



# Performance update for the NSW ECEC Regulatory Authority

Reporting on the NSW ECEC Regulatory Authority's performance  
against the lifecycle of the Ministerial Statement of Expectations  
1 July 2023 – 30 June 2025



## Overview

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### Our commitment to safety and quality

The Minister of Education and Early Learning's Statement of Expectations helps parents, carers and families to have confidence in the NSW Department of Education's role in regulating early childhood education and care (ECEC) services in NSW.

The department is responsible for regulating ECEC services across the state. As the NSW Regulatory Authority for the ECEC sector, we work to ensure the delivery of safe, high-quality early childhood education and care for children by monitoring and supporting services' compliance with the [National Quality Framework](#).

The core regulatory functions of the NSW ECEC Regulatory Authority (NSW ECEC RA) are exercised by authorised officers in accordance with the National Quality Framework (NQF). Visit the [Australian Children's Education & Care Quality Authority \(ACECQA\) website](#) for more information.

Read more about the [NSW ECEC RA's role](#).

## What is the Ministerial Statement of Expectations?

A Ministerial Statement of Expectation (SOE) is a formal public statement made by the responsible minister(s) outlining the Government's expectations of how an agency should improve its operations. The SOE for the NSW ECEC RA was created to build confidence and trust in the regulation of ECEC services by establishing clear expectations for regulation and continuous improvement.

The SOE specified the NSW ECEC RA's outcomes and key performance indicators to support the ECEC sector's delivery of safe, high-quality early childhood education and care in NSW. These outcomes and indicators focused on 4 key themes:

1. Safe ECEC environments and quality outcomes for children
2. Responsive risk-based regulation
3. Culturally safe regulation
4. Improved sector experience and engagement through effective communication.

## Context

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The number of services in the NSW ECEC sector grows every year by around 2–3%.

There are several other drivers of regulatory activity. The NSW ECEC RA:

- responds to complaints
- reviews provider applications, service applications and amendments
- risk-assesses notifications and incidents
- conducts assessments and ratings of services
- performs other monitoring and compliance activities.

The NSW ECEC RA functions are centred around the safety, health and wellbeing of children.

The NSW Government is investing \$55 million over 4 years on top of the regulatory authority's existing budget to boost frontline staff, further increase service visits, and fund CCTV and technology to protect children and maintain quality services. This commitment was made on 22 August 2025, after the SOE reporting period ended, at a special purpose Education Ministers Meeting on child safety in ECEC.

This report was finalised on 2 October 2025.

## Performance summary

Overall performance of the NSW ECEC RA has been positive, and ongoing improvements are being made. Over the life of the SOE, 12 out of 16 targets were achieved. The regulatory authority has improved on 9 KPIs between 1 July 2023 and 30 June 2025. In light of various unexpected pressures, the SOE results have been positive, particularly for operational targets.

The regulatory authority will continue to explore opportunities to uplift performance.

## Performance update

### Safe ECEC environments and quality outcomes for children (Outcome 1)

Using risk-based approaches, the NSW ECEC RA continues to effectively monitor service quality and compliance with the requirements of the NQF.

#	KPI	Result	Summary
1.1.1	100% of services will be visited at least every 18 months.	<b>Met</b>	<ul style="list-style-type: none"><li>During the 18-month period between 1 January 2024 and 30 June 2025, the regulatory authority visited every service operating in NSW at least once (100%).</li><li><b>Additional information:</b><ul style="list-style-type: none"><li>During the 18-month period between 1 January 2024 and 30 June 2025 the regulatory authority conducted 13,457 inspections at 6,426 services.<sup>1</sup></li><li>Overall, services were visited twice on average, and the highest risk services were visited 5 times on average.</li></ul></li></ul>
1.1.2	At least 95% of newly approved services will have an assessment and rating visit within 18 months.	<b>Not met</b>	<ul style="list-style-type: none"><li>Between 1 July 2023 and 30 June 2025, an average of 91% of newly approved services received an assessment and rating visit from the regulatory authority within 18 months of approval.</li><li><b>Additional information:</b><ul style="list-style-type: none"><li>The regulatory authority engages regularly with newly approved services during the first 18 months of their operations, including pre-approval visits, post-approval visits and assessment and rating visits.</li><li>All newly approved services have received a regulatory visit in the last 18 months (including those that are not yet assessed and rated).</li></ul></li></ul>

<sup>1</sup> This includes visits to 225 services that were surrendered or cancelled during the period 1 January 2024 to 30 June 2025. Additionally, visit counts include visits to premises that were not approved, surrendered, or cancelled and includes visits to out-of-scope services.

The NSW ECEC Regulatory Authority made significant progress to drive and support ongoing quality uplift of the sector.

#	KPI	Result	Summary
1.2.1	Provide quality support and interventions, with the aim of ensuring that at least 90% of services meet or exceed the NQS.	<b>Met</b>	<ul style="list-style-type: none"> <li>As at 30 June 2025, 92.5% of services were Meeting NQS or above.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>Since 1 July 2024, the regulatory authority has identified over 320 services for enrolment into the Meeting NQS Pathway of the Quality Support Program. The Meeting NQS Pathway is a free 21-week program facilitated by ACECQA that supports services' ability to meet and/or exceed the NQS and focuses on priority quality areas.</li> <li>Additional quality supports were also developed for the sector including, 'Implementing the Child Safe Standards', 'Governance and Risk Management' and 'Look Before You Lock'. For more initiatives, visit the <a href="#">Safety and Quality Practice Program page</a>.</li> </ul> </li> </ul>
1.2.2	Develop a strategy (by end of 2024) to address services rated Working Towards (WT NQS).	<b>Met</b>	<ul style="list-style-type: none"> <li>The NSW ECEC RA has developed a strategy to uplift the quality of services rated Working Towards NQS.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>The strategy includes development of a public facing policy which will be published in the second half of 2025.</li> </ul> </li> </ul>
1.2.3	All services rated 'Working Towards' as at 1 August 2022 are reassessed under the NQS by 31 July 2024.	<b>Met over 2 year period</b>	<ul style="list-style-type: none"> <li>620 of the 670 services (92.5%) rated Working Towards NQS as at 1 August 2022 and requiring reassessment by mid-2024 were reassessed by 31 July 2024.</li> <li>All eligible remaining services were reassessed by 30 June 2025.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>The regulatory authority has a continued focus on uplifting the quality of ECEC services and this will continue through the implementation of the Working Towards Strategy and Policy.</li> </ul> </li> </ul>

To strengthen our ability to regulate effectively and ensure safe ECEC environments and quality outcomes for children, the NSW ECEC RA is committed to:

- ensuring resources are efficiently allocated to conduct inspections and quality assessments
- maintaining strong presence across the ECEC sector through targeted and unannounced inspections
- implementing strategies to address services rated Working Towards NQS.

## Responsive risk-based regulation (Outcome 2)

The NSW ECEC Regulatory Authority continues to apply the laws and regulations to ensure timeliness and efficiency of regulatory decisions and quality assessments.

#	KPI	Result	Summary
2.1.1	25% of all NSW ECEC services are either partially reassessed or fully assessed and rated in a 12-month period based on currency and risk.	<b>Not met</b>	<ul style="list-style-type: none"> <li>As at 30 June 2025, 22% of services had been assessed and rated in a 12-month period.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>Work is underway to decrease time between assessment and rating visits for services and ensuring quality ratings are as current as possible. This work includes expanding Authorised Officer allocations of assessment and rating visits and various improvements to streamline the assessment and rating process for regulatory staff and services.</li> </ul> </li> </ul>
2.1.2	Average time taken to process new service applications is 60 calendar days.	<b>Met</b>	<ul style="list-style-type: none"> <li>Over the 2024 financial year, the regulatory authority took an average of 44 days to process new service applications, exceeding the target average by 16 days.</li> <li>Over the 2025 financial year, the regulatory authority took an average of 40 days to process new service applications, exceeding the target average by 20 days.</li> </ul>

Through targeted regulatory capability training and the establishment of an internal quality assurance regime, the NSW ECEC RA has strengthened its ability to ensure regulatory practices are applied consistently.

#	KPI	Result	Summary
2.2.1	100% of regulatory staff have completed required regulatory capability training by mid-2024.	<b>Met</b>	<ul style="list-style-type: none"> <li>All regulatory staff (100%) had completed the relevant regulatory capability training by mid-2024.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>The regulatory authority regularly monitors ongoing completion rates and updates the training as needed.</li> </ul> </li> </ul>
2.2.2	Undertake an annual internal audit regime to ensure consistency in decision-making.	<b>Met</b>	<ul style="list-style-type: none"> <li>The regulatory authority has successfully developed and delivered an agile quality assurance and internal audit regime.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>Since commencement, the quality assurance and audit functions have included reviews of decision-making practices, documentation and processes. Many recommendations are in the process of being implemented. A forward plan for further assurance activity is under development and delivery will commence in late 2025.</li> </ul> </li> </ul>

Prioritising child safety through risk-based approaches, the NSW ECEC RA has responded to complaints and notifications of serious incidents in a timely manner.

#	KPI	Result	Summary
2.3.1	Notifications and complaints are risk assessed within one business day and allocated for management within the next 2 business days.	<b>Not met</b>	<ul style="list-style-type: none"> <li>Between 1 July 2023 and 30 June 2025, 98% of notifications and complaints received were risk assessed within one business day.</li> <li>Between 1 July 2023 and 30 June 2025, 65% of those cases were allocated for management within 3 business days. This result fluctuated during periods of unanticipated volume. In early 2025, the regulatory authority refined the triage processes, which has improved risk assessment and allocation times.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>Over the 2025 financial year, the regulatory authority responded to over 20,000 notifications, including managing sizeable peaks in response to critical events such as Cyclone Alfred in February – March 2025 and flooding in the Hunter and Mid North Coast in May 2025.</li> </ul> </li> </ul>

The NSW ECEC RA is continually enhancing how we respond to emerging risks by:

- Optimising processes and resources to:
  - ensure incidents and notifications are able to be assessed and triaged efficiently
  - enable greater number of quality assessments to be conducted per year
  - assess and determine new service applications within statutory timeframes.
- Working with department risk experts to conduct audits and quality assurance activities.

## Culturally safe regulation (Outcome 3)

The NSW ECEC RA has implemented culturally safe initiatives to ensure that Aboriginal and Torres Strait Islander cultures are valued in our regulatory approach. This is also a legislative requirement under section 3(3)(d) of the National Law.

#	KPI	Result	Summary
3.1.1	100% of regulatory staff have completed cultural awareness training by mid-2024.	<b>Met over a 2 year period</b>	<ul style="list-style-type: none"> <li>96% of required regulatory staff had completed the required cultural awareness training by mid-2024.</li> <li>- Some staff had previously completed the training but it had expired after 1 July 2024 (3%). Some staff were not required to complete training (&lt;1%).</li> <li>- All remaining required staff had completed the training in the 2025 financial year (100%).</li> </ul>
3.1.2	Effectively implement the Aboriginal Cultural Safety Framework for ECEC across the NSW sector.	<b>Met</b>	<ul style="list-style-type: none"> <li>By mid-2024, the Aboriginal Cultural Safety Framework had been developed.</li> <li>As at 1 April 2025, 518 ECEC services completed the Aboriginal Cultural Safety Framework early adopter program.</li> <li>As at 30 June 2025, 256 ECEC services enrolled into the Aboriginal Cultural Safety Framework momentum builder program. This program was finalised in August 2025.</li> <li>As at 30 June 2025, 37 people with Management or Control (PMCs) or their delegate completed the Aboriginal Cultural Safety Masterclass.</li> </ul>

The NSW ECEC RA is committed to raising cultural awareness in our regulatory staff as well as empowering the sector to embed cultural safety in practice.

Learn more about the [Aboriginal Cultural Safety Framework](#).

## Improved sector experience and engagement through effective communication (Outcome 4)

The NSW ECEC RA continues to enhance our transparency with educators, providers, sector representatives and families to raise our profile and support quality uplift in ECEC.

#	KPI	Result	Summary
4.1.1	Increase sector and family reach by 10% through external communications and engagement initiatives and channels.	<b>Met</b>	<ul style="list-style-type: none"> <li>From 1 July 2023 to 30 June 2025, the ECEC Regulatory Authority's Facebook page following, which includes engagement from families and carers, increased by over 25%.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>From 1 July 2023 to 30 June 2025, the department also delivered 11 editions of 'Quality and Compliance in Practice' as well as 59 editions of the sector-wide 'ECEC Update', which provides current ECEC information to services and providers.</li> </ul> </li> </ul>
4.1.2	In the NSW Regulatory Authority's annual sector feedback survey, at least 70% of survey respondents 'agree' or 'strongly agree' that the support and guidance provided by the NSW Regulatory Authority was informative and helpful.	<b>Not met</b>	<ul style="list-style-type: none"> <li>63% of respondents to an independent sector feedback survey conducted in April–May 2025 'agree' or 'strongly agree' that the support and guidance provided by the NSW ECEC RA was informative and helpful.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>There has been significant public interest in the ECEC sector, which has increased the need for support and guidance on a range of issues. The regulatory authority works closely with sector representatives to identify opportunities for improving how we communicate with it and families.</li> </ul> </li> </ul>

The NSW ECEC RA has implemented improvements to enhance regulatory experience.

#	KPI	Result	Summary
4.2.1	Implement improvements to the assessment and rating of NSW ECEC services by mid-2024.	<b>Met</b>	<ul style="list-style-type: none"> <li>Improvements to assessment and rating were introduced in July 2024, including partial assessment and ratings and reduced notice periods.</li> </ul>
4.2.2	Implement an online Self-Assessment and Quality Improvement Planning Portal to support ECEC services' quality improvement journey.	<b>Met</b>	<ul style="list-style-type: none"> <li>The Self-Assessment and Quality Improvement Planning Portal was launched on 12 February 2024.</li> <li><b>Additional information:</b> <ul style="list-style-type: none"> <li>Over 4,000 services have since adopted the portal with more continuing to register.</li> <li>The portal supports embedding quality improvement in everyday practice and allows easy submission of information to the regulatory authority prior to an assessment and rating visit.</li> </ul> </li> </ul>