *encourage one another*
 - *be life-long learners ourselves*
 - *be good role models*
 - *be positive and upbeat.*
 - *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
 - *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All*



educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.

- Our new program/s and templates demonstrate that our whole team demonstrate a deep understanding of the requirements of the Standard, concepts and component elements, and a commitment to high quality practice at all times.*
- The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- We've worked collaboratively to overhaul our Program and to meet our families' and children's unique needs.*
- We demonstrate a deep understanding of the requirements of the standard, concepts and the component elements, and a commitment to high quality practice at all times.*
- We are able to explain how the organisation and continuity of educators enhances children's wellbeing, learning and development.*
- At all times, purposeful consideration is given to organisation of educators to ensure familiarity and continuity for children and a high quality learning and care environment.*
- All educators are able to explain how the organisation and continuity of educators enhances children's wellbeing, learning and development.*
- We demonstrate awareness of how decisions are made about the organisation of educators across the service.*
- We understand and implement effective processes to support organisation and continuity of educators to enable the establishment and maintenance of secure relationships with children.*
- We've demonstrated that our approach to organisation and continuity of educators, including relief educators, consistently aligns with our philosophy, policies and procedures.*
- We've demonstrated this theme by giving a variety of both general and specific examples.*

135. In relation to Exceeding Theme two, the provider submitted that:

- Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- Our critical reflections are frequent and cover a wide-variety of issues.*



- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*
- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our approach to organisation and continuity of educators reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to organisation and continuity of educators is informed by the qualifications, strengths, priorities and professional development goals of educators.*
- *Our approach to organisation and continuity of educators is informed by current recognised guidance.*
- *Any change to the service's approach to organisation and continuity of educators is understood by all and implemented appropriately.*
- *We reflect together on opportunities to further enhance children's wellbeing, learning and development through possible changes to the organisation of educators or improvement in staff continuity.*
- *We work together to implement agreed changes across the service where necessary.*
- *Our reflections have led to change and action, and this process has been documented in detail.*
- *Over the past 12 months or so, we've developed a specific culture of reflection and self-assessment.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

136. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*



- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *Our organisation and continuity of educators our reflects the unique geographical, cultural and community context of our service.*
- *Our organisation and continuity of educators welcomes, reflects and draws on the voices, priorities and strengths of the children and families at the service and, in particular, family input on ways to support familiarity and continuity of their child's learning and development at the service.*
- *Opportunities for collaboration with family and community partners are built into our approach to organisation and continuity of educators.*
- *Our approach to organisation and continuity of educators supports all children to participate fully in the service program at all times.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

137. To conclude, the provider added:

On page 30 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.

If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates



exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second Tier Review

138. The provider did not submit any second tier review evidence specific to Standard 4.1 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

139. In considering whether the service demonstrates Theme 1 for Standard 4.1, the Panel noted the RA's evidence that ratios of children to educators were above legislative requirements.
140. The Panel noted that the service had not provided a staff roster but did provide a staff list, commenting that the large number of staff on this list for a service of that size was indicative of a commitment to quality service provision.
141. The Panel remarked that the service had a full-time non-contact manager and maintained continuity of educators, both of which aligned with the intent of Exceeding Theme 1 for this Standard.
142. The Panel noted evidence that the service had systems in place that embedded quality staffing arrangements. This included strong evidence of mentoring and critical thinking around staff retention and recruitment, and a significant commitment to professional learning and development. It was also evident that the service was investing in resources for staff.
143. It was the view of the Panel that how staffing was managed within any service should be an ongoing agenda item and consistently discussed to demonstrate Exceeding in this Standard. There was agreement amongst Panel members that the service was demonstrating this.
144. In considering whether the service demonstrated Theme 2 for Standard 4.1, the Panel cited evidence of sustained critical reflection to address changes in staffing arrangements over time. For example, evidence of adjustments to staffing arrangements following a process of reflection included a document discussing staffing arrangements in response to RA feedback, as well as other reflective documents.



145. The Panel noted comments about the way staff were working together to ensure staffing arrangements reflected families' priorities and needs, such as having one drop off person in the mornings.
146. It was the view of the Panel that daily reflections were not necessarily required with regard to this Exceeding Theme and Standard. The Panel noted regular and structured processes within the program where staffing arrangements, and how they are responsive to individuals and families, are discussed in an ongoing way.
147. In considering whether the evidence demonstrated Theme 3 for Standard 4.1, the Panel noted that there appeared to be limited collaboration in relation to staffing on occasion, but also that the service was working on how to best build a collaborative approach and investing in how they can support the professional identities of educators.
148. As noted previously, the service had one appointed educator as the communication point with families, with the intention that this person be used to build better relationships with families. It was not clearly apparent to the Panel, however, how information shared with this person was conveyed to other staff.
149. The Panel found evidence of meaningful conversations with families about how staff are deployed, and interactions with children, which had led to changes to practice, such as the example shared above.
150. The Panel found that the service was thoughtful in its use of photographs in relation to families and children, noting that photographs demonstrated respect for children and families and were taken purposefully.
151. The Panel noted that the family survey included questions pertaining to staffing arrangements. It was unclear how the feedback provided led to changes in the way staffing was organised. However, on balance, the Panel considered that Theme 3 for Standard 4.1 was evident in the evidence provided.

Panel decision

152. The Panel decided by consensus to amend the rating of Standard 4.1 from Meeting NQS to Exceeding NQS.



Standard 4.2

153. Standard 4.2 is that:

Management, educators and staff are collaborative, respectful and ethical.

Regulatory Authority's view

Assessment and rating report

154. In the assessment and rating report the regulatory authority states:

The Nominated Supervisor encourages professional discussion and open communication between educators. The service has a mentor program where educators can 'bring your strength and worry to breakfast'. Educators are able to meet for an early morning breakfast to discuss any issues and draw upon each other's strengths as they share information. The Nominated Supervisor was observed talking to educators in each room regarding an alert that came through from Red Nose WA regarding higher temperatures raising the risk of SIDS. Educators discussed the weight of blankets, dehydration and making sure children have 'lots of wet nappies'. Children were observed drinking water regularly throughout the day. The service has introduced a [REDACTED] Award'. Educators nominate a colleague who has demonstrated a strength or skill. Families are encouraged to participate and give feedback to educators. The Nominated Supervisor stated that this has been a positive way to recognise educators' strengths and skills. Educators were observed offering assistance to one another and sharing tasks. For example, an educator came into the Nursery room and asked educators if they needed assistance.

Professional standards guide practice, interactions and relationships. Educators were observed to be respectful and friendly to children, families and their colleagues at all times. The Nominated Supervisor is committed to supporting educators to recognise and challenge personal biases through sharing up to date information regarding topics of interest for education and care settings. For example, the Nominated Supervisor created a quick reference sheet regarding 'bias busting' based on a publication about gender stereotypes. The reference sheet guides educators to examine their own biases as they create a positive attitude to model gender equality in the room. All educators have access to the service philosophy, National Quality Standards, EYLF and code of conduct. The Nominated Supervisor stated that at a child protection workshop, the service was advised to update their code of conduct. This was adopted as an organisational strategy to protect against 'Predatory behaviour by staff or visitors'. The code of conduct draft was



prepared by the Educational Leader who researched best practice guidelines and the draft was given to educators for their feedback before being finalised. The updated code of conduct is kept in the staffroom for easy access to educators. This process also led to a review of the staff handbook.

First Tier Review

155. The provider sought an Exceeding rating for Standard 4.2. The regulatory authority upheld their decision that the Exceeding Themes were not present.

156. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Professional Standards Part A and D.*

The evidence submitted further supports the rating of meeting for this Standard. A code of conduct is a regulatory requirement and is considered to support standard industry practice. The service is acknowledged for the provision of professional development for staff. However, in conjunction with the observed practice and evidence in the instrument demonstrates meeting practice.

Therefore Standard 4.2 remains Meeting NQS.

The overall rating for Quality Area 4 remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

157. The text of the provider's submission in relation to QA4 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.



158. In addition, the provider submitted four pieces of evidence in relation to Standard 4.2, including information regarding a toilet training night, peer mentoring program information, educator nominations for the [REDACTED] award and coffee and croissants document dated 31 October 2018.

First Tier Review

159. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.

160. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 4.2, references to the evidence provided in relation to Standard 4.2 at assessment and rating.

161. In relation to Exceeding Theme one, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We've demonstrated that the improvements we've made are now being applied across the Service regularly.*
- *We've demonstrated that our practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement that "we will"*
 - *be professional, gentle and kind*
 - *work in close partnership with our families and community*
 - *continue to improve*
 - *seek advice from local experts and professionals □ encourage one another*
 - *be life-long learners ourselves*
 - *be good role models*
 - *be positive and upbeat.*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial,*



they 'go below the surface' and are real and unique and meaningful to us.

- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*
- *The changes we've made demonstrate that our whole team have a deep understanding of the requirements of the Standard, concepts and component elements, and a commitment to high quality practice at all times.*
- *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- *We've worked collaboratively to overhaul our Program and to meet our families' and children's unique needs.*
- *All interactions between our educators and others in the service community are respectful and promote a positive atmosphere within the service.*
- *All educators show a willingness to share information or ask for assistance from others and acknowledge the strengths and skills of others.*
- *All members of the service team consistently demonstrate a high level of collaboration, affirming, challenging, supporting and learning from each other.*
- *We've demonstrated that our approach to professional collaboration and standards consistently aligns with the approach described in our code of conduct and code of ethics.*
- *We've demonstrated that our approach to professional collaboration and standards consistently aligns with our philosophy, policies and procedures.*

162. In relation to Exceeding Theme two, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *Our critical reflections are frequent and cover a wide-variety of issues.*
- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*



- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our approach to professional collaboration and standards reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to professional collaboration and standards enables and promotes regular opportunities for all members of the service team, with special consideration to support newly inducted educators, to work collaboratively and to share and learn from each other's existing and developing strengths and skills.*
- *Our approach to professional collaboration and standards is informed by current recognised guidance and the service's chosen code of conduct and code of ethics.*
- *We reflect together on the role and application of professional ethics and standards across the service.*
- *We reflect together on ethical issues that arise in the service.*
- *We reflect together to consistently identify and implement opportunities to strengthen ethical practice.*
- *We reflect collaboratively on pedagogical knowledge and curriculum delivery. (see also the evidence for Standard 1.1)*
- *Our discussions and notes demonstrate self-awareness of the ethical and professional standards underpinning our own practice. (see also the evidence for Standard 1.1)*
- *Our discussions and notes demonstrate ongoing reflection on opportunities for improvement. (see also the evidence for all other Standards)*
- *Our decision-making processes are informed by professional standards, including our code of conduct and code of ethics.*
- *Changes to the application of professional standards within our service, including our code of conduct and code of ethics, are clearly understood by all.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

163. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*



- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*
- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *Our approach to professional collaboration and standards reflects our unique geographical, cultural and community context of the service*
- *Our approach to professional collaboration and standards welcomes, reflects and draws on the voices, priorities and strengths of the children and families at the service.*
- *We recognise diversity as a strength and work together to promote a culture of inclusiveness and sense of belonging for all children, families and the community, including cultivating a deep respect for Aboriginal and Torres Strait Islander histories and cultures.*
- *All members of the service team consistently identify and implement culturally sensitive ways to communicate, support and engage with families.*
- *Educators build relationships with families and members of the community that include the exchange of ideas and best practice.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

164. To conclude, the provider added:

On page 33 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.



If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second Tier Review

165. The provider did not submit any second tier review evidence specific to Standard 4.2 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

166. In considering whether the service demonstrated Theme 1 in Standard 4.2, the Panel noted descriptions of interactions between management and educators and remarked that staff were provided with numerous opportunities to engage in professional conversations and professional development. This included whole group meetings and team meetings at the start of each day. Regular, routine meetings were also scheduled to bring staff together.
167. The evidence described the educational leader as being readily available to meet with staff, which demonstrated an effort to embed professional collaboration into service operations.
168. The Panel noted evidence of educators' willingness to participate through attendance at meetings. Additionally, different educators' voices have been captured in typed notes from staff meetings, which were substantive and included many participants.
169. The Panel observed that the educational leader was also the provider and was clearly setting the direction for the service. Evidence provided indicated that she was respectful of other staff, and that there were numerous examples of staff coming together and providing input.



170. The Panel noted that discussions about ethics and the code of conduct indicated there were systems in place to review issues impacting staff. Efforts to include educators, such as the staff survey, were also evident. It was also noted that the staff survey had helped the service to identify staff viewpoints and shape priorities for professional development.
171. It was the Panel's view that the service was committed to investing in staff training and that there were many opportunities for professional learning as well as career building opportunities.
172. The Panel also acknowledged the notes in the assessment and rating report that noted that the nominated supervisor encouraged professional discussion and open communication between educators. They also noted educators drawing on each other's strengths and sharing information, including their understanding of SIDs and hydration.
173. The Panel noted that the service's QIP set out evidence of learnings from individual staff attending training through the Australian Institute of Management and Harvard Business Review.
174. Additional examples cited by the Panel included the service's [REDACTED] Award and the peer mentoring breakfast.
175. It was the Panel's view that this evidence combined indicated the service was demonstrating Exceeding Theme 1 for this Standard.
176. In considering whether the service demonstrated Theme 2 in Standard 4.2, the Panel noted critical reflection that shaped practice was evident within the service's QIP. For example, in 2018, the service realised it could improve its philosophy as well as how management worked with staff. Following this, it carried out consistent and ongoing reflection, with changes implemented over time.
177. For example, the code of conduct was updated, which then led to a review of the staff handbook. In these examples it was evident that the service changed its practice by improving professionalism and collaboration.
178. The Panel noted that there was strong documented evidence of the discussion of professional issues amongst staff members.



179. In considering whether the service demonstrated Theme 3 in Standard 4.2, the Panel noted that the service had made specific changes to address parent feedback in relation to staff conduct (e.g. issues about jewellery, perfume and acrylic nails, etc.). This included making amendments to the staff code of conduct.
180. The Panel commented that documenting issues of this kind showed that the service took this feedback seriously. It also showed that families had a comfortable relationship with staff and felt at ease communicating with them.
181. The Panel noted that conversations about personal presentation can be difficult to get right. The Panel considered that the fact that the service was willing to engage with these issues, and incorporate them into a code of conduct, was a sound example of Exceeding practice for this Standard.
182. The Panel also recognised more subtle examples of strong relationships with families interwoven in the fabric of the service.

Panel decision

183. The Panel decided by consensus to amend the rating for Standard 4.2 from Meeting NQS to Exceeding NQS.



Standard 5.1

184. Standard 5.1 is that:

Respectful and equitable relationships are maintained with each child.

Regulatory Authority's view

Assessment and rating report

185. In the assessment and rating report the regulatory authority states:

Children demonstrated trust and comfort with educators. For example, a child was walking to the other side of the outdoor area and stopped when he saw the Assessment Officer. An educator reassured the child by taking his hand and the child appeared happy to pass the Assessment Officer with her support. Educators were overheard acknowledging children's efforts and achievements when they said 'I love it when you're listening', 'Beautiful sharing, I like the way you let him have a turn' and 'Good kicking' as a child learnt to kick a ball. Educators comforted children who were upset, talking to them quietly and staying with them until they settled with something of interest to engage with. There were many opportunities for children to experience relaxed physical contact and one-on-one interactions with familiar educators. For example, a child was observed sitting at a table with an educator painting with cars and then he was joined by his peers. Children chose books and asked educators to read to them in the indoor and outdoor environments. An educator was observed talking to a child in the reflection room as she showed him how to look through the kaleidoscope and another educator was observed talking to a child while they completed a puzzle together.

The dignity and rights of every child was maintained at all times. Educators used positive language, gestures, facial expressions and tones of voice when redirecting children. For example, educators reminded children to share resources and take turns when children insisted on playing with the same resource. A child was upset because he wanted to play with the cars and his friend would not share. The educator showed the child where to find more cars which satisfied the child. Children were given independence and increasing levels of autonomy as they found their hats, accessed their water bottles independently, washed their hands and put their plates on the trolley after meals. The United Nations' Convention on the Rights of the Child is displayed at the service and linked to the service philosophy.

First Tier Review

186. The provider sought an Exceeding rating for Standard 5.1. The regulatory authority upheld their decision that the Themes were not present.



187. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including Relationships between educators and children, Part A and C.*

Evidence provided consisted of research papers, memo's and guidance documents. There was insufficient tangible evidence to demonstrate the relevance of the evidence in relation to this Standard. Furthermore, it is unclear how the above documents have impacted or improved practice. The observed practice in conjunction with the evidence in the instrument demonstrates meeting practice.

Therefore Standard 5.1 remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

188. The text of the provider's submission in relation to QA5 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

189. In addition, the provider submitted three pieces of evidence in relation to Standard 5.1, including information regarding a resilience toolkit, parent survey and critical reflection documents.

First Tier Review

190. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.

191. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 5.1, references to the evidence provided in relation to Standard 5.1 at assessment and rating, and additional comments for consideration.



192. In relation to Exceeding Theme one, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We've demonstrated that the improvements we've made are now being applied across the Service regularly.*
- *We've demonstrated that our practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement that "we will"*
 - *be professional, gentle and kind*
 - *treat everyone equally and with respect*
 - *help the children to feel safe, secure and comfortable*
 - *teach the children how to make friends*
 - *teach the children self-help skills*
 - *encourage the children to become independent*
 - *work in close partnership with our families and community*
 - *continue to improve*
 - *seek advice from local experts and professionals*
 - *be life-long learners ourselves*
 - *be good role models*
 - *be positive and upbeat*
 - *let the children play, play, play!*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS.*
- *All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*



- *The changes we've made demonstrate that our whole team has a deep understanding of the requirements of the Standard, concepts and component elements, and a commitment to high quality practice at all times.*
- *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- *We've worked collaboratively to overhaul our Program and to meet our families' and children's unique needs.*
- *Each educator's practice reflects a deep commitment to building and maintaining respectful and equitable relationships with each child.*
- *At all times, interactions between educators and children across our service support each child to feel secure, confident, and included.*
- *At all times, interactions between educators and children across our service maintain each child's dignity and rights.*
- *All educators are able to explain how our relationships with children are guided by an understanding of and commitment to building trusting relationships which engage and support each child to feel secure, confident and included.*
- *All educators are able to explain how our relationships with children are guided by an understanding of and commitment to respecting the dignity and worth of each child.*
- *All educators are able to explain how our relationships with children are guided by an understanding of and commitment to protecting and ensuring children's rights.*
- *Our approach to relationships between educators and children consistently aligns with the principles and practices of the EYLF.*
- *Our approach to relationships between educators and children consistently aligns with our philosophy, policies and procedures.*
- *Our approach to relationships between educators and children consistently aligns with our approach described in our code of conduct and code of ethics.*
- *We've demonstrated that our approach to professional collaboration and standards consistently aligns with our philosophy, policies and procedures.*

193. In relation to Exceeding Theme two, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*



- *Our critical reflections are frequent and cover a wide-variety of issues.*
- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*
- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our approach to relationships between educators and children reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to relationships between educators and children is informed by current recognised guidance.*
- *Any change to our approach to relationships between educators and children is understood by all and implemented appropriately.*
- *All educators systematically reflect on their interactions with children across the service and on opportunities to further enhance children's lifelong learning and sense of belonging within the service and the child's world.*
- *All educators demonstrate self-awareness and are purposeful in the consideration of the theoretical perspectives that influence our pedagogy and the practice across the service.*
- *We reflect together to consider the social justice and equity implications of our approaches to relationships with children to ensure interactions support the dignity, rights, cultures and best interests of all children, including children who identify as Aboriginal and Torres Strait Islander peoples.*
- *We reflect together to challenge stereotypes and biases in promoting and maintaining a culture of inclusiveness.*
- *We reflect together to engage in robust debate and discussion in which personal, professional and organisational values that influence relationships between educators and children are identified and discussed.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

194. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*



- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*
- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *Our approach to building and maintaining respectful and equitable relationships with each child reflects the unique geographical, cultural and community context of our service.*
- *Our approach to building and maintaining respectful and equitable relationships with each child welcomes, reflects and draws on the voices, priorities and strengths of the children and families at our service.*
- *Our approach to building and maintaining respectful and equitable relationships with each child contributes to a culture of inclusiveness and sense of belonging for children and families at our service.*
- *Our approach to building and maintaining respectful and equitable relationships with each child is strengthened by meaningful relationships with families and the community.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

195. To conclude, the provider added:

On page 37 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.

If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three



exceeding themes for each Standard. The guide specifically states “The indicators provided are not exhaustive” and services may demonstrate Exceeding level practice “in a variety of ways that suit their particular operating environment and approach to practice.”

The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second Tier Review

196. The provider did not submit any second tier review evidence specific to Standard 5.1 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

197. In considering whether the service demonstrates Theme 1 in Standard 5.1, the Panel found that the RA's recorded evidence discussed the relationships with children in a positive light, and provided strong examples of respectful relationships.

198. The Panel observed that the service had clearly done a lot of thinking about relationships with children. The evidence submitted included different notes and handwriting samples, for example, notes on setting up spaces for mealtimes and spaces for walking. There was also considerable evidence provided about individual children and educators consistently being responsive to their particular needs and circumstances (for example, where a child was injured or unwell).

199. Documents in the evidence provided showed educator reflections, information from ACECQA, information about children managing their own behaviour, information on dignity and rights of children, resilience, and the interests and strengths of the children. The Panel noted that it would be helpful if in some cases the service more clearly documented actions arising or changes to practice as a consequence of considering this information.

200. The Panel discussed the details of how the service had responded to an incident report. The Panel noted the described incident was pertinent to how



relationships with children were maintained across the service. The evidence reviewed, and the service's response, which related to behaviour management, indicated a consistently high level of quality in maintaining respectful relationships with each child.

201. The Panel commented on the service's "Our resilience toolkit", as evidence that staff took relationships between children seriously, and an example of bringing these concepts into practice.
202. In considering whether the service demonstrated Theme 2 in Standard 5.1, the Panel noted that critical reflection was occurring and that there were examples of changes in practice as a consequence of this reflection. They noted that while these examples were often examples of expected practice, they were evidence of thoughtful and nurturing practice. They added that the strength of this critical reflection was evident in the way it was embedded into everyday practice, which made it appear effortless.
203. The Panel cited evidence of reflection following professional development sessions in 2018. This included handwritten reflections by staff offering suggestions for trying out new ideas to support relationships between the toddlers and kindergarten children. Educators undertook research and reviewed information from ACECQA as part of these sessions.
204. The Panel noted there were clearly processes in place to support professional learning, i.e. staff attendance at professional development sessions, followed by reflection. Some individual records for children suggested a shift in practice as a consequence of these reflections, however, this was not entirely clear to the Panel.
205. The Panel noted the "Our resilience toolkit" as evidence of the impact of critical reflection and how practice had changed over time.
206. In considering whether the service demonstrated Theme 3 in Standard 5.1, the Panel remarked that the family survey and other incidental information from families suggested family involvement shaped practice in relation to relationships with children. For example, the Panel discussed evidence of families being involved in conversations with staff about toilet training, and attending information sessions.



207. The Panel noted that the evidence provided showed the service was making an effort to learn languages other than English and encourage indigenous participation to enhance communication with families.
208. For example, some basic Mandarin language materials were used to assist educators to engage with a child who spoke Mandarin. This helped educators to learn this child had a strong interest in creative arts, and also made drop off easier for the child and the family.
209. In another example, Vietnamese language cards were used, demonstrating the educator's efforts to develop language skills to communicate with children.
210. The Panel noted that the service used different methods to record and document children's activities (e.g. artwork folders, digital photos), which acknowledged and provided for the different preferences of different families. Supporting children's agency was also evident by enabling children to take photos.
211. The Panel noted that while relationships with families appeared open and collaborative, their practice of 'closing the loop' in their communication with families was not always obvious in the evidence provided. The Panel agreed, however, that on balance the service's practice was beyond Meeting NQS for this Standard.
212. It was the view of the Panel that the service was willing to make changes based on individual children's interests. For example, discontinuing the "Around the world program" was evidence of the impact of families' feedback regarding the educational program. The service was aware of individual preferences, but also the collective whole. Overall, there was a large amount of documentation regarding what individual children enjoy doing, and how this shaped practice for this Standard.

Panel decision

213. The Panel decided by consensus to amend the rating for Standard 5.1 from Meeting NQS to Exceeding NQS.



Standard 5.2

214. Standard 5.2 is that:

Each child is supported to build and maintain sensitive and responsive relationships.

Regulatory Authority's view

Assessment and rating report

215. In the assessment and rating report the regulatory authority states:

Children were observed having opportunities to help each other. An educator brought a water container outside and a child was observed filling cups with water and giving them to her peers. Children were observed spending time with their peers playing and developing friendships. For example, a small group of children were sitting together creating with connector blocks, others were in the sand pit filling containers, sharing resources and problem solving with the support of an educator deciding what to add to the sand for it to hold its shape. Children were observed talking together during meals and building towers together with blocks. Program documents show that children have regular opportunities to engage in social play and collaborative experiences. For example, art and craft activities, building a car track city with recycled materials, kitchen role play and gardening. A reflection recorded a group of children problem solving with an educator as they brainstormed how to make the play dough soft. Children voiced ideas such as 'Pour more water' and gave words of encouragement to the educator such as 'You can do it' and 'Keep trying'.

Based on feedback from families, learning social skills and resilience was identified as a priority. To facilitate this, in-house training was arranged for educators to upskill and learn ways to include this topic into the program. In preparation for the training educators reflected on specific areas they hoped to cover such as self-regulation, intentional teaching strategies, promoting children's agency and strategies to share information with families. Following this training the Nominated Supervisor conducted further research using information from Beyond Blue, which led to the development of a 'resilience kit' resource which is a guiding document to support educators to promote resilience at the service. The research also led to the adoption of the 'Bounce back bear' program which aims to teach children the skills they need to understand strong emotions and 'bounce back' when they are feeling upset. Program documents show that the 'bounce back bear' is used as a prop for children to play with, cuddle, talk to and sit with to help children feel calm. For example, program documents showed a child using the bounce back bear to help him settle to sleep. Yoga bears have also been introduced for children to cuddle when they need



comforting. These were placed in a prominent place in the Kindy room. The service has a reflection room with quiet games, books and soft toys for children to retreat to and regulate their emotions. This was instigated as part of the resilience priority. An educator stated that they have 'High expectations for children' and they are 'Empowering children to be able to express themselves with different resources'. Other squishy toys are used as props and children are encouraged to draw, talk about and read about emotions. An educator was observed drawing emotion faces (sad, happy) in the sand pit and children were identifying what the emotion was. Children were supported to resolve disagreements. For example, a child snatched a toy from another child and the educator asked, "What do we say when we want something?" The child then asked her friend if they could share the toy. When her friend gave the toy to her the educator asked, "What do we say when someone shares something with you?" The educator then sang the please and thank you song with the children. Information regarding the resilience strategy was shared with families through a 'resilience themed newsletter'.

First Tier Review

216. The provider sought an Exceeding rating in Standard 5.2. The regulatory authority upheld their decision that the Themes were not present.

217. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Relationships between children final, Part A and B.*

It is noted that the service has undertaken extensive research and consultation with families and external organisations in relation to self-regulation. However, the evidence provided does not demonstrate exceeding level practice, in relation to collaborative learning. This is further supported through the evidence gathered by the officer at the time of the visit. Therefore, as exceeding practice is assessed against the Standard this could not be demonstrated.

Approved Provider's view

Assessment and rating feedback



218. The text of the provider's submission in relation to QA5 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

219. In addition, the provider submitted two pieces of evidence in relation to Standard 5.2, including information regarding the bounce back bear program, interacting with children document and quality improvement diary notes regarding biting.

First Tier Review

220. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.

221. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 5.2, references to the evidence provided in relation to Standard 5.2 at assessment and rating, and additional comments for consideration.

222. In relation to Exceeding Theme one, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We've demonstrated that the improvements we've made are now being applied across the Service regularly.*
- *We've demonstrated that our practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement that "we will"*
 - *be professional, gentle and kind*
 - *treat everyone equally and with respect*
 - *help the children to feel safe, secure and comfortable*



- *teach the children how to make friends*
- *teach the children self-help skills*
- *encourage the children to become independent*
- *work in close partnership with our families and community*
- *continue to improve*
- *seek advice from local experts and professionals*
- *be life-long learners ourselves*
- *be good role models*
- *be positive and upbeat*
- *let the children play, play, play!*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*
- *The changes we've made demonstrate that our whole team has a deep understanding of the requirements of the Standard, concepts and component elements, and a commitment to high quality practice at all times.*
- *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- *We've worked collaboratively to overhaul our Program and to meet our families' and children's unique needs.*
- *All educators confidently and effectively facilitate cooperative and collaborative learning opportunities, in appropriate group sizes, to ensure that every child is consistently supported to collaborate, learn from and help others.*
- *All educators demonstrate a consistent approach to behaviour guidance to ensure that each child is supported at all times to regulate their own behaviour, respond appropriately to the behaviour of others, and communicate effectively to resolve conflict.*
- *All educators are able to explain how their support of children to build and maintain sensitive and responsive relationships is guided by an*



understanding of and commitment to creating supportive environments that enable children to collaborate, learn from and help each other.

- *All educators are able to explain how their support of children to build and maintain sensitive and responsive relationships is guided by an understanding of and commitment to supporting each child to regulate their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships consistently aligns with the principles and practices of the EYLF.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships consistently aligns with our philosophy, policies, and procedures, including the behaviour management / guidance strategy.*
- *We've demonstrated that our approach to professional collaboration and standards consistently aligns with our philosophy, policies and procedures.*

223. In relation to Exceeding Theme two, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *Our critical reflections are frequent and cover a wide-variety of issues.*
- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*
- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships enables the identification and implementation of opportunities to strengthen practice.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships is informed by current recognised guidance.*



- *Any change to our approach to supporting children to build and maintain sensitive and responsive relationships is understood by all and implemented appropriately.*
- *Educators demonstrate self-awareness of the theoretical perspectives that influence their pedagogy, and the practice across our service, and show that they are committed to continuous improvement.*
- *We reflect together to consider the social justice and equity implications of educators' approaches to facilitating active and collaborative learning opportunities and behaviour guidance.*
- *We reflect together to engage in robust debate and discussion in which personal, professional and organisational values that support children to build and maintain sensitive and responsive relationships are identified and discussed.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

224. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*
- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships reflects the unique geographical, cultural and community context of our service.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships welcomes, reflects and draws on the voices, priorities and strengths of the children and families at the service.*



- *Our approach to supporting children to build and maintain sensitive and responsive relationships contributes to a culture of inclusiveness and sense of belonging at the service.*
- *Our approach to supporting children to build and maintain sensitive and responsive relationships encourages all children to challenge stereotypes and biases, and develop a deep understanding and appreciation of the cultural diversity of the service and the broader community, including Aboriginal and Torres Strait Islander histories and cultures.*
- *All educators draw on our knowledge of each family's strengths and priorities, including behaviour guidance approaches in the home environment, to support children to build and maintain sensitive and responsive relationships.*
- *All educators tailor our approaches to supporting children to build and maintain sensitive and responsive relationships in response to input from families and the community.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

225. To conclude, the provider added:

On page 39 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.

If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we've provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our Service



demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second Tier Review

226. The provider did not submit any second tier review evidence specific to Standard 5.2 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

227. In considering whether the service demonstrated Theme 1 for Standard 5.2, the Panel noted that the documents submitted in evidence included information about individual children, and in particular, some information about how individual children relate to each other. There was also evidence of the service using the strengths of individual children to support other children. The Panel noted many examples of educators using relationships between children to encourage and support one particular child to participate in activities with the other children.

228. The RA's assessment and rating report described significant in-house training about how to embed social and emotional training, based on feedback from parents. This was identified as a priority by the service.

229. It was the Panel's view that learning in preparation for training showed the service going above and beyond in relation to building relationships with children. The evidence submitted also contained a number of suggestions for how to re-work existing resources to strengthen relationships between children.

230. Professional learning processes on topics relating to relationships with children were evident at the service. The service was also strong in considering the impact of this training on practice. Professional development was embedded through the "Our resilience toolkit".

231. In considering whether the service demonstrated Theme 2 for Standard 5.2 the Panel commented that the service was clear about what quality practice looked like, which indicated critical reflection about which practices worked and didn't work with regard to this Standard.



232. The Panel also noted that the service was strong on reflecting on learnings from professional development sessions and incorporating these into practice.
233. In considering whether the service demonstrated Theme 3 for Standard 5.2, the Panel considered how the family survey highlighted family concerns about children's speech and language development, which the service addressed in its educational program.
234. This included exploring the potential of providing information sessions for families and engaging a speech therapist in response to family feedback about the importance of communication. It was noted that engaging a speech therapist had been a significant contributing factor in improving communication between children.
235. The Panel noted that the "Our resilience toolkit" work was based on feedback from families. Families also gave feedback on behaviour guidance. This feedback informed the service's approach to supporting relationships between children. For example, the service made changes to its behaviour guidance procedures on the particular issue of biting.

Panel decision

236. The Panel by consensus decided to amend the rating for Standard 5.2 from Meeting NQS to Exceeding NQS.

Standard 6.1

237. Standard 6.1 is that:
Respectful relationships with families are developed and maintained and families are supported in their parenting role.

Regulatory Authority's View

Assessment and rating report

238. In the assessment and rating report the regulatory authority states:

The service has an effective enrolment/orientation process that can be adapted to suit the needs of each family. Families are able to see the service in operation, talk with educators and discuss any concerns. The Nominated Supervisor stated that this process is 'unhurried' so the service can support families through the process. The Nominated Supervisor stated that the length and number of play dates prior to the child commencing is negotiated with families. The service has registered with a



translating and interpreting service to support families where English is a second language. The service encourages families to be involved at the service through verbal feedback and surveys. For example, the service is currently focusing on children's health and physical activity needs and has asked parents to complete a short survey as they review programs for 2019. Information from surveys is reviewed and discussed by all educators and used for quality improvement.

Information is exchanged between educators and families during arrival and departure times. For example, parents were observed talking with educators upon arrival regarding how their child slept, how their child was feeling that morning, as well as sun safety and confirming departure times. During departures, educators were observed discussing each child's food intake for the day and they shared information about the activities children had participated in. Families are encouraged to give feedback regarding all aspects of the service through surveys, a feedback book displayed in the foyer or directly onto the programs displayed in each room. Parent requests are accommodated as far as possible. For example, requests regarding cultural and religious dietary requirements have been incorporated into the service menu. The Nominated Supervisor stated that the borrowing library contains books for families who speak languages other than English to show 'All cultural heritages are valued'. The service recently conducted a survey to families asking about extended family and where they live. Children created an art project and a sample was sent to all extended family members who were documented in survey feedback.

Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing. Information is shared verbally, through email, communication books, the service website, newsletters and posters/pamphlets displayed at the service. Information packs are sent to families regarding such topics as, fire safety, immunisations, starting school, and child development. The service offers a parent library with information regarding parenting and family issues such as sibling rivalry and raising a step child. Families are invited to attend any professional development facilitated at the service. This has included toilet training, speech development and Kidsafe WA. Meetings between families and health care professionals can also be conducted at the service. For example, individual consultations with a speech therapist.

First tier review

239. The provider sought an Exceeding rating in Standard 6.1. The regulatory authority upheld their decision that the Themes were not present.

240. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:



- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Supportive relationships with families, Part A, D and E.*

Evidence provided demonstrates standard industry practice. The service is acknowledged for seeking families input via regular surveys, sending newsletters including information about parenting support and families are invited to attend some PD sessions. However, the examples provided extensively demonstrate meeting practice that further supports the practice identified in the final report.

Therefore Standard 6.1 remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

241. The text of the provider's submission in relation to QA6 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

242. In addition, the provider submitted six pieces of evidence in relation to Standard 6.1, including book recommendations list resulting from a parent survey, food related data, pet information from a family survey, and an invitation to families to attend seminars at the centre.

First tier review

243. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.

244. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 6.1, references to the evidence provided in relation to Standard 6.1 at assessment and rating, and additional comments for consideration.

245. In relation to Exceeding Theme one, the provider submitted that:



- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We've demonstrated that the improvements we've made are now being applied across the Service regularly.*
- *We've demonstrated that our practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement, namely that "we believe":*
 - *that the best outcomes for children are achieved when we work in partnership with families and our community*
 - *that education is as much about relationships as it is about teaching.*
- *that "we will"*
 - *be professional, gentle and kind*
 - *treat everyone equally and with respect*
 - *work in close partnership with our families and community*
 - *continue to improve*
 - *seek advice from local experts and professionals*
 - *be life-long learners ourselves*
 - *be good role models*
 - *be positive and upbeat.*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*
- *The changes we've made demonstrate that our whole team has a deep understanding of the requirements of the Standard, concepts and*



component elements, and a commitment to high quality practice at all times.

- The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- We've worked collaboratively to overhaul our Program and to meet our families' and children's unique needs.*
- We engage collaboratively and respectfully with families from enrolment and orientation to learn about their expertise, culture, values and beliefs and priorities for their child's learning and wellbeing*
- We consistently support families to participate in the service, make meaningful contributions to service decisions, and share in decision-making about their child's learning and wellbeing.*
- We regularly provide families with comprehensive, current and accessible information about the service, relevant community services, and resourcing to support parenting and family wellbeing.*
- We recognise the leading role of families in their children's wellbeing and development.*
- Across our service, our approach to building respectful and supportive relationships with families demonstrates a strong commitment to the principles and practices of the EYLF, and aligns with the educational program, our philosophy, and the enrolment and orientation process.*
- We've demonstrated this theme by giving a variety of both general and specific examples.*

246. In relation to Exceeding Theme two, the provider submitted that:

- Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- Our critical reflections are frequent and cover a wide-variety of issues*
- Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- All educators are involved in the reflection process.*
- We've reflected as individuals, in different teams and as a whole service.*
- We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- Our approach to supporting relationships with families reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*



- *Our approach to supporting relationships with families enables the identification and implementation of opportunities to strengthen practice.*
- *Our approach to supporting relationships with families is informed by current recognised guidance.*
- *Any change to our approach to supportive relationships with families is understood by all and implemented appropriately.*
- *We intentionally consider alternate ways of engaging with families and supporting their participation at the service, and make changes where opportunities to further enhance children's and families' outcomes are identified.*
- *We are able to explain how ongoing engagement with families influences the design and delivery of the educational program.*
- *We are aware of and able to discuss how the approach to engaging with families and supporting their participation at our service aligns with practice theory, the EYLF and our philosophy, policies and procedures.*
- *We are aware of how families' perceptions of their role influences how they participate in our service.*
- *We consider and discuss social justice and equity implications of our approach to engaging with and supporting each family's participation in the service, including self-awareness of our own biases and how these may impact on building respectful relationships with families.*
- *As a team, we engage in robust debate and discussion about the service's approach to engaging with families and supporting their participation at our service. As part of this debate and discussion, personal, professional and organisational values that influence practice are identified, discussed and challenged.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

247. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*



- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *We actively support families to build relationships with other families and with relevant community services to strengthen child, parenting and family outcomes.*
- *We consistently tailor our approaches to communicating with and engaging with each family in recognition of individual families' circumstances and ways of connection, and seek out families' views on their preferred means of communication and participation from enrolment.*
- *We draw on our knowledge of each family to provide thoughtful and tailored opportunities for each family to participate in the service, for example building a sense of belonging for Aboriginal and Torres Strait Islander families.*
- *We explore opportunities to build trust and support families to contribute to the educational program in ways that celebrate and share their strengths, beliefs and culture with children, families and the service team.*
- *We build and maintain community partnerships that support and promote parenting and family wellbeing and proactively and respectfully engage with families to support their parenting and family wellbeing circumstances and priorities.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

248. To conclude, the provider added:

On page 42 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered. If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence



demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we've provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second tier review

249. The provider did not submit second tier review evidence specific to Standard 6.1 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

250. In considering whether the service demonstrated Theme 1 in Standard 6.1, the Panel considered that the evidence contained numerous examples of families being supported in their parenting role. For example, assisting with children's speech and language development, the development of the "Our resilience toolkit", and the provision of resources for families, such as information packs on topics such as fire safety.

251. The service's parent borrowing library contained books in languages other than English to demonstrate that all families were valued. Titles included in the parent library were diverse and inclusive, and also reflected a deep knowledge of the complexity of parenting.

252. The Panel noted that feedback received through the parent survey had been considered and resulted in changes in practice, for example changes to the staff code of conduct.

253. The discontinuation of the "Around the world" program was noted as evidence of the service making changes to the program in response to families' priorities such as social skills, resilience, physical activity and health, as reflected in the family survey.



254. The Panel commented on the service being open to trying out new ideas in response to parent feedback. For example, to help parents to feel more comfortable approaching educators, the service experimented with a series of different types and styles of nametags in order to find a suitable solution for parents and educators.
255. It was the view of the Panel that these examples demonstrated Exceeding practice being embedded in service operations and were also evidence of meaningful engagement with families.
256. In considering whether the service demonstrated Theme 2 in Standard 6.2, the Panel commented on a discussion amongst the educators about what constitutes robust debate. This discussion demonstrated that the service was prepared to make changes to long standing practices in order to be more reflective and responsive.
257. As another example, the Panel noted the service experimenting with different ways to strengthen family engagement. The service had read about the use of sticky notes as a general strategy for encouraging feedback. They then applied this strategy in an effort to increase the feedback they received from families.
258. The service found the strategy did improve the response rate from parents and have since incorporated the use of sticky notes into their daily practice. The Panel remarked on this example as evidence of their capacity to apply learning from another context to their service context in an effort to bring about positive change.
259. The Panel reviewed evidence of critical reflection in a scenario of discussions with families about the equipment used for bottle fed babies. The evidence indicated how complaints are acted upon by the service as an opportunity to develop better practice. In this case, the Panel noted the research on baby bottles undertaken by the service, their efforts to source alternatives locally, and to reflect upon and modify their practice.
260. In considering whether the service demonstrated Theme 3 in Standard 6.1, the Panel noted the use of the family survey to collect information about individual children, for example, aspects of their development, their favourite food, etc. which was then incorporated into the program.



261. The Panel also noted the service's use of family survey feedback, as well as feedback received directly from individual families, to shape the selection of resources (including topic areas) made available to families.

Panel decision

262. The Panel decided by consensus to amend the rating for Standard 6.1 from Meeting NQS to Exceeding NQS.

Standard 7.1

263. Standard 7.1 is that:

Governance supports the operations of a quality service.

Regulatory Authority's view

Assessment and rating report

264. In the assessment and rating report the regulatory authority states:

The Nominated Supervisor stated that the service philosophy is a 'living document' as it consistently guides all aspects of service operations. The philosophy has recently been reviewed with input from families and educators. Educator feedback was gathered through surveys, self-assessments and staff appraisals. During discussions with educators at the visit, educators frequently referred to the philosophy and an educator stated that 'education is as much about relationships as it is about teaching', and this is reflected in the service philosophy. Reflection templates ask, 'Did we meet the centre's philosophy?' The response documented that the program was, 'Building positive relationships with families and children'. The service philosophy states that the service will, 'Discover each child's unique strengths and interests'. This was evident in the program and documented in the 'summary of interests' sheet. The philosophy also states that educators will 'Be life-long learners ourselves'. This was evident in the way the Educational Leader researched topics of interest and passed on information or sourced professional development for educators. There are effective systems, procedures and processes in place to support the service to operate effectively and ethically. The service governance arrangements are overseen by the Nominated Supervisor with the support of the service Office Manager. Processes are in place for the recruitment and indication of educators. Online administration systems support effective operations of the service. Records are securely stored in locked cabinets and educators are aware of confidentiality policies and procedures. The service regularly reviews policies and procedures annually or as needed. All required information was



displayed at the entrance of the service. Adults working with children have current working with children clearances.

The service has a comprehensive induction process whereby educators are advised of their roles and responsibilities. Their understanding of the National Quality Framework, EYLF, laws and regulations, and code of conduct is also confirmed during this process. An educator explained that during her induction, she was provided with a tour of the service and advised of the emergency exits. The work health and safety expectations, code of conduct and staff handbook were also explained and provided. The educator advised that specific health needs of children were displayed and she was made aware of medical health plans and allergies of children in the room. The educator advised that she has a good relationship with management staff who have been very supportive and touch base with all educators in each room throughout the day.

First Tier Review

265. The provider sought an Exceeding rating for Standard 7.1. 3. The regulatory authority upheld their decision that the Themes were not present.

266. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including, Governance (with Gender Bias practice) Part A and C.*

A review of the first-tier submission further supports the findings of the Assessment and Rating visit as detailed in the final report.

It is further noted the evidence provided did not address the Standard in full.

Therefore Standard 7.1 remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

267. The text of the provider's submission in relation to QA7 set out in the record is:



We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

268. In addition, the provider submitted four pieces of evidence in relation to Standard 7.1, including quality improvement diary notes, completed performance review, professional development and training plan and overhauling the philosophy document.

First Tier Review

269. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.

270. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 7.1, references to the evidence provided in relation to Standard 7.1 at assessment and rating, and additional comments for consideration.

271. In relation to Exceeding Theme one, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We've demonstrated that the improvements we've made are now being applied across the Service regularly.*
- *We've demonstrated that our practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement, namely that "we believe":*
 - *All children have rights in accordance with the Convention on the Rights of the child.*
- *that "we will"*
 - *welcome and include all children in our centre*
 - *be professional, gentle and kind*
 - *treat everyone equally and with respect*



- *discover each child's unique strengths and interests*
- *help the children to feel safe, secure and comfortable*
- *respond to each child's unique needs*
- *promote a culture of global citizenship*
- *work in close partnership with our families and community*
- *continue to improve*
- *seek advice from local experts and professionals*
- *be life-long learners ourselves.*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*
- *The changes we've made demonstrate that our whole team has a deep understanding of the requirements of the Standard, concepts and component elements, and a commitment to high quality practice at all times.*
- *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- *Well established governance arrangements and administrative systems consistently support the operation of our high quality service and drive continuous quality improvement.*
- *We are able to discuss and demonstrate how our management systems support proactive risk management and drive continuous improvement, for example in relation to Recruitment and staff selection.*
- *We are able to discuss and demonstrate how our management systems support proactive risk management and drive continuous improvement, for example in relation to responding to and learning from incidents, complaints and feedback from families.*
- *We are able to discuss and demonstrate how our management systems support proactive risk management and drive continuous improvement, for example in relation to maintaining up-to-date records that support effective service provision.*



- *We are able to discuss and demonstrate how our daily practice is underpinned by the service's statement of philosophy and how we are involved in reviewing the statement regularly.*
- *We are able to discuss and demonstrate how the statement of philosophy underpins service operations, and explain how it was developed and how and when it is reviewed.*
- *The guiding principles of the National Law are reflected in and consistently enacted through our statement of philosophy.*
- *We understand and are able to articulate our roles and responsibilities, including in relation to each other, children, and families, and the service's decision-making processes.*
- *Across our service, observed and discussed governance and administrative arrangements align with systems, documented policies, procedures and records.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

272. In relation to Exceeding Theme two, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *Our critical reflections are frequent and cover a wide-variety of issues.*
- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*
- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our approach to collaborative partnerships reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to collaborative partnerships is informed by current recognised guidance.*
- *Any change to our approach to collaborative partnerships is understood by all and implemented appropriately.*
- *We critically reflect on the statement of philosophy, individually and together, to ensure it aligns with our current purpose, priorities, and approach to practice, and make changes where required to strengthen alignment and drive continuous improvement.*



- *We engage in regular reviews of systems, policies and procedures to ensure they are effective, align with quality practice, are responsive to feedback identified through the service's risk management and quality improvement systems, and support consistent, high quality practice across the service.*
- *We are aware of and able to discuss our governance and decision making processes and how these align with professional standards and contribute to continuous quality improvement.*
- *We support and enable all members of our team to provide feedback on opportunities to strengthen governance and administrative systems, including decision-making processes, and this feedback is respectfully considered.*
- *Change processes are managed sensibly and collaboratively with key stakeholders and the rationale for change is clearly communicated.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

273. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*
- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *Governance of our service reflects the unique geographical, cultural and community context of our service.*
- *Governance of our service welcomes, reflects and draws on the voices, priorities and strengths of the children and families at our service.*



- *We actively support families and the community to meaningfully engage with our philosophy, policies and procedures, and to provide feedback and contribute to regular reviews.*
- *We actively support families and the community to understand the roles and responsibilities of members of our team and how to engage with our feedback processes.*
- *We support and enable families and the community to provide feedback on governance arrangements and administrative systems, including decision-making and feedback processes.*
- *Governance and administrative arrangements contribute to a culture of inclusiveness and a sense of belonging at our service and suit the unique context of our service.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

274. To conclude, the provider added:

On page 49 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.

If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we're provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second tier review

275. The provider did not submit any second tier review evidence specific to Standard 7.1 in addition to the evidence it submitted at first tier review, that



was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

276. In considering whether the service demonstrated Theme 1 in Standard 7.1, the Panel noted the service reviewed its philosophy in 2017 to ensure it remained relevant and current. As a result of this review, the philosophy was updated to include a stronger focus on child-directed learning and decision making, and sustainability. It was also noted that the philosophy review resulted in changes in practice, such as introducing mixed age groupings.
277. The Panel remarked that educators at the service were encouraged to think about children as successful, capable and confident, and to ensure all children have a voice. Evidence submitted showed the implementation of this in practice, for example, educators being responsive to and building on individual children's strengths and capabilities in their day-to-day practice.
278. The Panel commented on the RA's recorded evidence, which indicated that staff frequently referenced the service philosophy in conversations with the AO during the assessment and rating visit. They also noted that all educators spoken with during the visit demonstrated an understanding of the service philosophy and its potential as a reflective tool in guiding practice.
279. The Panel noted that the service philosophy stated that educators should strive to be lifelong learners. They commented that this vision was reflected in the service's commitment to ongoing professional learning and development.
280. The Panel also noted that linkages between the philosophy, codes of conduct, changes to policies, service templates, record-keeping and management of staff were evident.
281. In considering whether the service demonstrated Theme 2 in Standard 7.1, the Panel noted the service's strong emphasis on critical reflection. It found numerous examples of changes in practice in response to critical reflection. For example, the service used information provided in enrolment forms to reflect on their use of insect repellent and to institute a new practice in relation to insect repellent.
282. The Panel also noted that changes instituted at the service were underpinned by evidence rather than being made for the sake of change. They saw evidence of background research being conducted to inform change, noting



also that the service was open and willing to use research in this way, for which the Panel commended the service.

283. In considering whether the service demonstrated Theme 3 in Standard 7.1, the Panel noted the way the service paid attention to its location, and the way it considered and drew on the voices and perspectives of children, families and educators. Its approach appeared to be thoughtful and considered, building a strong connection with the local community.

284. The Panel also remarked on how the service paid attention to the neighbourhood in which it was situated, and in particular, how it considered how local Aboriginal people think about belonging and endeavoured to incorporate this thinking into practice.

Panel decision

285. The Panel decided by consensus to amend the rating of Standard 7.1 from Meeting NQS to Exceeding NQS.

Standard 7.2

286. Standard 7.2 is that:

Effective leadership builds and promotes a positive organisational culture and professional learning community.

Regulatory Authority's view

Assessment and rating report

287. In the assessment and rating report the regulatory authority states:

There is an effective self-assessment and quality improvement process in place. The service Quality Improvement Plan (QIP) is a comprehensive document that has recorded the service's journey towards continuous improvement. The QIP is developed with information from families, educators and management staff. The QIP reflects the changes that have been made to the service program and documents why and how the changes have been made. For example, the QIP details the journey of why and how the service program was transformed. The QIP appears to be a reflection tool where strengths are acknowledged and celebrated. For example, the QIP documents the success of the peer mentoring program stating that, 'It is a privilege to read about each person's accomplishments and goals...we are proud to be able to support every team member's ongoing professional development and ambitions'. Areas for improvement are also reflected upon, 'our staff performance



review/appraisal process was a bit dull and 'wooden', and...didn't really encourage the staff to be candid about what they really think about our program/approach'.

The Educational Leader is the Nominated Supervisor who works closely with the Early Childhood Teacher. The Educational Leader attends regular professional development and actively researches information to support educators with their programs and practice. For example, the Educational Leader had researched information about transitions and prepared a summary of the main points for educators to read. The Educational Leader also asked educators to discuss the information in their rooms and answer questions for feedback. The Educational Leader does this on a regular basis covering topics such as rainy-day environments, learning spaces, celebrating local flora, culturally inclusive practice and bringing Aboriginal and Torres Strait Islander perspectives into the classroom. The Early Childhood teacher stated that all educators contribute to the program and are comfortable to share information with each other. When the program was revised and changed all educators had input into the changes. The appraisal process has been revised based on feedback from educators and families. The service philosophy was also considered as part of the review. Educator's performance is evaluated after three to six months of employment and then six-month formal reviews are conducted. During formal appraisals discussions include, the environment, the program, activities, interactions with children, relationships with other educators, future training and leadership roles. The service has developed a professional development program for each member of staff incorporating the use of DVD's, written articles, online training and outside professional development learning opportunities. This plan is updated regularly with input from educators.

First Tier Review

288. The provider sought an Exceeding rating and the regulatory authority upheld their decision that the Themes were not present.

289. In its First tier internal review document the regulatory authority states:

In making this decision we have considered the following evidence:

- *QIP*
- *Instrument*
- *Final report*
- *Response to the provider feedback*
- *First tier review submission and a sample of documents including Leadership Part B.*



A review of the first-tier submission further supports the evidence and rating in the final report. It is further noted the evidence provided did not address the Standard in full.

The evidence does not demonstrate the exceeding themes for this Standard.

There is no evidence of self-assessment against the exceeding themes occurring, no evidence translates into practice.

Therefore Standard 7.2 remains meeting NQS.

The overall rating for Quality Area 7 remains Meeting NQS.

Approved Provider's view

Assessment and rating feedback

290. The text of the provider's submission in relation to QA7 set out in the record is:

We're submitting evidence that this standard should be rated as Exceeding NQS, because our Practice is embedded in our service operations, our Practice is informed by critical reflection and our Practice is shaped by meaningful engagement with families and/or the community.

291. In addition, the provider submitted four pieces of evidence in relation to Standard 7.2, including information researched by the Educational Leader, documents for educators regarding critical reflection, document 'the curriculum and what we've achieved so far', bite sized professional development document, and training plan in regard to professionalism and plans going forward document.

First Tier Review

292. The provider submitted a first tier ratings review request document, and an updated first tier ratings review request document.

293. At first tier review the provider prepared a document containing a summary of its evidence of Exceeding practice for Standard 7.2, references to the evidence provided in relation to Standard 7.2 at assessment and rating, and additional comments for consideration.

294. In relation to Exceeding Theme one, the provider submitted that:



- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *We've demonstrated that the improvements we've made are now being applied across the Service regularly.*
- *We've demonstrated that our practices are high quality and embedded.*
- *Our high quality practice is demonstrated consistently and frequently across our service.*
- *Our commitment to continuous improvement has also been demonstrated consistently and/or frequently across our service.*
- *Our practices are consistent across all educators and across all age groups.*
- *We've given specific examples of the ways our practices reflect our philosophy. In addition, the step-by-step process of reflection, input and improvement set out above also reflects our Philosophy statement, namely that "we believe":*
 - *All children have rights in accordance with the Convention on the Rights of the child.*
- *that "we will":*
 - *welcome and include all children in our centre*
 - *be professional, gentle and kind*
 - *treat everyone equally and with respect*
 - *discover each child's unique strengths and interests*
 - *help the children to feel safe, secure and comfortable*
 - *respond to each child's unique needs*
 - *promote a culture of global citizenship*
 - *work in close partnership with our families and community*
 - *continue to improve*
 - *seek advice from local experts and professionals*
 - *be life-long learners ourselves.*
- *We've documented and recorded our quality improvement journey, and this journey demonstrates that our practices are embedded and form a very important part of our work. Our practices are not just superficial, they 'go below the surface' and are real and unique and meaningful to us.*
- *Our improvements were developed, step-by-step over many months, specifically in response to the introduction of the revised NQS. All educators were involved in the reflection/testing/improving process. Hence, all of our educators now have a deep understanding of the Standard, the concepts and the elements.*



- *The changes we've made demonstrate that our whole team has a deep understanding of the requirements of the Standard, concepts and component elements, and a commitment to high quality practice at all times.*
- *The commitment of all of our educators to high quality practice and continuous improvement is evident by the long journey we've taken together, and by the many improvements and changes we've identified, tested and implemented since February 2018.*
- *Effective leadership builds and consistently promotes a positive organisational culture and professional learning community that supports all members of the service team to develop as professionals and contribute meaningfully to quality improvement processes*
- *Effective leadership builds educator capacity by supporting educators through ongoing professional development opportunities, for example mentoring.*
- *We are able to explain how our performance evaluation process consistently supports our learning and development goals and growth as professionals, including how a tailored professional development plan provides a focus for continuous performance improvement.*
- *We are able to discuss and demonstrate how we actively participate in the service's ongoing self-assessment and quality improvement process, and how this process drives continuous improvement in service quality and enhances outcomes for children and families.*
- *The educational leader is able to discuss and demonstrate how she is supported by the service's leadership team and work collaboratively with educators to effectively lead the development of the curriculum and set high expectations for teaching and learning.*
- *We are able to discuss and demonstrate how we are supported by the educational leader to learn and grow in our professional practice, and how we work with the educational leader to consistently deliver an educational program that sets high expectations for each child's learning.*
- *Across our service, our quality improvement processes align with our Quality Improvement Plan and with other supporting documentation, including individual professional development plans for staff members.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

295. In relation to Exceeding Theme two, the provider submitted that:



- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*
- *Our critical reflections are frequent and cover a wide-variety of issues.*
- *Our reflections are authentic in that they arise out of circumstances and situations that are unique to our Service.*
- *All educators are involved in the reflection process.*
- *We've reflected as individuals, in different teams and as a whole service.*
- *We've specifically documented the way our decisions have been informed by critical thinking and discussion.*
- *Our approach to leadership reflects robust debate, discussion, and opportunities for input by all educators, and is informed by critical reflection and past incidents.*
- *Our approach to approach to leadership is informed by current recognised guidance.*
- *Any change to our approach to leadership is understood by all and implemented appropriately.*
- *We regularly reflect on our quality improvement processes and make changes where opportunities are identified to enhance outcomes for the service team, children and families.*
- *We regularly reflect on our own learning and professional development goals and opportunities to strengthen our performance and practice, and share our insights through informal and formal performance discussions to support alignment of expectations and goals.*
- *We systematically reflect, individually and as a team, on service performance in relation to the National Quality Standard, focus areas identified in the Quality Improvement Plan, and goals for teaching and learning to ensure our service is meeting its own and the regulatory system's expectations for high quality and continuous improvement.*
- *We support and enable all members of our team to provide feedback on quality improvement processes and this feedback is respectfully considered.*
- *Change processes are managed sensitively and collaboratively with key stakeholders and the rationale for change is clearly communicated.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*

296. In relation to Exceeding Theme three, the provider submitted that:

- *Our practices go 'above and beyond' what could be expected at the 'meeting' level.*



- *We believe that 'community' means more than just our neighbours. (We have set out our arguments and reasoning for this in a separate document.) We've sought and obtained input from a variety of professionals, industry leaders and other sources. We have sought and obtained input on a wide-variety of issues that are specifically relevant to our Service and Practice.*
- *The documents show clear links between information/input we've gathered from our families or our community, the reflections we've made and the way this information/input has shaped our practice.*
- *The family or community input we've sought and received is clearly set out in the documents, as are the ways this input has shaped our practice.*
- *Our practice is informed by the unique strengths and needs of our children, our families and our community.*
- *Leadership at our service reflects the unique geographical, cultural and community context of our service.*
- *Leadership at our service welcomes, reflects and draws on the voices, priorities and strengths of the children and families at our service.*
- *We support families and the community to participate meaningfully in our quality improvement processes, including the development and review of the Quality Improvement Plan support families and the community to understand the role of the educational leader in relation to their own child's participation in the service, and regularly invite them to discuss their own goals and expectations for their child's learning to inform the educational program.*
- *We support and enable families and the community to provide feedback on quality improvement processes, and this feedback is actively considered as part of the regular cycle of self-assessment that supports continuous quality improvement.*
- *We build and maintain community partnerships that strengthen the professional learning community and support continuous quality improvement, enhancing outcomes for children, families, and our service team.*
- *Quality improvement processes contribute to a culture of inclusiveness and a sense of belonging at the service, and suit the unique context of our service.*
- *We've demonstrated this theme by giving a variety of both general and specific examples.*



297. To conclude, the provider added:

On page 52 of the final report, the Assessor has written 'much of the evidence submitted as provider feedback has been included in the draft report and/or is noted in the officer's instrument and was therefore considered when making the proposed rating.'

With respect, it appears that most of this exceeding evidence has not been considered.

If this exceeding evidence has already been considered, then it has not been considered properly, in its proper context, as evidence demonstrating the three exceeding themes for each Standard. The guide specifically states "The indicators provided are not exhaustive" and services may demonstrate Exceeding level practice "in a variety of ways that suit their particular operating environment and approach to practice."

The evidence we've provided not only demonstrates high quality, 'above and beyond' practice, it also demonstrates all 3 exceeding Themes.

We respectfully submit that the above, and the Quality Improvement Plan demonstrate more than enough evidence to conclude that our Service demonstrates exceeding quality practice in relation to all three themes in this Standard, and this Standard should be rated exceeding.

Second tier review

298. The provider did not submit any second tier review evidence specific to Standard 7.2 in addition to the evidence it submitted at first tier review, that was re-submitted at second tier review. The provider's general submissions in relation to second tier review are set out above in this decision notice.

Panel considerations

299. In considering whether the service demonstrated Theme 1 in Standard 7.2, the Panel noted that the service invested considerable time and effort in professional development and peer mentoring. Staff also shared their career goals with service management via a staff survey. This included several staff members who planned to enrol in courses to continue their learning and development. Performance reviews also contained professional learning plans. The Panel considered that the staff survey would help to promote a sense of belonging for staff to the service.

300. The Panel observed that the educational leader clearly played a strong role in the service and was continually striving to achieve quality service provision.



301. The Panel commented that the evidence provided demonstrated the service's efforts in promoting a positive organisational culture. This included the [REDACTED] Awards, which recognised staff performance that contributed to sustaining a positive organisational culture. Other examples include the retreat at [REDACTED].
302. The Panel remarked that these events showed that the service was prepared to invest in the team. In terms of the professional learning community, there was a strong emphasis on quality improvement, evident in the many and varied professional development opportunities made available to staff, and a culture of ongoing reflection with regard to maintaining quality improvement.
303. The Panel noted that the staff feedback provided at the coffee and croissants event was candid, indicative of a positive workplace culture, where staff felt comfortable sharing their views and perspectives.
304. In considering whether the service demonstrated Theme 2 in Standard 7.2, the Panel noted examples of Exceeding practice in relation to this Standard to include the service's indoor environment audit, its review of its understanding of safe sleeping practices, and its critical reflection of its biting policy.
305. The Panel cited documented evidence of critical reflection, including performance reviews and the staff survey. The service also held weekly staff meetings, incidental meetings, and spontaneous conversations, all of which enhanced opportunities for critical reflection.
306. The Panel noted that the service has a document for every type of critical reflection (for each Standard), indicating that the service was systematically reflecting across all quality areas.
307. The Panel considered that the service be mindful of reliance on written reflections and communication with staff, to endeavour to keep written communications to a reasonable length, and to balance this communication with face-to-face discussions.
308. In considering whether the service demonstrated Theme 3 in Standard 7.2, the Panel noted the way professional learning at the service was shaped by family feedback, and how the service had researched specific topic areas families had nominated as important. For example, the service had focused on making sure children were well hydrated due to family concerns in this area.



309. Feedback about educators from families was also included in the evidence, including lists of discussions with families on this topic.

310. The Panel also noted unsolicited positive feedback about the quality of the educators, which arose out of conversations with families about changes to the Centrelink system.

Panel decision

311. The Panel decided by consensus to amend the rating of Standard 7.2 from Meeting NQS to Exceeding NQS.