

# Victorian Children's Services

## Professional development in lieu of minimum training (grandfathering)

Fact Sheet | March 2010

Updated April 2013

On 25 May 2009 the amended *Children's Services Act 1996* (Victorian Act) and *Children's Services Regulations 2009* (Victorian Regulations) commenced, introducing new minimum training requirements for all staff members and family day carers. The Victorian Regulations provided for highly experienced staff and family day carers to complete an approved professional development course in lieu of minimum training. These provisions are often referred to as 'grandfathering' provisions.

It is no longer possible to apply for an assessment of eligibility and complete professional development in lieu of minimum training.

Staff members/educators and family day care educators who completed professional development in lieu of minimum training may continue to be employed in Victorian children's services (minimum trained staff members) and education and care services (certificate III level educators and family day care educators) without having to undertake further training or study.

### What were the provisions for completing professional development in lieu of minimum training?

In general, under the Victorian Regulations staff members and family day carers were not required to meet the minimum training requirements if they:

- were employed in a licensed children's service, outside school hours care service or family day care service on 25 May 2009; and
- were employed in a licensed children's service, outside school hours service or family day care service continuously for at least five years full-time or ten years part-time in the years immediately prior to 25 May 2009; and
- completed an approved professional development course by 1 January 2012.

In general, 'full-time' means employed for at least 20 hours per week for 40 weeks per year, or 800 hours per year, or full-time for the service. 'Part-time' generally means at least three hours per week for 40 weeks per year or 120 hours per year.

In order to register for an approved professional development course, staff members and family day carers were first required to undergo an assessment by Early Childhood Australia, Victoria Branch Qualifications Advisory Committee (ECA) to determine their eligibility to complete professional development in lieu of meeting the minimum training requirements.

### Evidence and the staff member or family day carer record

Individuals who have completed professional development in lieu of minimum training should retain the original copies and place copies of the following on their staff record or on the record of family day care educators:

- Letter from ECA outlining their recommendation to complete professional development in lieu of minimum training (placing this letter on the staff record or register of family day care educators is optional).
- Letter from the Department confirming their eligibility to complete professional development in lieu of minimum training (required on the staff record or register of family day care educators).
- Evidence from Gowrie Victoria, TAFE or registered training organisation that an approved professional development course has been completed (required on the staff record or register of family day care educators).

## Professional development in lieu of minimum training and the National Quality Framework

The requirement to hold an approved certificate III level qualification under the *Education and Care Services National Regulations 2011* (National Regulations) does not apply to educators in centre-based services and family day care educators who completed a professional development course approved by the Secretary under the Victorian children's services legislation by 31 December 2011 (regulations 364 and 366).

### Can I change employers if I have completed professional development in lieu of minimum training?

Grandfathered staff may change employers without having to undertake further study or training under the Victorian Regulations or the National Regulations.

It is advised that staff members and family day care educators retain the original copies of the evidence outlined above, in addition to providing copies for the staff record or register of family day care educators. This will assist in demonstrating to prospective employers and authorised officers of the Department that their eligibility to complete professional development was assessed by ECA and that they have completed the approved professional development course.

### Further information

The **Department of Education and Training** is the Regulatory Authority in Victoria.

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