

BOW05286

***Teachers as professionals in the regulatory environment:
Experiences in early childhood services***

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Paper **BOW05286** presented at the Australian Association for Research in Education
(AARE) Conference, University of Western Sydney, Parramatta, Australia
28 November – 1 December 2005.

ABSTRACT

This paper presents the findings of a study completed for an early childhood education honours degree. The aim of the study was to explore how teachers in children's services experience their roles as professional educators and how these experiences have been affected by the Regulation¹. Guided by feminist research principles, this study contributes to the growing research dialogue on early childhood teachers' experiences with, and perceptions of, the impact of regulatory requirements on their teaching and on their perceptions of themselves as professionals. Three early childhood teachers, who work in children's services in metropolitan Sydney, participated in this study. Using a methodological 'coalition', the teachers participated in 'research conversations' and a visual/textual enquiry process. The visual/textual enquiry process involved teachers collecting, developing and constructing seven panels using photography, artefacts, text and visual art media, to represent their 'sense of place' in their work environment in light of the impact of the Regulation. Themes emerging from the data were identified and considered in light of the regulatory intent for children's services, and possible unintended adverse consequences for teachers. The themes discussed in this paper include regulatory tension, mistrust, surveillance, sacrifice, resistance, compliance, relationships, interpretation and ambiguity, and the stifling of an educational focus. The findings suggest that early childhood teachers may operate behind a metaphorical regulatory 'fence,' which contributes to their perceptions of 'safety' but impinges on their professional freedom, integrity and passion for teaching.

INTRODUCTION

In Australia, regulations and controls are generally considered essential in early childhood education to ensure that an acceptable minimum standard of care is provided for children in the prior to school sector (Ebbeck & Waniganayake, 2003; Wright, 2003). Without government intervention, there is a perceived risk of children's services becoming dangerous and unsuitable places for children (Shepherd, 2004). However, a growing literature suggests that the use of 'surveillance' and 'inspection' characteristic of the 'audit society' (Sachs & Mellor, 2005), may have an adverse impact on staff in children's services. For example, it is widely considered that the current shortage of qualified early childhood teachers is a key contributor to the 'childcare crisis' in New South Wales (NSW) (Warrilow & Fisher, 2005). Currently, the sector is marked by difficulties in attracting sufficient numbers of teachers to the field and high rates of teacher attrition. The shortage of qualified teachers may be partly attributed to the adverse impact of the regulatory environment on teachers (Shepherd, 2004). There remains, however, a paucity of research exploring teachers' perceptions and experiences of the early childhood regulatory environment and the impact on their working lives, despite a growing research interest in this issue nationally and internationally. Duncan (2004) asserts, "when we listen to the accounts of those who deal daily with the realities of implementing these policies...we can begin to see a fuller picture" (p.17). The study reported in this paper

¹ In NSW, children's services are governed by the *NSW Children's Services Regulation 2004*, which is administered and monitored by the Department of Community Services (DoCS).

explored the tensions in the early childhood field with reference to three early childhood teachers and their experience of the Regulation², which governs children's services in NSW.

Specifically, the aim of this project was to explore how teachers³ in children's services, who are currently in the role of Authorised Supervisor⁴, experience their roles as professional educators and how these experiences have been affected by the Regulation. The key issues explored included teachers' work histories interpreting and implementing the Regulation; and teachers' perceptions of the impact of the Regulation on their teaching.

OVERVIEW OF THE LITERATURE

- In Australia, Fenech, Sumsion and Goodfellow (Fenech, Sumsion, & Goodfellow, 2004) are investigating the impact of the regulatory environment on early childhood professionals' job satisfaction, professional practice and perceptions of their ability to provide quality care. The specific concerns cited by respondents regarding job dissatisfaction related to excessive paperwork; loss of autonomy; over-regulation; inadequate minimum standards; and the ambiguous nature of some regulatory stipulations causing difficulties in interpretation with Children's Services Advisors (CSAs), and consequent tensions in teachers' relationships with their CSA. The survey findings highlight the need for further specific investigations of how teachers' experiences of the regulatory requirements might be made less onerous.
- Another Australian study, based in Queensland, conducted by Grieshaber, Halliwell, Hatch and Walsh (2000; 2002), investigated early childhood teachers' use of child observation to inform teaching decisions. The study found that increasing levels of accountability in the regulatory environment pressured the participating teachers to use child observations as an assessment tool for external audiences, rather than as a tool to inform curriculum decision making within the classroom. This study highlights the need to investigate the unintended and potentially adverse impact of regulatory requirements on teachers and their practice.
- Duncan (2004) was motivated by similar issues as Grieshaber et al. (2000) to investigate the impact of increasing government accountability measures in children's services in New Zealand. In the study, Duncan recorded the perceptions and insights of eight early childhood teachers' experiences with early childhood education policy reforms, and the impact of the reforms on their teaching and management of children's services. All eight teachers reported feelings of being 'overtaken' and 'misplaced' by: the pace of the changes and the increased administrative demands; expectations of

² In this paper, *the Regulation* refers to the NSW Children's Services Regulation 2004.

³ The participants in this study were employed in roles that encompass teaching, as well as leading and managing (as Authorised Supervisors). However, for clarity and precision, the term 'teacher', rather than 'Authorised Supervisor' is used to refer to the participants.

⁴ The Authorised Supervisor is essentially responsible for the centre/staff compliance with the Regulation, and answers to a representative from DoCS, known as the Children's Service Advisor (CSA).

implementing a new curriculum; being taken away from their time with the children; and by centralised requirements which were not relevant to their centre.

- A study conducted in Ireland, provided empirical evidence of changes arising from the introduction of national regulatory requirements (Hayes, O'Flaherty & Kernan, 1997 as cited in O'Kane, 2005). This study suggests that although regulatory control can potentially improve factors contributing to quality, such as lower child to staff ratios and smaller group size, there may be adverse unintended consequences for the quality of teaching.
- Similar findings were recorded by Gallagher, Rooney and Campbell (1999) whose study compared the impact of child care licensing regulations on quality service provision, across four North American states. All four states found the task of regulating standards for child protection easier than regulating standards for child development. This comparative investigation confirms that environmental elements of children's services are easier to regulate, due to objective measurement, than elements which determine high quality, which are more problematic due to multiple perspectives on the definition of quality.
- Gormley (2000) conducted a cross-national comparison of four countries' regulatory practices (France, Germany, Sweden and the United States) in standards and enforcement. This study was valuable in drawing attention to the multiple approaches governments can adopt when regulating children's services. The image of the child, and the perceptions of the place of early education within each society, is reflected in the philosophy guiding regulatory stipulations. Two extremes in regulatory practices were:
 - Sweden: regulatory standards were 'child focused', with the pursuit of low staff to child ratios, small group sizes and well-trained staff, and considerable contact between staff and children; regulatory enforcement was approached through providing technical assistance to childcare providers in the form of pedagogical assistance, and was based on the premise that childcare providers were trustworthy
 - United States: regulatory standards were 'facility focused', where attention to safety of the physical plant dominated the focus (e.g. safe equipment, soft surfaces, removing/containing hazardous substances); regulatory enforcement relied on regular inspections to ensure centre compliance (although it was noted that in practice enforcement was lax).

THEORETICAL FRAMEWORK

When approaching data generation and interpretation in the study, I (Kathryn) drew on principles of feminist methods in social research. Punch (1998) provided five interconnected aspects of feminist research methodology, which I used as a framework for my explorations with teachers. Briefly, they are:

1. Research methodology influenced by feminist perspectives acknowledges the presence of emotion, and its powerful effect on the construction of knowledge (McIntyre, 2004; Punch, 1998; Reinharz, 1992).
2. Feminist research perspectives consider the importance of human interaction in any research project, and reject the proposition that research can be objective, detached and scientific (Punch, 1998; Reinharz, 1992; Speer, 2002). As Reinharz (1992) suggests, I participated as a learner and a listener, rather than a 'researcher'.
3. Research provides possibilities for engaging teachers in a process of reflection and deconstruction of beliefs. This process may ultimately lead to what Reinharz (1992) refers to as the *demystification framework*. By this, she means that "the very act of obtaining knowledge creates the potential for change" because it assists in overcoming "the paucity of research about certain groups [which] accentuates and perpetuates their powerlessness." (p.191).
4. Research is linked to action, connects with the outcomes of the *demystification framework*. In this study, there was potential for teachers to become aware of the Regulatory impact on their professional roles and other aspects of the early childhood environment, and that consequently, resulting in empowerment to take action.
5. Research following feminist perspectives can be a collaborative process, espousing the co-construction of understanding, rather than the collection or retrieval of data. I used the term 'data generation' rather than 'data collection', to emphasise the collaborative approach between myself and the teachers.

MODE OF ENQUIRY

The mode of enquiry in this study involved what Sullivan (2005) terms a methodological 'coalition'. This term refers to the use of two methods to generate data in a collaborative, interwoven fashion. The particular coalition used in this study involved a partnership of research conversations and a visual/textual enquiry process. The strength of this design was that it offered a multidimensional approach to understanding the lived experience of teachers that transcends traditional methodological and disciplinary boundaries.

Arts informed enquiry is a mode of investigation used by researchers to capture data in visual and textual forms (Banks, 2001; Knowles & Thomas, 2000; Sullivan, 2005). Potentially, a visual mode of enquiry can draw out knowledge and understandings which may be missed, overlooked or unexposed in more traditional textual forms of data collection (Banks, 2001; Black & Halliwell, 2000; McIntyre, 2004).

Visual/textual imagery has been utilised by many researchers as a form of educational enquiry (Harper, 2000). Visual and textual imagery can be developed and presented in a multitude of ways to represent the knowledge and understandings of participants. Sullivan (2005) argues that, "visual arts research...is dynamic, reflexive, and revelatory as creative and critical practices are used to shed new light on what is known and to consider the possibility of what is not." (p.192).

Commonly, visual and textual imagery is developed through photography (Banks, 2001; Knowles & Thomas, 2000; Sumsion, forthcoming); participants' drawings of metaphors (Black & Halliwell, 2000; Britt & Sumsion, 2003; Jorde Bloom, 2000; Sumsion, 2002); participants' drawings and jottings during interviews (Kelly & Berthelsen, 1995; Weber & Mitchell, 1996); or a combination of all types of imagery (Knowles & Thomas, 2000, 2001; Sumsion, forthcoming). Visual images, in all of the abovementioned research, are accompanied by verbal or textual data to enhance and complement the visual mode of enquiry. Forms of arts informed enquiry are appealing to many researchers as they allow the researcher to place "dignity and respect as the guiding values in relationship" (McIntyre, 2004, p.260).

DATA GENERATION

Arts informed enquiry encapsulates a wide range of enquiry techniques used to capture visual data in research. For this study, I used visual/ textual imagery panels, and research conversations in the methodological coalition.

Visual/Textual Imagery Panels

Marlene Creates, an artist from Newfoundland, devised a particular technique of arts informed enquiry, to represent 'sense of place', using a set of seven visual/textual panels. Several educational researchers have drawn on Creates' technique to explore 'sense of place' with students. Knowles and Thomas (2000; 2001) have used this technique to assist secondary school art students to explore their sense of place in schools, while Sumsion (forthcoming) has engaged pre-service teachers in a similar enquiry of their sense of place in their teacher education program. To my knowledge, this technique has not previously been used with practising teachers. For this research, I utilised this technique of arts-based enquiry, to explore how early childhood teachers experience the Regulation. The diagram below explains the guidelines for developing each visual/textual panel.

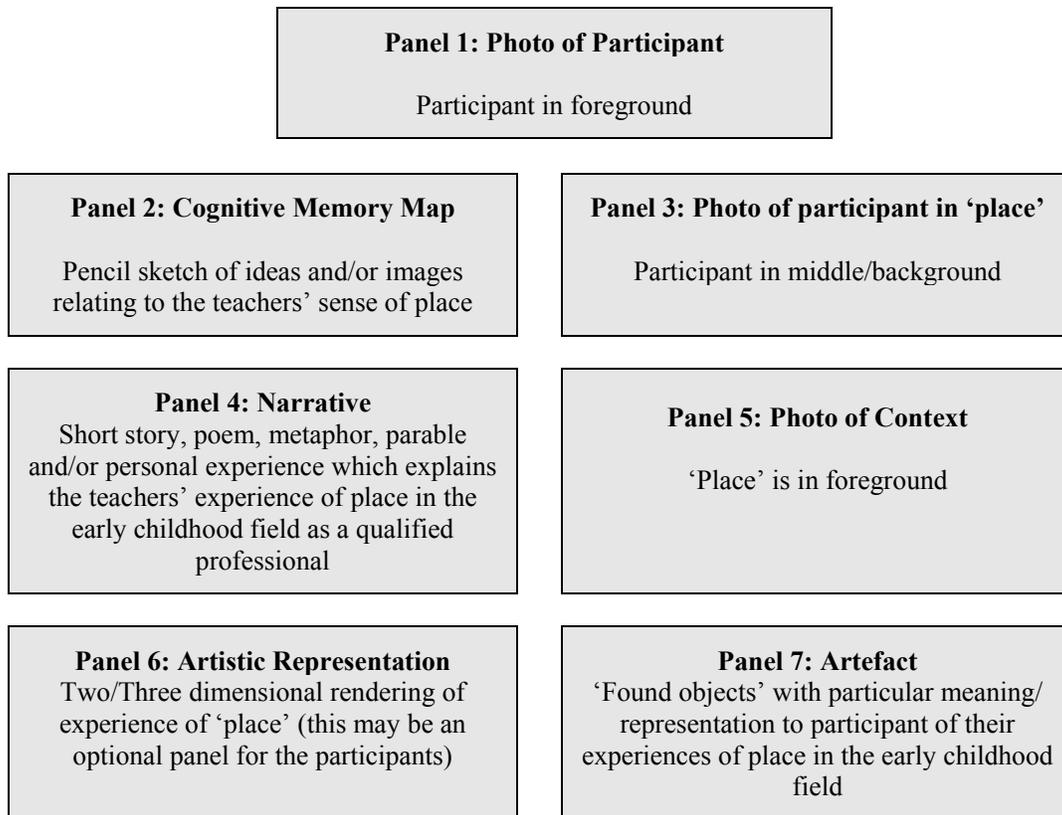


Figure 1.1: Descriptors for the seven visual/textual panels

Sense of Place

The concept behind the seven panels is the exploration of 'sense of place'. In my adaptation of this research technique, I asked the participating teachers to reflect on their 'sense of place' in their work environment, in light of the impact of the Regulation. Knowles and Thomas (2000) describe 'sense-of-place' as a notion which "interweaves the elements of geographical location, social consciousness, and the meanings derived from experience-in-place" (p.3).

Research Conversations

Conversations, rather than formal interviews, were the mode of oral communication, used to develop open, honest relationships with participants in a relaxed atmosphere (Black & Halliwell, 2000; Knowles & Thomas, 2000). Black and Halliwell (2000) contend that as a result of this personal approach, they and their participants found it possible to "risk expressing partly formed ideas, to ask naïve questions, to bring emotion to the fore, and to challenge one another's ideas" (pp. 104-5).

Participating Teachers

All three participating teachers, Belinda, Lillian and Elaine, held undergraduate teaching degrees which were recognised by DoCS as early childhood teacher qualifications. The teachers worked in centre-based services; two were Authorised Supervisors, and one was a Temporary Authorised Supervisor. Their roles encompassed teaching, as well as leading and managing within their workplace.

SEQUENCE OF EVENTS

Three research conversations were held with each teacher, for approximately one hour each time, and all conversations were audio taped and transcribed. Research conversations occurred with the teachers individually, and were scheduled for a time most suitable to them. Between the research conversations, the teachers developed and designed their visual/textual imagery panels.

The first research conversations with the teachers involved general discussions about their experiences in dealing with the Regulation, as well as how they were thinking about developing their visual/textual panels. After the first research conversation, the teachers began to collect, develop and construct their panels: taking photographs, collecting artefacts, writing text and arranging the panels. By the second research conversation, the teachers had begun developing their panels and we spent a considerable amount of the time talking about what they had done, and what they proposed to do. In the last research conversation I discussed my preliminary interpretations of the data with the teachers, and invited them to agree, elaborate or re-define their initial responses based on my tentative interpretations.

INTERPRETIVE FRAMEWORK

Feminist theory informed my research perspective, and the data generation methods employed in the study. These perspectives also influenced the 'lens' through which I interpreted the data. Hatch (2002) refers to this lens as 'political analysis' which intends to "provide a framework that builds in analytic integrity so that findings are grounded in data while acknowledging the political nature of the real world and the research act" (p.191). A 'political analysis' perspective recognises that the research process is inherently affected by the politics of research relationships and the personal backgrounds of those involved, as everyone comes to the research process with their own agendas, biases and opinions.

I drew on some principles of *political analysis* as outlined by Hatch (2002) for interpretation using a feminist perspective. The following six steps were useful in guiding my interpretation of the data:

1. Reading the data: Sense of the Whole

To get a sense of the whole data set, I sat on the floor in a large room with the panels displayed around me, and the research conversation transcripts at hand. I 'read' the panels individually, then as three sets, then as a collective 'voice'. I referred to the transcripts to clarify a hunch, answer a question I had, or to compare the verbal to the visual. During this process, I was guided by Knowles and Thomas' (2000) suggestions for interpretation of the participants' panels:

- be sensitive to the individual and collective voices of the artists;
- uncover essential meanings the artists are trying to convey;
- 'interrogate' the works for understandings of individual and collective experiences; and
- remember the panels are an example of lives intersecting for mutual meaning making (p.10).

Reading the data in these ways allowed me to 'get to know' it as a whole.

2. Writing a self-reflexive statement about beliefs and perspectives

Hatch (2002) contends that all researchers, using qualitative or quantitative methodologies, influence the research process with their personal political perspectives and agendas, but some researchers acknowledge the influence more openly than others. Thus, I recognise that my interpretations of the research were influenced by my own biases and political positioning, and I accept that it is difficult and unnecessary to avoid such influences. In other words, my bias is “not a problem to be managed; it is a reality to be understood and utilised” (Hatch, 2002, p.194).

3. Coding the data based on my beliefs and perspectives

Hatch (2002) suggests that the researcher use memos or notations in this process, to record textual impressions of what appears to be happening within the visual/textual and verbal descriptions of participants. I wrote my impressions on memos, then began the process of combing through the memos to retrieve impressions which were salient to the research question, and to focus on these alone. Following the approach of Kelly and Berthelsen (1995), I explored the memos for themes which resonated with the teachers. Comparison of the teachers’ individual representations also shed light on their similar and opposing experiences and perceptions.

4. The data set & my beliefs/perspectives: writing a summary

This step involved referring back to the literature reviewed in Chapter 1, to guide me in addressing the questions that framed the research and to consider the relevance of the possible intended and unintended consequences. This step also allowed me to explore aspects I had not anticipated.

5. Negotiating meanings with participants

Like Kelly and Berthelsen (1995), to ensure rigour in this study, I used ‘member checking’ to provide teachers with an opportunity to clarify their earlier responses. I provided the teachers with a copy of their comments on each of their panels, followed by my interpretations/commentary. All three teachers read my interpretations, and concurred with what I had written.

6. Writing a revised summary

Once I had discussed my interpretive summaries of the panels with the participants, I was able to finalise the summaries.

PRESENTING THE DATA

When organising and synthesising the visual/textual panels and research conversations of each participant, I was conscious of presenting the data in a cohesive and holistic way to acknowledge the individual voices and stories of each teacher. I found it useful to draw on the metaphor of fences and argue that early childhood teachers operate behind the fences that define their centre, while also existing and functioning within the regulatory framework of children’s services. Literally and metaphorically, teachers operate ‘on the other side of the fence’ from policy makers and DoCS. For the purposes of this paper, I have provided a full account of Belinda’s visual/imagery panels, and two images from both Lillian’s and Elaine’s panels.

BELINDA'S SIDE OF THE FENCE

Belinda is the Director and Authorised Supervisor of a 60 place preschool in South Sydney, catering for children from three to five years. Belinda believes that the Regulation has been established for two important reasons: to maintain a minimum standard; and to encourage continual improvement in early childhood services. At the same time, Belinda's account is also about the struggles she has with the Regulation and the administrative demands which dominate her working day. Belinda's relationship with her CSA contributes to her struggles, describing her CSA as "a very intimidating person."

Panel 1: Portrait of Participant, Place in Background



Belinda's Commentary: This is me overseeing the 'whole' environment, both indoors and outdoors. I feel that I am on the outside looking in, always looking, checking, counting. I am responsible and accountable. I look after everyone and make them aware. The regulations support and guide me in doing this.

My Commentary: To represent her overall responsibility, Belinda is standing on the decking around an enormous fig tree in the yard. At our first meeting, Belinda told me how she believed "the joy of early childhood" was being lost with the Regulatory constraints. She gave an example of a requirement for the centre to install a deck around the fig tree, so that it was safe for children to play under. She said:

Why have the decking? If the tree roots are there – the children will learn to negotiate them. Children...are not learning...well, - don't have the opportunity as much to take risks. Because they're not being challenged enough, because all of those things are being taken away...

This image portrays the conflict between Belinda's beliefs about the importance of challenge and risk for children, and the imposition of the Regulation on her ability to make sound decisions about children's welfare. Ironically, Belinda attempts to adhere to the Regulation by checking and counting, while standing on the very structure which acts as a barrier to the experiences she believes children should be having. The tree has been fenced off by the decking, and so too has the potential for children to experience challenge and risk.

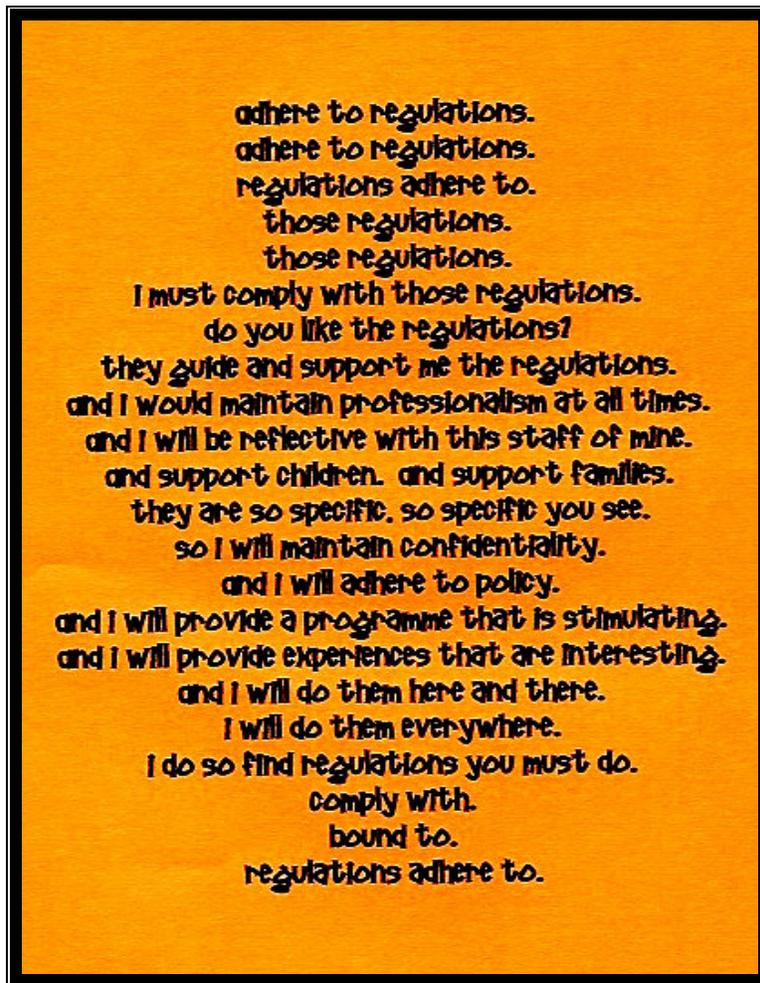
Panel 2: Participant in 'Place'



Belinda's Commentary: When I think of the regulations, I think of policy, procedure, guidelines, time, counting, checking. At times I feel like I am roped to my chair. This panel represents me being tied down in order to complete necessary tasks.

My Commentary: Belinda's image of being literally tied with rope to her office chair is forceful in portraying the abusive demands of her job. These demands and challenges affect her ability to stay positive about her role.

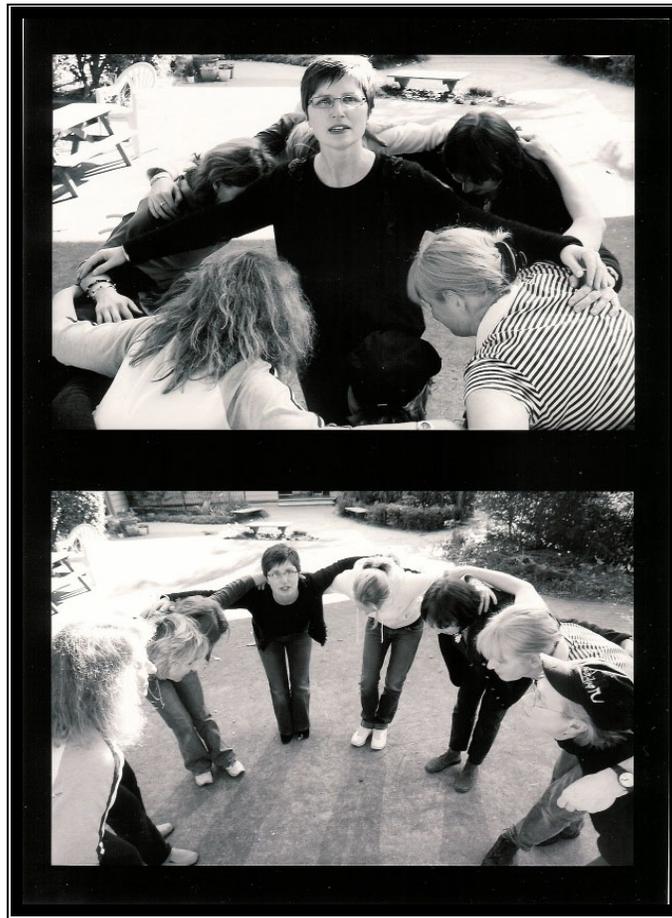
Panel 3: Narrative Statement



Belinda's Commentary: This is in the genre of the book "Green Eggs and Ham" by Dr. Seuss. I have fond memories of this book from my childhood and still have my original book from when I was four years old. When I recall my childhood I think of this book. Within the text I have encompassed some of the characteristics of my experience of place in the early childhood field as a qualified professional.

My Commentary: The second last line of this poem reads "Bound to", which links to the image of Belinda literally *bound to* her chair with rope. A second voice is evident, asking "Do you like the Regulations?" Perhaps this question represents my quest to understand Belinda's experiences with the Regulation.

Panel 4: Photo of Context



Belinda's Commentary: I am the leader, however I consider myself to be an equal, working together with the staff towards a common goal and a shared philosophy. We support one another and care for one another. We build relationships with one another and work together as a team.

My Commentary: Belinda's sense of place in this image seems to be emotional and relational, rather than physical. How does the Regulation affect Belinda's relationships with staff? How do Belinda's relationships with her team compare to/contrast with, the relationship she has with her CSA?

Panel 5: Artistic Representation



Belinda's Commentary: At times I feel just as the photo suggests. Everyone wants a bit of me. They help themselves. Wanting more and more of you. Regardless of how I feel, how much time I have, what pressures I am feeling, what deadlines I need to meet – I just smile and am kind, helpful and supportive even though part of me wants to scream.

My Commentary: Belinda's stance – arms opened and legs apart – seems almost sacrificial. She is offering herself to the birds and they willingly take parts of her. This image conjures ideas of the teacher as the sacrificial agent, justifying her role and her dedication 'for the sake of the children'. Even though parts of her are being damaged, the teacher sacrifices her own wellbeing for the demands of children and families. What is being 'picked' away from Belinda? – her enjoyment, her dedication, her energy, her beliefs, her independence?

Panel 6: Artefacts



Belinda's Commentary:

- *Rope* – (as for Panel 3) – I feel tied to my desk. Bound to the regulations.
- *Phone bill* – I spend a lot of time on the phone dealing with enquiries.
- *Regulations* – Adhering to these. Always a priority. Going through licensing at the time of doing this. Have been to a forum recently re. The changes in the regulations effective January 2006. Regulations are at the forefront of my mind at present.
- *Policies* – Adhering to policy and procedure constantly. Referring back to policy constantly.
- *Clock* – Representing time – timelines / meeting deadlines / always more to fit in the little time that you already have – never enough of it.
- *Positions Vacant* – I am all of these people and more in the role I undertake.
- *Teabag* – A lot of communication and ‘catching’ up among the staff in our busy days occurs in the kitchen. This is like the ‘hub’ of the place.
- *Clouds* – Euphoric. Sense of place. A love for what I do.
- *Definition* – My career is like a vocation, like a Nun. I was meant to be doing this.

My Commentary: Belinda likens herself to a nun – a vocation she was meant to do, and yet, she feels tired and anticipates leaving the field. The rope rests in the opposite corner, reminding Belinda of the tensions between the joys of her vocation, and the constraints and ‘binding’ nature of the Regulatory environment. Belinda includes many job titles to represent the breadth of her responsibilities, although ‘teacher’ or ‘facilitator of learning’ as Belinda prefers, does not feature. Belinda spoke about her frustrations with the Regulation’s lack of consideration for early childhood education

Panel 7: The Revelation



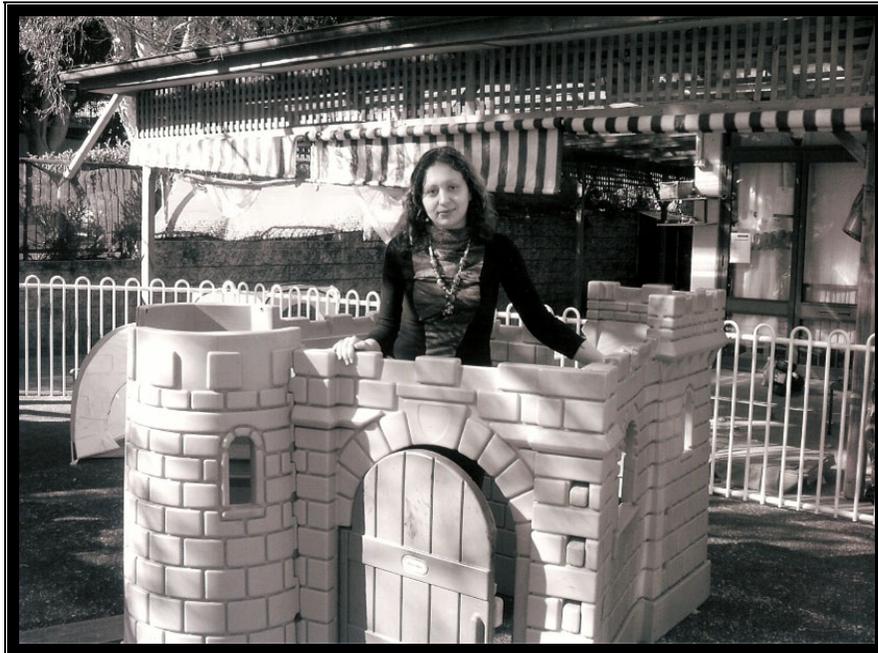
Belinda's Commentary: I have a long lasting and great passion, dedication and enthusiasm for what I do. I find it inspiring and joyful. I have depicted this panel in colour to express this. I refer to this as my 'revelation' panel. I am affected by the regulations – the amount of work involved with licensing, constantly checking and monitoring. However, when I think about the regulations in terms of the children and my work with them, they do not affect that aspect at all.

My Commentary: In defining 'professionalism' Belinda recognised that the Regulation is peripheral to her core work, and that it has very little impact on the type of teacher she is and the qualities she brings to the management of the centre. She represents her realisation that being a professional relies on the qualities of the person fulfilling the role. Her final panel symbolises the joy, peace, happiness, and satisfaction she feels in her teaching role.

LILLIAN'S SIDE OF THE FENCE

Lillian is the Director and Authorised Supervisor of a 48 place long day care centre in South Sydney which caters for children from birth to five years. Lillian's words and images communicate a sense of her confidence in, and acceptance of, the Regulation. Generally, Lillian believes the Regulation provides an acceptable minimum standard, and fosters a system of accountability. An exception is the one staff to five children ratio for children from birth to two years. Lillian maintains a one to four ratio in her centre. She is concerned that DoCS seems more concerned with "little centimetres", rather than the minimum level of staff and how the ratios impact on children.

Panel 1: Portrait of Participant, 'Place' in Background



Lillian's Commentary: The Regulations provide a base for what we do here. They are the policies and the rules that you adhere to. You are bound by them but it doesn't limit you.

My Commentary: The solidarity of the bricks and the structure of the castle reflects Lillian's confidence and surety that she is in control of her situation and in control of how the Regulation affects her.

Panel 6: Artistic Representation



Lillian's Commentary: In this picture, the fence is the Regulation. The children and families are represented by the different kinds of flowers and plants, to illustrate the many cultures we have in our centre. The groupings of flowers represent the ratios and group sizes we must observe. The pathways represent the way we have to separate the groups. The Quality Improvement and Accreditation System and the Curriculum Framework, and all the other frameworks are underneath the soil. The fence represents the Regulation. On one side it protects you, so it is a boundary that helps you and keeps you safe. On the other side, in some ways, it could be limiting.

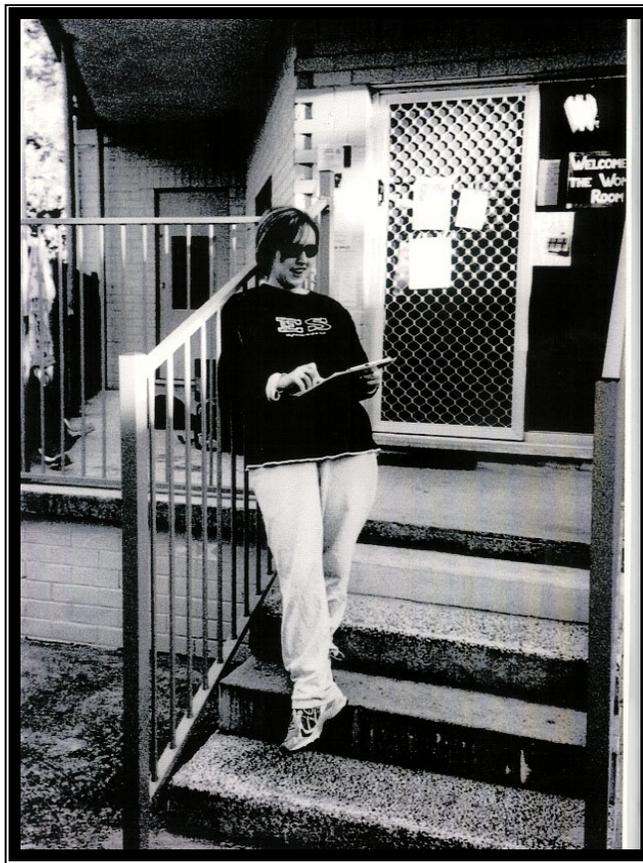
The bees are myself and the other staff. We are pollinating and nourishing the families, in order for them to survive. In terms of protection, there's child protection and by following the Regulation you are protecting yourself from things that can happen or preventing things from happening. Making laws about something as hard as child protection or something as simple as size of equipment, protects you, protects children, protects everyone in the service basically. So that's a strength. In terms of the Regulation limiting my practice, I thought of the difficulty sometimes when you have to count the numbers exactly and group sizes according to numbers rather than a particular project that you might want to do. So it does have limitations.

My Commentary: The strength of Lillian's convictions in the first panel are also evident here, as Lillian has constructed an orderly and functional garden, to illustrate exactly how she views the impact of the Regulation. The power of the Regulation is depicted in the dominating fence, which spans the width of the frame. Again, linking with Panel 1, fences and boundaries feature powerfully within this image. The paling fence, the rock wall and the green hedges are boundaries built to define space. There is a certain regularity to this garden: the spacing between the bees; the centrality of the feature garden; and the shaped hedges and rock wall. These aspects contribute to the sense of control and stability of this garden, which reflects Lillian's approach to managing her centre.

ELAINE'S SIDE OF THE FENCE

Elaine is the Temporary Authorised Supervisor in a 58 place privately operated long day care centre catering for children from two to five years, on Sydney's Northern Beaches. Elaine's account mostly relates to her recent experiences with the centre in which she currently works. The owners share the directing role. One of the Directors has an Associate Diploma in Children's Services and is the Authorised Supervisor, while the other is untrained. Elaine has found that her personal standards for compliance with Regulatory stipulations are not observed at the same level by her employers. Elaine says her Directors believe the Regulation is there "just to make their life difficult", rather than to ensure a minimum standard.

Panel 3: Participant in 'Place'



Elaine's Commentary: This image is about ratios, worrying about whether things are being done the way they are supposed to be and that the children's needs are preserved. I spend a lot of time at my desk checking up on things, sometimes secretly checking through the Regulation to see if we're complying, as well as all general programming. The first thing that came to mind was checking on the staff and numbers.

My Commentary: The relaxed appearance of Elaine in this image contrasts with her carefulness and diligence to ensure the centre is complying with 'numbers'. For Elaine, compliance with the Regulation is a reflection of her professionalism. Elaine

believes non-compliance may risk a poor reputation. In her work, Elaine often uses the Regulation to ‘back up’ the requests she makes to staff. Similarly, this image depicts the Regulation in the fence behind her, supporting Elaine as she carries out one of her regulatory duties of checking and counting.

Panel 5: Photo of Context



Elaine’s Commentary: This panel shows me sitting at my desk in my room where I spend a majority of my time. What I teach and the way I run the room, must reflect the Regulation. At my desk I: keep a copy of the Regulation; leave things to give in to the office; store Accreditation documents; keep information relevant to my role as Temporary Authorised Supervisor; and keep notes from parents and staff. I come inside in the morning and I go straight over and check the diary. Everything I need is over there, everything. So it’s really important.

My Commentary: This image reflects the confines and challenges Elaine faces in her role as Temporary Authorised Supervisor. The piles of books and folders lie precariously on the shelves above her desk. It seems ironic that Elaine’s role demands so much responsibility and time, and yet she is provided with a space which seems inadequate to support her. I wonder, does this represent the hazardous nature of children’s services for teachers? How does the early childhood environment affect teachers’ identity, integrity, confidence and future development?

DISCUSSION

The aim of the project was to explore how teachers in children’s services experience their roles as professional educators, and how these experiences have been affected by the Regulation. Although the findings from this study are not generalisable, they raise important issues for policy makers, teachers/early childhood professionals and researchers to consider. Several themes emerged from the data which I will briefly explore in the following section.

The Regulatory Tension: Hindering & Helping

- All three teachers perceived the Regulation as a guide for their practice, and were convinced the Regulation attempted to ensure the protection and safety of children.
- They also used the Regulation to support or ‘back-up’ their explanations or requests made to staff and families.
- In some ways, the teachers found the Regulation to be problematic in their working lives, as it impinged on their teaching, their professional sense of self, and their passion and dedication to the field.

Mistrust & Surveillance

- The NSW Regulatory system is maintained through surveillance and enforcement, based on the premise that children’s services staff may lapse into non-compliance, without constant monitoring and the threat of disciplinary action from a greater external authority.
- *Mistrust* seems to be a key factor informing this approach.
- Mistrust also seemed to be evident in other aspects of the regulatory environment. For example, the Regulation states two persons must be on the *premises* at all times while children attend the centre. However, the teachers ensured that all groups of children had two staff *present* at all times. It was unclear who was requesting enforcement of this practice.
- If fear and mistrust dominate policy making and the implementation of policy in services, teachers may experience negative consequences in their working lives, such as an undermining of:
 - their perceptions of themselves and their colleagues as trustworthy professional educators;
 - their relationships with families and regulatory ‘officials’; and possibly
 - their previously positive attitude towards employment in the early childhood field.

Unquestioning Compliance & Sacrifice

- It could be possible that the teachers reinforced the mistrust through unquestioning compliance to policy which went beyond regulatory stipulations, rather than considering whether these measures were fair and justified.
- The teachers may have unwittingly sacrificed their professional dignity and integrity by accepting and implementing a policy based on mistrust of children, families and teachers.
- The theme of the teacher as sacrificial agent was also evident in the behaviour of two of the teachers:
 - Belinda sacrificed her own well-being and enjoyment of life by always putting children and families first; and
 - Elaine considered remaining as a teacher at her centre until the end of the year for the sake of the children, despite considerable unhappiness in her position.
- A teacher who opposes the discourse of working selflessly for the good of the children, is deemed to be selfish and self-interested (Duncan, 1996)

- This raises serious concerns about the potential exploitation of these women teachers in a system of governance relying on the professional dedication of women to put up with poor conditions ‘for the sake of the children’.

Stifling Education, Promoting Safety

- Health, safety and child protection are key concerns of the Regulation and DoCS.
- Yet the teachers in this study found some health and safety requirements were compromising educational opportunities.
- It seems possible that teachers’ ability to make sound decisions in the best interests of children’s health/safety *and* educational experiences is not acknowledged by the regulatory system.
- Observing appropriate health and safety issues in the care and education of young children is clearly important.
- However, situating early childhood education within the DoCS portfolio seems to perpetuate an undue emphasis on health, safety and welfare issues and stifle a focus on educational objectives.

Relationships with CSAs

- CSAs aim to provide teachers with ‘professional advice’, ‘support’ and ‘guidance with practical suggestions’ (Department of Community Services, 2004).
- However, both Belinda and Elaine reported challenges when interacting with their CSAs, citing the CSAs’ use of power to intimidate people, and creating tension through her demeanour and behaviour at the centre.
- Lillian however, reported a satisfactory relationship with her CSA, although noting she had only visited the centre once in three years, which may be related to Lillian’s regular contact with DoCS on separate issues.

Ambiguity in Interpreting the Regulation

- CSA and teacher relationships were further hindered when CSAs could not provide a uniform response to the same issue.
- Ambiguity in the Regulation seemed to be a frustrating and typical problem, not only for teachers and CSAs, but also possibly for CSAs and DoCS.
- In the process of monitoring the Regulation, are the individual rights and responsibilities of teachers and CSAs being lost sight of, through the emphasis on surveillance emanating from DoCS?

Resistance or Compliance?

- The teachers’ decisions to resist or comply with the Regulation were specific and contextual.
- Resistance ranged from explicit public opposition and outward resistance, to quiet resistance and personal contemplation.
- Compliance ranged from explicit unquestioning compliance, to forced compliance.
- Each teachers’ responses varied when dealing with different issues in the Regulation.

- It was unclear whether the teachers had experienced adverse consequences when resisting the regulatory requirements, particularly when resisting outwardly and publicly.

CONCLUSION

In summary, adverse unintended consequences of the regulatory system for early childhood teachers in this study, related to: tensions of mistrust and surveillance within the regulatory system; teachers becoming sacrificial agents for ‘the sake of the children’; the practice of unquestioning compliance; the stifling of educational experiences resulting in teachers’ loss of professional integrity and responsibility; the development of potentially difficult relationships with CSAs; the ambiguous nature of many regulatory stipulations causing difficulty with interpretation; and teachers making decisions of resistance or compliance with regulatory stipulations.

This study explored how three early childhood teachers experienced their working lives under the NSW state Regulation. Teachers’ adverse experiences could be seen to be an outcome of the hierarchical system established to monitor and control children’s services, using surveillance and discipline. The challenge, now, is to consider how the adverse consequences of the Regulation on early childhood teachers can be addressed and minimised.

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