



## **Determination of the Education and Early Childhood Services Registration and Standards Board of South Australia**

### **INSTRUMENT A**

#### **Made under regulation 24 of the Education and Early Childhood Services (Registration and Standards) Regulations 2025 (State Regulations)**

This determination is made for the purposes of the conditions on service approval for Occasional Care, Rural and Mobile Care and Schedule 1 early childhood services set by regulation 24 of the State Regulations concerning educator to child ratios and educator qualifications.

#### **Educator to Child Ratios for Occasional Care, Rural and Mobile Care and Schedule 1 early childhood services**

In accordance with regulation 24, a service approval for a residual childhood services is granted subject to the condition that the approved provider must comply with any requirements regarding the minimum number of educators required to educate and care for children at the residual early childhood service as may be determined by the Board from time to time.

This determination applies only to the following classes of residual early childhood services:  
Occasional Care services  
Rural and Mobile Care services  
Schedule 1 early childhood services.

#### **Educator to Child Ratios**

1. The minimum number of educators required to educate and care for children at an Occasional Care; Rural and Mobile Care or Schedule 1 early childhood service is to be calculated in accordance with the following ratios—
  - a. for children from birth to 24 months of age—1 educator to 4 children;
  - b. for children over 24 months and less than 36 months of age—1 educator to 5 children;
  - c. for children aged 36 months of age or over (not including children over preschool age)—1 educator to 11 children;
  - d. for children over preschool age, 1 educator to 15 children.
2. If children being educated and cared for at a centre-based service are of mixed ages the minimum number of educators for the children must meet the requirements of paragraph (1) at all times.
3. If an early childhood teacher or a suitably qualified person is required under Division 5 to be in attendance at a centre-based service, subject to regulation 122 that early childhood teacher or suitably qualified person is counted as an educator at the service for the purposes of this regulation.
4. If a centre-based service is required under regulation 130 or 131 to have access to an early childhood teacher for a period, subject to regulation 122 that teacher is counted as an educator at the service for the purposes of this regulation.

5. If a service fails to meet the requirements in paragraphs (1) to (4) for a period of 5 consecutive days on which the service operates, the service must notify the ESB within 24 hours after the expiry of that period and provide a risk mitigation plan addressing the non-compliance.
6. Upon notification, the ESB may determine what action, if any, is required under the Act, including whether to impose, vary or amend a condition of the service approval.

**Notes**

- (a) References in this determination to the National Law and National Regulations are references to the *Education and Care Services National Law (South Australia)* and the *Education and Care Services National Regulations*
- (b) Any references to **Divisions** or **regulations** in paragraphs 1-6 are references to the National Regulations
- (c) Any reference to a **centre-based service** in paragraphs 1-4 are to be taken as a reference to an Occasional Care services, Rural and Mobile Care service or Schedule 1 early childhood service as applicable
- (a) **Occasional Care service, Rural and Mobile Care service** and **Schedule 1 early childhood service** are defined in regulation 12 of the State Regulations.



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Made by the Early Childhood Services Registrar

Delegate of the Education and Early Childhood  
Services Registration and Standards Board of  
South Australia

16 September 2026