



**Education
Standards
Board**



JOB AND PERSON SPECIFICATION

ROLE TITLE	Regulatory Officer		
CLASSIFICATION	ASO5	Position No.	Various
TEAM	Quality Assessment		
TYPE OF APPOINTMENT	Term Contract Ongoing		
QUALIFICATIONS - Desirable – Qualification in law, commerce, economics or other relevant qualification or relevant regulatory or auditing experience - Desirable – Early childhood teaching or other early childhood education and care qualification, or relevant experience in the early childhood education and care sector.			
OUR VISION Making a positive difference to the lives of South Australian children and young people by ensuring they have access to high-quality education and early childhood services.			
OUR VALUES The Education Standards Board will uphold public sector values through its decisions, actions and interactions. In addition, we are committed to our values: - Honesty & integrity: We are consistent and fair in our actions to encourage openness and transparency - Professionalism: We have a culture that strives for excellence and aims to improve productivity - Sustainability: We respond to change and proactively improve - Collaboration & engagement: We collaborate in our work practices - Accountability: We make decisions that comply with legislation, are ethical and are consistent with approved policy and procedure.			
CONTEXT The <i>Education and Early Childhood Services (Registration and Standards) Act, 2011 (Act)</i> established our Statutory Authority called the Education Standards Board (ESB). The Act and associated legislation shape South Australia’s approach to the registration and regulation of education and care services from early childhood to senior schooling.			
ROLE PURPOSE The Regulatory Officer is responsible for coordinating and undertaking regulatory activities associated with, assessing and rating service quality against a national standard, assessing applications, and providing consistent education and guidance to support services to achieve and maintain compliance with the legislative obligations.			
REPORTING / WORKING RELATIONSHIPS - Reports to: Team Leader, Quality Assessment - Direct Reports: Nil - Liaises with a range of internal and external stakeholders including ESB staff, regulated parties, parents/caregivers and other government agencies.			

SECTION A:	RESULTS TO BE ACHIEVED
	- Assess the quality and the performance of early childhood services and school age care services, against the National Quality Standard, in accordance with relevant policy and procedures, and the ESB's regulatory posture. - Assess provider, service and waiver applications in accordance with the legislation and within legislative timeframes and make appropriate and evidence based recommendations to delegates. - Capture accurate and complete records promptly using the required regulatory system and electronic records management system. - Use data intelligence to support informed regulatory decision-making in the preparation of quality, evidence-based written reports, briefs and correspondence. - Escalate contentious regulatory issues in a timely manner to their team leader to ensure prompt and appropriate management. - Provide consistent information and expert advice to the general public, providers and services and other external stakeholders about the regulatory framework. - Use a range of communication strategies to influence regulated parties and achieve positive regulatory outcomes. - Continuously seek to create improvements to own practice, the team and organisational processes. - Identify opportunities for improving business processes, coordinate and deliver projects that improve team operations and facilitate meeting key performance indicators and the Board's strategic objectives. - Research, maintain and apply a thorough and up to date knowledge of relevant policy and legislation to ensure adherence to best practice regulation.
SPECIFIC REQUIREMENTS	
	- The successful applicant will be required to satisfactorily complete a Department of Human Services Working with Children Check and National Police Clearance prior to being employed and regularly as required. - A current driver's licence and the willingness to drive is a requirement. Intrastate travel will be required. - Out-of-hours work may be required when undertaking assessment and ratings of services. - Annual performance agreement for the achievement of specific service or program outcomes. - Uniform may be required. - Compliance with Government legislation, Code of Ethics for the SA Public Sector, <i>State Records Act 1997</i>, ESB policies and procedures, including ethical / accountable resources and information management, WHS and injury management, risk management, and the access / equity /diversity strategies of the public sector. - The incumbent will be required to maintain a safe working environment by adopting appropriate hazard management practices consistent with the role.
SECTION B:	SELECTION CRITERIA
TECHNICAL EXPERTISE	

• Understanding of the role of the Education Standards Board as a statutory authority of the state of South Australia. • Knowledge of relevant state and nationally applied Early Childhood Education and Care legislation and the National Quality Framework. • Understand the operating and authorising environment and use key regulatory concepts and frameworks to increase the effectiveness of regulatory outcomes. • Demonstrated knowledge of regulatory tools and their use, and identify when and how to use different regulatory tools.		
• Demonstrated knowledge of Procedural Fairness, Natural Justice and rules of evidence in a regulatory environment. • Understand and use available technologies to maximise efficiencies and effectiveness. • Maintain up-to-date knowledge of regulatory best practices. • Apply knowledge, administrative law principles, judgement, and discretion within delegation to achieve the desired regulatory outcome.		
PERSONAL ABILITIES		
• Use a range of communication strategies (including spoken, written, and visual) to suit the audience. • Respond appropriately to stakeholder consultation and engagement needs, including following culturally appropriate practices. • Demonstrated ability to analyse information, prepare and write documents for a variety of audiences that are clear, concise and accurate. • Demonstrated ability to work under limited direction, exercise initiative in selecting methods and techniques, plan to achieve priority outcomes based on risk and respond flexibly to changing circumstances. • Accurately assess information against legislation, standards, policies, and past decisions when making regulatory decisions. • Proactively seek opportunities to improve skills and knowledge and take action to make those improvements. • Demonstrated ability to acquire knowledge of the <i>Education and Care Services National Law Act 2010</i> (SA) and Regulations and the National Quality Framework.		
EXPERIENCE		
• Experience in recording a range of data accurately and promptly, according to legislation and following relevant policies and procedures. • Experience in administrative law decision making or gathering evidence, reading, and interpreting legislation, policy and procedures assessing risk and making recommendations. • Proven experience in working as part of a team and demonstrated practical aptitude to learn new skills and promote a continuous improvement agenda.		
SECTION C:	DESIRABLE SELECTION CRITERIA	
• Knowledge of the structure and workings of the Public Sector. • Proven experience in a regulatory or quality assurance environment.		
SECTION D:	DELEGATE APPROVAL	
APPROVED BY: Kerry Leaver Chief Executive	DATE: 31/5/2024	SIGNATURE: 

The ESB Regulatory Capability Framework (RCF) outlines the regulatory skills, knowledge and behaviours that regulatory staff need to effectively regulate the early childhood sector in South Australia.

A regulatory capability framework is an invaluable tool for ensuring the continuous improvement and growth of regulatory staff in the ESB, enabling them to improve their existing capabilities and/or develop new ones.

All regulatory officers are encouraged to use the Regulatory Capability Framework to guide their performance development planning (PDP) and enable focused, productive PDP conversations with their managers.

The table below outlines the key capabilities.

SECTION E:	REGULATORY CAPABILITY FRAMEWORK
Regulatory Decision-making	- Effectively regulates the provision of education and care services to children and young people following the legislation and ESB policies and procedures. - Effectively applies the legislation to achieve the desired regulatory outcomes. - Exercises regulatory powers and delegations appropriately and responsibly. - Makes effective, evidence-based regulatory decisions that comply with legislation, administrative law principles, ESB policies and procedures, and best-practice standards in the public sector. - Gathers and manages evidence so that it can be used to prove the circumstances of the event. - Continuously seeks to create improvements – to own practice, the team, and organisational processes.
Risk-based Regulation	- Manages regulatory risks proportionately and maintains essential safeguards while minimising regulatory burden. - Plans and prioritises work activities based on regulatory risk and ESB policies and procedures.
Regulatory Communication and Engagement	- Understands the stakeholder and proactively considers the different needs and interests of these stakeholders. - Communicates effectively with regulated parties using a range of communication strategies to achieve positive regulatory outcomes. - Provides leadership to influence compliance and lead change in the regulated community. - Behaves ethically and professionally and upholds and promotes the ESB and the South Australian Public Sector Values and Behaviours Framework.
Data Intelligence and Information	- Uses data intelligence to support informed regulatory decision-making. - Manage and share information according to the legislation and following ESB policies and procedures.
Monitoring Compliance	- Conducts scheduled or unscheduled compliance monitoring activities. - Applies the appropriate regulatory tools for the compliance situation according to the legislation and following ESB policies and procedures. - Keeps contemporaneous notes and uses them to give evidence in court (tribunal or other contested hearing), prepare statements and compile reports, including incident reports. - Supports regulated parties to voluntarily comply with legislation/standards. - Implements and monitors Work Health Safety (WHS) policies, procedures and programs in the office and out in the field.
Investigations	- Plans, conducts and finalises investigations according to the legislation and following ESB policies and procedures. - Takes and gives statements that provide evidentiary value. - Prepares for and conducts interviews, reviews and correlates information. - Produces formal record of interview. - Prepares a brief of evidence in line with best practice and ESB requirements. - Gives evidence in a range of legal proceedings to the required standard.

Acknowledged by occupant	 (Print name)	 (Signature)	/...../.....
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