FAIR WORK COMMISSION

MATTER NO. AM2018/18

Four Yearly Review of Modern Awards
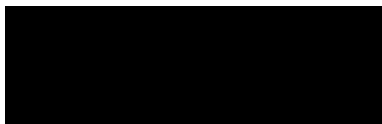
Children's Services Award 2010

Educational Services (Teachers) Award 2010

<div align="center">

Statement of Marianne Fenech

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I, Dr Marianne Fenech, of A35 –Education Building, The University of Sydney, in the State of NSW, say:

1. I am an Associate Professor in Early Childhood Education and Program Director of the Bachelor of Education/Master of Teaching (Early Childhood) at the University of Sydney. Annexed and marked A is a copy of my curriculum vitae.

2. On 22 February 2018 I was engaged by United Voice to provide a report. Annexed and marked B is a copy of the letter of engagement.

3. On 14 March 2019 I supplied to United Voice a report titled '*Report for the Fair Work Commission for the Four Yearly Review of Modern Awards AM2018/18 Children's Services Award 2010 & AM2014/266 Educational Services (Teachers) Award 2010*'. Annexed and marked C is a copy of this report.

██████████████████

Witness Signature

Marianne Fenech
Witness Name (printed)

Date: 14 March, 2019

DR MARIANNE FENECH - CURRICULUM VITAE

ACADEMIC QUALIFICATIONS

2011	PGCert HEd, Macquarie University
2007	PhD (Early Childhood), Macquarie University
2001	PGCert TESOL, Macquarie University
1998	MMgt (Community Management), University of Technology, Sydney
1991	Bachelor of Social Work (Hons), University of NSW

ACADEMIC EXPERIENCE

Jan 2016 – Current	Associate Professor, Early Childhood Policy Director of Early Childhood Programs University of Sydney
Jan 2015 – Current	Senior Lecturer and Director of Early Childhood Programs, University of Sydney (Level C)
July 2012 – Dec 2014	Senior Lecturer (Level C), Macquarie University
Jan 2011 – June 2012	Lecturer (Level B), Macquarie University
Jan 2008 - Dec 2010	ARC Postdoctoral Research Fellow, Macquarie University
July – Dec 2007	Lecturer (Level B), Macquarie University
Mar 2005 – Dec 2010	Casual lecturer & tutor, Macquarie and Charles Sturt Universities
Mar – June 2007	Senior Research Assistant, Macquarie University
Jan – Dec 2003	Research Assistant, Family Support & Services Project University of Sydney

RESEARCH

RESEARCH GRANTS

Competitive External Grant Applications

1. *ARC Linkage LP180100142 Engagement in early childhood education in the context of disadvantage.* To be *s*ubmitted September 2018. Skattebol, J., Blaxland, M., Newton, B.J., **Fenech**, M., Woodrow, C., Press, F. (Application has "Ready to Submit" status on ARC website).

Competitively Awarded External Grants

1. 2013-2017: Australian Research Council Linkage Project, '*What's best for my child? Parents' perspectives of childcare quality and early learning as contributors to childcare choice*' (LP130100129, $163,000). **Fenech**, M., Degotardi, S. & Sweller, N.

2. 2008-2010: Australian Research Council Discovery, '*A multi-modal investigation of current and proposed structures and processes determining and sustaining quality in Australian centre-based child care'* ($257,196). Harrison, L., Press, F., Sumsion, J., Bowes, J., **Fenech**, M. (ARC Postdoctoral Fellowship).

Competitively Awarded Internal Grants

1. 2016: Faculty Research Programs Grants, '*Supporting the authentic inclusion of marginalised children and families in early childhood education services: An exploration of teachers' socially just practices'* ($7,000). **Fenech**, M., Hayes, D., Davis, B., Skattebol, J.

2. 2016: Dean's Education Innovation Grants, '*Supporting the authentic inclusion of marginalised children and families in early childhood education services: An exploration of teachers' socially just practices'* ($3,000). **Fenech**, M., Davis, B., Hayes, D.

3. 2013-2014: Macquarie University Learning and Teaching Grant, '*Enhancing student engagement with management and leadership in early childhood through a hybrid model of problem-based learning*' ($9,989). **Fenech**, M. (Chief Investigator)

4. 2012: Macquarie University Partnerships Seeding Grants, 'What is best for my child: How parents in Australia think about and choose quality childcare' ($3,711). **Fenech**, M., Sweller, N. (Lead CI. Led the project conceptualisation and application).

5. 2011: Macquarie University Faculty Grant Writing Support Scheme, 'What is best for my child: Parents' views about quality in childcare' ($4,797). **Fenech**, M., Sweller, N.

6. 2006: Macquarie University Postgraduate Research Fund, ($3,120 to present at an international conference)

Contracts

1. 2014-2015: Community Child Care Co-operative, 'Advocacy in the professional practice of early childhood teachers: A case study exploration' ($2,327). Self-initiated project.

AWARDS AND FELLOWSHIPS

1. Postdoctoral Research Fellowship (December 2010). Awarded by the University of Sydney (Project Mentor Professor Gabrielle Meagher). Declined fellowship due to being offered a continuing Level B lectureship at Macquarie University).

2. Publication Award for Early Career Researchers (December 2009). Awarded by the Faculty of Human Sciences, Macquarie University.

3. Discovery Postdoctoral Research Fellowship (November 2007). Awarded by the Australian Research Council. ADP fellowship success rate: 17.8%.

4. Australian Postdoctoral Award (Industry) (December 2003). Awarded by the Australian Research Council for LP0454039 *Teachers' perceptions of the impact of the regulatory environment on professional practice* (2004 – 2006).

PUBLICATIONS

Books

1. Waniganayake, M., Cheeseman, S., Fenech, M. Hadley, F., & Shepherd, W. (2017). *Leadership: Contexts and complexities in early childhood education.* (2nd ed.). Melbourne: Oxford University Press.
   > Authorship was equally shared and included leading the writing of one new chapter, updating two chapters, and reviewing all other chapters. Oxford University Press is an esteemed publisher of scholarly work.

2. Waniganayake, M., Cheeseman, S., Fenech, M. Hadley, F., & Shepherd, W. (2012). *Leadership: Contexts and complexities in early childhood education.* (1st ed.)*.* Melbourne: Oxford University Press.
   > Authorship was equally shared and included leading the writing of three chapters and reviewing all others. Oxford University Press is one of the most esteemed publishers of scholarly texts in Australia. The book is used as a prescribed text in 24 initial early childhood teaching programs across Australia.
   > 41 citations. This work has significantly contributed to an emerging body of work theorising leadership in ECE contexts in Australia (e.g., Krieg, Smith & Davis, 2014; Sims, Forrest, Semann & Slattery, 2015) and internationally (e.g., Hujala, 2013; Heikka, 2013; Boe & Hognestad, 2017).

Book Chapters

1. *Fenech, M. (accepted 18 October, 2018). Pursuing a social justice agenda for early childhood education and care: Interrogating marketisation hegemony in the academy. In K. Freebody, S. Goodwin & H. Proctor. *Higher education, pedagogy and social justice: Politics and practice. Hampshire: Palgrave Macmillan.*

2. Brennan, D., & Fenech, M. (2014). Early education and care in Australia: Achieving equity in a mixed market? In L. Gambaro, K. Stewart & J. Waldfogel (Eds.), An e*qual start? Providing quality early education and care for disadvantaged children* (pp. 171-192). Bristol: Policy Press (7 citations)

Refereed Journal Articles

Under Review

1. Fenech, M. & Skattebol, J. (under review). Hard to reach families or services? Exploring barriers and facilitators to low income families' utilisation of early childhood education services. *International Journal of Inclusive Education.*

2. Hinton, A., Degotardi, S., Fenech, M. & Beath, A. (under review). Parents as childcare consumers: Choice or compromise? *Journal of Child and Family Studies.*

Published

1. Stratigos, T. & Fenech, M. (2018). Supporting parents' informed early childhood education and care choices through playgroups. *Australasian Journal of Early Childhood*, *43*(4), 14-21.

2. Fenech, M. & Wilson, D. (2018). The representation of the National Quality Framework in the Australian print media: Silences and slants in the mediatisation of early childhood policy. *Journal of Education Policy*, Online first.

3. Degotardi, S., Sweller, N., Fenech, M. & Beath, A. (2018, online first). Influences on parents' childcare choices: A comparative analysis of preschool and long day care users. *Child & Youth Care Forum*. doi: doi:10.1007%2Fs10566-018-9452-3

4. Beutler, D. & Fenech, M. (2018). An analysis of the Australian Government's Jobs for Families Child Care Package: The utility of Bacchi's WPR methodology to identify potential influences on parents' child care choices. *Australasian Journal of Early Childhood,* 43(1), 16-24*.*

5. Fenech, M. & Lotz, M. (2018). Systems advocacy in the professional practice of early childhood teachers: From the antithetical to the ethical. *Early Years: An International Research Journal, 38(1),* 19-34. doi: 10.1080/09575146.2016.1209739

6. Hinton, A., Degotardi, S. & Fenech, M. (2017). Parental knowledge and use of the National Quality Framework in their child care decision-making:

Informed believers, informed dismissers, and indifferent disregarders. *Australasian Journal of Early Childhood, 42*(4), 69-77. doi: 10.23965/AJEC.42.4.08.

7. Fenech, M. & Wilkins, D. (2017). Representations of childcare in the Australian print media: An exploratory corpus-assisted discourse analysis. *The Australian Educational Researcher, 44*(2), 161-190. Doi:10.1007/s13384-016-0225-4

8. Fenech, M. & Sweller, N. (2017). Problematising Australia's Nanny Pilot Program as evidence-based policy: A reconstruction of the problem of child care. *Australian Journal of Social Issues, 52*(2), 131-146. Doi: 10.1002/ajs4.12

9. MacKenzie, M., Cologon, K., & Fenech, M. (2016). "Embracing everybody": Approaching the inclusive early childhood education of a child labelled with Autism from a social relational understanding of disability. *Australasian Journal of Early Childhood, 41*(2), 4-12.

10. Fenech, M. (2013). Quality early childhood education for my child or for all children? Parents as activists for equitable, high-quality early childhood education in Australia. *Australasian Journal of Early Childhood, 38*(4), 92-98.

11. Fenech, M., Giugni, M., & Bown, K. (2012). A critical analysis of the National Quality Framework: Mobilising for a vision for children beyond minimum standards. *Australasian Journal of Early Childhood, 12*(4), 5-14.

12. Fenech, M. (2012). Parents as tasters of child care quality: Potential informants of policy beyond regulation. *Critical Studies in Education, 53*(3), 327-345.

13. Fenech, M. Harrison, L. & Sumsion, J. (2011). Parent users of high-quality long day care: Informed users of child care? *Australasian Journal of Early Childhood, 36*(1), 95-103.

14. Fenech, M. (2011). An analysis of the conceptualisation of 'quality' in early childhood education and care empirical research: Promoting 'blind spots' as foci for future research. *Contemporary Issues in Early Childhood, 12*(2), 102-117.

15. Fenech, M. Sweller, N. & Harrison, L. (2010). Identifying high quality centre based childcare using quantitative data sets: What the numbers do and don't tell us. *International Journal of Early Years Education, 8*(4), 283-296.

16. Fenech, M., Sumsion, J., & Shepherd, W. (2010). Promoting early childhood teacher professionalism in the Australian context: The place of resistance. *Contemporary Issues in Early Childhood*, 11(1), 89-105.

17. Fenech, M., Fleet, A. & Waniganayake, M. (2009). More than a shortage of early childhood teachers: Looking beyond the recruitment of university qualified teachers to promote quality early childhood education and care. *Asia-Pacific Journal of Teacher Education, 37*(2), 199-213.

18. Grace, R., Llewellyn, G., Wedgwood, N., Fenech, M., & McConnell, D. (2008). Far from ideal: Everyday experiences of mothers and early childhood

professionals negotiating an inclusive early childhood experience in the Australian context. *Topics in Early Childhood Special Education,28*(1), 18-30.

19. Fenech, M., Sumsion, J., Robertson, G., & Goodfellow, J. (2008). The regulatory environment: A source of job (dis)satisfaction for early childhood professionals? *Early Child Development and Care, 178*(1), 1-14.

20. Fenech, M., Sumsion, J. & Goodfellow, J. (2008). Regulation and risk: Early childhood education and care services as sites where 'the laugh of Foucault' resounds. *Journal of Education Policy, 23*(1), 35-48.

21. Fenech., M. & Sumsion, J. (2007). Promoting high quality early childhood education and care services: Beyond risk management, performative constructions of regulation*. Journal of Early Childhood Research, 5*(3), 263-283.

22. Fenech., M. & Sumsion, J. (2007). Early childhood teachers and regulation: Complicating power relations using a Foucauldian lens. *Contemporary Issues in Early Childhood, 8*(2), 109-122.

23. Fenech, M., Robertson, G., Sumsion, J. & Goodfellow, J. (2007). Working by the rules: Early childhood professionals' perceptions of regulatory requirements, *Early Child Development and Care, 177* (1), 93-106.

24. Fenech, M., Sumsion, J., & Goodfellow, J. (2006). The regulatory environment in long day care: A "double-edged sword" for early childhood professional practice. *Australian Journal of Early Childhood, 31*(3), 49-58.

25. Fenech, M. (2006). The impact of regulatory environments on early childhood professional practice and job satisfaction: a review of conflicting discourses. *Australian Journal of Early Childhood, 31*(2), 49–56.

Professional Non-Refereed Journal Articles

1. Fenech. M. (2017). Building parents' understandings of early learning and quality early childhood education and care. *Every Child, 23*(1), 22-23.

2. Fenech, M. & Degotardi, S. (2015). The best choice. *Rattler, 114*(Winter), 16-19.

3. Fenech, M. (2014). Share your 'secret teachers' business' with families. *Bedrock, 19*(3), 12-13.

4. Cheeseman, S., Fenech, M, & the staff at Tigger's Honeypot Childcare Centre (2013). The Early Years Learning Framework: Essential reading for the National Quality Standard. *Research in Practice Series, 19*(2), 1-27.

5. Fenech, M. (2011). Contributors to quality early childhood education in six case study centres: Gardens, orchestras, and synergies. *Bedrock, 16*(3), 18-19.

6. Fenech, M. (2010). New Staffing Requirements for Early Childhood Services: The Case for University Qualified Teachers. *Rattler, 94* (Winter), 18-22.

7. Fenech, M. (2006). Working in a regulatory environment: Challenges and opportunities. B*edrock, 11*(3), 18-19.

8. Fenech, M. (2006). Childcare quality assurance. *Rattler*, *79*(Spring), 26-29.

9. Fenech, M. (2005). Optimising professional practice and quality care: Early childhood professionals' perceptions of the impact of the regulatory environment in NSW long day care. *Bedrock,* 10(1), 13-16.

10. Fenech, M. (2005). Working in a regulatory environment: A source of job (dis)satisfaction for early childhood professionals? *Bedrock*, 10(3), 14-16.

CONFERENCE PRESENTATIONS

International

1. Fenech, M., Sweller, N. & Degotardi, S. (2017, August). Parents' understandings of and beliefs about quality childcare as influences on childcare choice. Paper presented at the 27th European Early Childhood Education Research Association Annual Conference, Bologna.

2. Degotardi, S., Sweller, N. & Fenech, M. (2017, August). Influences on parents' child care choices: A comparative analysis of preschool and long day care users. Paper presented at the 27th European Early Childhood Education Research Association Annual Conference, Bologna.

3. Fenech, M., Shepherd, W. & Sumsion, J. (2009, August). Early childhood teachers as professionals: Resisting sameness in early childhood education and care. Paper presented at the 19th European Early Childhood Education Research Association Annual Conference, Strasbourg.

4. Harrison, L., Fenech, M., Sweller, N. (2009, August). Is child care policy backed up by research? And if not, why not? Paper presented at the 19th European Early Childhood Education Research Association Annual Conference, Strasbourg.

5. Fenech, M., & Sumsion, J. (2006, December). Early childhood teachers and regulation: Complicating power relations using a Foucauldian lens. Paper presented at the Reconceptualizing Early Childhood Education (RECE), Research, Theory and Practice Conference, Rotorua.

National

1. Fenech, M., Salaman, A., & Hinton, A. (2016). What's best for my child? Building parents' understandings of early learning and quality early childhood education and care. Paper presented at the Early Childhood Australia National Conference 2016. This is childhood: Pedagogy and practice in the early years*.* October 5-8, Darwin Convention Centre

2. Fenech, M. (2015, July). The rise of the Nanny State in Australia: Do parents and children stand to gain? Paper presented at the 2015 Biennial Australian Social Policy Conference, Sydney

3. Fenech, M., Sweller, N. & Degotardi, S. (2015, July). Looking beyond affordable, accessible and flexible child care: Exploring parental understandings about 'quality' and early learning as potential influences on child care choice. Paper presented at the 2015 Biennial Australian Social Policy Conference, Sydney

4. Hinton, A., Fenech, M., Sweller, N. & Degotardi, S. (2015, July). Quality or quantity? Choice or compromise? Influences on the child care choices of parents considering using formal child care for the first time. Paper presented at the 2015 Biennial Australian Social Policy Conference, Sydney

5. Fenech, M. (2011, July). Parents as tasters of child care quality: Potential informants of policy beyond regulation? Paper presented at the 2011 Biennial Australian Social Policy Conference, Sydney

6. Fenech, M., Harrison, L., & Sumsion, J. (2010, December). Parent users of high-quality long day care: Informed consumers of childcare? Paper presented at the Annual Conference of the Australian Association for Research in Education, Melbourne

7. Fenech, M., Sweller, N. & Harrison, L. (2009, July). Identifying high quality centre based childcare using quantitative data sets: What the numbers do and don't tell us. Paper presented at the 2009 Biennial Australian Social Policy Conference, Sydney

8. Fenech, M., Harrison, L., Sumsion, J., Press, F., & Bowes, J. (2008, December). A multi-perspective approach to quality in long day care: Considerations for the National Quality Framework. Paper presented at the Annual Conference of the Australian Association for Research in Education, Brisbane

9. Fenech, M., & Sumsion, J. (2007, July). Promoting high quality early childhood education and care services: Beyond a risk management, performative regulatory environment. Paper presented at the 2007 Biennial Australian Social Policy Conference, Sydney

10. Fenech, M., Sumsion, J., & Goodfellow, J. (2006, December). Regulation and risk: Early childhood education and care services as sites where 'the laugh of Foucault' resounds. Paper presented at the Annual Conference of the Australian Association for Research in Education (AARE), Adelaide

11. Fenech, M., Sumsion, J., & Goodfellow, J. (2006, January). Optimising professionalism and quality in long day care: Early childhood professionals' perceptions of the impact of the regulatory environment. Paper presented at the Annual Conference of the Australian Association for Research in Education (ARECE), Melbourne

12. Fenech, M., Sumsion, J., & Goodfellow, J. (2005, December). *Working by the rules: Early childhood professionals' perceptions of regulatory requirements.* Paper presented at the Annual Conference of the Australian Association for Research in Education (AARE), Sydney

13. Fenech, M. (2005, July). *NSW early childhood professionals' perceptions of the regulatory environment as a potential source of job (dis)satisfaction.* Paper presented at the Biennial Australian Social Policy Conference, Sydney

RESEARCH SUPERVISION

Completions

Masters

1. *G*ide, S. (MED[Res]). 'An exploration of leadership in high quality early childhood education services'. (2017). Principal Supervisor.
2. Velez, A. (MRES), 'Developing early childhood advocates: The role of teacher preparation programs in NSW' (2014). Principal Supervisor.
3. Mackenzie, M. (MECH), 'Case study of the inclusion of a child with Autism in to mainstream childcare: Beyond integration' (2012). Principal Supervisor.

Honours

1. Togher, M. (2018). Ongoing quality improvement in the context of the National Quality Framework: Exploring the perspectives of educators in 'Working Towards' services. Principal Supervisor.
2. King, S. 'Perceptions of early childhood teacher accreditation. Moving us forward or back?' (2017). Principal Supervisor.
3. Beutler, D. 'The utility of Bacchi's methodology to analyse social policy: The Australian Government's Child Care Assistance Package (2015) as a case in point'. (2016). Principal Supervisor.
4. McGee, Felicity. 'Directors' perspectives and experiences of the National Quality Framework Assessment and Ratings process'. (2016). Principal Supervisor.

Current

PhD

1. Hinton, A. 'What's best for my child? A longitudinal exploration of parent perspectives of childcare quality and early learning as contributors to child care choice'. (Principal Supervisor Dec 2013 – Dec 2014; Associate Supervisor Jan 2015 – current following my move to USYD). Expected completion date: November 2018.
2. Tao, X. 'The Role of the Arts in Preschool Education - Music in Australia v. China' (Associate Supervisor). Expected completion date: August 2018.
3. Olsen, A. 'Exceeding the National Quality Standard in Long Day Care settings: A behind the scenes study of the hidden work of educators in high quality services' (Principal Supervisor). Expected completion date: September 2020.

MPhil

1. Jones, S. 'Montessori leaders and their impact on teachers' (Principal Supervisor). Expected completion date: December 2018, and transferring to a PhD.

- Elected as Chair of the NSW Early Childhood Teacher Education Council (November 2015). Extended active membership to program leaders from all 13 higher education institutions that offer early childhood degree programs. Led a renewed advocacy focus. Invited presentation to the 2017 NSW Council of Deans of Education Annual Conference

- Established the National Early Childhood Teacher Education Network, under the auspices of the Australian Council of Deans of Education (February 2017 - current). The Network comprises Early Childhood Councils representing each state and territory across Australia and a total of 44 higher education institutions). Nominated as Chair (Feb 2017 – current). Invited presentation to the Australian Children Education and Care Quality Authority's Higher Education Roundtable (November 2017)

- Initiated and co-convened a sector wide advocacy forum attended by over 40 sector stakeholders. Ensuing recipient of the Faculty of Human Sciences, Macquarie University Award for Contributions that Enhance the Profile of a Department or the University (2014)

- Co-developed and co-implemented ECRs@MQ, a support program designed to assist Early Career Researchers (ECRs) to develop an academic career plan and a coherent program of research (2010-2011). Subsequent recipient of the Faculty of Human Sciences, Macquarie University Award for Contributions that Enhance the Profile of a Department or the University (2011)

- 12 invitations to present at sector forums since 2005

- Lead author or co-author of 12 submissions to government reviews or consultations

TEACHING

AWARDS / RECOGNITION

- Recipient of a 2017 Faculty of Arts and Social Sciences *Excellence in Teaching* award

- Recipient of seven Deans awards for *Excellence in Teaching* (2015 – Current)

- Consistent high student evaluations for MQ units of study, with all average ratings ranging from 4.5 – 4.9 out of 5

- Recipient of a formal letter of congratulations for my high quality teaching from MQ's Faculty Executive Dean (2013)

UNITS OF STUDY

Convening roles have included responsibility for: curriculum design and implementation; unit management and evaluation; moderation and submission of

grades; responding to student and tutor queries; and recruiting, supporting and mentoring of teaching staff. EDEC units are undergraduate units (BEd[EC]); EDMT units are postgraduate (MTeach[EC]).

For the units listed below that I co-ordinated but did not teach, I provide average unit of study scores and note the scores for the highest top two rated items. For the units that I both co-ordinated and taught, I provide average unit of study scores and note students' level of satisfaction with my teaching. All scores are out of 5.

January 2015 – Current (USYD)

2017 S2

EDEC1007 Health and Wellbeing in Early Childhood
  Unit co-ordination (20hours), 1 lecture (3 hours)
  56 students (UG).
  Average UoSS score: 3.82. Achieved 3.95 for setting assessments tasks that challenged students to learn.

EDEC3004 Management and Administration in Early Childhood
  Unit coordination (15 hrs)
  30 students (UG)
  Average UoSS score: 3.85. Achieved 4.05 for developing students' critical and analytical skills and 4.14 for setting assessments tasks that challenged students to learn.

EDEC4005 Professional Leadership and Advocacy
  Unit co-ordination (15 hours), 1 lecture (3 hours)
  29 students (UG)
  Average UoSS score: 4.3. Achieved 4.54 for setting assessments tasks that challenged students to learn and 4.35 for providing access to valuable learning resources.

2017 S1

EDEC1005 Introduction to ECE
  Unit coordination (20 hrs), unit development (25 hours), 10 lectures (30 hours), 12 tutorials (24 hours)
  61 students (UG)
  Average UoSS score: 4.0. 79.2% of students were satisfied with the teaching provided by myself and two tutors.

EDEC2003 Diversity and Indigenous Studies in Early Childhood
  Unit co-ordination (20 hrs)
  48 students (UG)
  Average UoSS score: 4.2. Achieved 4.28 for three items: setting assessments tasks that challenged students to learn, providing good access to valuable learning resources, and enabling a developing awareness of inclusive practices.

EDEC3001 Ethics and Social Justice
  Unit coordination (15 hrs)
  27 students (UG)
  Average UoSS score: 4.5. Achieved 4.74 for both developing students' critical

and analytical skills and providing an intellectually rewarding unit.

EDEC3002 Early Learning with Infants and Toddlers
Unit coordination (15 hrs)
29 students (UG)
Average UoSS score: 4.0. Achieved 4.14 for setting assessments tasks that challenged students to learn and enabling a developing awareness of inclusive practices.

EDEC4001 Creating effective parent partnerships
Unit co-ordination (15 hrs), 1 lecture
29 students (UG)
Average UoSS score: 3.9. Achieved 4.07 for developing students' critical and analytical skills and 4.33 for enabling a developing awareness of inclusive practices.

EDMT5686 Early Childhood Health and Wellness
Unit co-ordination (15 hrs), 1 lecture
22 students (PG)
Average UoSS score: 4.3. Achieved 4.67 for developing students' professional identity and 4.40 for providing a unit that was intellectually rewarding.

EDMT6632 Early Childhood Leadership
Unit co-ordination (15 hrs)
21 students (PG)
Average UoSS score: 4.8. Achieved 4.38 for enabling students to develop their communication skills and 4.33 for setting assessments tasks that challenged students to learn.

EDMT6633 Family, Community and Contexts
Unit co-ordination (15 hours)
20 students (PG)
Average UoSS score: 4.0. Achieved 4.21 for enabling students to develop their communication skills and 4.07 for developing students' critical and analytical skills.

2016 S2

EDEC1002 Health and Wellness in Early Childhood
Unit co-ordination (20hrs), 1 lecture (6 hrs)
43 students (UG)
Average UoSS score: 4.3. Achieved 4.35 for providing good access to valuable learning resources and 4.32 for providing a unit that was intellectually rewarding.

EDEC1003 Changing Childhoods
Unit co-ordination (20hrs)
42 students (UG)
Average UoSS score: 3.3. Achieved 3.82 for setting assessments tasks that challenged students to learn and 3.71 for providing a unit that was

intellectually rewarding.

EDEC3004 Management and Administration in Early Childhood
Unit coordination (15 hrs)
33 students (UG)
Average UoSS score: 3.9. Achieved 4.00 for both developing students' critical and analytical skills and setting assessments tasks that challenged students to learn.

EDEC4005 Professional Leadership and Advocacy
Unit co-ordination (15 hours), 1 lecture
26 students (UG)
Average UoSS score: 4.0. Achieved 4.18 for setting assessments tasks that challenged students to learn and 4.14 for providing a unit that was intellectually rewarding.

EDUF1019 Human Development and Education
1 invited guest lecture
350 students (UG)

2016 S1

EDEC2003 Diversity and Indigenous Studies in Early Childhood
Unit co-ordination (20 hrs)
42 students (UG)
Average UoSS score: 3.6. Achieved 3.92 for enabling a developing awareness of inclusive practices and 3.65 for both setting assessments tasks that challenged students to learn and developing students' critical and analytical skills.

EDEC3001 Ethics and Social Justice
Unit coordination (15 hours)
25 students (UG)
Average UoSS score: 3.7. Achieved 4.08 for developing students' awareness of inclusive practices and 3.96 for setting assessments tasks that challenged students to learn.

EDMT5686 Early Childhood Health and Wellness
Unit co-ordination (15 hours), 1 lecture
17 students (PG)
Average UoSS score: 4.2. Achieved 4.44 for enabling students to develop their professional identity and 4.38 for providing good access to valuable learning resources.

EDMT6632 Early Childhood Leadership
Unit co-ordination (15 hours)
18 students (PG)
Average UoSS score: 3.8. Achieved 4.24 for enabling students to develop their professional identity and 4.06 for setting assessments tasks that challenged students to learn.

EDMT6633 Family, Community and Contexts

Unit co-ordination (15 hours)
18 students (PG)
Average UoSS score: 3.9. Achieved 4.12 for both enabling students to develop their professional identity and communication skills.

EDUF1018 Education, Teachers and Teaching
1 invited guest lecture (2 hours preparation, 1 hour delivery)
370 students (UG)

2015 S2

EDEC1003 Changing Childhoods
Unit co-ordination (20hrs)
43 students (UG)
Average UoSS score: 4.4. Achieved 4.56 for setting assessments tasks that challenged students to learn and developing a unit that was intellectually rewarding.

EDEC3004 Management and Administration in Early Childhood
Unit coordination (15 hrs), 12 lectures, 12 tutorials
23 students (UG)
Average UoSS score: 4.5. 84.4% of students were satisfied with the quality of my teaching.

EDEC4005 Professional Leadership and Advocacy
Unit co-ordination (15 hours), 12 lectures, 12 tutorials
17 students (UG)
Average UoSS score: 4.4. 93.3% of students were satisfied with the quality of my teaching.

EDUF1019 Human Development and Education
1 guest lecture (5 hours preparation, 1 hour delivery)
370 students (UG)

2015 S1

EDEC3001 Ethics and Social Justice
Unit coordination (15 hours)
21students (UG)
Average UoSS score: 3.2 Achieved 3.83 for setting assessments tasks that challenged students to learn and 3.50 for developing students' critical and analytical thinking skills.

EDMT6504 Administration in Early Childhood
Unit co-ordination (15 hours). 12 lectures and 12 tutorials.
20 Students (PG)
Average UoSS score: 4.4. 93.8% of students were satisfied with the quality of my teaching.

EDUF1018 Education, Teachers and Teaching
        1 guest lecture (6 hours preparation, 1 hour delivery)
        370 students (UG)

January 2011 - December 2014 (MQ)

ECH120 Foundation Studies in Early Childhood
        Unit co-ordination, lecturing and tutoring
        Average 280 students (UG)

ECH315 The Socio-Political Context of ECE (UG; average 240 students)
        Unit co-ordination, lecturing and tutoring
        Average 240 students (UG)

ECH435 Management and Leadership II: Building Learning Environments
        Lecturer and tutor
        Average 200 students (UG)

ECH453 Leadership in Early Childhood: Social Policies and Social Systems
         Lecturer and tutor
        Average 30 students (UG)

ECED826 The Socio-Political Context of ECE (PG; average 28 students)
        Unit co-ordination, lecturing and tutoring
        Average 28 students (PG)

ABEC340 Management in ATSI EC Contexts
        Unit co-ordination, lecturing and tutoring
        Average 12 students (UG Indigenous)

ABEC240 Managing people
        Unit co-ordination, lecturing and tutoring
        Average 12 students (UG Indigenous)

January - July 2007

ECH120 Foundation Studies in Early Childhood
        Unit co-ordination, lecturing and tutoring
        280 students (UG)

GOVERNANCE, LEADERSHIP AND ENGAGEMENT

SERVICE TO THE UNIVERSITY OF SYDNEY

University
- Academic Board nominee (2017)
- Expert advisor for Campus Infrastructure Services, re the development of a USYD early childhood centre of excellence (2015-2016)

School/Faculty
- Invited member of the FASS Education Innovation Group (February 2018 - Current)
- Member of the School's Workload Committee (2015 – Current)
- Invited presentation, Social Justice Seminar Series, 'Pursuing a social justice agenda for early childhood education in the context of marketised provisioning' (2017)
- Invited presentation, 'Supporting curriculum, research and professional sustainability and growth through interdisciplinary collaboration' (2016)
- Invited presentation, Higher Degree Research seminar, 'Working with Foucault' (2016)
- Invited examiner of two social work Honours theses (2016)
- Provided advice to Dr Christine Preston on the development of a student satisfaction survey and review report for the BEd (Primary) internal review
- Written submission in response to the 2014 Review of the National Quality Framework (2015)

SERVICE TO MACQUARIE UNIVERSITY

University
- University Human Research Ethics Committee (2012-2014)
- Co-development and co-implementation of ECRs@MQ, a program designed to assist Early Career Researchers (ECRs) to develop an academic career plan and a coherent program of research (2010-2011)

Faculty
- Review of ARC grant applications (2014)
- Human Sciences Student Discipline Committee (2011)

Department
- Co-director of higher degree research (July 2014-December 2014)
- Institute Advisory Board member (February 2014-December 2014)
- Academic Advisor (January 2011-December 2013)
- Chair of the IEC's Plagiarism Committee (2011-2013)
- Practicuum Advising ECHP122 (2007; 2011-December 2014)
- Written submissions for the Institute of Early Childhood
  - Lead author, Response to the Productivity Commission's Draft Report on Childcare and Early Childhood Learning, submitted September 4, 2014

- Co-author, Response to the Productivity Commission's Draft Research Report on the Early Childhood Development Workforce, submitted August 30, 2011
- Author, Response to Information Paper on the Education and Care Services National Law and Proposed National Regulations, submitted April 5, 2011
- Author, Response to the draft National Quality Standard and Assessment and Rating System, submitted January 28, 2011
- Co-author, Response to the Regulatory Impact Statement Early Childhood Development Strategy, submitted August 2009
- Co-author, Response to the Australian Government's draft National Quality Framework, submitted October, 2008
- Co-author, Submission to the National Childcare Accreditation Council re proposed changes to the Quality Assurance and Accreditation System, submitted July 2006
- Lead author, Submission to the Taskforce on Reducing the Regulatory Burden on Business, submitted October 2005
- Lead author, Submission to the Review into the National Child Care Standards, submitted December 2005
- Lead author of letters to the federal Minister for School Education, Early Childhood & Youth, the Minister for Employment Participation and Childcare, the NSW Education Minister, and the Chair of the Australian Children's Education and Care Quality Authority re the qualifications of National Quality Standard assessors (September 20, 2011)

SERVICE TO THE EARLY CHILDHOOD ACADEMIC PROFESSION

Thesis Examinations

1. Turner, M. (2017). Uttering the unspoken: Early childhood educators' conceptions of the impact of regulation on their profession. Doctor of Philosophy (EC). University of Southern Queensland.
2. Price, E. (2017). An exploration of the increasing significance and impact of accountability in ECEC classrooms: Addressing the challenges to contemporary constructivist perspectives. Doctor of Education. University of Southern Queensland.
3. Pek, P. (2014). A study of childcare teacher retention in the Singaporean early childhood industry. Doctor of Business Administration. Southern Cross University
4. Banks, M. (2013). Relationships in early childhood education and care: A qualitative study of the parent-teacher relationship from a parent's perspective. Master of Education (Hons) Thesis. University of New England
5. Jovanovic, J. (2012). 'It's not just low wages and status': Retention issues facing Australian child care services. Doctor of Philosophy (EC). University of South Australia

PhD Endorsement Panel Member

1. Invited reviewer of Amelia Ruscoe's PhD thesis proposal: *Power, perspective and affordance in early childhood education*. Edith Cowan University. January 2018.

2. Invited panelist for Helen Logan's endorsement of candidature. PhD topic: *Constructions of quality within Australian early childhood education and care between 1972 and 2010*, Charles Sturt University, December 2010.

Invited reviewer of scholarly manuscripts

1. O'Hara, M., Carter, C., Dewis, P., Kay, J. & Wainwright, J. *Successful dissertations: The complete guide for education, childhood and early childhood studies students. (2nd ed.). London:* Bloomsbury. Reviewed February, 2016 and June, 2017.

2. Irving, E. & Carter, C. *The child in focus: Teaching and learning in early childhood education.* South Melbourne: Oxford University Press. Reviewed December 2016.

SERVICE TO THE EARLY CHILDHOOD SECTOR

Australian Early Childhood Teacher Education Network (AECTEN)
- Established this Network and was elected as Chair in February 2017. AECTEN is the first national body to promote quality initial early childhood teacher education in Australia.
- I contacted, liaised with, and encouraged leaders of early childhood teacher education programs from higher education institutions across Australia to establish state/territory Councils. As a result of this work each state/territory is now represented in one of five Councils, and AECTEN has 13 members representing 44 higher education institutions across Australia.
- Invited presentation to the Australian Children Education and Care Quality Authority's Higher Education Roundtable (November 2017)
- In December 2017 I led the establishing of AECTEN as a network of the Australian Council of Deans of Education.

NSW/ACT Early Childhood Teacher Education Council
- Elected as Chair in November 2015. Achievements in this role to date include:
  - Extending membership of initial teacher education program leaders from six to all 14 higher education institutions that offer early childhood degree programs in NSW and the ACT
  - Extending the Council's activities from resourcing and supporting members to conducting advocacy work aimed at improving the quality of initial early childhood teacher education programs e.g., meeting with the NSW Early Childhood Education Minister Sarah Mitchell (July 2017); leading and co-presenting a session on the provisioning of BEd(EC) Birth – 12 programs at the August 2017 NSW Council of Deans of Education conference; presenting a session on the work of the Council and on the provisioning of EC initial teacher education programs in Australia to OMEP (NSW Chapter; the World Organisation for early Childhood Education; September 2017)

Sector Wide Advocacy Forum

- Convenor of the *Giving children the best start in life* forum, which led to the development of a sector wide response to the Productivity Commission's report on Childcare and Early Childhood Learning. August 26, 2014, Macquarie University. The forum was attended by over 40 representatives from early childhood academics, peak organisations, unions and providers. Outcomes included Sydney Morning Herald media coverage of the issues, and ACECQA beginning to release NQS data on quality by management type. The latter point was significant as it allowed access to data that showed an under-representation of quality services provided by the for-profit sector.
- Invited presenter at the Community Child Care Co-operative's 2016 election forum. 200 attendees + online podcast available.

Invited Keynote Conference/Roundtable Presentations for Peak Early Childhood Organisations

- Community Child Care Co-operative, Inform: A Research event, *Political advocacy in the professional practice of early childhood educators: How do we get there?* October 6, 2015
- NSW/ACT Independent Education Union, Activate! Articulate! Remunerate! 2014 Annual Conference. *Partnerships with families: From working for quality for one's child to quality ECE for all children*. August 30, 2014
- Early Childhood Australia Hunter regional group Political Advocacy Conference. *Systems advocacy in the professional practice of early childhood teachers.* May 5, 2014
- Semann & Slattery/Macquarie University, Creating New Frontiers in Early Childhood Leadership Roundtable. *Leading for Quality.* November 23, 2011
- NSW/ACT Independent Education Union Annual Early Childhood Services Conference. *Contributors to quality early childhood education in six case study centres: Gardens, orchestras, and synergies.* September 10, 2011
- Social Justice in Early Childhood Annual Conferences: '*Towards a multi-perspective approach to Quality: Considerations for the development of the accreditation of long day care services*'. April 12, 2007; '*A multi-perspective approach to quality: Considerations for the accreditation of long day care services*'. April 12, 2008
- SDN Children's Services Conference, *Working in a regulatory environment: Challenges and opportunities.* August 26, 2006
- Sector Child Care Co-operative Quality Assurance forum. May 31, 2006
- NSW/ACT Independent Education Union Early Childhood Services Conferences: *Impact of regulation on teachers' professional practice (I)*. September 18, 2004; *Impact of regulation on teachers' professional practice (II)*. September 10, 2005

Invited Participant and Contributor to National Roundtable Early Childhood Discussions and Submissions

- Australian Work + Family policy roundtables 2014: Delivered presentation on the *Productivity Commission review into childcare and early childhood learning: Quality perspectives* (March 24); Contributed to ensuing submissions to the Productivity Commission in April and September

- 2006, July 13-14. 'Childcare: A better policy framework for Australia'. My participation here led to my writing of one of the ensuing ten policy principles (pertaining to the regulation of early childhood services) for a national system of quality early childhood education and care. These principles were published in a subsequent edited book which was given widespread media attention and disseminated to relevant policy makers and government departments
- Productivity Commission roundtable discussion on Education and Training for ECEC workers, February 28, 2011

Invited Professional Development Workshops for Teachers and Early Childhood Practitioners

- NSW/ACT Independent Education Union Early Childhood Services Conferences: August 30, 2014, September 10, 2011, September 10, 2005, September 18, 2004
- Social Justice in Early Childhood group, *Parents and activism workshop*. June 1, 2013
- Marrickville Council, *Working in a regulatory* environment - professional development workshops for 20 early childhood teachers and educators. March-May, 2006
- Queensland Department of Education Child Care Skills Formation strategy project. September 28, 2007

Media Profile

- Caines, K. (2017, March 20). Preschools offering luxury services continues to rise in the inner west. http://www.dailytelegraph.com.au/newslocal/inner-west/preschools-offering-luxury-services-continues-to-rise-in-the-inner-west/news-story/47bc53c501c8cb63b6d2b1dd0a1d8a09
- Smith, L. (2016, August 23). Clinton's childcare policy trumps Australia's. *Early Learning Review.* http://www.earlylearningreview.com.au/clintons-childcare-policy-trumps-australias/
- Graham, L. & Fenech, M. (2014). Keeping kids in school is not as simple as carrots and sticks. *The Conversation*, October 9. https://theconversation.com/keeping-kids-in-school-is-not-as-simple-as-carrots-and-sticks-31511
- Rossmanith, A. (2011, July). Quality Time. *Sydney's Child*, pp. 12-13 (and other syndicate 'Child' papers). Expert opinion sought on the Australian Government's regulatory reforms. Letter to the editor (2010): Long-term benefits from high quality care. *Sydney Morning Herald*, August 16

Review of Scholarly Journal Articles (2007-current)

- Asia-Pacific Journal of Teacher Education (Scimago rated Q1 journal)
- Australian Educational Researcher (Scimago rated Q2 journal).
- Australian Journal of Social Issues (Scimago rated Q3 journal)
- Australasian Journal of Early Childhood (Scimago rated Q4 journal)
- Contemporary Issues in Early Childhood (Scimago rated Q2 journal)
- Critical Studies in Education (Scimago rated Q1 journal)

- Early Years (Scimago rated Q2 journal)
- International Journal of Early Childhood (Scimago rated Q3 journal)
- Journal of Education Policy (Scimago rated Q1 journal)
- Teaching and Teacher Education (Scimago rated Q1 journal)
- Teaching Education (Scimago rated Q1 journal)

Meeting Requests for Expert Advice

- Provided expert advice – following expressed invitation – to Professor Deborah Brennan for the Council of Australian Government's 2017 review into early childhood education (September – November, 2017)
- Comment on best outcomes of the Productivity Commission's Review into Early Learning and Child Care for *Rattler* magazine (Spring 2014)
- A centre director seeking advice on her preschool's enrolment policy (February 2014)
- An IEC graduate seeking advice on a conflict situation at her centre (February 2014)
- A consultant from the Boston Consulting Group seeking clarification about the regulation of children's services in NSW (July 8-August 21, 2008)
- A centre director seeking advice about enrolment requirements as per the NSW Children's Services regulation (April 23, 2009)
- Doctoral students and academics from Australia (Megan Gibson, December 15, 2009), the USA (Erica Gidseg, March 17, 2007), UK (Sarah Chicken, July 4, 2011) and Europe (Dr Michel Vandenbroeck, June 11, 2011) requesting details of my publications
- A consultant for the Australian Government wanting to source information on workforce issues in the early childhood sector (Tenielle Colussi, January 29, 2007)
- Employees from government departments (NSW Department of Community Services; Department of Education, Employment and Workplace Relations) seeking electronic copies of publications/conference presentations (Jacqui Rosier, March 31, 2011; Bev Stoch, August 1, 2007)

Membership of Professional Bodies and Scholarly Organisations

- Australian Association for Research in Education (AARE) (January 2010-current)
- Community Child Care Co-operative / CELA (January 2007-current)
- Early Childhood Australia (March 2008-current)
- Social Justice in Early Childhood (January 2005-current)

REFEREES

Emeritus Professor Jennifer Sumsion
Foundation Professor of Early Childhood Education until 31/12/17
School of Education
Charles Sturt University
████████████
████████████████

Professor Sue Grieshaber
Professor of Education
Department of Education
La Trobe University
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Associate Professor Susan Goodwin
Sydney School of Education and Social Work
University of Sydney
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Professor Ann Farrell
Head of School, Early Childhood and Inclusive Education
Queensland University of Technology
████████████
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Dr Angel Mok (Early career academic)
School of Education
University of New England
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PRIVILEGED AND CONFIDENTIAL

22 February 2019

Dr Marianne Fenech
Associate Professor, Early Childhood Education
Sydney School of Education and Social Work
A35 - Education Building
The University of Sydney
NSW 2006

By email: ████████████████████

Dear Dr Fenech,

**Four Yearly Review of Modern Awards – AM2018/18 *Children's Services Award 2010* &
AM2014/266 *Educational Services (Teachers) Award 2010***

As part of the current 4 yearly review of modern awards being conducted by the Fair Work
Commission, there is a review of the *Children's Services Award 2010* and the *Educational
Services (Teachers) Award 2010.*

You are retained by United Voice to prepare a written report containing your expert opinion
in relation to the role of educational leader, the role of responsible person and programming
responsibilities under the National Quality Framework ('NQF'). The focus of the report will be
on three components:

    1. The role of educational leader;
    2. The role of responsible person;
    3. Programming responsibilities of educators under the NQF.

In this letter, we set out:

    (a)   background information;

    (b)   your ethical duties;

    (c)   the questions your expert report must address;

    (d)   the form of your report; and

1

(e)   information about timing and communication.

A   Background Information

United Voice represent workers covered by the two modern awards that the Commission is reviewing as part of the 4 yearly review. The awards are the *Children's Services Award 2010* and the *Educational Services (Teachers) Award 2010* (collectively: 'the Awards').

The *Children's Services Award 2010* covers educators working in early childhood education and care, including educators with Certificate III and Diploma qualifications. The *Educational Services (Teachers) Award 2010* covers teachers working in early childhood education and care. Early childhood education and care includes long day care centres, kindergartens and pre-schools, occasional and vacation care and out-of-school hours care.

The 4 yearly review of modern awards concern broadly the consideration of whether current modern awards meet the *Fair Work Act* 2009 ('the Act') modern award objectives. United Voice is progressing several claims in relation to the Awards, including an allowance for the role of educational leader, an allowance for the role of responsible person and an increase in non-contact time hours from 2 hours per week to 4 hours per week.

For the avoidance of doubt, we confirm that we do **not** seek your opinion as to the appropriateness or otherwise of any of the variations sought by any party including United Voice.

B   Duty

You are engaged by United Voice to assist the Commission by providing your expert opinion in accordance with the terms of this and any other letter of instruction. Your overriding duty is to assist the Commission. You are not an advocate for the Union.

Enclosed with this letter is a copy of the Federal Court of Australia's *Practice Note GPN-EXPT: Expert Evidence Practice Note*. Although you are not formally bound by the *Practice Note*, as a matter of proper practice we adopt the terms of the *Practice Note* when engaging expert witnesses before the Commission and ask that you as a condition of your retainer comply with it. Please read the *Practice Note* carefully.

C   Your opinion

You are asked to provide your opinion on the following questions:

1. What are the skills and responsibilities of the role of educational leader?
2. What role does the educational leader play in the provision of quality ECEC in each centre?
3. What are the skills and responsibilities of the role of responsible person?
4. What role does the responsible person play in the provision of quality ECEC in each centre?
5. What are the programming requirements of educators under the NQF?
6. Why are these programming requirements important for quality ECEC provision?

D   Form of Your Report

Your role is to assist the Commission by providing your expert opinion in accordance with this letter of instruction. Please address your report to the Fair Work Commission.

In order to ensure your report can be used easily at the hearing of this matter, we ask that you include the following matters in the report:

(a)   a brief summary of your opinion or opinions at the beginning of the report, this would take the form of a summary of the answers to the questions asked in Part C;

(b)   a glossary of any specialised terminology;

(c)   references to any literature or other materials cited in support of your opinions. Please use a uniform citation method throughout the report. If you use parenthetical referencing (Chicago-style citation), please provide pinpoint citations where applicable;

(d)   a bibliography;

(e)   numbered paragraphs and page numbers, and headings where appropriate; and

(f)   margins of at least 2.5 centimetres, and line spacing of at least 1.5 points, with 12 points between paragraphs.

Please annex to your report:

(g)   a detailed curriculum vitae, setting out the study, training, and experience that establishes your expertise in relation to the issues raised by these instructions; and

(h)   this letter of instruction (and any additional written instructions) and all attachments.

At the conclusion of your report, please include a declaration to the following effect:

I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance that I regard as relevant have, to my knowledge, been withheld from the Commission.

E   Communications and Timing

Timing

Your report is due to be filed in the Commission on **8 March 2019**.

Communication

Please note that all communications between yourself and United Voice can, on request, be provided to the employer parties and the Commission. This includes any draft of your report, including your working notes.

Yours faithfully,

Natalie Dabarera
Industrial Officer
United Voice

Dr Marianne Fenech
Associate Professor and Director of Early Childhood Programs
Sydney School of Education and Social Work
UNIVERSITY OF SYDNEY NSW 2006

14 March 2019

Report for the Fair Work Commission for the Four Yearly Review of Modern Awards AM2018/18 Children's Services Award 2010 & AM2014/266 Educational Services (Teachers) Award 2010

Dear Commissioner,

In preparing this report I have read and agree to be bound by the terms outlined in the Expert Evidence Practice Note. I have drawn on my 15 years' experience as an academic in early childhood education. My expertise is in early childhood policy, quality early childhood education, and the regulation of early childhood education and care (ECEC) services. I have taught and published extensively in these areas (see https://sydney.edu.au/education_social_work/about/staff/profiles/marianne.fenech.php). I have a Bachelor of Social Work (Hons), a Masters in Community Management, and a PhD in Early Childhood Education.

The report addresses six questions, as requested by United Voice:
1. What are the skills and responsibilities of the educational leader?
2. What role does the educational leader play in the provision of quality ECEC in each centre?
3. What are the skills and responsibilities of the responsible person?
4. What role does the responsible person play in the provision of quality ECEC in each centre?
5. What are the programming requirements of educators under the NQF?
6. Why are these programming requirements important for quality ECEC provision?

The content that follows is based on an objective review of current research and academic literature, and a scoping of resources published by relevant regulatory bodies. The Court should note that the scope of this report is confined to centre-based, prior-to-school ECEC services in which early childhood teachers are employed (i.e. preschool/kindergarten, and long day care services), as it is this sector that my expertise lies. I have not withheld any matters of significance.

Yours faithfully,

Dr Marianne Fenech

REPORT SUMMARY

Educational leaders

Regulation 118 of the National Quality Framework's *Education and Care Services National Regulations* requires the approved provider of a service to appoint an educational leader to "lead the development and implementation of educational programs in the service". The educational leader role requires a specialist skill set beyond that of a generalist early childhood educator. In addition to expert knowledge of child development, how children learn, and regulatory requirements specific to educational programming and practice, educational leaders require strong leadership skills to support, mentor and empower staff, develop and sustain a culture of learning and professional development, and drive critical reflection and ongoing improvement. This leadership role is pivotal to quality and quality improvement in early childhood education and care services.

Responsible persons

Section 162 of the National Law requires a responsible person to be present at all times that a service is in operation. Responsible persons must be at least 18 years of age, have adequate knowledge and understanding of the provision of education and care to children, and have an ability to effectively supervise and manage an education and care service. They must also have completed up-to-date child protection training. The role of the responsible person is usually filled by the nominated supervisor (the person responsible for the day-to-day management of an approved service) and, in their absence, an educator allocated as the person in day-to-day charge of a service.

The responsible person is required to oversee educational programs, the supervision and safety of children, entry to and exit from the premises, the provision of food and beverages, the administration of medication, prescription and non-prescription drugs and alcohol; children's sleep and rest, excursions, and staffing. These responsibilities are integral to the safety, wellbeing, learning and development of children attending the service and contribute to the meeting of six of seven quality areas of the National Quality Standard.

Programming requirements

The National Law and Regulations require services to run programs that meet the educational and developmental needs of the children in attendance. The programs must be in accordance with the principles and practices of an approved early learning framework and meet the framework's intended outcomes for children. Further, they must meet the standards and elements of Quality Area 1 of the National Quality Standards, Educational Program and Practice. Documentary evidence pertaining to the assessment of children's outcomes and of the educational program are also required, in addition to further documentation that may be sighted by an authorised assessor. As there is no prescribed curriculum but rather, a framework that informs curriculum, meeting programming requirements requires educators to exercise professional knowledge and judgement while implementing play-based learning experiences and engaging in a continuous assessment and planning cycle.

These programming requirements are critical to the provision of quality ECEC. They are the mechanisms through which educators identify children's learning and development needs, make informed curriculum decisions about how to further support this learning and development, and plan accordingly.

1. What are the skills and responsibilities of the educational leader?

Responsibilities as per Regulatory Requirements

1.1. In 2012 the Australian Government introduced the *National Quality Framework*, a system of regulation, quality assurance and quality improvement designed to improve the standard of quality provided in early childhood education and care (ECEC) services across Australia (ACECQA, 2018). Regulation 118 of the Framework's *Education and Care Services National Regulations* (NSW Government, 2016) requires the approved provider of an ECEC service to "designate, in writing, a suitably qualified and experienced educator, co-ordinator or other individual as educational leader at the service to lead the development and implementation of educational programs in the service". The Framework does not stipulate requisite minimum qualifications or experience for an educator to be eligible to undertake this role. The responsibilities of an Educational Leader are elaborated on in Quality Area 7 of the Framework's National Quality Standards (NQS), Governance and Leadership.

1.2.Standard 7.2 requires that "effective leadership promotes a positive organisational culture and builds a professional learning community" (ACECQA, 2018, p. 91). The educational leader is critical to such leadership, with Element 7.2.2 requiring that "The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle" (ACECQA, 2018, p. 91). The Guide to the NQS (ACECQA, 2017a, p. 173) states that "the role of the educational leader is to work with educators to provide curriculum direction and to ensure children achieve the outcomes of the approved learning framework". The NQF Guide (ACECQA, 2018) further stipulates that the educational leader (in addition to the approved provider and nominated supervisor) must ensure that "programs for all children are based on an approved learning framework and delivered in accordance with that framework" (ACECQA, 2018, p. 93).

1.3. It is important to note that rather than prescribed curriculum documents, approved learning frameworks are guides for pedagogical practice intended to support children's learning and development.

1.4. During an assessment and rating visit an assessor from a statutory authority observes practice, cites documentation and discusses practice with staff to determine a service's provision of quality education and care. To ascertain whether an educational leader is meeting her or his responsibilities the assessor may (ACECQA, 2017a, p. 173):

- "observe the educational leader working with other educators and co-ordinators to observe, support and extend children's learning";
- "discuss how the educational leader promotes children's learning and development to families"; and
- "discuss what strategies and processes the educational leader uses to lead the development of the curriculum and set goals for teaching and learning".

1.5. In the absence of any prescribed job description the Educational Leaders Association[1] (Educational Leaders Association, n.d.) has an endorsed list of practice standards. These are that educational leaders:

- think critically, and develop and analyse education and care professional practice
- develop, engage in and reflect on professional relationships
- maintain their skills, learning and qualifications for education and care professional practice
- comprehensively lead the development of curriculum and practice and lead Educators in the implementation of the curriculum
- lead daily practice and curriculum and programming processes

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[1] The Educational Leaders Association has almost 6000 online members across Australia

- lead educators in safe, appropriate, quality education and care practice

Requisite knowledge and skills of an educational leader

1.6. The NQS nor the legislative standards are prescriptive about the qualifications, experience, skill or role description for the person chosen to be the educational leader. A review of relevant literature, however, reveals some consensus on the knowledge base and skill set required for this specialist role (ACECQA, 2017a, 2017b, 2018, n.d.-a; Rouse & Spradbury, 2016). This expertise involves:

- Strong communication and interpersonal skills
- In-depth knowledge of theory relevant to ECEC, particularly in relation to child development, attachment, children as learners, curriculum approaches
- Deep knowledge of the national quality standards and approved learning frameworks
- Understanding of leadership theory and capacity to lead, mentor, support and influence educators with diverse qualifications and backgrounds
- Highly developed thinking and analytical skills
- Capacity to build a learning community based on inquiry, action research and reflection

2. What role does the educational leader play in the provision of quality ECEC in each centre?

2.1. The introduction of the role of educational leader in the NQF signified an acceptance in legislation of the connection between educational leadership and ECEC quality and quality improvement (Thomas & Nuttall, 2013). That educational leadership drives quality ECEC and learning and development outcomes for children was well established over a decade ago through the internationally renowned Effective Leadership in the Early Years Sector UK study (Siraj-Blatchford & Manni, 2006).

2.2 The need for educational leaders as a strategy to boost quality in ECEC services was identified in the five-year longitudinal Australian E4Kids study (Tayler, 2016). The study was led by Professor Emeritus Collette Tayler and investigated the impact of participation in ECEC services on children's learning and development outcomes. The study collected data between 2010 – 2013 from 2,494 Australian E4Kids children and 157 control children, aged 3-4 years through to 8 years, from Victoria and Queensland. Findings showed that the quality of educator-child engagements had the most significant impact on children's development outcomes. These engagements comprised of three domains: emotional support for children, the organisation of activities that facilitate children's

learning and engagement, and the level of instructional support provided by the educators during the play-based program (instructional support being most closely associated with cognitive development and academic success). An educational leader would be seeking to improve practice in each of these domains, and particularly in instructional support, which Tayler (p.6) explains includes "promoting an understanding of everyday concepts through analysing, creating, and integrating previous knowledge; connecting to the child's real world; having back and forth exchanges with children where scaffolding, giving encouragement and affirmation feature; probing children's thinking and providing information; and modelling language through frequent conversations, open-ended questions, the use of advanced vocabulary and language, repetitions and extensions, and self and parallel talk". Of the three domains the study found high and moderately high levels of emotional support, moderate levels of room organisation that facilitates children learning and participation in a range of stimulating activities, but low levels of instructional support. Tayler concluded from this finding:

> "The everyday ECEC programs observed within long-day care, family day care and preschool/kindergarten settings provided most children with low levels of the interactions that are known to promote young children's thinking (conceptual understanding), challenge their ideas and understandings and enrich their language capability. These findings suggest that there is an opportunity to make a substantial difference to children's cognitive development well before school by having early childhood educators further develop skills in promoting children's learning. This finding is especially significant to the children living with a range of risk factors, and who are known to benefit most from high-quality early childhood programs. *Effort to focus professional learning investments more directly on interactions that promote learning is likely to pay off. The NQF reform activity included the requirement for ECEC services to nominate a Lead Educator for the service. This role offers potential for engaging at service level on optimal techniques to promote young children's learning. Now, when the ECEC field is developing professionally and is motivated to make a difference to children's learning, the role of 'educator' and 'lead educator' is salient* (my emphases)" (p. 7).

2.3. Today, the educational leader is pivotal to the provision of quality education and care in ECEC settings, contributing to the meeting of standards in all quality areas of the NQS (Australian Children's Education and Care Quality Authority (ACECQA), 2017b). Scholars (Fleet, Soper, Semann, & Madden, 2015) have noted that expectations on educational leaders to meet these standards and facilitate quality and quality improvement are "high" (p. 29).

2.4. ACECQA (n.d.-b, p. 1) asserts that the role "can *significantly* (my emphasis) impact on the important work educators do with children and families". This impact is achieved through the educational leader:

- Leading the development and implementation of educational programs that support children's learning and development
- Building the professional practice and capacity of all educators in the service, by providing curriculum direction and leading critical reflective discussions about practice, the planning cycle (observation, planning, evaluation and follow up), and implementation of the approved learning framework
- Establishing and maintaining a culture of learning and ongoing improvement
- Mentoring staff with varying qualifications (certificate III, diploma, early childhood teaching degree) and experience
- Discussing the educational program with parents
- Ensuring authentic links between practice and the local community
- Developing systems to ensure smooth transitions for children (e.g., to another room, or to school)

    (ACECQA, 2017a, n.d.-a, n.d.-b):

2.5 Findings from national and international research consistently show that leadership of educational programming and planning is a hallmark of high-quality ECEC services. This research includes the renowned five-year longitudinal EPPE study from the UK that tracked the development of 3000 children from three to seven years (Siraj-Blatchford et al., 2003) and a current Australian study that is exploring what exemplary educators do (Professional communication with Dr Megan Gibson, 14/03/2019). In the former study the curriculum manager (equivalent to centre director) took on an educational leadership role, supporting staff to improve their practice, particularly in the area of extending children's thinking. Preliminary findings from the latter study show that high calibre educators benefit from being mentored by a positional leader, while also being empowered by these positional leaders to develop their practice and take on a shared leading of curriculum planning.

2.6. Consistent with Element 7.2.2 of the NQS (ACECQA, 2018) educational leaders will most impact the provision of quality ECEC at their service when they are supported and resourced to enact the responsibilities of the role (ACECQA, 2017b). Identified supports include leadership training; time to effectively undertake the role; networking opportunities; time for collaborative in-house professional learning; and funding and access to quality professional development for all educators

(ACECQA, n.d.-a; Colmer, Waniganayake, & Field, 2014; Fenech, 2013; Grarock & Morrissey, 2013; Rouse & Spradbury, 2016).

2.7. The potential contribution of the educational leader to centre quality can be hampered if:

- the educator appointed to the role lacks the requisite expertise, confidence, commitment and authority (Grarock & Morrissey, 2013; Rouse & Spradbury, 2016)
- the appointment is made sporadically, without due consideration to educators' qualifications and knowledge (Fleet, Soper, Semann & Madden, 2015)
- the role within the centre is not clearly defined (Rouse & Spradbury, 2016)
- there is no commensurate pay to attract suitable educators to take on the role) (D. Blyth, personal communication, March 5, 2019)

3. What are the skills and responsibilities of the responsible person?

3.1 Section 162 of the National Law (Education and Care Services National Law Act 2010, Cth) stipulates that it is an offence to operate an ECEC service without a responsible person being physically present at all times. While the responsible person may be an approved provider it is usually the nominated supervisor, that is, the person(s) responsible for the day-to-day management of an approved service (ACECQA), n.d.-c). A responsible person can also be a person in day-to-day charge of a service. In practice this person is the responsible person when the nominated supervisor is not on duty or is absent. This arrangement ensures that a responsible person is present at the service during all operating hours (Community Early Learning Australia (CELA), n.d.).

3.2. Responsible persons must be at least 18 years of age, have adequate knowledge and understanding of the provision of education and care to children, and have an ability to effectively supervise and manage an education and care service. They must also have completed approved and up-to-date child protection training.

3.3. When an educator who is not the nominated supervisor takes on the role of responsible person they are not placed under any additional legal responsibilities under the National Law. Only the legal responsibilities relevant to educators under the National Law apply (ACECQA, 2017c).

Responsibilities of a nominated supervisor

3.4. The National Law and National Regulations specify the responsibilities of a nominated supervisor (Points below have been only slightly amended from: ACECQA, n.d.-c):

- Educational programs: Ensuring that these are developed and delivered in accordance with an approved learning framework; based on the developmental needs, interests and experiences of each child; and take into account children's individual differences (section 168)

- Supervision and safety of children: Ensuring children are adequately supervised at all times, are not subject to inappropriate discipline, and are protected from harm and hazards (sections 165-167)

- Entry to and exit from the premises: Ensuring children do not leave the service premises except in accordance with the National Regulations (for example, with a parent, on an authorised excursion, or for emergency medical treatment); Ensuring that a parent of a child attending the service may enter the service premises at any time when the child is being educated and cared for by the service—except when (i) permitting entry would pose a risk to the safety of the children and staff or conflict with the duty of the supervisor under the National Regulations, or (ii) the supervisor is aware the parent is prohibited by a court order from having contact with the child (regulation 99); Ensuring an unauthorised person (as defined in the National Law) is not at the service while children are present unless the person is under direct supervision (section 170)

- Food and beverages: Ensuring adequate health and hygiene practices and safe practices for handling, preparing and storing food are implemented at the service to minimise risks to children (regulation 77); Ensuring children being cared for by the service have access to safe drinking water at all times and are offered food and beverages on a regular basis throughout the day (regulation 78); Ensuring that, where food and beverages are supplied by the service, they are nutritious and adequate in quantity, and chosen with regard to the dietary requirements of individual children (regulation 79); Ensuring that, where food and beverages are provided by the service, a weekly menu that accurately describes the food and beverages to be provided is displayed at the premises in a location accessible to parents (regulation 80)

- Administration of medication: Ensuring that medication is not administered to a child being cared for by the service unless the administration is authorised (except in the case of anaphylaxis or asthma emergency) and is administered in accordance with the National Regulations (regulations 93-96); Where medication is administered to a child without authorisation in a case of an anaphylaxis or asthma emergency, ensuring that a parent of the child and emergency services are notified as soon as practicable (regulation 94)

- Prescription and non-prescription drugs and alcohol: Ensuring that while educating and caring for children at the service, all staff must not consume alcohol or be affected by alcohol or drugs (including prescription medication) so as to impair their capacity to supervise or provide education and care to children (regulation 83)

- Sleep and rest: Taking reasonable steps to ensure that the needs for sleep and rest of children are met, having regard to the ages, development stages and individual needs of children (regulation 81)

- Excursions: Ensuring that a risk assessment is conducted before an excursion in accordance with the National Regulations (regulations 100-101), and specifically that the risk assessment is conducted before authorisation is sought to take a child on the excursion (regulation 102)

- Staffing: Ensuring the prescribed educator to child ratios are met and each educator at the service meets the qualification requirements relevant to the educator's role (regulations 123 - 128)

3.5. In addition to these compliance requirements nominated supervisors are also required to ensure that all centre policies are adhered to.

3.6 The nominated supervisor is also the statutory authority's point of contact prior to and during the assessment and rating process.

3.7. An educator who is designated as the service's responsible person when the nominated supervisor is absent (e.g., sick, on leave, on a training course, finished their shift and left for the day) becomes the person in charge and is required to meet all these responsibilities.

4. What role does the responsible person play in the provision of quality ECEC in each centre?

4.1. The breadth of responsibilities that a service's responsible person has renders their role as integral to the safety, wellbeing, learning and development of children attending the service. The responsibilities outlined in Q3 directly contribute to a service's meeting of the following quality areas of the NQS:

- Quality Area 1 – Educational Program and Practice (all three standards and all nine elements)
- Quality Area 2 – Children's Health & Safety (both standards and all six elements)
- Quality Area 3 – Physical Environment (both standards and three elements)
- Quality Area 4 – Staffing Arrangements (one standard and one element)

- Quality Area 5 – Relationships with Children (both standards and 2 elements)
- Quality Area 6 – Collaborative Partnerships with Families and Communities (one standard and one element)

4.2. Under Sections 165-168 and 170 of the National Law, and Regulations 77-81, 83, 93-96, 99-102, and 123-128, the responsible person as the nominated supervisor is legally accountable for these specific contributors of quality ECEC.

4.3 In practice the nominated supervisor is usually the appointed centre director. Paula Jorde Bloom, a seminal scholar on early childhood leadership, described directors as "the gate-keepers of quality. They are responsible for creating the climate that promotes optimal growth and development of children as well as for implementing the systems that ensure quality is maintained" (Bloom & Bella, 2005, p. 32). It is this maintenance of quality that a responsible person, nominated supervisor or otherwise, must ensure and be accountable for.

5. What are the programming requirements of educators under the NQF?

5.1. Section 51 (1b) of the National Law (Education and Care Services National Law Act 2010, Cth) stipulates that approved services must meet "the educational and developmental needs" of the children in attendance. Further, the Law (Section 168) states that a centre's programs must be "based on an approved learning framework; and (b) is delivered in a manner that accords with the approved learning framework; and (c) is based on the developmental needs, interests and experiences of each child; and (d) is designed to take into account the individual differences of each child".

5.2. Part 4.1 of the National Regulations (New South Wales Government, 2016) outlines more detailed program requirements. Regulation 73 refers to the provision of an educational program that has specific outcomes: "(a) the child will have a strong sense of identity; (b) the child will be connected with and contribute to his or her world; (c) the child will have a strong sense of wellbeing; (d) the child will be a confident and involved learner; and (e) the child will be an effective communicator". These outcomes replicate those in approved national learning frameworks, such as the Early Years Learning Framework (Department of Education Employment and Workplace Relations (DEEWR), 2009). Regulation 74 stipulates documentation requirements for the assessment of children's outcomes and of the educational program. For example, for a child of prior-to-school age the approved provider needs to ensure that there is documentary evidence of assessments of each child's developmental needs, interests, experiences and participation in the educational

program; and of each child's progress against the outcomes of the educational program. The amount of documentation is dependent on the frequency and length of time a child attends a service. Under Regulation 75 the approved provider is required to ensure that information pertaining to the educational program is displayed and accessible to parents, and that a copy of the educational program is available upon request. Regulation 76 requires that information about the educational program specific to each child (e.g., information about a child's participation in the program) be provided to their respective parents. While Regulations 74-76 are directed to the approved provider, it is common practice for these responsibilities to be delegated to the nominated supervisor, educational leader, and educators.

5.3. Following these regulatory requirements educators are required to program in ways that meet the standards and elements of Quality Area 1 of the NQS, Educational Program and Practice (ACECQA, 2018). This quality area comprises three standards: The educational program enhances each child's learning and development; Educators facilitate and extend each child's learning and development; and Educators and co-ordinators take a planned and reflective approach to implementing the program for each child (See Appendix 1 for associated elements for each standard).

5.4. While there is no prescriptive way programming is to be undertaken, it must meet the requirements of the NQS, and be founded and delivered according to the principles, practices and intended learning outcomes of an approved learning framework. To this end educators' programming must:

- Be child-centred, building on each child's individual interests, knowledge, abilities, culture, strengths and ideas. Educators are to actively seek information about each child from his/her family.
- Maximise opportunities (interactions, experiences, routines and events) to stimulate and enhance children's learning and development
- Use play-based learning
- Make intentional, pedagogically-informed practice decisions that draw on: the NQS and approved learning framework; educators' professional knowledge and skills base; their knowledge of each individual child and their families and local community; and the service philosophy
- Utilise available and appropriate resources to facilitate and extend children's play
- Be inclusive, ensuring every child's participation

- Incorporate routines (e.g., nappy changing, meal times, transitioning from outside to indoors) as opportunities for learning

- Incorporate all curriculum areas (literacy, creative arts, numeracy, science & technology) when providing experiences for children that actively support or initiate the investigation of ideas, complex concepts and thinking, reasoning and hypothesising

- Address developmental domains (language, cognitive, social, emotional, physical)

- Be communicated to families

- Be subject to ongoing critical reflection

- Strive for ongoing improvement

(ACECQA, 2018; DEEWR, 2010).

5.5. What is evident from this list of requirements is that programming is more complex than a mere technical implementation of a prescribed curriculum. When programming effectively, educators in ECEC services exercise professional knowledge and judgement, implementing play-based learning experiences while reflecting on practice and engaging in continuous curriculum decision-making informed by an approved learning framework (DEEWR, 2010). As recent research has noted, however, "the knowledge and deliberations brought to play-based curricula are often overlooked, as play is regarded as naturally occurring for children. Those who know and do this work, however, recognise it as complex, challenging and highly demanding" (Wong et al., 2015, p. 79).

5.6. In practice, programming is implemented on an ongoing basis through an assessment and planning cycle (ACECQA, 2018). This cycle is a continuous process of:

- Gathering information about each child through observations of individual and groups of children and engagement with families;

- Analysing children's learning in relation to learning outcomes;

- Planning a program of experiences to further support, scaffold and extend each child's learning and development

- Implementing the program

- Evaluating and critically reflecting (individually and as a team) on children's learning and development and the effectiveness of the program
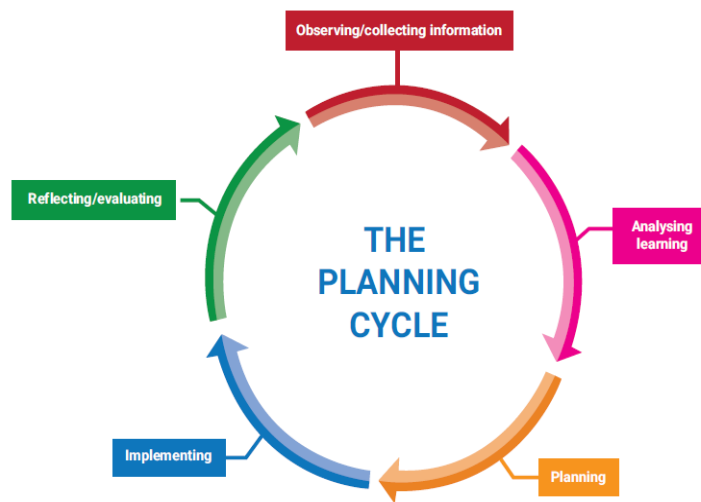
5.7. All stages of the planning cycle require documentation. Notwithstanding Regulation 94, ACECQA is not prescriptive about documentation requirements but rather allows educators to exercise professional judgement in this area.

5.8. In practice, however, during an assessment and rating visit assessors may request to see programming documentation (ACECQA, 2018) that includes:

- A variety of documentation that demonstrate children's progress towards learning outcomes; programs' responsiveness to children's strengths, cultures, ideas, abilities, knowledge and interests; analysis of each child's learning and development; planning for further learning goals
- Written programs that include "planned experiences and/or strategies to support individual children's goals" (p. 102)
- Documented programs that demonstrate "that an assessment of the learning outcomes has led to goals … that are designed to intentionally support aspects of learning" (p. 102)
- Information about each child and monitoring of their learning, wellbeing and engagement
- Evidence of strategies utilised to garner information from families about their child
- Documented evidence of reflective practice

6. Why are these programming requirements important for quality ECEC provision?

6.1. These programming requirements are critical to the provision of quality ECEC. They are the mechanisms through which educators identify children's learning and development needs, make informed decisions about how to further support this learning and development, and plan accordingly. They enable rigorous assessment of all children, and lead to targeted support for those with additional needs. They facilitate reflection on practice and support ongoing improvement. They also provide a solid basis for engagement with families and communication about their child's learning and wellbeing (ACECQA, 2016).

6.2. In the focus group phase of the Exemplary Educators study, highly skilled educators identified programming time as key to "enabling them to do what they need to do to do their work" (Dr Megan Gibson, personal communication, March 14, 2019). Preliminary analysis of time-use data reveals that the 260 high-calibre educator participants were spending on average, 3-4 hours per week on curriculum planning, assessment and evaluation. An important associated finding was that educators in this study, working in centres rated as exceeding in all quality standards, identified generally low levels of feeling rushed or stressed (average ratings of less than four out of eight) and high levels of job satisfaction (scores rating 7-7.5).

6.3 A compelling body of research shows that the first five years are a period of significant brain development. As much as 90% of brain development occurs in the first three years of life, with learning begetting learning. In other words, ongoing brain development is contingent on brain use. How well or how limited the brain develops in these early years has not just short term but also potential lifelong effects on learning, development and wellbeing (McCain, Mustard & Shanker, 2007; MCEECDYA, 2010; OECD, 2007; Shonkoff & Phillips, 2000).

6.4 In the context of ECEC, it is high-quality education and care that promotes brain development and supports children's optimal development and wellbeing; conversely, poor or mediocre ECEC can diminish brain development and ensuing child outcomes. The benefits of attending high-quality ECEC are sustained through the school years (Sammons et al., 2008; Sylva et al., 2004; Taggart et al., 2015; Tayler, 2016).

6.5 With increasing numbers of children enrolled in formal ECEC services (Productivity Commission, 2019) it is critical that they are provided with programs that feature nurturing, stimulating and engaging experiences. It is these very experiences that programming requirements support.

I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance that I regard as relevant have, to my knowledge, been withheld from the Commission.

Glossary

Australian Children's Education and Care Quality Authority (ACECQA)	The independent statutory body responsible for the implementation of the National Quality Framework
Curriculum	"In the early childhood setting curriculum means 'all the interactions, experiences, activities, routines and events, planned and unplanned, that occur in an environment designed to foster children's learning and development' [adapted from Te Whariki]" DEEWR, 2009, p. 48).
ECEC	Early childhood education and care. For the purposes of this report ECEC services are formal, regulated centre-based services that target children of prior-to-school age i.e. long day care and preschool/kindergarten
Educational leader	The educator appointed to lead the development and implementation of educational programs in an ECEC service
Educators	"Early childhood practitioners who work directly with children in ECEC settings" (DEEWR, 2009, p. 6). Educators may have university teaching qualifications, or diploma or certificate-III qualifications
Learning framework	"a guide which provides general goals or outcomes for children's

	learning and how they might be attained. It also provides a scaffold to assist early childhood settings to develop their own, more detailed curriculum" (DEEWR, 2009, p. 49). The approved learning framework for prior-to-school services is Being, Belonging & Becoming: The Early Years Learning Framework for Australia (DEEWR, 2009).
National Quality Framework (NQF)	Australia's system of regulation, quality assurance and quality improvement for ECEC services. The NQF comprises the *Education and Care Services National Law Act 2010* (Cth), the *Education and Care Services National Regulations*, the National Quality Standard, and an assessment and rating system.
National Quality Standard (NQS)	The NQS is the national benchmark for ECEC services in Australia. It comprises of seven quality areas (Educational Program & Practice; Children's Health & Safety; Physical Environment; Staffing Arrangements; Relationships with Children; Collaborative Partnerships with Families and Communities; Governance and Leadership) with associated standards and elements. Services are assessed and rated against these elements and standards.
Nominated supervisor	The person(s) responsible for the day-to-day management of an approved service
Pedagogy	"early childhood educators' professional practice, especially those aspects that involve building and nurturing relationships, curriculum decision-making, teaching and learning" (DEEWR, 2009, p. 49)
Play-based learning	"A context for learning through which children organise and make

	sense of their social worlds, as they engage actively with people, objects and representations" (DEEWR, 2009, p. 49).
Responsible person	The educator(s) appointed to be in charge of a service

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Appendix 1: National Quality Standard (ACECQA, 2018)

NATIONAL QUALITY STANDARD

Australian Children's Education & Care Quality Authority

	Concept	Descriptor
QA1		**Educational program and practice**
1.1	**Program**	The educational program enhances each child's learning and development.
1.1.1	Approved learning framework	Curriculum decision-making contributes to each child's learning and development outcomes in relation to their identity, connection with community, wellbeing, confidence as learners and effectiveness as communicators.
1.1.2	Child-centred	Each child's current knowledge, strengths, ideas, culture, abilities and interests are the foundation of the program.
1.1.3	Program learning opportunities	All aspects of the program, including routines, are organised in ways that maximise opportunities for each child's learning.
1.2	**Practice**	Educators facilitate and extend each child's learning and development.
1.2.1	Intentional teaching	Educators are deliberate, purposeful, and thoughtful in their decisions and actions.
1.2.2	Responsive teaching and scaffolding	Educators respond to children's ideas and play and extend children's learning through open-ended questions, interactions and feedback.
1.2.3	Child directed learning	Each child's agency is promoted, enabling them to make choices and decisions that influence events and their world.
1.3	**Assessment and planning**	Educators and co-ordinators take a planned and reflective approach to implementing the program for each child.
1.3.1	Assessment and planning cycle	Each child's learning and development is assessed or evaluated as part of an ongoing cycle of observation, analysing learning, documentation, planning, implementation and reflection.
1.3.2	Critical reflection	Critical reflection on children's learning and development, both as individuals and in groups, drives program planning and implementation.
1.3.3	Information for families	Families are informed about the program and their child's progress.
QA2		**Children's health and safety**
2.1	**Health**	Each child's health and physical activity is supported and promoted.
2.1.1	Wellbeing and comfort	Each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's need for sleep, rest and relaxation.
2.1.2	Health practices and procedures	Effective illness and injury management and hygiene practices are promoted and implemented.
2.1.3	Healthy lifestyle	Healthy eating and physical activity are promoted and appropriate for each child.
2.2	**Safety**	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented.
2.2.3	Child protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
QA3		**Physical environment**
3.1	**Design**	The design of the facilities is appropriate for the operation of a service.
3.1.1	Fit for purpose	Outdoor and indoor spaces, buildings, fixtures and fittings are suitable for their purpose, including supporting the access of every child.
3.1.2	Upkeep	Premises, furniture and equipment are safe, clean and well maintained.
3.2	**Use**	The service environment is inclusive, promotes competence and supports exploration and play-based learning.
3.2.1	Inclusive environment	Outdoor and indoor spaces are organised and adapted to support every child's participation and to engage every child in quality experiences in both built and natural environments.
3.2.2	Resources support play-based learning	Resources, materials and equipment allow for multiple uses, are sufficient in number, and enable every child to engage in play-based learning.
3.2.3	Environmentally responsible	The service cares for the environment and supports children to become environmentally responsible.

	Concept	Descriptor
QA4		**Staffing arrangements**
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
QA5		**Relationships with children**
5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.
5.2	Relationships between children	Each child is supported to build and maintain sensitive and responsive relationships.
5.2.1	Collaborative learning	Children are supported to collaborate, learn from and help each other.
5.2.2	Self-regulation	Each child is supported to regulate their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts.
QA6		**Collaborative partnerships with families and communities**
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in the service and contribute to service decisions.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.1.3	Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
6.2.1	Transitions	Continuity of learning and transitions for each child are supported by sharing information and clarifying responsibilities.
6.2.2	Access and participation	Effective partnerships support children's access, inclusion and participation in the program.
6.2.3	Community engagement	The service builds relationships and engages with its community.
QA7		**Governance and Leadership**
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated and individual plans are in place to support learning and development.