

CHILDCARE PRIORITY OF POLICY

QUALITY AREA <7> | MARKETING & COMMUNICATIONS



PURPOSE

The Priority of Access Policy is designed to ensure fair and equitable allocation of childcare places in accordance with the Priority of Access Guidelines set out in the *Family Assistance Act 1999*.

SCOPE

This policy applies to:

- The Approved Provider, persons with management or control, Centre Director, Nominated Supervisor, and persons in day-to-day charge.
- Early Childhood teachers, educators (including those providing information or supporting the enrolment process), staff, contractors, students, volunteers, parents/guardians, children, and others enrolled and participating in ECMS programs and services, including during offsite excursions and activities.
- All ECMS-operated Early Learning Centres, including Long Day Care, and After-School Care services.

It is a condition of approval for Child Care Subsidy (CCS) purposes that services comply with these guidelines. This policy governs the systems and procedures for managing registrations and enrolments across ECMS childcare programs. This policy supports us in:

- responding to the needs of local communities
- complying with state and national legislation and requirements for enrolment in long day care programs
- upholding Privacy and Human Rights legislation.

POLICY STATEMENT

Childcare services must adhere to the Priority of Access Guidelines to allocate available places fairly when more families require care than places available. The policy ensures that children who are most in need receive priority access, and services operate in accordance with *Family Assistance Law 1999*.

POLICY PRINCIPLES

The following principles underpin all ECMS policies:

- Our policies reflect our purpose
- We use evidence to guide decisions
- Our policies are clear, accessible and purposeful

Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 1 of 8

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- Safety, equity and inclusion are non-negotiable
- We are accountable, transparent and always learning

Alongside ECMS’s overarching principles, the following principles provide specific guidance for this policy:

- **Child-centred:** Enrolment processes are designed around the best interests of each child. Decisions prioritise children’s wellbeing, safety, developmental needs and continuity of learning, with flexibility to support inclusion and smooth transitions. Family input is valued and considered, while the child’s rights and outcomes remain central, in line with Regulations 155–157 of the Education and Care Services National Regulations 2011.
- **Culturally safe and inclusive:** ECMS is committed to culturally safe, respectful and inclusive enrolment practices that are free from discrimination. We welcome Aboriginal and Torres Strait Islander families, refugees, and families from diverse cultural and linguistic backgrounds through culturally responsive practices, language support where needed, and acknowledgement of Country. Priority of Access is applied to promote inclusion and reduce barriers, in accordance with the Equal Opportunity Act 2010.
- **Equity:** ECMS promotes equitable access by applying Priority of Access consistently and supporting children and families who may experience vulnerability. Local criteria (such as siblings or proximity) are considered only after priority groups are applied. No child is excluded unlawfully, and enrolment and orientation processes are adapted where needed to address barriers such as technology, language, documentation or immunisation requirements.

POLICY

Priority Criteria 1:

- **Children at Risk:** Children identified as being at risk of serious abuse or neglect.

Priority Criteria 2:

- **Children of Working or Studying Parents:** Children of a single parent who satisfies, or of parents who both satisfy the work, training, or study test.

Priority Criteria 3:

- **Any Other Child:** All other children.

Within Priority Categories:

- **Aboriginal and Torres Strait Islander Families:** Priority should be given to children from Aboriginal and Torres Strait Islander families.

Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 2 of 8

- **Families with a person with a disability:** Children from families that include a person living with disability.
- **Low-income families:** Children from families with an adjusted taxable income not exceeding the lower income threshold or whose partner is on income support.
- **Non-English-speaking background:** Children from families who speak a language other than English.
- **Single Parent Families:** Children from single-parent families.

Procedure for Filling Vacant Places

Application and Assessment:

- Families must complete a waitlist form detailing their circumstances. The application will be assessed according to the priority criteria outlined above.

Allocation of Places:

- Available places will be allocated based on the priority categories. When a place becomes available, it will be filled following the priority criteria to ensure that children in higher priority categories receive access first.

Requiring a Child to Vacate a Place

Notification:

- A child in Priority 3 may be required to vacate their place to accommodate a higher-priority child only if:
 - The service provides at least 14 days' notice to the person responsible for the fees before the child is required to vacate the place.

This Priority of Access Policy ensures a transparent and equitable approach to managing childcare enrolments, prioritising access for children most in need and maintaining compliance with relevant legislation.

Monitoring, Review and Continuous Improvement

ECMS reviews and assesses this policy for effectiveness, adequacy and relevance every three years, or earlier if legislation, Child Safe Standards, or organisational priorities change. The review and update process will be aligned to legislative and regulatory changes, and interim updates may be made sooner, if significant changes occur, with regard to new regulatory obligations, or as a result of incident findings, audit outcomes or organisational restructure. Feedback from children, families, educators, and leaders informs learning and opportunities for continuous improvement to inform training, practice improvement and policy review. Insights are used to strengthen and implement improvement strategies through practice and systems, ensuring children remain safe, seen and heard.

Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 3 of 8

BACKGROUND AND LEGISLATION

BACKGROUND

Priority of access in ECMS Childcare meets the requirements of the Victorian Department of Education and Training, the Federal Department of Education, Skills and Employment, and the Public Health Amendment (No Jab, No Play) Act. Universal access to high-quality early learning helps children get a good start in life and has positive effects across society, consistent with ECMS's purpose to foster lifelong learning. This policy is aligned to legal obligations stipulated under relevant Commonwealth and Victorian legislation, regulations and standards, including the Education and Care Services National Law Act (2010), Education and Care Services National Regulations (2011), A New Tax System (Family Assistance) Act 1999, Privacy Act 1988 (Cth), Child Wellbeing and Safety Act 2005 (Vic), Public Health and Wellbeing Act 2008 (Vic), Public Health and Wellbeing Regulations 2019 (Vic), the National Quality Framework, Child Safe Standards (Vic), and associated relevant legislation, regulation and standards.

LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- A New Tax System (Family Assistance) Act 1999
- Education and Care Services National Law Act (2010) and Regulations 2011 (Vic)
- Privacy Act 1988 (Cth)
- Child Wellbeing and Safety Act 2005 (Vic)
- Equal Opportunity Act 2010 (Vic) - Sections 39, 40, 41, 42 and 43
- Public Health and Wellbeing Act 2008 (Vic) and Regulations 2019 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Working with Children Act 2005 (Vic) and Regulations 2006 (Vic)
- National Quality Standards - Quality Area 7- Governance and Leadership
- Child Safe Standards (Vic) - Standard 5- Equity is upheld and diverse needs respected in policy and practice (5.3 and 5.4)
- Charter of Human Rights and Responsibilities Act 2006 (VIC)

The most current amendments to listed legislation can be found at:

- **Victorian Legislation** – Victorian Law Today: www.legislation.vic.gov.au
- **Commonwealth Legislation** – Federal Register of Legislation: www.legislation.gov.au

SOURCES AND RELATED POLICIES

SOURCES

- ACECQA: QA7 – [Development of child enrolment record](#)
- Australian Department of Education: [Early childhood and care laws](#)
- Victorian Government: [Priority of access for early childhood education](#)
- Vic Department of Health: [No Jab, No play for early childhood education and care services](#)

Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 4 of 8

- Vic Government: [Priority of access criteria for early childhood education](#)
- Vic Government: [Victorian Early Years Learning and Development Framework](#)

ECMS FRAMEWORKS

- Assurance Framework
- Compliance Management Framework
- Financial Management Framework
- Policy Governance Framework
- Risk Management Framework

RELATED POLICIES

- Child Safety and Wellbeing Policy
- Code of Conduct
- Complaints & Feedback Policy
- Childcare Enrolment Policy
- Payment of Fees Policy
- Orientation Policy
- Privacy and Confidential Information Policy
- Supervision of Children Policy

RELATED PROCEDURES

- Group Allocation Procedure

EVALUATION

To assess whether the values and purposes of the policy have been achieved, ECMS will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedure, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

ATTACHMENTS

- **Appendix 1:** Roles & Responsibilities
- **Appendix 2:** Definitions

Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 5 of 8

DOCUMENT VERSION HISTORY

Document Version History			
Version	Reason for Amendment	Approved by	Review date
2.0	Update criteria in line with current practice and requirements	ECMS Executive	March 2026

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Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 6 of 8

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APPENDIX 1: ROLES AND RESPONSIBILITIES

This section outlines the key roles and responsibilities required to implement and uphold this policy.

ROLE	RESPONSIBILITIES
Approved Provider/ Executive Team	<ul style="list-style-type: none"> Oversee policy governance, implementation and compliance. Ensure systems are in place to implement this policy consistently across all ECMS services. Provide resources, training, and support to services.
Area Managers / Centre Directors	<ul style="list-style-type: none"> Implement and comply with this policy. Liaise with Local Government. Inform the Enrolments Team if they become aware of a family's eligibility for priority to enable fair allocation.
Enrolments Team	<ul style="list-style-type: none"> Implement and comply with this policy. Apply priority of access criteria and effectively allocate places. Liaise with Local Government on registration and enrolment processes. Collect completed enrolment forms and supporting documents (e.g. Immunisation History, Health Care Card, etc.).
Educators, Staff, Students on Placement, Volunteers and Contractors	<ul style="list-style-type: none"> Assist families to access enrolment and supporting documents. Discuss concerns about enrolment processes or submitted documents with Centre Directors. Liaise with families about enrolment, entry age, and second-year applications.
Parents/Guardians	<ul style="list-style-type: none"> Follow enrolment processes and provide relevant documents (e.g. Immunisation History, Health Care Cards, etc) Discuss any additional needs with the team at their service.

Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 7 of 8

This document is not controlled once it has been printed

APPENDIX 2: DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms, refer to the Definitions file of the ECMS Policy Catalogue.

Term	Definition
Approved Provider	The person or entity approved under the <i>Education and Care Services National Law 2010</i> to operate an education and care service.
Children/families experiencing vulnerability and/or disadvantage	Children are vulnerable if the capacity of parents and family to effectively care, protect and provide for their long-term development and wellbeing is limited. Some factors which may contribute to a child experiencing vulnerability include: a child with a disability; living in a family with a low income, or one which is experiencing problems with housing, domestic violence, , substance abuse, or mental health; known to Child Protection; in statutory Out of Home Care; Aboriginal and/or Torre Strait Islander, having a culturally and linguistically diverse background; having a young or sole parent, or a parent with a disability.
Enrolment	An enrolment occurs when the provider has an arrangement with an individual or organisation to provide care to a child and the provider submits an enrolment notice in the Child Care Subsidy System. It is a requirement under Family Assistance Law for all children who attend childcare (or have an arrangement for care) to have an enrolment notice regardless of their Child Care Subsidy eligibility status.
Priority of Access (PoA)	The Priority of Access (PoA) criteria support kindergarten services to prioritise children for enrolment when there are more applications than places available.

Document Name: Childcare Priority of Access Policy	Next Review Date: March 2027	Document Version: 2.0
Document Owner: Marketing & Communications	File Location: Inside Play Resources Policy and Procedure	Release date: March 2026 Page 8 of 8