

TRANSCRIPT

SELECT COMMITTEE ON THE EARLY CHILDHOOD EDUCATION AND CARE SECTOR IN VICTORIA

Inquiry into the Early Childhood Education and Care Sector in Victoria

Melbourne – Monday 8 December 2025

MEMBERS

Anasina Gray-Barberio – Chair

Georgie Crozier

Michael Galea – Deputy Chair

Jacinta Ermacora

Melina Bath

Sarah Mansfield

WITNESS

Pam White.

The CHAIR: Good morning. I declare open the committee's public hearings for the Inquiry into the Early Childhood Education and Care Sector in Victoria. Please ensure that mobile phones are switched to silent and that background noise is minimised.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands we are gathered on today, and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee. I also welcome any members of the public in the gallery or watching via the live broadcast. I remind those in the room to be respectful of proceedings and to remain silent at all times.

All evidence taken is protected by parliamentary privilege as provided by the *Constitution Act 1975* and provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

For the Hansard record, can you please state your name and any organisation you are appearing on behalf of?

Pam WHITE: Pamela Dawn White. I am not appearing for any organisation.

The CHAIR: Thank you, Ms White. We will now just go around and introduce ourselves. Good morning. My name is Anasina Gray-Barberio. I am the Chair and also Member for Northern Metro Region.

Michael GALEA: Good morning. Michael Galea, Member for South-Eastern Metropolitan, Deputy Chair and member of the committee.

Georgie CROZIER: Good morning. Georgie Crozier, Member for Southern Metropolitan Region.

Melina BATH: Good morning. Melina Bath, Eastern Victoria Region.

The CHAIR: We have also got some members online.

Sarah MANSFIELD: Sarah Mansfield, Member for Western Victoria.

Jacinta ERMACORA: Jacinta Ermacora, Member for Western Victoria. Good morning.

The CHAIR: Thank you. Ms White, we would now like to invite you to make an opening statement when you are ready, and if you could keep it to a maximum of 15 minutes. Thank you.

Pam WHITE: I thought I would open by starting where we started. I guess it was serendipitous, but I had actually been involved in childcare regulation in 1986. I had been working assisting to build the 100 childcare centres, which were a Commonwealth-state initiative. I went on maternity leave, and then I came back. They asked me to come back one day a week because they were reviewing the regulations. So I did that, and then I returned to the same division, and afterwards I became the director that looked after the regulation of childcare centres in Victoria. So that was a long time ago, and it really only came back to me as I started to look at this. The change I had seen – I know it is a long time, but rarely do you get to go back so long and look at something and then come forward all these decades and see the changes. When I was looking after it there were not many childcare centres – a few private, local government, not-for-profit, but it was fairly boutique. It was growing. I mean, I had my child in a childcare centre when I came back.

I came back all those years later and it had just exploded. The number of childcare centres is just massive. Now, that was of course a deliberate government policy – I think of both governments – around women's

participation in the workforce, and that was a good thing. The method of funding – before, when I left, there was not much money going into childcare. It would have been block grants. We provided some money under the Commonwealth–state arrangements to build childcare centres. But I came back and it was the voucher system: families get a voucher, they go out and they find their own childcare, so no capital money is provided. So you have got massive growth, particularly in the for-profit sector, and even the not-for-profits are now much bigger. You have still got some family businesses, but they make up much less of the market than when I was involved.

Then I looked at the legal framework, and of course we have got the national law now. Where before every state and territory had its own regulations, we have got the national law, but we have got the regulators in each state. So we have got this massive growth, mostly private. We have got the change in structures of the for-profits – holding companies, parent companies, subsidiaries; it is very difficult to find out who actually owns them. And we have got private equity involved. We have got private centres which have set up registered training organisations, so they are both employing staff and training them at the same time. Labor hire has entered.

This is completely different than when I was there, but the regulator sort of remains the same in a funny way. Yes, they have got the national law and the regulations are all national, but they are still largely the same and going about their business the same. The things that had come in were the reportable conduct scheme and the working with children check. So the sector has changed dramatically. I guess what we saw when we looked at it was probably a sector that needed a bit more stewardship, I would say, without intervening too much. It needed a bit more stewardship around quality and safety and staffing and things – and standards. I am happy to go through what we recommended or else you can ask questions. I am happy to do either – whatever works best for you.

The CHAIR: It is completely up to you, Ms White. We have still got a bit of time if you wanted to provide a brief summary of your recommendations from the rapid review.

Pam WHITE: Yes. What we saw was, as I said, a sector where, even though there are regulations and regulators, there are a lot of holes in it. Particularly with the cases that were in the newspaper at the time, we see breadcrumbs – we see lost opportunities. We see a regulator that was not fit for purpose, really. It was not resourced well enough. Probably the powers that it has got are not sufficient. Some of those things can be fixed by a state government. Some of those things can only be fixed by the Commonwealth at the national level in consultation with the states.

I guess the big thing we recommended was that the interests of the children should be paramount. We recommended that for the state, and we have recommended that the state pursue that at a national level, because it seems to us that if you make the interests of the child paramount, for everyone involved that is their primary obligation. We were hoping that for boards of big companies, as well as just small proprietors and staff, they are more clear about their obligations. As I said, we thought the system needed a rethink. We thought it needed a stewardship focus. It needed to have some attention given to workforce, rather than just ploughing money out and putting requirements on and hoping that everyone was getting the training they needed.

We recommended also the ability to appoint an administrator. I mean, the Commonwealth now has given itself the power to close down centres, which is probably a lot easier than previously. But for families, you can imagine being rung up and someone saying, ‘The childcare centre is going to shut down tomorrow.’ I mean, it is like shutting a school down or something like that – families’ lives depend on that. So we thought it needed the ability to appoint an administrator to have an orderly close down so families could get other arrangements.

We thought there needed to be transparency of ownership and company structures and the connection between ASIC and the childcare regulators, so that the sort of corporate veil could be lifted a bit, so when you are doing a test for a fit and proper person, you know who the person is, you know who the company is, you know who the board of directors are. We also thought we needed a reform commissioner. We do not want another commissioner that is an advocate. There are a whole host of recommendations around a number of jurisdictions and now to the Commonwealth about reforming the sector. We think that there needs to be someone with a laser-sharp focus on that, keeping everyone honest, because I think you will all agree that in Commonwealth–state relations, when you want to do something as a country it is a good thing, but it is tortuous; you have got to get everyone to agree. If we have got a problem, everyone has got to agree to the solution. And I think if you

have got a razor-sharp focus, there is a bit more heat on everyone to compromise and agree. So that is what the reform commissioner was about.

So they are the big things; then there were the nuts and bolts. You know that we recommended a register, ideally a national register, and if not, certainly one in the state. We needed to improve screening. We needed to be consolidated. We needed to remove some of the impediments for sharing information. We needed to change the bar. We needed to strengthen the regulator, make it independent, resource it better than it was resourced. We wanted a capability review. I think if you are going to expand the numbers of a government entity – we did not look at the regulator in great detail, so if you are going to ask me if we think it was a great regulator, did it do a good job or a bad job, we would not know. We did not look at all of that. But when we looked at the volume of work coming through and some of the things we picked up and some of the consultations, it was evident to us that to do the job we think needs to be done, they needed more resources. If you are going to put more resources in, you have got to do, I think, a capability review. They have got to know and look at themselves and ask themselves, 'Have we been doing the right thing? Are there some new things we can do?' And if you get a good capability review in, you will get someone to talk to you about contemporary regulation. You get to reflect on how you do your business. And we wanted penalties increased to make it a bit more of a deterrent.

Things that were beyond the Victorian government – we thought of a capital fund for centres so we can have a proper line of sight, and to review some of the ratios and the under-the-roof regulation. 'Under the roof' means you can have two staff across the whole centre, but the whole centre can have a number of rooms. Now, that is necessary for small centres and particularly in regional Victoria at the end of the day and the beginning of the day. You cannot be silly and say, 'You have to have two people in every room.' You need something. We think it needs a look at and maybe tweaking, maybe not, but we did think that it needed to be looked at. Also, we thought that they should have another look at the current ratios. We did not have a view on it, but we thought it was time to ask whether the ratio should be reviewed.

Transparency – we thought much more information, particularly on the Commonwealth site, to give people an idea about when centres are not complying and what they are not complying with, because some things are more important than others, and if parents get fully informed they can make sensible decisions.

Workforce – we recommended ASQA have a bit of a blitz on training organisations. You can see they have, so that was good. Mandatory training we thought needed to be built in, and the Commonwealth needed to fund time release for training. The problem with the voucher is the money goes out to the proprietor, and they get to decide where to spend the money. We did hear evidence, when we spoke to centre directors, that a lot of the centres do not close for one or two days a year, so we have got people who are on low salaries basically doing their training around the kitchen table at night. Good centres will shut for a couple of days a year, and that is the opportunity they get to have the discussion about, say, grooming behaviour – what does it look like and what are the things. Because it is a very fine line between kind and creepy, and you need to have that discussion about when someone has crossed the line and when you should worry. You can do some of that in training packages, but to have a group of people who are working together sit around and arrive at the same sort of judgements and to talk through things is pretty powerful, I think. That is one of the stewardship things, we thought. The Commonwealth have to actually start funding a few things where there is no discretion. They have done this with increasing the salaries of workers, so we thought they should do this with training. That is probably a quick run-through of where we started, what we saw and what we recommended.

The CHAIR: Thank you so much, Ms White. We really appreciate your opening statement and the overview that you have been able to share with the committee. Each of us, my colleagues, have allocated time, and we are going to go through and ask you a few questions. Forgive me, I am going to put a timer on. So if you are in the middle of speaking and the timer goes off, please feel free to finish your thought and your answer. You do not need to stop immediately.

Pam WHITE: Okay.

The CHAIR: I just want to start by picking up on what you said about stewardship. Currently kindergarten has a stewardship program which allows governments to, I guess, be accountable with funding and investment, but there is nothing for 0- to 3-year-olds, as you mentioned, and we know that the events that have transpired earlier this year actually predominantly happened to children between the ages of 0 to 3. What can the

government do at the state level, where we are at, to ensure that there is accountability with regard to the stewardship program, as you spoke to in your opening statement?

Pam WHITE: This is not the stewardship thing. They have tightened up the screening and the register and the regulator. When you have got a centre that is running a childcare or a kindergarten program, I think the state has a bit more leverage – for instance, they fund a mentoring program. So if there is a childcare centre or a kindergarten that is just not meeting the standards that you would expect, they put people in there to mentor the staff, to mentor the directors, and they are there providing support and assistance to raise the standard. So I think where they can they are, but the funding of child care, apart from the centres that the state government is building at the moment, is predominantly a Commonwealth matter. They have done it through vouchers, and that is a conscious decision. You will find as many people love it as do not love it, and it probably is a good way, but it needs to have some added extras. Unless the state government want to get into, you know, giving money for childcare, for things like training programs, to release people for training – I mean, personally, I think at the moment it is a Commonwealth responsibility. We need to try and make that work, rather than the state government coming in and saying, ‘Well, we’ll fund all childcare centres direct for training.’ I think you would have to get a long way down the road to say that would be a great idea.

The CHAIR: Okay. I will keep moving along, conscious of time. In the rapid review, on page 3, it was noted that:

... while the current market-driven model for ECEC remains, the risks to quality and safety in early childhood education and care will persist.

Now, you mentioned about the expansion of growth and the composition of the sector at the moment. Government data shows that almost 90 per cent of long day care services are operated by for-profit providers, while only 5.3 per cent are operated by non-profit providers. I mean, this example really shows how for-profit has become like the organising principle and care, while children’s safety becomes a variable cost. What specific safeguards are necessary beyond the 22 recommendations that you and Mr Weatherill have made to ensure that safety is not compromised by for-profit driven actors?

Pam WHITE: Are you asking if there were any recommendations?

The CHAIR: Beyond the 22, because obviously you were quite limited in the six weeks.

Pam WHITE: Well, I think with what we saw, we were happy. We had long discussions about ‘This is what we’ve got at the moment.’ We could have made a recommendation which said, ‘No more for-profits,’ but that is not where we are and the state government cannot say that. I mean, it can say it, but it cannot do anything about it because the funding comes to the parent, and the parent makes the decision about where the child goes. And at the moment, there is no capital funding for child care, so if you want to get into child care, you have to borrow to build, borrow to buy, borrow to renovate. So I think we were happy with the recommendations we made. But I think you would have to go back in a few years and ask yourself – well, first of all, you would have to make sure these things were in place.

I think the reality is that we were hoping that people who were entering for the absolute wrong reasons, which is just trying to flip a property – you know, you buy and it is a real estate deal, so you buy a childcare centre and then you sell it because the land value has increased so much. We are hoping that some of the things we recommend are a disincentive. So the fact that people on boards will have to do child safety training, the fact that they will know the person to assess is more transparent, those sorts of obligations, and the more visits there are – I did talk to the person who was the head of the for-profits. I think mainly his members tend to be the smaller family-owned ones. I said, ‘What could be the one thing you could do to provide an incentive for people to act responsibly more often?’ And he said to me, ‘More unannounced visits.’ That is why we made the recommendation about increasing the staff and we made that recommendation about more unannounced visits. We are hoping that people who might think, ‘Oh, this is a good deal to get in, this is more a real estate deal than a childcare deal,’ that if you make the conditions more onerous, they will think twice, they will only enter if they actually want to enter and run this business, not another business, which is a real estate business.

The CHAIR: Are you saying then, for corporate stakeholders or businesses that want to get in, that having to do child safety training would be possibly a deterrent for them to enter into the childcare sector?

Pam WHITE: Yes. It is making their company structures more transparent so they are not able to hide behind a corporate veil and all of their information is known – knowing who they are, who the boards are who run these organisations; it is public. If something goes wrong, they are accountable for it; they have not got other people they are hiding behind. The odium of running a centre where something terrible has happened, at the moment a lot of people are shielded from. I mean, some people get the heat, but often the people who are making decisions are not getting the heat. So to lift that corporate veil to make them more accountable, doing child safety checks and having more unannounced visits in the centres they are running, having more –

The CHAIR: Can I just pick up – I am sorry to interrupt, Ms White – on that point about unannounced visits: how many unannounced visits, considering the volume that you saw coming through at the regulator, were they actually conducting?

Pam WHITE: We do not know; not a lot, and they were not doing them –

The CHAIR: Can you give an approximate figure?

Pam WHITE: They were only doing unannounced visits, say, every three or four years to each centre. I think when they –

The CHAIR: One centre, they were just visiting it every three to four years, is that what you mean?

Pam WHITE: Yes. But I think when they come they will have all that data. We think they should be going there much more frequently – annually. Now, that does not sound a lot, but there are a lot of things a regulator can do, so that is why I talked about contemporary regulation.

The CHAIR: Strengthening of the regulator, can you just define that in practice? What did you mean by that?

Pam WHITE: More staff, the capability review, IT systems. Also, going back to things like more information about when something is breached, when standards have not been reached. All of those things I think strengthen the hand of the regulator, because the regulator is saying ‘You’re not meeting this and this is going to be made transparent to all the families, and it is going to be on a website’. That has a cumulative effect. There is not one silver bullet. There are a whole lot of little bullets to make one big cannonball, really, but there is not one thing you can do.

The CHAIR: Great. Thank you. Okay, I have still got time. Can I just ask you, you were asked during the course of the rapid review to consider highlighting priorities to support regulatory activity and reform. In the report you emphasise how important it is for governments to be ahead of the curve, to anticipate future risks and trends – a regulator in this context should not only be responding to risks and harm, but doing all it can to prevent harm. What should the new regulator VECRA learn from QARD in its shortcomings – like you said, lack of staff, not enough unannounced visits? What do you want to see in the new regulator?

Pam WHITE: I think when you put all the things together – I talked about the breadcrumbs. Information comes through on unsubstantiated cases, substantiated cases – that is of things going wrong in childcare centres. There are also incident reports – I mean, they get thousands of incident reports, and they range from the very small things, because centres have to advise the regulator. They need some sort of IT system that actually collects this information and then gives a bit of analysis about –

The CHAIR: So there is no triaging of incidents as they are coming through?

Pam WHITE: Yes. You can triage them, but over time, over a year – and when you have got thousands coming in – you need to have something that collects that so at any point in time you can say, ‘Is something changing here? Are we seeing more of this? Are we seeing more of that? What’s happened more this month – over the last year? What have we seen a growth in? What has there been a reduction in?’, because you can then start to see patterns. So we recommended a blitz on recruitment practices because – you go back to the cases that were in the paper – people had not finished their probationary periods, people had unsubstantiated cases against them and left or people had substantiated cases but other people did not know. There were all of these things that were going on. Then when we talked to people we would say to people, ‘Well, did you get any referee checks on some of the people that you were unhappy with?’ – ‘Oh, we can only check with the referee

that they give us.' Well, that is not true, but somehow this view has now become accepted wisdom in the sector, that unless someone says, 'These are my referees' you can't ring anyone else – you can. All you need to do is say: 'If you apply for this job, we reserve the right to call anyone we like.' If they have not put their last employer on – that is a red flag – you can just ring the previous employer. It does not necessarily mean you might get a really honest response, but you can. And we can do the same things with the labour hire companies. The reason we had a blitz on recruitment was you do not need to go out to every centre and say, 'We're going to be looking at all your recruitment. We want to see, in the last six months if you have recruited people, have you got the write-ups? What referee checks did you get done?' – all of that. You do not need to do that. You just need to say to the sector, 'We're doing this and we're going to visit a random sample.' You might only visit 20 or 30, but the –

The CHAIR: I am so sorry, Ms White. My time is well and truly exceeded, so I am going to pass it over to Mr Galea. Thank you.

Michael GALEA: Thank you, Chair. Good morning, Ms White. Thanks very much for joining us and indeed for your work on the rapid review. That was a very interesting answer, so I was quite happily listening along there. I would like to touch on something that you have already covered a little bit, which is the thorny intersection between the state and Commonwealth when it comes to early childhood education and care. You have mentioned, for example, that you see the need for the Commonwealth to be the ones to provide the mandatory training – that would be best practice. Given that they do provide, as you said, the voucher system through the Commonwealth child care subsidy, where do you see the role that the Commonwealth should be playing in regulation? And do you think it should be increased?

Pam WHITE: With the training in particular?

Michael GALEA: Overall regulation.

Pam WHITE: Overall. Look, the arrangement at the moment on paper is not bad. You have got the national law, you have got national regulations; it is the Commonwealth and the states that agree to that. I mean, that is torturous, but it is not a bad thing. We just somehow need to make it that when things come up, people need to be a bit more focused and solve the problem rather than let it just stay on the books for two or three years before anyone does anything. And I think that can be done. The Commonwealth can also use its funding and say, 'Vouchers can't be used at this centre.' To have them come in and do a whole lot of other stuff, as well as the states, I just think – you make a decision: either you have got a Commonwealth regulator or you have got the state regulators, and we make this system work. Having Commonwealth employees as well as state employees out there regulating centres – that would be a recipe for disaster, and I think it would drive the sector mad.

Michael GALEA: Dealing with the two?

Pam WHITE: Yes, knowing who they are dealing with. I think we either have to make the system we have got work or else we go and we say, 'The Commonwealth fund. They do all the regulation,' or else, 'The states pull it back. They fund, and they do the regulation.' Now with schools the Commonwealth fund and the state regulate. There is no massive apparatus in the middle because each state and territory has its own regulations. You could go back to something like that, which is what happens with schools: the Commonwealth fund – they do not fund via voucher, they just fund schools direct – and every state and territory has its own regulator and that regulator has its own regulations. They are all controlled by the state and decided by state parliaments. You could go back to that. But having both do things I think would be very messy.

Michael GALEA: Do you see there being a role for the Commonwealth to be funding the state regulators across the nation?

Pam WHITE: We made that recommendation. They used to. They used to make a contribution towards it, and we think they should go back to it.

Michael GALEA: Thank you. Recommendation 8 of your review talks to the shared intelligence and risk assessment capability functions. This now informs the new law with the Social Services Regulator that passed in the past week in the Parliament. Can you talk to me a little bit more about why this measure in particular will support child safety and what will make it different from the previous approach?

Pam WHITE: That is recommendation 8. As I mentioned before, we saw the breadcrumbs. There were organisations in the system who already had bits of information. We had the reportable conduct scheme. They could look at unsubstantiated cases. They were restricted in what they could pass over to the working with children check people. Then the working with children check people had information. No-one was talking to one another. I did think about this, and someone did ask me at some stage why there were so many limitations about who could talk to whom in the sector. I think when the working with children check and reportable conduct, particularly the working with children check, were established, people were very worried about privacy. That was the thing that was on everyone's minds at the time. This happens in public administration. There are the known knowns and everyone was worried about the privacy thing, but there were the unknown unknowns, which is where we are now and which is that if you do not share information, bad people can do things. There is always a balance. So we thought that bringing them together under one roof had to be a good start.

The other thing is the risk is that you have got different people in different organisations who have got different lenses they bring to decisions, so making more consistent decisions is harder across multiple organisations. In this case, that is what is needed: a common view of what risk is and a common view about when a number of unsubstantiated cases actually get you to a point where this is a problem. At the moment the risk is that you see two or three things, people make the decision not to refer over here, but the people over here, if they knew about it, would do something different. The intelligence brings them together. They will still be separate schemes, but they are under one roof. There will be a risk assessment. There will be common risk assessments, and there will be the register to support it and, we hope, a sort of AI system to be able to get information off those systems to allow people to act on them. It was not that everyone was doing a terrible job, because we did not actually go in and look at how people were going, but when we looked at it, we thought, 'There are too many players with too many restrictions.' That led to gaps, and we can see the gaps.

Michael GALEA: Those gaps are obviously the ones that will be exploited by people that want to find a way to.

Pam WHITE: Yes. Of course things have happened with the working with children check, going beyond cases that are found in court. Decades ago people would have been worried about privacy and things like that, but I think we have seen that and we have seen where it has got us and I think we have decided to go back to paramount is interests of the child, say, 'People, we do have to go a bit further this way.'

Michael GALEA: That is what is more important, that weighting in terms of child safety.

Pam WHITE: Yes, that is the decision we made.

Michael GALEA: Thank you. You have also in the review commented on the growth – and indeed in your opening remarks this morning I think you used the word 'exploded' – in the number of early childhood education centres, including in particular in the for-profit sector. You have cited that there needs to be a bit more of a nationwide rethink of the system. I would say state government, but I guess this is more federal government. What needs to be done to look at this system to better plan for the growth that we are seeing and to deliver a better system nationwide?

Pam WHITE: I have some sympathy with you trying – you go back and we are looking at women's participation in the workforce. We are looking at the workforce in Australia to be able to deliver things that need to be done. We do need to up women's participation. They wanted it too. This is the quickest, easiest and probably most cost-effective way to do it – the voucher system. If I go back to the centres that I was involved in, we built 100 centres – Commonwealth, state and local government. Everyone made a financial contribution, and it took quite a few years to plan, negotiate, build and all of that. If you are trying to really turbocharge something, that really planned approach probably would not have got us there, or there would have had to have been a massive investment. I think obviously the Commonwealth had a look at this and decided that was not what they wanted to do and they could achieve it in another way.

We think now it is time to take a breath and say, 'Okay, has it perhaps gone too far? Are there some other little levers we need to put in?' Interventions like the training allowance, the subsidy for workers and probably getting a bit more control over the training system. Probably the quality was not looked at early enough, and that goes back to that question you asked about how you see trends. Sometimes you only see trends in

retrospect of course. But a bit more intervention there. Maybe a bit of extra money there. Maybe we should be thinking about the sort of providers that are there. It is those sorts of things. Then maybe you pause and you say, 'Has this got us enough?' I am hoping it will, because a whole centrally planned childcare system might be too slow and clunky and might not get us there. We might have had a whole lot of families who were wanting to go to work who could not but can now. So there are trade-offs. Nothing is perfect.

Michael GALEA: Thank you. I am really hearing the messaging there about training and that need.

Pam WHITE: Oh yes. Yes, absolutely.

Michael GALEA: Yes. Thank you. Leading into that, you have also talked in the review about the current staffing arrangements as well as things such as line of sight and the physical geography of these settings. In terms of the staffing in particular, can you talk to me about what else you have heard and what should be fed back through to us and also through to the Commonwealth?

Pam WHITE: Look, the big thing about staff is training. At the end of the day, the things that are going on in centres that are a risk to children, the first people to see those are the staff. You could have a thousand regulators wandering around, but at the end of the day it is the staff who are there with eyes on it all the time. When we met with the directors of the centre they pointed out something I had not thought of, which is of course these are workplaces and these people are friends, and when they see something going on that they feel uncomfortable about, the person responsible could be a friend and they have to go and report or raise an issue about a friend. And they socialise on weekends. They talked about the challenge of how you get to a point where a friendship network is willing to call each other out. That is what goes back to the training. If you have got a group of staff who are sitting around on the day and you say, 'Okay, we're going to have a talk about appropriate behaviour and about what you do when you see something that worries you. How do you raise it?'

Sometimes when you raise something the staff member is not actually doing anything wrong and they do not realise that perhaps it is not appropriate, so the favouring of one child or having a child sit on their knee too often or a variety of other things – that early grooming behaviour. As I said, there is kind and there is creepy. If someone is being kind, if someone can talk to them and say, 'But you do realise that this can look like this to some people,' I think a lot of those people would say, 'Oh, I hadn't realised.' If you can sit around on a day and have those discussions but also have the discussions about if you are worried about someone's interaction with the child and the person is a friend, how you can raise it, and how they can have confidence in their managers that their managers, if it is raised with them, can deal with that sensibly rather than heavy-handed and then causing disputes and all of that. It is those sorts of things. That is why we recommended that one or two days training be funded, because well-trained, well-remunerated staff managed well are the first line of defence. Anything after that is costly, and it is clunky.

Michael GALEA: Thank you, Ms White. Thank you, Chair.

The CHAIR: Thank you. Over to you, Ms Crozier.

Georgie CROZIER: Thank you very much, Chair. Thank you, Ms White, for being before us this morning and your presentation and the information you have provided to the committee. You have said on a number of occasions the interests of the child should be paramount. Was that not obvious, do you think, for many organisations? I am just curious to understand why you have made that statement so many times and why you think it was such an issue.

Pam WHITE: I think for a lot of centres it is clear. Most centres, most staff and most proprietors are good. They do the right thing. But we thought particularly for those large corporates – we talked about them getting into it and why are they getting into it – they will have to go there now looking at everything, knowing that the interests of the child are paramount, not their profits, not anything else – the interests of the child. So when they sit around the board table, you would hope – and boards look at their legal obligations and they do their audit and risk things – the things they go to are legislation, regulations and compliance. When you do your audit and risk thing, on boards I have been on you do say, 'Are we being compliant with the law?' So you go through your occupational health and safety and all that. We are hoping that you make it in law as opposed to 'Isn't it obvious' – that on their audit and risk committee it says in law for childcare centres that the interests of the child are paramount. When they have those discussions and they are thinking about budgets – where they do cuts and what they do with fees and how much profit they take out – they go back to that, and they know it is a

legal obligation. It is not just a heartfelt thing. Now, it might not work, but it is one of those things we thought is worthwhile trying.

Georgie CROZIER: With those workers that work in the organisations, the vast majority would be there with the interests of the child. Do you believe so?

Pam WHITE: Yes.

Georgie CROZIER: Back in 2022 the Ombudsman made recommendations around amending the *Worker Screening Act* to strengthen the working with children check. Surely, and given the recommendation which went into detail around concerns around working with children checks, should the government not have also taken into consideration the interests of the child being paramount and undertaken that particular recommendation that the Ombudsman made, which was their first recommendation?

Pam WHITE: I do not know if the government had a response to that report or not. We saw that report, and I think you will see that basically we recommended very similar things, and they were the sorts of things that were happening in other states. I have no idea whether the government made a response to it or not. But yes –

Georgie CROZIER: They did not respond to that recommendation and act on that recommendation.

Pam WHITE: Okay, yes.

Georgie CROZIER: And surely, if organisations have got an obligation to have the interests of the child being paramount, as you have just described, through the legal framework and legislation, then the government also has that responsibility, and they failed, given this was a recommendation to strengthen that working with children check.

Pam WHITE: Look, you are asking me a political question.

Georgie CROZIER: No, no, I am not. I am asking in terms of –

Pam WHITE: It was a sensible recommendation. I do not know why they did not pick it up. But the histories of governments for eternity is they get recommendations and some get acted on and some do not. I am not quite clear sometimes why, but they do not.

Georgie CROZIER: Did you speak to the department or the minister around the work you were doing and around this report and that working with children check? Anyone in the department?

Pam WHITE: Well, that report was given to us as background reading from the department.

Georgie CROZIER: So just as background reading then.

Pam WHITE: Well, that informed us. We had a whole lot of reports we read from other jurisdictions and from relevant material from the state, and that was what Jay and I read before we even started. I had not been aware of that report. I read that, so when we came to look of course at the working with children check and started talking to various stakeholders, that was a very informative report to have. We already had in our mind, 'Okay, this is an issue. Yes, we can see things happened.' So when we did the interviews and we got feedback and then when we crafted our recommendations, all of that information was put into those recommendations.

Georgie CROZIER: It is very detailed, that recommendation –

Pam WHITE: Yes, it was a very good report.

Georgie CROZIER: A very good report, a very detailed recommendation, as you quite correctly allude to. In terms of that working with children check, you have also said that needs to be strengthened –

Pam WHITE: Yes.

Georgie CROZIER: to not allow what has occurred, or to help prevent what has occurred into the future. In terms of what was not done by government was significant, would you agree, in terms of that was their recommendation –

Pam WHITE: Look, going back, I am sure everyone now looks at that and thinks, 'Yes, that was a good report. It should have been acted on.'

Georgie CROZIER: Yes. Thank you. I take up the point around those working within the centre and then how they actually have got friendships and need to have that training. And you spoke to my colleagues around the quality of staff or the quality of training and the need to strengthen that. Is there a minimum that you have identified to ensure that we get a quality that is consistent, so that, to go to your point, the interests of the child are paramount?

Pam WHITE: I think there are a couple of things. There are already requirements for training. Of course at the moment there are those with teacher qualifications, early childhood educators in kindergartens and in some childcare centres, but there already is a basic qualification required. I think the issue is, and we made a recommendation in the report, that you have got those people in, they then need ongoing training, and that goes to what we recommended about those two days. So, okay, that takes care of those who are trained, and they are getting ongoing training. Then you have got the people who are undertaking training, and there are two issues here. One is you can be in the ratios and counted as working towards training, so that sort of counts.

Georgie CROZIER: Is that a supervisory role?

Pam WHITE: No. Everyone on the floor has to have some sort of early childhood qualification, so certificate III, certificate IV – they all have to have it. You cannot just go in there willy-nilly. But you have got a lot of people who are working on the floor who have not got a qualification but are working towards one.

Georgie CROZIER: That is what I meant.

Pam WHITE: And some of those working towards one go on for too long. We recommended that they bring a bit of an end to that and said, 'You can't be working towards for years; there has to be a reasonable time.' We did not say what the reasonable time was.

Georgie CROZIER: What was the timeframe that you recommended?

Pam WHITE: We did not recommend a timeframe, because we just did not have enough time to have a look at how many years people are in there. Is it six months? Is it a year? We just thought that it was unregulated, and it is conceivable that people could game that.

Georgie CROZIER: Just on that point – it is an important point, I think, that you raised – given you did not have enough time to look at that specific element and what needs to be done, what would you suggest to the committee needs to be done to have that proper oversight and the timeframes in place for that training and supervisory component?

Pam WHITE: Someone needs to make a decision. Again, this is at the Commonwealth–state level. This is not –

Georgie CROZIER: Should it be Commonwealth, should it be state or should it –

Pam WHITE: It is the national law. That needs to be resolved with what a reasonable timeframe to be working towards is, so is not just about having a cheap workforce there. That needs to happen, and then there are the people providing the training. You have already seen ASQA have gone through, and with a lot of the courses that they have unaccredited, a number of those were childcare ones. There are some organisations providing high-quality childcare training, and there are some that were providing pretty average childcare training. That was the feedback we had from the sector universally. From providers, directors and staff, they all said that there was this mix. That is why we recommended – most of those training organisations are federally regulated – that there needed to be a look at where people were providing pretty average training. The directors said to us, 'We've got people who are coming in from training programs, and they seem to have no idea,' so we wondered: what are they doing in the training programs? That was fed back to us. Some of the workers fed back to us that they felt ill-prepared when they got to the centres and that the training they had had not prepared them. We felt confident about saying that the training in some pockets was pretty average and that the regulator needed to look at the quality of the training that was offered and to remove certification from those that were inadequate.

Georgie CROZIER: When you say in some pockets, was that geographic or was it –

Pam WHITE: No.

Georgie CROZIER: It was spread across organisations?

Pam WHITE: Not geographic. It is the providers themselves. The providers could be getting students in from anywhere.

Georgie CROZIER: On another point you said – and I think it just goes to this point – the reform commissioner is not to be an advocate. Could you just also explain to the committee, in terms of the timeframes, when you think that reform commissioner needs to be in place and what they need to do?

Pam WHITE: If they were doing it on our recommendations, I would say that they are in place for two years and all the departments and the states, so the state jurisdictions and any departments at the Commonwealth level, should all have those wonderful spreadsheets that everyone has with all the recommendations and come back on the dates they are going to be finalised by, and then all ministers from all jurisdictions and the Commonwealth minister should meet and go through that spreadsheet with all the dates and tick them off. That is what we envisaged.

Georgie CROZIER: Thank you for your time this morning.

Pam WHITE: And where people are not delivering, you ask them why they are not.

Georgie CROZIER: Thank you.

The CHAIR: Thank you, Ms Crozier. I am going to hand it over to Dr Mansfield, who is online.

Sarah MANSFIELD: Thank you. Thank you so much for appearing today. I just want to go back to your opening statement, where you mentioned that the regulator was not fit for purpose or well resourced enough. As we understand it, the government has brought in legislation that will create VECRA, but we have heard that this is really just a transfer of the existing regulators, so the quality assessment and regulation division, to sit outside the department. During your evaluation you noted that the regulator had a number of issues. Do you believe that they were properly funded and had the necessary staff to carry out their work?

Pam WHITE: Previously, or –

Sarah MANSFIELD: Yes, previously.

Pam WHITE: No, no. I think that was quite clear, and I think we said that in the report. When you mapped the volume of work that was coming in, the number of centres was growing and the number of regulations and all of that with the resourcing, no, it was not. We did not think it was adequate. And particularly when we made the recommendations about more unannounced visits and things like that, they were not going to be adequate, certainly with the increased workload we were recommending.

Sarah MANSFIELD: Right. And so what changes need to take place, in your view, for this new regulator to be fit for purpose and well enough resourced to do that work?

Pam WHITE: Well, I think there are about 100 new staff coming in, most of them authorised officers, so they will be the people out and about. We recommended independent from the department – that just means it is not embedded; it does not report to a deputy secretary. It has got a separate head of an entity running it. That is why we recommended the capability review, because we did not go and really spend a lot of time looking at exactly what they were doing. You will end up hearing more about them from them – I mean, we interviewed them and all of that, but we had a big job in a shortish amount of time and the government wanted I think sort of more big-picture things rather than drilling into the detail. But it was evident to us that within the resources they had it probably was not enough to do what a good regulator needed to do. Then on top of that I think, as I said, if you are going to put a whole lot more resources in there, because we could not have a really good look at them, we thought a capability review, so someone who has got expertise in regulation to come in and look at the way they are going about their business to provide some recommendations, because often it is not – you do need more resources, but there are smart ways you can do things. There are different ways. I think people who

have got knowledge of regulation can go to other sectors and see clever things that have been done by a regulator to allow you to get the best bang for your buck. I gave the example of the recruitment one, where you do not have to go out and visit every childcare centre and look at all of their paperwork. You can just do a random sample, but no-one knows who you are going to, and you signal you are coming. ‘We are coming, but you do not know who we’re coming to.’ So people then tend to go and say, ‘Oh my goodness, we must get our paperwork in order’, or ‘We must check this or we must check that’, and that is what you are trying to achieve. So we think that the capability review is important, extra staff is important, and I think the independence – I think the moment the government was building the childcare centres, having the regulator sit in the department became too difficult. So that was a no-brainer, I think, to take it out, given we cannot have them regulating themselves.

Sarah MANSFIELD: Yes. Just to touch on that a bit more, you did note that there was a conflict of interest having the regulator sitting in that. Is that what you are talking about there, with them having their own centres?

Pam WHITE: Yes, particularly now they are building their own childcare centres and running them – the state is running them – yes, it is not sustainable.

Sarah MANSFIELD: Okay. Thank you for that. Just to move on to this idea that, although the government are building their own early childhood education centres, we know that since 2015, 94 per cent of new long day care services in Victoria have been for-profit providers and these are more likely than not-for-profit or government-run daycare centres to be working towards – rather than meeting or exceeding – quality standards. In your view, do you believe we should continue to accept growth in the for-profit long day care sector, or do you think there should be some restrictions around the growth of this sector until safety and quality can be assured?

Pam WHITE: Again, it goes back to this tension about people still sitting on waiting lists in childcare centres.

Sarah MANSFIELD: Yes.

Pam WHITE: If you say, ‘No more private’, that queue is just going to grow. That is the trade-off, so we did not feel we could make a recommendation which said, ‘No more privates’ because the consequences are a bit unknown. Our focus was on trying to improve what we have got and trying to put some things in place that might dissuade the private sector people who are not coming in to run a childcare centre, or who are coming in without the right intention, and make it more difficult or make it less attractive. That is the route we went down to try and make those that are in the sector now act responsibly and for those that do not want to, for them to leave. But we did not feel we could say, ‘No more for-profits’ because there are for-profits that are all right. Yes, you are right about the trend, but there are for-profits that if you went and asked families, they are happy with what they are getting and what they are getting is reasonable. It would be too heavy-handed, I think, to leap to that at this moment. But clearly if things do not work when the things that we think should be put in place are in place, if things are still happening, then you would ask yourself, ‘Should we persist?’

Now, one of the other recommendations we made, as well as putting the administrator in, was we said the state government fund the mentoring program in childcare centres who have kindergartens when they are not going well, and we recommended that the Commonwealth should also have a pool of money to do that. The state can intervene at the moment when there is a kindergarten there, but we recommended that that was a good model. So if you have got a private centre that is not terrible but is not performing well, to be able to put some support in, some mentoring and things like that, may give them the lift they need. So that was another recommendation we made. It is a cluster of recommendations that sit together. And you would go back and you would look in a few years and say, ‘Is this working?’

Sarah MANSFIELD: Do you think there is a role for the government to expand childhood education centres?

Pam WHITE: Well, that is a government – do you mean state governments?

Sarah MANSFIELD: Yes.

Pam WHITE: That is a decision about – I mean, at the moment the bulk of the funding is done by the Commonwealth, and they spend billions. I do not think state governments are going to step in and take over that. But obviously the state government down here has decided that they are not getting it in the right place. Geographic inequities are a real issue with a market-driven approach. So I can see why a government would step in to deliver certain objectives that at the moment do not seem to be able to be met through a more market-driven approach.

The CHAIR: That is time, Dr Mansfield. Thank you. I would now like to hand it over to Ms Ermacora. I invite you to ask your questions. Thank you.

Jacinta ERMACORA: Thank you very much, Chair, and good morning, everybody. I just want to start by saying thank you, Pam, for the work that you do and the insight that you bring to the review that you conducted. I just wanted to drill into, I guess, the recruitment practices. Your report discussed the direct role and responsibility that service providers have in ensuring the safety. Can you just give us a little bit more on your thinking around those comments and recommendations? Just a bit more detail around recruitment.

Pam WHITE: Around recruitment? Okay. Is there a particular recommendation? Just going to it –

Jacinta ERMACORA: In particular as they relate to child safety.

Michael GALEA: I think recommendation 5 in particular.

Jacinta ERMACORA: How to ensure that the wrong people do not end up in the wrong place.

Pam WHITE: Yes. Well, I think you go back to better screening the register, so hopefully there is more information there for people to have. But then beyond that, because there are still other things that go on that you would want to know about, is that thing about good recruitment, which seems really basic. People front up: they apply, they give referees, you interview them. You pick someone, you then should be checking their referees. And as I said, we found that people just had this belief that you could not go and check about people. Often the people that caused a lot of problems were those that you noticed, so they never finished their probationary period. Now, if you had have gone back to a couple of their previous employers, they might have said, ‘Look, we didn’t find them very suitable, and we weren’t going to let them go beyond their probationary period.’

I do not know whether people know that they are the things you should look for – those sorts of red flags. And it did surprise me that people, when you said to them, ‘But you could just say that a condition of applying was that we reserve the right to ring up whoever we like, really,’ that was like a revelation. They see the sense of it, and I am sure people will start doing it. Then there is the record keeping. So to be able to check – if you have found someone that is not suitable, did you actually do any referee checks at all? Did you check on the register? There are just those good hygiene things, and it is surprising. I think it is because staff are hard to get, and you are getting people from labour hire companies. That is the other thing: we thought that the regulator should go into labour hire companies and have a look at what labour hire companies are finding out about people who are on their books to be, I guess, referred out to the employers. Because the employers think they are getting someone that has been vetted and potentially they are not. It is the basic hygiene: recording, so that when someone comes in you can demonstrate that you have actually checked; a register to be able to check on; and the labour hire companies, who have played an increasing role. I think it is one of those things, those trends you notice in retrospect. But now we know we should go and check.

Jacinta ERMACORA: Thank you. Do you include checking or verifying referees as well?

Pam WHITE: Yes.

Jacinta ERMACORA: That they actually did work there and that they actually were the supervisor?

Pam WHITE: Yes, and that they are real. People will often give referees that are not the most recent employer. Now, I can understand some people may have had a falling out with their employer, but you would normally want to check with the previous workplace. So there is that, and that was highlighted in the Ombudsman’s report. And qualifications – checking that they actually have a real qualification and not one that has been printed off at home. So when the regulator goes out, those are the things that when they are looking at

the recruitment practices they should be checking. Are you doing referee checks? Are you checking that the qualifications are authentic qualifications and not just made-up ones? That is why doing a blitz on recruitment is so important, because that is where it begins. That is where the person who maybe has left under a cloud in many places – that is where it begins. If you can cut it off there by finding out that people felt a bit uncomfortable with them or that their qualification is not authentic, you do not bring them into the place in the first place.

Jacinta ERMACORA: Yes, thanks. I just also wanted to go into the poor-quality training courses a bit more as well. Tell us what you heard in relation to training and what actions the Commonwealth could actually take to assist in that space. You have mentioned Commonwealth funding for the training but also some time to actually do that. I just wanted to hear maybe a little bit of elaboration on that.

Pam WHITE: Okay. So there are probably three elements to that. One is the training that is offered. I think I mentioned before that some of the training is quite good. There are people who had a good experience and got the knowledge they needed. But there was enough noise around poor training and having staff who supposedly had a certificate III or IV who arrived at the centre and people were pretty gobsmacked about what they did not know. So obviously the training program that those people went through was not terribly thorough. Maybe sometimes they did not even turn up to the training. Maybe the training provider has taken their money and not actually kept an acquittal of how often they have turned up. Maybe the evaluation of the knowledge they have got has not been that flash. So it is those sorts of training providers which really are, I guess, gaming the system. They are getting the money to train but they are not actually doing the training that much and they are not checking that people have got the knowledge before they go out to the workforce. But the people go out to the workforce with a certificate. So that is where the regulator, largely ACECQA, has to go back and they have to deregister the providers that are doing that. That will, I guess, for those providers that are doing a good job –

Jacinta ERMACORA: You mean the training providers that are doing that?

Pam WHITE: The training providers, yes. The training providers that are doing a good job, maybe they can expand, or maybe new training providers who are of better quality will enter the market. That was the first thing. So that is before people get into the centre. Then when they are in the centre, they need continuous training. I mean, there probably are not many places providing care that once you have got a qualification that is it. And that is why it is not going to happen unless there is a bit of control around it. It happens with good providers who do close the centre for one or two days a year; it is not happening with some others. They might be good providers, but they might not think of it. We think that, like the Commonwealth intervened to make sure that the salaries increased, they need to intervene to make sure that on-the-job training is being provided. We made some recommendations also about some of the training materials that are online. There are people who write that sort of stuff who are really good, and we recommended that that also occur.

Jacinta ERMACORA: I am just conscious of my time. I have got 3 minutes left. The natural flow-on to that is around the mandatory child safety training. On first look for a person coming into the childcare sector, it might be all very lovely to work with children, but we know that across our society about a third of our community have, in the past, experienced family violence or sexual assault or some kind of trauma. So your thought is that mandatory training around child safety confronts the reality of the childhood population.

Pam WHITE: Yes. I guess we are conscious about the implications of recommending that anyone with a working with children check does child safety trainings – it is going to be a bit onerous for some people. But we thought that if you were getting a piece of paper which allows you to work with children, it was sort of a minimum to understand what you should be looking for and what child safety means. And again, sitting on boards, if you are involved in the childcare sector, having an understanding about what your legal obligations are and what child safety actually is and what it requires and the sort of nuanced approach – we are hoping that that at least does make a difference to the way people go about doing their business then. That may be a bit pollyanna-ish, but I think it was hard not to say that if you are in the business of working with children, you should understand what child safety is, and it ranges from things like anaphylaxis right through to child sexual abuse. I mean, there are lots of ways children can be unsafe in an environment. Everyone leaps to the worst, but there are a range of ways in which children can be in an unsafe environment – not putting away the cleaning agents; they are the things that probably happen more often than some of the really shocking things we read about. They are things that can happen every day just through carelessness.

The CHAIR: Thank you, Ms Ermacora. That is time. I am going to invite Ms Bath to ask your questions. Thank you.

Melina BATH: Thank you, Ms White, for being here today. Just for clarification: your report investigated private, not-for-profit and government child care, and across the board there was not one sector that did not have issues with potentially reportable conduct or child safety. Is that a fact?

Pam WHITE: Well, I guess the thing is, with the system we had, it was systemic. I mean, if you do not have a register, if you have got bits of breadcrumbs everywhere, the risk is it could happen anywhere. I mean, that was the dilemma. Now, yes, it might happen more in places than in other places, but the risks just sit there, and you are putting an awful lot of onus on individuals to pick up things because the system is not helping them.

Melina BATH: Thank you. And if I put my regional hat on, many, many regions have childcare deserts.

Pam WHITE: Yes.

Melina BATH: One place to 10 children, one to three, one to five – we could list them all and it would take all day to do it. How do we balance the need for stronger child safety, which we all agree on, with the availability of workforce capacity and, I will say, that service delivery, particularly in the regions?

Pam WHITE: And this is why we go back to, ‘Why not just ban the privates?’

Melina BATH: Correct.

Pam WHITE: I mean, the dilemma is you have got competing objectives. And there was a discussion about the workforce pressures in the regional areas, and in fact that was also on our minds when we had – what do you call it – the administrator, that in regional areas there is nothing; you might have to have the administrator there for quite a while. I do not think rural and regional people do more bad things than people in the city and are going to be excluded from working with children. I do not think that is necessarily the case.

Melina BATH: No. I was not implying that.

Pam WHITE: No, no, I think there is just the dilemma about trying to keep people there.

Melina BATH: That is right.

Pam WHITE: I mean, it is the same with GPs and nurses. The workforce issues, particularly in more remote areas, are chronic. That is why the payment and extracting the pay rises out for workers, out of a voucher and into their pockets, were so important. Maybe there is something more that needs to happen in regional Victoria; I do not know. That may be something that, again, the Commonwealth and the state should look at, because I do not think that would just be a Victorian issue. It is probably more chronic in some other parts of Australia. That is an issue that we did not have a recommendation in the paper on, but it probably should be looked at in terms of the regional workforce.

Melina BATH: Thank you. Good stuff. In relation to parents – we have been talking a lot about children; children have parents, and parents care about their children, in addition to sending their children to a care facility while they are potentially breadwinners for the family et cetera – how do parents sit in this, and what recommendations should we make to government about timely access to clear information about service, the day care centre that they may be sending their children to? Where do parents sit in this, and how can government strengthen the confidence parents should have or the availability of information that parents can have?

Pam WHITE: Parents are really, really important because they make the decision about where to go, and they need good information for that. Things go wrong, and staff and parents are those that pick it up. We made a series of recommendations on that. We had lots of discussions, because if you go into a childcare centre, there are all these notes and everything up on the walls, and how do parents –

Melina BATH: Channel, funnel and understand.

Pam WHITE: I know, yes. We did make a series of recommendations on that. One is about – you know, there is a Commonwealth website, StartingBlocks. We said there should be much more information on that. At the moment it is working towards or doing really well or doing fabulously. There are a whole lot of elements that a centre can be not compliant with. As I said, some of them are important and some of them are less important. They all have to be met. We recommended that that detail be on that website for individual centres, because I think parents can then go in and say when they walk in, ‘Oh, my goodness, my centre is working towards this. I am worried.’ They could go in and say, ‘Why haven’t they met it?’ Some of the things a parent will look at and say, ‘Oh, I’m not worried about that,’ or they will look at them and say, ‘I’m very worried about that.’ But at the moment there is not enough granular information for a parent to make that decision.

Melina BATH: Yes. Would you consider the likes of having unannounced visits?

Pam WHITE: Yes.

Melina BATH: We are having audits, which is sound and sensible from my perspective. But what about a tiered rating system?

Pam WHITE: Yes.

Melina BATH: This is not a whack, this is a carrot of encouragement or progressive – you know, bronze might be just a need for improvement; silver could be going well but with areas of need; and then gold star. I say that in the context of regional Victoria where you may not have the choice of going between one, two or three. But is that something that could be at that granular level?

Pam WHITE: Yes. At the moment the words are probably value laden, so yes, I think so. But I am hoping that the more information parents have on the centre where they have got their children and where it is not above the standard and what those areas are, then they can make a decision. I mean, if they are failing, they are failing; that is different. But if they are sort of there, then let us give parents better insight.

Melina BATH: If they have a C, then what does the C-rating meant.

Pam WHITE: Yes.

Melina BATH: Can I go to unsatisfactory behaviour. You were mentioning, and we are aware, that the number of complaints has risen in terms of childcare centres across Victoria. You said that there are thousands of pieces of information coming into the system. Is there a role for AI in this process, and could you unpack that a little bit further?

Pam WHITE: The centres are required to send in incident reports, and you can imagine on any one day there are a whole lot of incidents that happen, going from things that are not life threatening right up to life threatening, and they all just come in. Some of the lower-level things, if they keep on happening and keep on happening and if they are happening in the same place time and time again –

Melina BATH: There is a pattern of behaviour?

Pam WHITE: If there is a pattern of behaviour of a centre or if it begins to be a pattern across the sector, you can ask yourself: is something systemic going on here? I think if you get to a point where you can categorise the information that has come up and the incidents that are coming in and if they are collected over time and then a tool goes in and drills in and analyses and picks out trends, yes, that will make a big difference in terms of the regulator knowing. They could say ‘Okay, this centre over here is having not a lot of serious incidents but a lot of smaller incidents. Do we need to worry about this or not?’ or ‘We’ve got medium-level incidents across all centres. Is there something that is going on? Is there something in the environment?’

Melina BATH: A triage tool in conjunction with a range of humans analysing that. We have been speaking a lot about QARD and the new early childhood regulator and the conflicts that QARD sitting in the department have. I have had many people in the disability sector, in state schools, complain about issues that do not seem to be addressed because of that internal conflict or that in-house understanding – I will put it in that context. How will the Victorian population know, and what do we need to make recommendations to government about so that the new regulator will have a strong enough arm to ensure that the issues that you have been speaking

about are adequately addressed? What are some of those KPIs to make sure that the system is working better now?

Pam WHITE: I am holding out a bit of hope, on the capability review, that that will give them a range of strategies. I think we need to see a regulatory strategy – a regulatory posture. At some point in the near future there needs to be something. Most regulators have a regulatory statement about how they are going to do their business, what their posture is and this pyramid that they talk about. So there are different regulatory tools, and when they use them, depending on what the incident is, I am hoping we will see that. They have been given money. So when another committee like this, maybe in a year or two, actually looks at how they are going, I would think in the near future you should see that regulatory tool; you would see what their strategy is and what their regulatory posture is, and you would be looking at how many unannounced visits they are doing.

The other thing that you need to be looking for is – sometimes when they are working towards it, they will go in and they will do an evaluation and say, ‘They are working towards it, and these are the things that need to be addressed.’ They are not able to go back for quite a while to recheck on whether those things have been met, so it is conceivable a lot of those things have been dealt with. I hope the aim would be that they get around to those ones a lot quicker.

Melina BATH: My time is up, but you mean a publicly available document –

Pam WHITE: Yes.

Melina BATH: so that there can be that transparency.

Pam WHITE: Yes.

Melina BATH: Thank you.

The CHAIR: Thank you, Ms Bath. Thank you very much, Ms White, for your appearance and your evidence to the committee this morning. We really appreciate it. I note that you will get an opportunity to receive a copy of the transcript for review in about a week’s time before it is published on the website.

The committee will now take a short break to reset for the next witness.

Witness withdrew.