

Understanding the compliance and quality history of your child's early childhood education and care service

A resource for families

All early childhood education and care services in NSW must now display their quality and compliance history as a requirement of the National Law in line with Section 172(3) and (4). This includes long day care, preschools and out of hours care services, as well as family day care services. Family day care services must display the compliance and quality history for their family day care scheme at each residence and venue as well as the principal office. You can discuss the compliance history relevant to the residence or venue with your service educator.

This resource has been created to support families to understand their service's compliance and quality history.



Starting a conversation about compliance and quality

Services in NSW are required by law to display their compliance and quality history and ensure it is always readily available to families.

The short-form compliance and quality history is completed by services and should be clearly visible from the main entrance of all early childhood education and care (ECEC) services in NSW.

It includes relevant compliance actions and prosecutions from the past 2 years (or to the date the service was approved or transferred to the current approved provider) along with the service's current and previous quality rating.

A service's compliance and quality history is also displayed on StartingBlocks.gov.au. The website features updated compliance data, service ratings, and safety insights, helping families to make informed choices for their children.

You can use this information to engage with your service about its compliance and quality history. You may want to ask your service for further details about the areas of non-compliance. You can ask:

- what happened
- what action the regulator took
- what action the provider took
- what has been done to prevent it from happening again.

This information can give you valuable insight into how your service approaches transparency, safety and continuous improvement in its practices.

You can also visit the NSW Early Learning Commission's [compliance and enforcement actions](#) webpage to view published information about enforcement actions taken against early childhood providers and educators.

If you have any concerns, you can contact the NSW Early Learning Commission as the independent regulator for early childhood education and care in NSW on 1800 619 113 or via ececd@earlylearningcommission.nsw.gov.au

Sections of the short-form compliance and quality history

Type

In this column services must list the type of compliance action taken against them.

Compliance actions are official measures taken and recorded by the regulatory authority in response to a service's non-compliance with the National Law or Regulations. These actions are designed to ensure services address breaches and meet their legal responsibilities.

Compliance actions may include:

- cancellations
- suspensions
- conditions
- infringement notices
- compliance notices
- compliance directions
- enforceable undertakings
- emergency action notices
- prohibition notices
- direction to exclude an inappropriate person

Services must also publish any offences for which they have been prosecuted where there is a plea of guilt, finding of guilt or a conviction.

Area of non-compliance

Here services will list the section of the [National Law and/or National Regulations](#) that each compliance action relates to.

The National Law sets a national standard for early childhood education and care across Australia. The National Regulations support the National Law by providing detail on a range of operational requirements for an education and care service.

Date issued

This is the date the Commission has issued the compliance action or the quality rating to the service.

Status

The status should be either 'closed' or 'issued'.

Closed: the area of non-compliance has been addressed and no further action will be taken by the Commission in relation to these specific compliance actions.

Issued: the compliance action has been issued and the approved provider must be taking steps to ensure they comply with the National Law and Regulations.

Quality rating

This section lists the service's 2 most recent quality ratings. Ratings are issued by the Commission after assessment and rating, except for the excellent rating which is issued by the Australian Children's Education and Care Quality Authority (ACECQA).

For more information on assessment and rating and your service's quality ratings visit the [choosing a quality service webpage](#) or [startingblocks.gov.au](#).



Short-form compliance and quality history

Service name:
Date report generated:
Service ID:
Provider ID:
Provider name

Every ECEC service in NSW is now required to display their compliance and quality history. This information is to help families better understand safety in their child's service.

Type of Action	Area of non-compliance	Date issued	Status
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Quality Rating	Rating issued
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Your service has filled in this template, so that you can see a short-form version of their compliance and quality history. It covers the past 2 years of compliance history (or to the date the service was approved or transferred to the current approved provider) along with the current and previous quality rating. It also includes any offences for which the service has been prosecuted where there is a plea of guilt, finding of guilt or a conviction.

The NSW Early Childhood Education and Care Regulatory Authority undertakes monitoring and compliance activities to ensure the health and safety of children.

For more information speak to your service, scan the QR code or contact the NSW Early Childhood Education and Care Regulatory Authority on 1800 619 113 or via eeecd@det.nsw.edu.au



Short-form compliance and quality history 1

Good to know

How compliance is determined

All services in NSW are regulated by the NSW Early Learning Commission. Authorised officers representing the Commission conduct regular visits to NSW ECEC services, including out of hours care (OOSH) and family day care (FDC), for the purpose of compliance, monitoring and assessment.

The Commission supports services in meeting their obligations while ensuring the safety and wellbeing of all children attending the service. If an authorised officer determines that an ECEC service has breached any regulation or law, they will assess the level of risk to children's health, safety and wellbeing, and provide guidance to rectify the issue.

When the Commission finds a compliance breach

When the Commission identifies a breach of compliance, a range of actions may be taken depending on the nature and seriousness of the issue.

To determine the most appropriate response the Commission will evaluate:

- the level of risk to children's health, safety, or wellbeing
- the service's compliance history
- the provider's compliance history and response
- the specific nature of the breach and how it occurred.

There is no 'one-size-fits-all' approach. Each situation is considered on its own merits to ensure the response is appropriate and proportionate to the breach.

A minor compliance breach that does not pose a risk to children's safety is not necessarily a cause for concern. However, it's important to consider the service's overall compliance history, including how often breaches occur and how the provider responds. Repeated minor breaches or patterns of poor response may indicate broader issues in a service.

How a quality service should respond to a compliance breach

When non-compliance has been identified, a quality ECEC service should respond by reviewing and updating policies while actively engaging with families, educators and staff to improve practices.

This engagement may include gathering feedback through parent and staff meetings, surveys and information sessions. Any changes should then be communicated to all staff and families, providing opportunities for questions and input.

Do compliance breaches indicate an unsafe environment

Not all compliance breaches indicate a serious risk to children's safety or wellbeing. They may relate to administrative or procedural issues that are promptly addressed by the service but still need to be recorded.

When reviewing a service's compliance history, it's important to focus on the nature of the breaches, how often they occur, and, most importantly, how the service responds.

A service that acknowledges issues, takes effective action and implements measures to prevent them from recurring is demonstrating accountability and a commitment to improvement. Rather than seeing a compliance notice as a red flag on its own, families are encouraged to ask:

- What was the breach about?
- How did the service respond?
- What action did the Commission take?
- What has been done to prevent it from happening again?

What a child safe service looks like

Child safe ECEC services champion and model a child safe culture at all levels of the service – from the top down and from the bottom up.

A child safe service typically:

- implements the [Child Safe Standards](#) and can demonstrate how they have embedded child safety in their day-to-day practices
- has child safe policies, procedures and a Code of Conduct that can be shared with parents and carers when asked
- ensures all staff maintain a verified Working with Children Check
- has regular, ongoing training for staff and volunteers on child safe practices and appropriate behaviour with children
- has clear processes and procedures for handling concerns and complaints.

Learn more about **child safety in ECEC** at education.nsw.gov.au/child-safety

Definitions

Compliance history

Compliance history is a record of all instances where a service has not met the requirements of the National Law and Regulations. It includes details of any compliance actions taken in response to these breaches.

Quality history

Quality history is a record of the 2 most recent quality ratings issued to a service by ACECQA or the NSW Early Learning Commission after an assessment and rating.

Compliance action

The Commission can issue a compliance action in situations where on-the-spot guided compliance is not appropriate. In this case, the regulatory authority may issue compliance actions including cautions, directions, notices, emergency action notices, and show cause notices to cancel a service or provider approval.

Compliance notice

A compliance notice is a written notice issued by the Commission requiring an approved provider to rectify a substantiated breach of the National Law or National Regulations within a specified timeframe of no less than 14 calendar days. The compliance notice sets out the steps that need to be taken to address the breach.

Enforceable undertaking

An enforceable undertaking is a written direction of what a service must do or cease doing in order to comply with the National Law and regulations.

Emergency action notices

An emergency action notice is a written notice that sets out steps the approved provider must take to remove or reduce an immediate risk to the safety, health or wellbeing of a child or children within a specified timeframe of no more than 14 calendar days.

The Commission can only issue an emergency action notice if it is satisfied a service is operating in a manner that poses, or is likely to pose, an immediate risk to the safety, health or wellbeing of a child or children.

Suspension or cancellation of provider or service approval

A suspension or cancellation of a service approval means that the individual service cannot operate.

A suspension or cancellation of a provider approval means all services held by the provider, in any jurisdiction, are also suspended or cancelled and they cannot operate.

Resources



Service Regulation, feedback and complaints

Scan the QR Code or [click this link](#).



Child safety in early childhood education and care

Scan the QR Code or [click this link](#).



Choosing a quality service

Scan the QR Code or [click this link](#).



Find and compare services

Scan the QR Code or [click this link](#).



What are the Child Safe Standards

Scan the QR Code or [click this link](#).



Understanding the National Quality Standard

Scan the QR Code or [click this link](#).



Published compliance and enforcement actions

Scan the QR Code or [click this link](#).