



Decision Notice

Date of Decision: [REDACTED]

File Number: STR0064

Panel Members: [REDACTED]
[REDACTED]
[REDACTED]

Panel date: [REDACTED]

Applicant: [REDACTED]
[REDACTED]

Regulatory Authority: NSW Department of Education

Decision: The Ratings Review Panel (the Panel) decided by consensus to confirm all ratings under review:

- Quality Area 1, Standard 1.1 (Exceeding Theme 2 and 3)
- Quality Area 1, Standard 1.2 (Exceeding Theme 2 and 3)
- Quality Area 1, Standard 1.3 (Exceeding Theme 3)
- Quality Area 3, Standard 3.1 (Exceeding Theme 2 and 3)

- The overall rating for the service remained 'Exceeding the NQS'



Issues

1. The Approved Provider (the Provider) sought a review of the ratings for the above Standards on the grounds that the Regulatory Authority:
 - a) did not appropriately apply the prescribed process for determining a rating level; and
 - b) failed to take into account or give sufficient weight to special circumstances or facts existing at the time of the rating assessment.

Overview

2. After the initial assessment, the Draft Report recorded the service's rating as 'Meeting the NQS', as only one standard was rated 'Exceeding'. However, consideration of the Provider's feedback on the Draft Report led to an additional eight Standards being rated 'Exceeding', resulting in a final rating of 'Exceeding the NQS'. Ratings specific to each Standard and Element were as follows (further Exceeding Themes identified at First Tier Review are also noted in this list):
 - **Quality Area 1: Meeting NQS**
 - Standard 1.1: Meeting
 - Not demonstrating Exceeding Theme 1, 2, or 3
(Exceeding theme 1 was identified at First Tier Review)
 - Standard 1.2: Meeting NQS
Not demonstrating Exceeding Themes 1, 2 or 3
(Exceeding theme 1 was identified at First Tier Review)
 - Standard 1.3: Meeting NQS
Demonstrating Exceeding Themes 1 and 2, but not 3
 - **Quality Area 2: Exceeding NQS**
 - Standard 2.1: Exceeding
 - Standard 2.2: Exceeding



- **Quality Area 3: Meeting NQS**
 - Standard 3.1: Meeting
 - Demonstrating Exceeding Theme 1, but not 2 or 3
 - Standard 3.2: Exceeding

 - **Quality Area 4: Exceeding NQS**
 - Standard 4.1: Exceeding
 - Standard 4.2: Exceeding

 - **Quality Area 5: Meeting NQS**
 - Standard 5.1: Meeting
 - Demonstrating Exceeding Themes 1 and 2, but not 3
(Exceeding theme 3 was identified at First Tier Review, and the rating for the Standard was amended to 'Exceeding')
 - Standard 5.2: Meeting
 - Demonstrating Exceeding Theme 1, but not 2 or 3
(Exceeding Themes 2 and 3 were identified at First Tier Review, and the rating for the Standard amended to 'Exceeding')

 - **Quality Area 6: Exceeding NQS**
 - Standard 6.1: Exceeding
 - Standard 6.2: Exceeding

 - **Quality Area 7: Exceeding NQS**
 - Standard 7.1: Exceeding
 - Standard 7.2: Exceeding
3. At First Tier Review, the Provider sought to have five Standards amended from 'Meeting' to 'Exceeding' (Standards 1.1, 1.2, 1.3, 3.1, 5.1, and 5.2). As noted in the list at **paragraph 2**, Standards 5.1 and 5.2 were amended from Meeting to Exceeding.



4. After First Tier Review, the Service's overall rating remained 'Exceeding the NQS'.
5. At Second Tier Review the Provider sought a review of the following standards which remained rated 'Meeting' after First Tier Review:
 - Quality Area 1, Standard 1.1 (Exceeding Theme 2 and 3)
 - Quality Area 1, Standard 1.2 (Exceeding Theme 2 and 3)
 - Quality Area 1, Standard 1.3 (Exceeding Theme 3)
 - Quality Area 3, Standard 3.1 (Exceeding Theme 2 and 3)

Evidence summary

6. The Panel considered all the evidence submitted by the Provider and the Regulatory Authority. This included:
 - The application for Second Tier Review and its attachments
 - The application for First Tier Review and its attachments
 - The Regulatory Authority's submissions to Second Tier Review
 - The Regulatory Authority's decision at First Tier Review
 - The Assessment and rating instruments and the draft and final reports
 - The service's feedback to the draft report
 - The Authorised Officer's response to the service's feedback
7. The Panel was also provided with advice from ACECQA on the areas under review.

The law

8. Section 151(1) of the National Law 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 [REDACTED] service with [REDACTED] approved places. The service is based in [REDACTED]
11. The Assessment and Rating visit took place on [REDACTED] 2019.
12. The Provider received the Draft Report on [REDACTED] 2019.
13. The Provider submitted their feedback on the Draft Report to the Regulatory Authority on [REDACTED] 2019. With this feedback, the Provider submitted [REDACTED] attachments containing evidence supporting their feedback on the Draft Report.
14. The Provider received the Final Report on [REDACTED] 2019.
15. The Regulatory Authority accepted the Provider's request for First Tier Review on [REDACTED] 2020 and notified the Provider of its decision on [REDACTED] 2020.
16. The Provider applied for Second Tier Review on [REDACTED] 2020.

Items for review by the Second Tier Review Panel:

Standard 1.1

17. Standard 1.1 is:

The educational program enhances each child's learning and development

Standard 1.1: Assessment and Rating – Draft Report

18. The Regulatory Authority assessed the service as having 'Met' all elements under Standard 1.1, but no Exceeding Themes were identified.
19. In the Assessment and Rating Evidence Summary, the Authorised Officer set out the following observed evidence:

"An educator walks around notifying all children they have five minutes until they go inside."



"Children's favourite hand rhymes are displayed."

"An educator asks the children, "Are you finished with this?" and changes the easel paper."

"An educator flips the sand timer, once the sand goes to the bottom we will be ready to go outside."

"The children are called in groups to go to the toilet."

"The children are separated in small groups to wash their hands before lunch."

"Educators sit with children and eat food, encouraging them to feed themselves."

"All children participate in a music and movement activity, children choose the songs they want."

"Management supported an educator in publishing and printing a book regarding classroom pets who were butterflies."

"Children sit around the table and participate in either a collage or cutting experience."

"Children participate in a music and movement experience listening to various cultural music."

"Children are encouraged to sign their own names on their own sign in sheet on arrival to the centre."

"An educator asks the children, "what is this?" as she takes a photo of their creation."

"Boomerang painting was organised as a follow up on a discussion about Indigenous items."

"Family grouping is offered at the centre at the beginning and end of the day."

"The [REDACTED] culture has been introduced into the preschool room."

An educator states, "We believe that the children learn from each other so family grouping is beneficial to all children as they interact together."



“What will happen if we put the soap in the middle?” an educator asks a group of children at an activity.”

“The service program is based on the STEAM principles. The educational leader provided research that all educators agreed with and realised that the program already complimented these principles.”

“A family member talks about the experiments that they have done at home and how beneficial seeing it implemented at school is.”

“An educator explains that she uses the child’s interests to develop their skills like creativity and pencil grip in the drawing activity the children are engaged in.”

“Children wait at the table, for educators to fill all the plates and then food is handed out to the children.”

20. In the Draft Report, the Authorised Officer made the following Analysis Note in relation to Standard 1.1:

“The service delivers a program founded on the Early Years Learning Framework that is catered to children's interests, ideas, and strengths while providing opportunities for children to refine their developing skills. Children are supported to participate in the program. Routines allow for needs of children to be met with consideration given to the differing ages of children attending.”

Standard 1.1: Provider’s feedback on Draft Report

21. The Provider submitted a response to the Draft Report in relation to Standard 1.1, arguing that the service goes above and beyond the Standard, citing examples including that Educators are supported to learn about children’s cultures, and that Educators understand the complexity of the learning outcomes.
22. The Provider submitted a variety of materials, compiled in the provider’s Draft Report feedback [REDACTED] as evidence of the Exceeding Themes in relation to Standard 1.1.

Standard 1.1: Final Report

23. In relation to Standard 1.1, the Authorised Officer noted that the Provider’s evidence was added to the Final Report, but the rating was not changed.



24. In the Final Report, the service's rating for Standard 1.1 was Meeting the NQS, with no Exceeding Themes found to be present.

Standard 1.1: First Tier Review Application

25. The Provider applied for First Tier Review, seeking recognition of all three Exceeding Themes under Standard 1.1.
26. The Provider relied on the same evidence attachment as cited at the Draft Report feedback stage.

Standard 1.1: First Tier Review Decision

27. At First Tier Review, the Panel considered evidence gathered by the Authorised Officer at the Assessment and Rating visit (set out above at **paragraph 19-20**). The Panel also considered the Provider's submissions in feedback to the Draft Report (noted above at **paragraph 21**).
28. The Panel found there was sufficient evidence of Exceeding Theme 1 in relation to Standard 1.1. The Panel amended Theme 1 from 'No' to 'Yes'.
29. However, the Panel found there was insufficient evidence that the service was demonstrating Exceeding Themes 2 and 3 under Standard 1.1. In relation to Exceeding Theme 2, the Panel stated:

"The panel acknowledges that the service have a coding system to link their program and that linking includes a symbol for the reflection process. The panel also recognises that the curriculum is discussed among staff and that educators are all able to contribute to this process. The panel feels that evidence which demonstrates robust discussion about the curriculum, the approved learning framework or educator practice in this area was not reflected in the notes recorded by the officer or the approved provider's submission."

30. In relation to Exceeding Theme 3, the Panel stated:

"The panel acknowledges that families were encouraged to provide feedback to the service in regards to Area 1 of the NQS. The panel also acknowledges that goal setting for children and the development of the curriculum happens with respect to each family's knowledge of their child. The panel feels though that the evidence submitted did not demonstrate how consistent and meaningful engagement with families has influenced the practice at the service for this Standard. The panel also feels that there was insufficient



evidence which related to the cultures at the service, the unique geographical and community context.”

31. The Panel declined to amend Exceeding Themes 2 and 3 to 'Yes'.
32. Following First Tier Review, the rating for Standard 1.1 remained 'Meeting the NQS'.

Standard 1.1: Second Tier Review

33. At Second Tier Review, the Provider relied on the same submissions as those made at the Draft Report feedback stage, and First Tier Review. In addition, the Provider submitted Second Tier Review [REDACTED] which relates to Quality Area 1.
34. In support of their Second Tier Review application, the Provider stated:

“ [REDACTED] will like a Second Review as we believe that QA1 and QA3 are also exceeding in our service as the NQF exceeding themes are embedded across our service, we use the exceeding themes in the guide to go above and beyond and to make sure we are maintaining an exceeding service.

We have looked again at our evidence that we have submitted to you and have also looked at the exceeding theme and we do believe that we are not only meeting the standards we are exceeding in QA1 and QA3 we have provided additional evidence in [REDACTED] and we hope this is sufficient to receive the exceeding rating in those 2 areas as well.

We really would like to thank the Regulatory Authority and the Panel Board for reviewing our evidence again.”

Standard 1.1: Second Tier Review Decision

35. The Panel considered the evidence provided with reference to the Exceeding Theme guidance indicators set out in the *Guide to the NQF*.



36. The Panel observed that the evidence in relation to Exceeding Theme 2 for Standard 1.1 consisted of some general statements, and relied on narrative which was occasionally not relevant to the Standard. The Panel acknowledged the “follow up reflections” taking place, but these appeared to be predominantly descriptive in nature and did not clearly link to learning outcomes. The Panel noted the service’s attempts to engage in critical reflection, but could not find evidence of how this reflection *informs* practice. The Panel discussed the documents related to audits at the service which were submitted as evidence in relation to Standard 1.1. The Panel felt that the audit evidence was unrelated to the Exceeding Themes for educational program or educator practice, and unrelated to the *Early Years Learning Framework*. The Panel acknowledged the importance of having such systems in place, but agreed that more is required to show ‘Exceeding’ practice. The Panel considered that reliance on the audit documents did not offer evidence of critical reflective practice expected at the Exceeding level under the NQS.
37. The Panel acknowledged that some elements of critical reflection may indeed be occurring at the service, but that the evidence provided did not clearly show this in relation to standard 1.1: the evidence did not show discussion or debate, or records of all educators providing input, and making and implementing difficult decisions together. The Panel observed that the systems cited as evidence of critical reflection were somewhat formulaic and typically resulted in description and commentary, rather than deep critical analysis which then informed practice.
38. The Panel noted that there was evidence that many decisions about children’s daily experiences were made by the children’s primary allocated teacher, and felt that this did not indicate the kind of collaborative and reflective processes across a network of educators required for an Exceeding rating under this Standard.
39. In relation to Exceeding Theme 3, the Panel discussed the way the service had attempted to engage children in learning about diverse cultures. The Panel could not identify clear evidence underpinning the rationale of these decisions to the age of the children and the relevance to children’s backgrounds. The Panel noted there were several examples in the evidence which could have been extended upon to more closely align with the Exceeding indicators, such as the family meetings and notes from families, but there was no sense of how these elements actually shaped practice, which is required for this Theme. The evidence showed that these events occurred, but did not identify their impact on practice.
40. The Panel observed that communication with families is occurring, however the evidence generally showed one-off examples, rather than meaningful engagement practices at a consistently ‘Exceeding’ level.



41. The Panel also discussed evidence given around the use of flashcards, after the suggestion was made by a child's family. The Panel noted that examples were given of the use of flashcards to address literacy concerns raised by the family, however no critical discussion or debate was had about the appropriateness of flashcards in the early childhood context and how the service might respond to this suggestion. The Panel noted that by focussing on a skill that a child has not yet developed, a deficit approach may be being employed rather than an approach which considers a child's knowledge and strengths in order to engage them in experiences to support improvement in less developed areas. Although sometimes activities of this nature may be requested by a child's family, the Panel felt this provides a good opportunity to engage in critical reflection and discussion with families and staff about how to support children's learning. Working through challenging questions such as this involving disagreement and debate is something the Panel was looking for in the evidence. The Panel was looking for more sophisticated examples of how engagement with families and community impacted and shaped practice with respect to the educational program, but could not find this.
42. The Panel commented that practice which demonstrates Exceeding Theme 3 must be more sophisticated and multi-layered than what was evidenced. For example, the Panel said that a linear approach of getting certain feedback from parents and implementing a relevant change is certainly good practice and it shows a positive relationship with families, but it does not sufficiently demonstrate consistent and systemic practice-shaping engagement over time and across the service.
43. By consensus, the Panel confirmed the rating for Standard 1.1 as 'Meeting'.

Standard 1.2

35. Standard 1.2 is:

Educators facilitate and extend each child's learning and development

Standard 1.2: Assessment and Rating

36. The Regulatory Authority assessed the service as having 'Met' all elements under Standard 1.2, but no Exceeding Themes were identified.
37. In the Assessment and Rating Evidence Summary the Authorised Officer set out the following observed evidence:



"A group of children asked for painting so the educators decided to do some sensory painting with the bubble wrap."

"An educator asks, "What will happen if you put the vinegar on the bi-carb soda?""

"An educator explains that they are doing road safety for this month and the children did a crossing collage and painted a crossing mural."

"An educator asks a child, "What would you like to do outside?""

"An educator demonstrates how to hold scissors, offers extra assistance to a child who needs support."

"An educator creates shapes with the stickle bricks, she identifies the shape and children repeat the word after her."

"An educator serves the children their morning tea."

"An educator asks a child, "Where would you like to put it?" The child says, "Can we put it outside to dry? I want to take it home.""

"An educator asks, "Can you cut a circle for me?""

"The children began to explore Aboriginal houses after the children were looking at a resources with an educator. A child asked 'where do they live' and then together researched different houses and the children began to paint their own representation of the houses."

"Children make paper boats and see if they can float on the water."

"Children are given the opportunity to serve their own food, educators offer assistance if required."

"Educators serve food in bowls and place it on the table in front of the children."

"Children stand near the educator asking for items they want from the shed."

"A group of children join an educator in a play dough making experience."

"A child is encouraged to hang the dress up outfit back on the hanger and with the other clothes."



"A colour experience has been implemented, placing celery and paper towels in coloured water. An educator prompts children by asking, "Can you see any changes with the celery?""

"An experience where various experiments have been set up for the children to explore using oil, food colouring and water experiment looking at what happens when these all mix together."

"An educator describes the colour and texture of the food that is in their bowls."

"Children get their bottle from the caddy and find a chair to sit."

"Educators use observations on the choices children make to initiate spontaneous activities or plan any intentional teaching."

38. In the Draft Report, the Authorised Officer made the following Analysis Note in relation to Standard 1.2:

"Programming is linked to children's interest, skills and abilities. Educators base decisions on knowing the skills and abilities of the children in their care. Educators respond to children's cues and ask open ended questions and promote children's agency."

Standard 1.2: Provider's feedback on Draft Report

39. The Provider submitted a response to the Draft Report in relation to Standard 1.2, arguing that "children are actively and consistently supported to engage in the program, and educators consistently acknowledge all children as capable and confident learners, allowing opportunities for children to test their limits and demonstrate success".
40. The Provider submitted Draft feedback evidence [REDACTED] with their feedback as evidence of the Exceeding Themes in relation to Standard 1.2.

Standard 1.2: Final Report

41. In relation to Standard 1.2, the Authorised Officer noted that the Provider's evidence was added to the Final Report, but the rating was not changed.
42. At the Final Report, the service's rating for Standard 1.2 was 'Meeting the NQS', with no Exceeding Themes.



Standard 1.2: First Tier Review Application

43. The Provider applied for First Tier Review, seeking recognition of all three Exceeding Themes under Standard 1.2.
44. The Provider relied on the same evidence as cited at the Draft Report feedback stage.

Standard 1.2: First Tier Review Decision

45. At First Tier Review, the Panel considered evidence gathered by the Authorised Officer at the Assessment and Rating visit (set out above at **paragraph 37-38**). The Panel also considered the Provider's submissions in feedback to the Draft Report, noted above at **paragraph 39**).
46. The Panel found there was sufficient evidence of Exceeding Theme 1 in relation to Standard 1.2. The Panel amended Theme 1 from No to Yes.
47. However, the Panel found there was insufficient evidence that the service was demonstrating Exceeding Themes 2 and 3 under Standard 1.2.
48. In relation to Theme 2, the Panel stated:

"The panel acknowledges that the approved provider claims that all educators are engaging in consistent reflection on this Standard of the NQS. The panel feels though, that evidence which supports these claims was limited and did not demonstrate how educators reflect on their practice or provide examples of these reflections. There was also no evidence to demonstrate how any reflections have influenced changes to practice relating to intentionality, responsiveness of the promotion of children's agency over time."

49. In relation to Theme 3, the Panel stated:

"The panel acknowledges that some evidence was provided to demonstrate family goal setting for their children and the inclusion of these goals within planned experiences. The panel also acknowledges that educators show an awareness of children's home lives and use these experiences to contribute to the curriculum. Although these practices support some family input into the curriculum it is the panel's view that this evidence is insufficient in demonstrating that all educators are consistently and meaningfully engaging with families to draw on their knowledge of their child. These evidences were limited in showing an ongoing commitment to practice in this area and also provided limited documentation that supported how service practice in relation to this standard is reflective of their unique geographical context"



50. Following First Tier Review, the rating for Standard 1.2 remained 'Meeting the NQS'.

Standard 1.2: Second Tier Review

51. At Second Tier Review, the Provider relied on the same submissions as those made at the Draft Report feedback stage, and First Tier Review. In addition, the Provider submitted Second Tier Review [REDACTED] which relates to Quality Area 1.
52. General submissions by the Provider are found at **paragraph 34**.

Standard 1.2: Second Tier Review Decision

53. The Panel considered the evidence provided with reference to the Exceeding Theme guidance indicators set out in the *Guide to the NQF*.
54. In relation to Exceeding Theme 2 at Standard 1.2, the Panel was unable to identify how reflection had influenced change, and could not see clear evidence of educator intentionality informing practices under this Standard. The Panel was unable to find evidence which sufficiently aligned with the Exceeding Theme indicators for Standard 1.2.
55. The Panel acknowledged the service's attempts to streamline processes, such as using a system of symbols in their documentation of children's learning. The Panel understands that it is likely that this system was employed to make paperwork tasks more efficient and to maximise time spent engaging with children, however the Panel thought it was possible that such a system did not sufficiently support the process of reflective discussion and elaboration. The Panel commended the service for their attempt in this regard, however the Panel considered the use of symbols for cross-referencing purposes may be creating a barrier to deeper consideration and reflection on each child's learning and development. For example, the Panel considered that the symbol system may result in educators identifying which symbol is required, then recording it without more meaningful critical reflection.
56. The Panel recommended the following resources which could support the service to further explore ideas around reflective practice and critical reflection:



- <https://www.acecqa.gov.au/sites/default/files/2019-09/Reflective-session-on-critical-reflection-presentation.pdf>
- <https://www.acecqa.gov.au/sites/default/files/2019-07/WHAT%20IS%20CRITICAL%20REFLECTION%20-%20NO%20EDITS.pdf>

57. The Panel looked for evidence of discussions between educators and different points of view being raised, which the Panel acknowledges may well be taking place already but the evidence did not adequately show this at the Exceeding level.
58. In relation to Exceeding Theme 3 under Standard 1.2, the Panel acknowledged the community connections already established by the service. The Panel noted evidence of positive relationships with families resulting in parents being invited to get involved at the service, the engagement with a parent who is a [REDACTED] teacher, and engagement with a local nursing home. While these were positive examples, the Panel did not find consistent evidence which reflected the Exceeding Theme indicators.
59. The Panel also wished to point out that the service's attempts at connections with families, while positive, were not shown to make a consistent impact in the *shaping* of the service's practice. Although there was evidence of parents connecting with the service to raise particular matters or by attending parent meetings, there was no evidence to show what came out of these interactions, what was done with that information, and how it impacted the learning and development of children in any systemic way.
60. The Panel observed that some of the notes on parent meetings related to functional matters, not learning and development. The Panel felt that 'Exceeding' practice under this Standard would require that the back-and-forth engagement between the service and the community would be embedded and systematic, and evidence of the results of these relationships *shaping* practice would be evident. Overall the Panel felt that a sense of longevity of practice was missing, although some positive examples were provided.
61. By consensus, the Panel confirmed the rating for Standard 1.2 as 'Meeting'

Standard 1.3

62. Standard 1.3 is:

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



Standard 1.3: Assessment and Rating

63. The Regulatory Authority assessed the service as having 'Met' all elements under Standard 1.3, but no Exceeding Themes were identified.
64. In the Assessment and Rating Evidence Summary, the Authorised Officer set out the following observed evidence:

"A weekly reflection is written for the program. Each room leader fills these reflection."

"Planned activities from previous experiences or follow up on observations are documented on the weekly program. Symbols are used to identify where the experience came from and the date the previous activity occurred."

"Staff complete a [REDACTED] form. These are provided by a consultancy agency and have a focus theorist each fortnight."

"Educators have begun individual reflections after the educational leader participated in a reflective practice workshop."

"Children's portfolios are available, consisting of work samples and learning stories."

"A science experiment to make slime was documented on the program, as a follow up a lemon and baking soda experiment was implemented."

"Observations are written as learning stories. Links to the learning outcomes are made with a description on how the child has met this."

"Each child has a [REDACTED] that is kept the whole time they are at the service. When an educator feels that a child has achieved any item on the chart a date is placed next to it. These dates are linked to an observation."

"Learning stories are published on [REDACTED] for families each day."

"A reflection on adding soft toys in the nursery to help develop language has been documented. The educational leader states they are still in the process of discussing this reflection."

"The service uses [REDACTED] to share daily journals with families."



"A weekly curriculum is displayed in each room."

"The Educational Leader discusses the planning cycle with educators mostly through verbal conversations."

"Families are encouraged to access their children's portfolios at any time."

"The Educational leader supports educators to develop their skills. This occurs with one on one discussions, staff meetings, and feedback to the educators."

65. In the Draft Report, the Authorised Officer made the following Analysis Note in relation to Standard 1.3:

"Children's learning and development is assessed as part of an ongoing cycle of planning, documentation, implementation and reflection. Reflections consider children as individuals and in groups. Families have access and are informed about their child's progress."

Standard 1.3: Provider's feedback on Draft Report

66. The Provider submitted a response to the Draft Report in relation to Standard 1.3, citing various examples of Educator practice.
67. The Provider submitted Draft feedback evidence attachment 3 with their feedback as evidence of the Exceeding Themes in relation to Standard 1.3.

Standard 1.3: Final Report

68. In relation to Standard 1.3, the Authorised Officer noted that the Provider's evidence was added to the Final Report, and Exceeding Themes 1 and 2 were changed to 'Yes'. Exceeding Theme 3 remained 'No'.
69. The service's rating for Standard 1.3 remained Meeting the NQS.

Standard 1.3: First Tier Review Application

70. The Provider applied for First Tier Review, seeking to have Exceeding Theme 3 recognised in relation to Standard 1.3
71. The Provider relied on the same evidence attachment as cited at the Draft Report feedback stage.



Standard 1.3: First Tier Review Decision

72. At First Tier Review, the Panel considered evidence gathered by the Authorised Officer at the Assessment and Rating visit (set out above at **paragraph 64-65**). The Panel also considered the Provider's submissions in feedback to the Draft Report, noted above at **paragraph 66**.

73. The Panel set out their view, stating:

The panel acknowledges that examples submitted in support of this Theme for this Standard show a collaborative document between families and educators in tracking each child's progress over time however the content of these documents is limited to dates and does not demonstrate how educators are consistently engaging with families in ways that are tailored to the needs of each child and family. The panel also acknowledges the attempts to include children of the service in this process although there was limited information from the provider regarding how this information is used to refine and improve service practice in this area over time.

74. The Panel concluded that there was insufficient evidence to amend Theme 3 to 'Yes'.

75. Following First Tier Review, the service's rating for Standard 1.3 remained Meeting the NQS.

Standard 1.3: Second Tier Review

76. At Second Tier Review, the Provider sought recognition of Exceeding Theme 3 under Standard 1.3. The Provider relied on the same submissions as those made at the Draft Report feedback stage, and First Tier Review. In addition, the Provider submitted Second Tier Review [REDACTED] which relates to Quality Area 1.

77. General submissions by the Provider are found at **paragraph 34**.

Standard 1.3: Second Tier Review Decision

78. The Panel considered the evidence provided with reference to the Exceeding Theme guidance indicators set out in the *Guide to the NQF*.



79. The Panel discussed their observations in relation to Theme 3 under Standard 1.3, and noted that the service is using lots of processes and systems to support their work, but found little evidence of how this actually improved or impacted practice. The Panel was looking for evidence of a diversity of voices and meaningful family and/or community engagement in the process of supporting children and assessing and planning for their learning and development.
80. While the Panel acknowledged that the service is doing good work and meeting the Standard, the Panel could not find clear evidence to support a rating of 'Exceeding'. For example, there was no consistent evidence of the service seeking out the voices, perspectives, and views of children throughout the day, nor drawing on this input in ongoing assessment and planning.
81. The Panel decided by consensus to confirm the rating for Standard 1.3 as 'Meeting'.

Standard 3.1

82. Standard 3.1 is:

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

Standard 3.1: Assessment and Rating

83. The Regulatory Authority assessed the service as having 'Met' all elements under Standard 3.1, but no Exceeding Themes were identified.
84. In the Assessment and Rating Evidence Summary, the Authorised Officer set out the following observed evidence:

"Warm soapy water is kept on the sink, in a sealed container. An educator confirms that this is used as an easy access to cleaning spills in the room."

"Soft fall compliance certificate is displayed."

"There are lockers available for children to store their belongings."

There is an office space for administrative tasks."

"There is a separate staff respite area."



"There are ■ learning environments consisting of three indoor learning rooms and ■ outdoor learning environments."

"The bathroom can be accessed by the outdoor environment."

"The children have to walk through the younger room to access the bathroom."

"There is a balance of natural and artificial light and adequate ventilation with screen doors for fresh air and air conditioning to assist in temperature control."

"Climbing equipment is placed on soft fall."

"Cleaning checklists are completed."

85. In the Draft Report, the Authorised Officer made the following Analysis Note in relation to Standard 3.1:

"The premises are appropriate for the provision of care and education, well maintained, attractively furnished and equipped for children's participation. The premises are clean, furniture and equipment are safe and well maintained with checking systems in place to ensure this is ongoing"

Standard 3.1: Provider's feedback on Draft Report

86. The Provider submitted a response to the Draft Report in relation to Standard 3.1, citing the way staff reflect on and consult the centre community in relation to planning the physical environment at the service.
87. The Provider submitted Draft feedback evidence ■■■■■ with their feedback as evidence of the Exceeding Themes in relation to Standard 3.1

Standard 3.1: Final Report

88. In relation to Standard 3.1, the Authorised Officer noted that the Provider's evidence was added to the Final Report, and Exceeding Theme 1 was amended to 'Yes'.
89. Exceeding Themes 2 and 3 remained 'No'.
90. The service's rating for Standard 1.3 remained 'Meeting the NQS'.

Standard 3.1: First Tier Review Application



91. The Provider applied for First Tier Review, seeking to have Exceeding Themes 2 and 3 recognised in relation to Standard 3.1.
92. The Provider relied on the same evidence as was submitted at the Draft Report feedback stage.

Standard 3.1: First Tier Review Decision

93. At First Tier Review, the Panel considered evidence gathered by the Authorised Officer at the Assessment and Rating visit (set out above at **paragraph 84-85**) in relation to Standard 3.1. The Panel also considered the Provider's submissions in feedback to the Draft Report, noted above at **paragraph 86**.
94. In relation to Exceeding Theme 2, the Panel commented:

"The panel acknowledges that the service has strong processes in place to manage risk, and ensure a safe clean and well maintained environment which is recognised through the attainment of Theme 1 in this Standard. The panel also noted the reflection and follow up regarding the free space available for children to move around the environment however, this was the only example of this practice which was submitted. The evidence reviewed in relation to this Theme for this Standard was limited in demonstrating that educators regularly use critical reflection to influence the design of the service and its physical spaces or that educators are flexible and reflective in the use of each physical space to meet the needs of each child."
95. In relation to Exceeding Theme 3, the Panel commented:

"The panel acknowledges the feedback from families which was submitted in support of this Theme for this Standard. Feedback was positive with families commenting on the physical premises and the physical changes that had been made. This feedback, whilst demonstrating families' satisfaction with the environment did not demonstrate how educators have provided families with opportunities for input or influence over the design of the service or any changes made over time. In addition, evidence for this standard does not demonstrate how the service's unique geographical context or represented cultures are reflected in the design of each learning space."
96. The Panel concluded that there was insufficient evidence to amend Exceeding Theme 2 or 3 to 'Yes' in relation to Standard 3.1.
97. Following First Tier Review, the service's rating for Standard 3.1 remained 'Meeting the NQS'.



Standard 3.1: Second Tier Review

98. At Second Tier Review, the Provider seeks recognition of Exceeding Themes 2 and 3 under Standard 3.1. The Provider intends to rely on the same submissions as those made at the Draft Report feedback stage, and First Tier Review. In addition, the Provider has submitted Second Tier Review [REDACTED] which relates to Quality Area 3.
99. General submissions by the Provider in relation to Second Tier Review are found at **paragraph 34**.

Standard 3.1: Second Tier Review Decision

100. The Panel considered the evidence provided with reference to the Exceeding Theme guidance indicators set out in the *Guide to the NQF*.
101. The Panel could not find evidence of true critical reflection in relation to the design of the facilities/physical environment, nor evidence of robust debate, discussion, and opportunities for input by all educators.
102. The Panel also observed limited evidence around sustainability and the service's work in this regard, although acknowledged that this may be occurring but not clearly represented in the evidence. The Panel could not find sufficient evidence of how reflection had led to decisions and changes in practice.
103. In relation to engagement with families, the Panel again could not see a link between the results of this engagement and any challenges or changes to service practice. The evidence simply showed that engagement occurred, but not how it *shaped* practice which followed.
104. The Panel noted that the evidence of cleaning, maintenance, and risk audits was focussed primarily on hazards and safety, rather than on the use of space and resources. The Panel noted that it is, of course, important to conduct audits and that such activities *support* good practice, however audit reports are not evidence of Exceeding practice in and of themselves.
105. The Panel encouraged the service to consider the ways in which they receive information and feedback from their community, and how this leads to discussion and robust debate which shapes educator decisions and daily



practice over time. The Panel could see that the service does have positive connections with families, but could not find the reflection on this relationship and its role in *shaping* practice in the way that is required for an 'Exceeding' rating in this Standard. The Panel encouraged the service to continue in the direction they are going in this area, and to build on their good work by looking at how their work in community and family engagement can impact their day to day practice in a more consistent and meaningful way.

106. The Panel decided by consensus to confirm the rating for Standard 3.1 as 'Meeting'.