2   POLICY DEVELOPMENT

2.1 NATIONAL REGULATIONS AND THE NATIONAL QUALITY STANDARD

Regulations 168-172 of the *Education and Care Services National Regulations 2011* (National Regulations) and the *National Quality Standard* (NQS) requires an Approved Provider to **ensure that policies and procedure**s are in place at the service, and that copies are available and accessible by all committee members, educators, staff, volunteers, families and the Regulatory Authority. The committee must also take all reasonable steps to ensure that the policies and procedures are followed by those at the service.

The Australian Children's Education and Care Quality Authority (ACECQA) have produced a *Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2011*. The guide indicates that: *policies should be informed by the Service's philosophy statement, Early Childhood Australia's Code of Ethics and current advice from recognised authorities*.

In the National Quality Standard, Quality Area 7 – *Governance and Leadership* – requires that*: systems are in place to manage risk and enable the effective management and operations of a quality service. Policies are one important aspect of these systems*.

2.2 DEFINITIONS

The terms defined below relate to this section. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

Policy: A formal statement of principles which provides a framework for decision-making and indicates the course of action to be taken in specific circumstances. Policies provide services with an approved way of operating in relation to particular matters and improve the management of risk. They reflect the values and beliefs of a service, current thinking, national standards and community expectations, and are relevant in terms of current laws and regulations.

Procedures: The steps required to implement and comply with a policy. They specify how to achieve the necessary result by outlining who does what and when. Procedures are succinct, factual and to the point, and are generally expressed as a list.

2.3 PHILOSOPHY

A statement of the **philosophy of the service** is a requirement under the National Regulations and the NQS. Regulation 55 of the National Regulations requires that a **Quality Improvement Plan (QIP)** *contains a statement of the philosophy of the service*. Element 7.1.1 of the NQS requires that: *a statement of philosophy is developed and guides all aspects of the service's operations.*

ACECQA's *Guide to the National Quality Standard* provides further advice that the philosophy statement 'reflects the principles of the *National Law*, the *Early Years Learning Framework* [and the *Victorian Early Years Learning and Development Framework*]'. The philosophy is a clear statement of beliefs and values. The guide states that it 'underpins the decisions, policies and daily practices of the approved provider, nominated supervisor, educators, co-ordinators and staff members and assists in planning, implementing and evaluating quality experiences for children. It reflects a shared understanding of the role of the service with children, families and the community'.

The policy development process provides an important opportunity for management, in collaboration with families, educators and staff, to reflect on or develop the service's philosophy. The following steps can assist in the development of a service philosophy:

- Take time to develop the service philosophy and consult with all key service groups – the committee of management/Board, management, educators and service staff, parents/guardians and children. Each service should develop a philosophy that is relevant to its particular community. Consider what we believe and move on to what does that mean for what we do? [1] Refer to Early Childhood Australia's Revising the service philosophy [2].

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[1] http://www.earlychildhoodaustralia.org.au/nqsplp/wp-content/uploads/2012/05/EYLFPLP_E-Newsletter_No15.pdf
[2] http://www.earlychildhoodaustralia.org.au/nqsplp/wp-content/uploads/2013/01/TAPS_Service-Philosophy.pdf

- When reflecting on the beliefs and values of the service as a whole, it is also important to consider the following documents relevant to the provision of quality early childhood education and care services:

  o *Early Years Learning Framework* (EYLF) and/or the *Victorian Early Years Learning and Development Framework* (VEYLDF), specifically the Practices and Principles (EYLF) and Practice Principles (VEYLDF)

  o Early Childhood Australia's *Code of Ethics* which provides a framework for reflection about the ethical responsibilities of early childhood professionals and incorporates current legislation, best practice and theories of early childhood development (www.earlychildhoodaustralia.org.au)

  o United Nations Convention on the Rights of the Child which outlines minimum entitlements for children globally, incorporating the full range of human rights (www.unicef.org/crc).

- Talk to other services, professionals and peak bodies.

2.4 PURPOSE

Clearly articulated policies and procedures are needed to:

- provide a framework for operation

- enable a consistent approach

- provide future direction for decision making and assist in the resolution of difficulties

- promote smooth transition when there are changes to management and staff

- provide a framework for compliance with legislative and regulatory obligations

- improve the management of risk

- guide day-to-day practice and decision making

- act as a tool for marketing the service program outlining what new and potential users of the service can expect.

Where there is no guidance from policies, confusion, conflict and poor decision making can result.
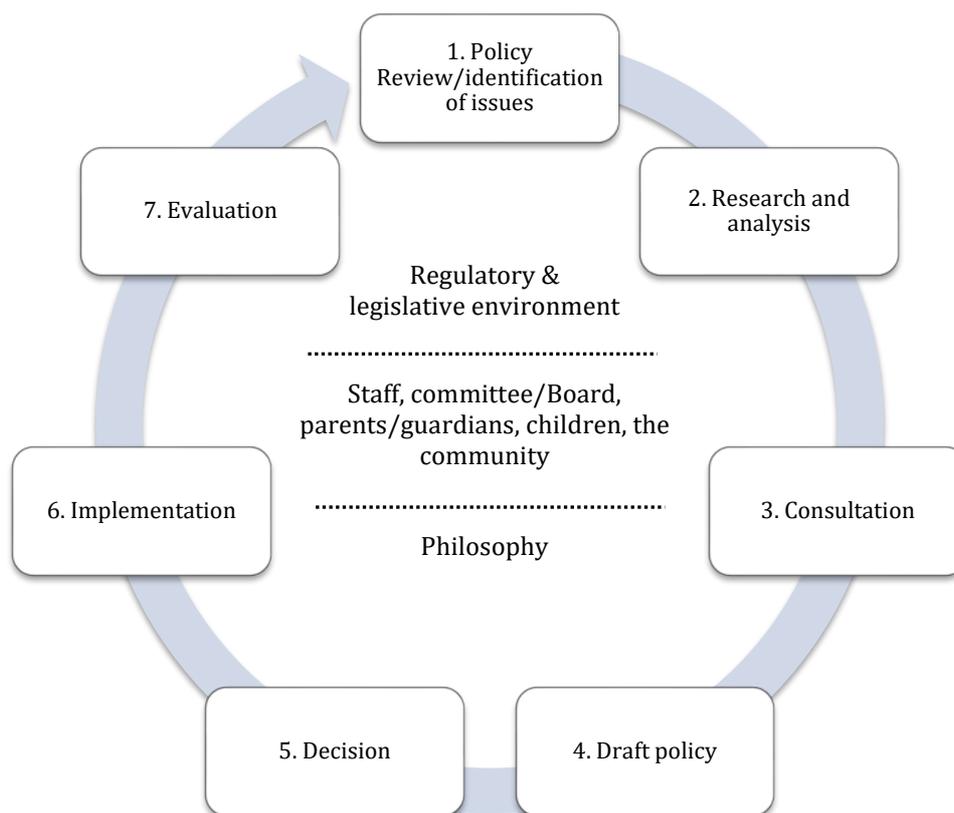
2.5 RESPONSIBILITY

It is the responsibility of the Approved Provider of an early childhood service to ensure that policies and procedures are developed to best meet the needs of service staff, educators, children, parents/guardians, committee members and community.

Establishing a policy subcommittee can be effective for developing and reviewing policies. Utilising people from key service stakeholder groups with a range of skills, knowledge and perspectives contributes to the development of good policy. The NQS indicates that the review of policies should take place in *collaboration with families*. It is the committee of management/Board's responsibility to set the parameters and timelines for the subcommittee.

2.6 MODEL

There are numerous models of the policy development process. ELAA has modified the Bridgman and Davis (2000) policy cycle for use by early childhood education and care services. This policy cycle consists of seven stages, as shown in the following diagram. Managing each stage of the policy development process is a major task for the committee of management/Board.

Diagram: A circular cycle with seven numbered stages:
1. Policy Review/identification of issues
2. Research and analysis
3. Consultation
4. Draft policy
5. Decision
6. Implementation
7. Evaluation

Centre text:
Regulatory & legislative environment
....
Staff, committee/Board, parents/guardians, children, the community
....
Philosophy

2.6.1 Identification of issues

Policies and procedures should be reviewed regularly in order to meet changing needs and comply with legislation. While the National Regulations and the NQS do not specify how often this should occur, developing a Policy Review Table (available for download) can provide guidance with timelines. Policies can be prioritised for review according to how often the content is expected to change. Other triggers for a review include a legislation change or a serious incident at the service. Policies should be up to date with current research and contemporary views on best practice and *support a shared understanding of a service's practices* (NQS Element 7.1.2).

Critical reflection on the effectiveness of current daily and professional practices can assist in determining how current practices might need to be changed, further developed or improved. As part of the **self-assessment** process, services must reflect on practice, policies and procedures against all seven Quality Areas of the National Quality Standard and related regulations prior to developing **a Quality Improvement Plan (QIP)**. This self-assessment process may identify additional policies for review or development to support current practices and plans to improve quality. Questions to consider include:

- what regulatory and legislative requirements need to be covered

- has an incident occurred, or has a concern, complaint or issue been raised, that has prompted the need for a policy or the review of a policy

- is the current practice fair, equitable and effective

- have changing circumstances impacted on current policies e.g. has the organisation moved, increased or decreased in size

- has there been a change to the service's model of service delivery or philosophy

- is there new legislation, regulation, awards, codes of practice and/or guidelines that will impact on policy, for example the *Education and Care Services National Regulations 2011*

- have there been any changes to policy requirements in quality evaluation and improvement systems, such as the new National Quality Standard, and assessment and rating process, or any changes to funding guidelines

- what other policies are required for efficient and effective operation?

It is important to note that policies are often interrelated and that reviewing or redeveloping one might require a review or redevelopment of others.

2.6.2 Research and analysis

Policy analysis requires research and reflection. All relevant information, including existing policies/procedures, legislation, specialist information, and policies from similar organisations and/or ELAA sample policies can be considered at this stage. It is important to ensure that information is as current as possible. Questions for discussion/consideration could include:

- does the existing policy meet current legislative and regulatory guidelines

- when was the policy last evaluated/reviewed

- how will any changes impact on children, families, educators, staff and management

- what are the advantages and/or disadvantages of the existing policy

- does the current policy reflect the:

  ○ *service's philosophy, and any amendments*

  ○ *long-term goals*

  ○ *operational processes and procedures*

  ○ *workplace protocols*

  ○ *work practices*

- does this policy reflect best practice

- what procedures are in place to support the implementation of the policy?

If policy and procedures have been obtained from another service or from ELAA sample policies, they need to be assessed as appropriate and customised to meet the specific requirements of the service.

This process of research and analysis will identify components for inclusion in a new policy or those that require amendment in an existing policy. It will identify alternatives that may or may not be feasible and those that are expensive and/or impossible to implement. At this point, more data may be needed or the original problem redefined. Advice may also be required from educators, staff and the committee of management/Board.

2.6.3 Consultation

An essential stage of the policy cycle is consultation. Discuss proposed policy ideas to gain feedback and input from committee/Board members, parents/guardians, educators, staff, children and if appropriate, from beyond the service including future users, external experts and community members. The NQS emphasises the need to undertake reviews in *collaboration with families*. The consultation process will generally highlight research gaps which can be filled prior to policy drafting.

2.6.4 Draft policy

A draft policy can be prepared using the ELAA model *Policy Template* (available for download) once sufficient information has been gathered. This will take into consideration issues identified during research and analysis including: relevant legislation, equipment needed, structural requirements, staffing needs, specialist or legal advice and training needs.

2.6.5 Decision

Where a policy subcommittee has been established, a draft policy is then presented to the committee of management/Board for consideration. The aim is to provide sufficient information in a clear and concise format to enable a decision to be made.

At this stage the committee of management/Board will either:

- adopt the draft policy

- adopt the draft policy with minor amendments

- request the subcommittee to provide more information.

A committee of management/Board should adopt the draft policy at a committee/Board meeting, recording this in the minutes of the meeting and recording the date of adoption in the policy.

2.6.6 Implementation

The committee of management/Board then needs to implement the policy including:

- making the policy available to those who require it

- informing and training educators, staff, committee/Board members, parents/guardians, children and others impacted by the policy change

- updating/publicising the policy in the service's communications including files, brochures, newsletters, websites, information nights etc.

- **giving 14 day's notice** to parents before making any change to a policy or procedure that would affect fees, have a significant impact on any child or affect a family's ability to use the service. This is a legal requirement under the National Regulations

- monitoring the implementation of the new or revised policy to measure its impact and determine whether it is meeting intended outcomes. It is also important to ensure that there are no unintended consequences, or difficulties with the policy which may require modification or discontinuation.

2.6.7 Evaluation

Evaluation is an important stage of the policy development process as it enables a service to review the effects of a policy and identify new issues for consideration. A date for a formal review should be set and documented in the policy. This effectively starts the policy cycle again and ensures that it is continually moving.

2.7 POLICY TEMPLATE

ELAA's sample policies follow the format set out in the *Policy Template* which is available for download, to enable services to develop their own policies.

2.8 REFERENCES

Bridgman, P. and Davis, G. 2000, *The Australian Policy Handbook*, Sydney: Allen and Unwin

Moore, Mark H. 2000, *Creating Public Value*, United States of America: Fifth Printing