

ELACCA submission to the Victorian Parliamentary inquiry into the early childhood education and care sector in Victoria

November 2025



The Early Learning and Care Council of Australia welcomes the opportunity to provide a submission to the Legislative Council Select Committee on the Early Childhood Education and Care Sector, to inform its inquiry into early childhood education and care (ECEC) in Victoria.

About ELACCA

The Early Learning and Care Council of Australia (ELACCA) was established to promote the value of quality ECEC as an integral part of Australia's education system. Our 17 CEO members include some of the largest early learning providers in the country, representing both not-for-profit and for-profit services.

ELACCA members operate 2,019 long day care services, 298 preschool/kindergarten services and 70 OSHC services, covering every state and territory. Together, our members serve 356,339 children and their families, and employ more than 57,382 staff. In Victoria, ELACCA members offer 52% of all sessional Kindergarten places, and 29% of all long day care places.

As well as promoting the value of quality early learning and the need for greater public investment, ELACCA advocates for the right of all children to access quality ECEC, particularly children facing disadvantage. We do this by drawing on the knowledge and practical experience of our members and representing their views to decision makers in government, the media and the public.

Our commitment to child safety

ELACCA and its members are committed to safe, quality ECEC for all children, regardless of where they live, or their family circumstances. There is nothing more important than the safety and wellbeing of children. We are collectively driven by a zero-tolerance approach to child harm, in all its forms. Our Statement on Child Safety is available on the ELACCA website.¹

As large providers of ECEC services, ELACCA members are uniquely positioned to lead in embedding child safety improvements at scale. We support the outcomes of the August 2025 Education Ministers Meeting² and we look forward to engaging with governments to ensure that legislative, policy and regulatory changes are impactful, feasible, and aligned with high-quality service delivery across Australia. Strong engagement and consultation with the sector is required to ensure any unintended outcomes of these reforms are mitigated.

Response to the Terms of Reference for the Committee

(a) The adequacy of current quality and safety standards across all ECEC service types;

ELACCA strongly supports Australia's internationally renowned National Quality Framework (NQF), which has the guiding principle that 'The rights and best interests of the child are paramount'.³ The multi-layered, multi-jurisdictional approach of the NQF combines legislation, national standards, mandatory reporting and continuous oversight. This is a complex system, reflecting the many participants and stakeholders in the delivery of ECEC services. While this complexity can be challenging, we caution against any kneejerk responses that would undermine the NQF.

The NQF has demonstrated its capacity for change over time. The Framework, including the National Quality Standard, undergoes regular review, producing updated regulations and best-practice guidance to early learning services. This is a collective process, which can deliver high quality and safety to every child in Australia. The current system does require additional investment, coordination and clarity – but it provides a very solid foundation for good performance, for the benefit of children and families. ELACCA endorses the

¹ ELACCA. (2025). ELACCA Statement on Child Safety. <https://elacca.org.au/204538-2/>

² Department of Education (Australia). (2025). Education Ministers Meeting Communique, 22 August 2025. <https://www.education.gov.au/education-ministers-meeting/resources/education-ministers-meeting-communique-august-2025>

³ Australian Children's Education and Care Quality Authority. (2018). Guide to the National Quality Framework. Last updated September 2025. <https://www.acecqa.gov.au/sites/default/files/2025-09/Guide-to-the-NQF-250901.pdf>

Productivity Commission's recommendations on strengthening the NQF, through: increased transparency; an independent review, drawing on research findings and incorporating ECEC providers' input; and increased Commonwealth funding for state and territory regulators.⁴

ELACCA will continue working with all governments to identify and implement ways to further strengthen the NQF, including supporting recommendations from the recent *Review of Child Safety Arrangements under the NQF*.

ELACCA welcomed the package of child safety reforms announced by Australia's Education Ministers on 22 August 2025. While these reforms are welcome, they need to be accompanied by additional effort in one critical area: a move to national consistency whenever possible. We urge the Committee to consider the importance of consistency across jurisdictions – and the impact of competing approaches to reform. While individual states and territories may be able to move *faster* outside the collective environment, they will not necessarily do *better* – and they risk atomising and weakening the NQF system by 'going it alone'.

(b) The quality and oversight of educator training, professional development and qualifications, including a review of the effectiveness of Working with Children Checks and of Registered Training Organisations issuing early childhood certifications;

The single biggest contributor to high quality in ECEC services – including child safety – is the education and training of early childhood educators and teachers.⁵ A skilled, knowledgeable, and stable workforce is essential for supporting children's learning and development.

A comprehensive study of educators in high-quality services found that key contributing factors include: strong organisational support; good leadership; and investment in professional development and learning. Researchers recommended that policymakers and employers 'provide the conditions in the workplace for educators to have sustained time to fully engage in and with their work', including through non-contact time, room meetings, paid attendance at staff meetings and flexibility.⁶

For this reason, ELACCA develops and delivers professional learning and upskilling programs for its members, and for educators more broadly. This includes the Victorian Educational Leadership Program (VELP), funded by the Victorian Department of Education and delivered in partnership with Queensland University of Technology (QUT); and ITE (Initial Teacher Education) Boost, which supports diploma-qualified educators to upskill to a bachelor degree. Building the next generation of ECEC leaders, and growing the number of educators with degree qualifications, should be high priorities for all governments.

The quality of ECEC services, including the safety of children, can be maintained and improved by investing in educators and service leaders. How to fund this investment is a threshold question. ECEC providers currently fund non-contact time for professional development, programming and planning from their fee revenue. Improving quality and safety may require further investment in non-contact time, including to support educators to undertake mandatory child safety training and to deepen centre teams' work on quality improvement and pedagogy. With long day care fees capped under the Commonwealth's Worker Retention Payment scheme, it will be challenging for providers to fund these measures.

Like many others in our sector, ELACCA has long advocated for a single, national Working With Vulnerable People Check. We also continue to call for a national reportable conduct scheme. There is no reasonable excuse for permitting the current inconsistencies across jurisdictions to continue. Risk thrives in situations of ambiguity.

⁴ Productivity Commission. (2024). A path to universal early childhood education and care. Inquiry report no. 106 – Volume 1. Canberra: Productivity Commission.

⁵ Pascoe, S & Brennan, D. (2017). *Lifting our Game*, pp. 62-63.

⁶ Gibson, M., Press, F., Harrison, L., Wong, S., Cumming, T., Ryan, S., Crisp, K., Richardson, S., Gibbs, L., Cooke, M., & Brown, J. (2023). Shining a light on early childhood educators' work. A report from the Australian study Exemplary Early Childhood Educators at Work: A multi-level investigation. Queensland University of Technology.

(c) The impacts of Victoria's predominantly privatised ECEC system, including a comparison with public, not-for-profit and cooperative models in terms of accessibility, affordability, safety and outcomes;

ELACCA and its members support an ECEC sector that is safe, child-oriented, and focused on quality uplift of the workforce and its services.

Together with all approved providers of ECEC, ELACCA members operate in a highly regulated environment, subject to licensing, quality assessment and regulation. In addition, as medium- and large-sized operators, ELACCA members have developed internal quality systems to help them track and improve their performance.

Regardless of their ownership or governance structure, ELACCA advocates that approved providers must demonstrate the paramountcy principle, and that governments should be equipped with the funding and quality compliance levers to oversee the current market environment.

(d) The impact of workforce conditions, such as pay, job security, workload and recognition on educator wellbeing, retention and service quality;

It is vital that the ECEC sector attains the highly valued, appropriately remunerated and highly skilled workforce it needs to deliver high-quality ECEC. Appropriate remuneration for the ECEC workforce is the highest priority across our sector, because pay is the primary factor in workforce attrition.

The Australian Government's Worker Retention Payment (WRP) has been an important first step in achieving lasting change. The WRP has contributed to a substantial reduction in educator vacancies across our members, helping to stabilise the workforce after the turmoil of COVID. Workforce stability is a crucial pre-condition for building a culture that enhances child safety and service quality. We note that the WRP grants expire at the end of 2026, and that any sudden drop in educator wages at that time – or a requirement for services to fill the gap, by lifting their fees – would destabilise the ECEC system, with potentially troubling outcomes.

Alongside wages, educator wellbeing is a critical determinant of workforce retention. ELACCA is concerned that governments' efforts to support child safety may work in the opposite direction – by creating fear and uncertainty among (good) educators. Some of the changes announced by Education Ministers in August 2025 go beyond the scope of the National Child Safety Review Decision Regulation Impact Statement (DRIS), and were therefore not subject to the DRIS consultation process. This includes the trebling of maximum fines for educators, which could cause educators to exit the sector. It is too simple to say that 'good educators have nothing to fear'. For people earning a modest income, the prospect of a fine up to \$34,200, for the commission of an act, or omission, that is not defined ('inappropriate conduct') may create a very reasonable fear.

ELACCA also recommends reviewing how current workplace laws interact with legislation (both existing and proposed) for child safety. We suggest a collaborative approach – involving regulators, ECEC sector representatives, unions and police – to develop guidance on how to respond when allegations are made against ECEC staff, particularly regarding procedural fairness requirements under the Fair Work Act.

(e) The adequacy of staff-to-child ratio regulations, including ratios being averaged across entire services rather than applied per room;

Recruiting qualified, skilled teachers and educators is not enough to guarantee quality and safety in ECEC services. How teachers and educators are deployed in a centre-based service is critical for safety. Educator-to-child ratios (and therefore supervision arrangements) vary by age group and service type, and by state and territory.⁷ The ratios are designed to ensure both quality and safety. There is a range of views on applying the 'four eyes' principle in ECEC services – that is, ensuring that two adults are within line of sight of each child, at all times. There are some concerns about the feasibility of this in services, in addition to resourcing

⁷ Australian Government. (2024). The Future of the Early Childhood Education Profession: Early Childhood Education and Care Workforce Capacity Study. Canberra, Jobs and Skills Australia, p. 40.

implications. A 'four eyes' principle would require the employment of additional staff – exacerbating the shortage of educators and imposing higher costs on providers.

ELACCA recognises that the 'four eyes' principle may support a very high standard of child safety. Providers could be strongly encouraged (and perhaps incentivised) to pursue a 'four eyes' approach. However, the question of mandating the 'four eyes' principle requires further investigation, because it would require additional investment by the Australian Government, and it would have workforce implications. Investigation of this policy option should also include the role of innovation in pursuing the principle, which could include, for example, some use of CCTV and modifications to the built environment.

(f) Whether there is sufficient oversight of the Department of Education and the role it plays in monitoring and maintaining child safety;

ELACCA considers that the Department of Education, in its role as the regulator of ECEC services in Victoria, operates with a high degree of professionalism, and that it maintains a strong commitment to communication with ECEC providers and uplift in sector quality. We note the Department's investment in ongoing professional learning for educators, which is an important building block of quality and safety for children.

However, we consider that funding for the regulator has not kept pace with growth in the ECEC sector in Victoria in recent years, or with demands for quality uplift. To that end, we welcome the Victorian Government's decision to double funding for the regulator. This is a necessary investment in the quality and safety agenda we are collectively pursuing.

(g) Any other matter in relation to the adequacy, implementation, compliance and/or enforcement of child safety standards and regulations in the ECEC sector.

Consistency across states and territories

As mentioned earlier in this submission, inconsistency remains a weakness in the national regulatory system. For approved providers of ECEC services operating in more than one jurisdiction, inconsistencies across the states and territories complicate the task of regulatory compliance. The work involved in interpreting the differences, and ongoing changes, between state and territory regulatory systems is time-consuming and often frustrating, drawing internal resources away from other tasks.

Transparency

ELACCA supports transparency and accountability through nationally consistent collection, evaluation and publication of meaningful, reliable data relating to all ECEC services.

Transparency is central to public confidence in the quality and safety of Australia's ECEC system. While ACECQA provides valuable national data on service quality and ratings under the NQF, public access to broader, timely, and integrated data remains limited.

These data are dispersed across multiple custodians and across jurisdictions, each with differing legislative interpretations, reporting obligations, and publication practices. As a result, families, educators, providers and policymakers cannot form a complete, trusted, or up-to-date picture of how quality and safety interact across the system.

Future data frameworks and portals must deliver nationally consistent, multi-layered information that is accessible, reliable, and meaningful to different users – from families seeking reassurance about the safety of their child in a selected service, to employers monitoring workforce capability and professionalism, to regulators and policymakers analysing system trends. Greater visibility of educator qualifications, tenure, and professional standing (while protecting individual privacy) would help build a culture of accountability and professional pride, and empower services, parents, and regulators to safeguard children more effectively.

ELACCA recommends that reforms in the area of data and information transparency include the following:

- Full commitment by governments to the NQF, with appropriate resourcing for each jurisdictional Regulatory Authority to meet required assessment and rating cycles (three-yearly at a minimum, and annually for services rated Working Towards the NQS or lower).

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- Additional funding to enable regular joint moderation between Regulatory Authorities and ACECQA, and Authorised Officers receive enhanced training, including qualifications in ECEC, and awareness of unconscious bias (to ensure consistent application of regulations).
 - Collaboration with high-quality providers to model and promote a strong reporting culture, reinforcing that transparent data-sharing is a safeguard for children and a cornerstone of sector professionalism.

Importantly, data transparency will only be effective if end users (families) understand both content and context. At the moment, datasets on breaches and actions in ECEC services are highly aggregated, and do not highlight the matters that truly put children at risk. For example, a child being transported in an ambulance, due to an asthma attack, is listed in the same category as a child who has fallen from a height, with no provision of soft fall. These are qualitatively different events, and published reporting should make this clear.

Thank you for considering ELACCA's submission. We welcome continued collaboration through the next stages of shaping the regulatory reform.