



## NATIONAL QUALITY FRAMEWORK WHO IS NOT COVERED

The National Quality Framework covers most long day care, family day care, preschool or kindergarten, and outside school hours care services.

### Services excluded by the National Law

The following services are excluded by the National Law and are not within the scope of the National Quality Framework:

- schools providing full-time education to children, including children in the year before grade 1, however preschool programs delivered in schools or preschools that are registered as schools are within scope
- preschool programs delivered in schools if the programs are delivered in classes where a full-time education program is also being delivered to school children and the program is delivered to fewer than six children in the school (composite classes)
- personal arrangements (for example a nanny)
- services principally conducted to provide instruction in a particular activity (for example, language classes or ballet classes)
- services providing education and care to patients in a hospital or patients of a medical or therapeutic care service
- care provided under a child protection law of a participating jurisdiction.

Services that are excluded by the National Law are unlikely to be brought into the National Quality Framework in the future.

### Services excluded by the National Regulations

Services excluded by the National Regulations may be brought into the National Quality Framework in the future by amending the National Regulations.

The services excluded by the National Regulations include:

- disability services defined under state or territory law and early childhood intervention services for children with additional needs
- education and care in a child's home
- education and care in a residence, other than as part of a family day care service
- occasional care services (for example, care offered ad hoc or on a casual basis)
- education and care provided by a hotel or resort to children of short-term guests at the hotel or resort
- education and care that is provided to the children of a guest, visitor or patron where the person who is responsible for the child is readily available at all times
- education and care where it is primarily provided or shared by parents or family members
- education and care provided at a high school to children of students attending the school
- mobile services
- services that provide education and care for no more than four weeks per calendar year during school holidays
- transition to school programs provided by a school to orient children to that school
- budget-based funded services, other than where the service also receives Child Care Benefit
- playschools licensed in the Australian Capital Territory
- stand-alone services in Queensland
- playcentres in South Australia
- services licensed as centre-based class 4 or 5 services under the *Child Care Act 2001* in Tasmania
- licensed limited hours or short-term services in Queensland or Victoria
- government-funded services under the *Children and Community Services Act 2004* of Western Australia.

### Possible future inclusions

Excluding certain types of education and care through the National Regulations makes it possible for these types of services to be brought into the National Quality Framework at a later stage by amending the National Regulations.

Over time, the Australian Government and state and territory governments will consider how and when excluded services may be brought more easily into the National Quality Framework.

To underpin this consideration, analysis will need to be conducted to assess the unique characteristics of each type of service. This will ensure that a full cost–benefit analysis and broad consultation is undertaken. This will also ensure that services have time to prepare to meet key elements of the National Quality Standard.

**Contact your state or territory Regulatory Authority if you are unclear whether your service is covered by the National Quality Framework. The contact details for Regulatory Authorities are available on the Australian Children’s Education and Care Quality Authority’s website at [www.acecqa.gov.au](http://www.acecqa.gov.au).**