Outside School Hours Care – Establishing a New Service

Do Schools need to comply?

Yes - if you intend establishing an Outside School Hours Care (OSHC) service.

OSHC services are required to meet the legislated national standards from 1 January 2012. You are advised to refer to the Education and Early Childhood Services Registration and Standards Board (EECSRSB) and the Australian Children’s Education and Care Quality Authority (ACECQA) websites below.

Conditions of compliance:

In SA OSHC services are regulated by the Education and Early Childhood Services Registration and Standards Board (EECSRSB).

The South Australian Education and Early Childhood Services (Registration and Standards) Act 2011, incorporating the Education and Care Services National Law (South Australia), provides the legislative base for this regulatory system in South Australia.

The EECSRSB will assess applications and approve the establishment of new OSHC services. National registers containing service details are maintained on the ACECQA website.

Each OSHC service is required to develop a Quality Improvement Plan against 7 quality areas described in the National Quality Framework. Services are assessed and rated against the National Quality Standard and Education and Care Services National Regulations by the EECSRSB. They will receive a rating against each quality area, as well as an overall rating. The results of this assessment are published on the mychild.gov.au website.

The EECSRSB also plays a monitoring role in ensuring compliance with the National Law and as such may pay unannounced visits to your service.

If you have to comply, what do you have to do?

Obtaining a Provider Approval, to demonstrate fitness and propriety, is a prerequisite to operating one or more approved education and care services. Following this approval, an Approved Provider of an OSHC service must apply for and be granted a service approval for each education and care service it wants to operate.

To apply for provider and service approval, the nominee must:
- apply to the EECSRSB
- provide the information set out in the National Regulations
- nominate a Certified Supervisor to be the Nominated Supervisor
- pay the application fees set out in the National Regulations.

Conditions of compliance:

In deciding whether to grant service approval, the EECSRSB must consider:
- the requirements of the National Quality Framework
- the adequacy of the policies and procedures for the service
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- the suitability of the premises and site

What are the consequences if you don’t comply?

All OSHC services operate under National Law. Approvals are subject to a condition that the Approved Provider must comply with the National Law. The EECSRSB may place additional conditions on provider and service approvals. Failing to follow these legislative requirements may result in compliance action including substantial fines and closure.

Useful links:

Australian Children's Education & Care Quality Authority
Education and Early Childhood Services Registration and Standards Board