

2019 ACECQA REVIEW TERMS OF REFERENCE

The ACECQA Review will assess the work of ACECQA as specified in the *Education and Care Services National Law Act 2010 (Vic)*.

The primary objective of the review is to ensure that ACECQA's operations remain 'fit for purpose' in the current early childhood education and care environment, and in line with the objectives and guiding principles of the National Law.

The review is commissioned by Education Council under its functions set out in Section 220 (1)(k) of the *Education and Care Services National Law Act 2010 (Vic)* (National Law). The Review will be led by the Early Childhood Policy Group on behalf of Education Council, with any findings and recommendations to be considered by the Early Childhood Policy Group, the Australian Senior Education Officials Committee and Education Council.

The review will primarily assess the effectiveness of ACECQA's performance in undertaking the functions of the National Authority as specified in the National Law. The review will consider:

1. The scope and appropriateness of ACECQA's assigned functions as set out in the National Law and Education Council Letters of Expectation
2. ACECQA's delivery against its functions, in the National Law, current and previous Letters of Expectation and Ministerial Council directives including a qualitative assessment of the quality and impact of ACECQA's work
3. How effectively ACECQA is working with state and territory regulatory authorities in delivering functions under the National Law
4. The extent to which ACECQA's administration of the National Law impacts on regulatory burden for education and care services
5. ACECQA's current governance arrangements including, but not limited to, a comparative analysis with the governance arrangements of national and international best practice models of regulation and governance structures of similar national authorities
6. The effectiveness and any identified overlap in roles with regard to ACECQA's interactions with state and territory regulatory authorities and state and territory teacher registration authorities
7. ACECQA's current and previous funding model, and potential alternative funding models, including analysis of possible learnings from other sectors
8. ACECQA's operations including resource management, data management and reporting
9. Perspectives of governments, authorities, providers and sector peak organisations and the ACECQA Board

Out of scope

- The functions of state and territory regulatory authorities
- Amendments to the National Law and National Regulations that are not relevant to the functions and operations of ACECQA
- Any review of the National Quality Agenda more broadly

The expected outputs of the ACECQA Review include recommendations on:

- can ACECQA more effectively administer its functions to continue to meet the objectives of the National Quality Framework (NQF)
- possible future functions of ACECQA
- how ACECQA's governance arrangements could be improved
- what funding model would be most appropriate for ACECQA's resourcing to continue effective operation

Matters involving ACECQA not in scope of the Terms of Reference for this Review and any matters identified in the review as requiring legislative amendments, will be referred to the Review of the National Quality Framework.