



Select Committee on the Early Childhood Education and Care Sector in Victoria

Hearing Date: 8 December 2025

Questions taken on notice

Directed to: Department of Education

Received date: 9 January 2026

1. Georgie CROZIER, p. 23

Question Asked:

I would ask that we could have the information regarding when the department actually spoke to the Department of Social Services regarding strengthening the working with children checks, or even the Attorney's office. Given the responsibility or not, it is an important element, I think, for us to understand why nothing was acted upon in the three years. If you could provide the committee with that information, I am happy for you to take that on notice.

Tony BATES: Yes, we will take that on notice and check our records.

Response:

At the time of the Victorian Ombudsman's 2022 report, administration of the Working With Children Check scheme was a responsibility of the Department of Justice and Community Safety (DJCS).

The report made no specific findings or recommendations related to early childhood education and care or school education.

The Department of Education regularly engages with the Working with Children Check unit on schools and early childhood operational and policy matters. A number of consultation meetings throughout 2023 and 2024 included engagement that led to the July 2025 addition of the Department's early childhood regulation function as a prescribed entity under the *Worker Screening Act 2020*.

2. The CHAIR, p. 24

Question Asked:

Speaking about risks and investigating, has there been an increase in providers reporting incidents to QARD since June of this year?

Helen QUINEY: There has been an increase.

The CHAIR: Can you give a percentage, maybe, for the committee?

Helen QUINEY: I do not have those figures with me. We can have a look at what we can provide.

Response:

There has been an 11% increase in the number of incidents reported to the Regulatory Authority from June to November 2025 compared with the same period in 2024.

Note: The data extract is as of 11 December 2025.

3. *The CHAIR, p. 25*

Question Asked:

How many incidents of abuse were made to QARD in the past year, and how many of those have resulted in enforcement actions?

Helen QUINEY: *I do not have those specific figures with me, but I can take that on notice.*

Response:

As at 30 September 2025, there were 434 reports of incidents or allegations of physical or sexual abuse from 1 January 2025 to 30 September 2025 made to the Regulatory Authority. Of these, 161 resulted in administrative and statutory compliance actions by the Regulatory Authority.

The Regulatory Authority conducts investigations at early childhood education and care services where there is reason to believe that offences have been, or are being, committed that pose a risk to the safety, health or wellbeing of any child at the service. Those investigations are carried out by Authorised Officers with the assistance of other persons when reasonably required.

Where safety risks have been identified, the Regulatory Authority's Authorised Officers take swift action, including through issuing Emergency Action Notices or suspending service approval if required. The action the Regulatory Authority takes depends on a number of factors including:

- the service's ability to comply with their obligation to ensure the safety, health and wellbeing of children
- the service's compliance history and current compliance levels
- the risk mitigation strategies the service implemented to respond to the incident/issues
- the actual or potential risk posed by the incident or issues to the health, safety or wellbeing of children
- the willingness and ability of the service to rectify the behaviour or the environment that led to the incident or issues occurring and
- public interest factors.

The Regulatory Authority assesses these factors to determine not only whether enforcement action is required but also the proportionality of that action.

The Regulatory Authority addresses and deters non-compliance using various administrative activity as well as a range of statutory sanctions available under the [Education and Care Services National Law Act 2010](#) and on occasion, will prosecute the most serious non-compliances.

4. Michael GALEA, p. 29

Question Asked:

Thank you – and in part due to the response of the Commonwealth withdrawing from its responsibilities in that space. Prior to them abdicating that role, how much of the funding was funded by the Commonwealth, as a rough proportion? Was it the entire amount? Was it a percentage?

Bronwen FITZGERALD: *We will take this on notice for specifics*

Response:

When the National Quality Framework was first introduced, funding of regulation of early childhood education and care services was shared between the Commonwealth and state and territory governments. The Commonwealth Government stopped contributing funding in 2018.

The Commonwealth Government's contribution was set out through the National Partnership on the National Quality Agenda for Early Childhood Education and Care. In 2017-18, the last year of this agreement, Victoria received \$5.439 million, representing around 35 per cent of the annual operating budget of the Quality Assessment and Regulation Division.

Since 2018, the Victorian Government has been the sole funder of the Regulatory Authority. The Regulatory Authority's operating budget has increased by about 38% from 2017-18 to 2024-25.

5. Melina BATH, p. 30

Question Asked:

Can you just identify how many alleged complaints there were in 2025?

Helen QUINEY: *I do not have those figures with me, so I would have to take that on notice, Ms Bath.*

Melina BATH: *Okay. I am happy for you to take them on notice. I am also interested, in terms of when the Ombudsman's report came out, the year before that, if you could find how many alleged complaints there were in the department and how many cases there were since the 2022 Ombudsman's report. Could you provide any more granular detail around the complaints about individuals where there were multiple unsubstantiated allegations of a reportable nature, so sexual misconduct or sexual offences misconduct or the like? Could we have some detail, because it is important to understand the prevalence of this? I mean, there is a difference between doing a check and finding that somebody, as Ms White may have said, may have some sanitary issues – it is still an issue – as opposed to a very high-level serious child threat that is occurring. Could we get some more granular detail about*

that, if we start even from 2020 and go through until 2025, with the alleged allegations, complaints and the like, but then also that finer granular detail? That is my first request on notice.

Tony BATES: *Ms Bath, I have some of that data here. It is probably not in a format that is particularly useful to the committee, so we will take it on notice. But we can see over the last four years there has been a steady increase in the number of notifications.*

Response:

Any person can complain to the service, or to the Regulatory Authority, if they have concerns:

- about the safety, health or wellbeing of children
- about the behaviours and practices of staff at an early childhood service
- that there have been any incidents of physical and sexual abuse of a child, at an early childhood service
- that the relevant legislation has been contravened.

The Regulatory Authority's [Complaints Procedure Framework](#) provides that when a complaint is received, an officer will:

- acknowledge the complaint
- contact the complainant if further information is required
- aim to resolve the complaint promptly
- provide a written response that is clear and informative
- help the complainant to contact the right person if they are not satisfied with the outcome of the complaint.

Complaint type	2020	2021	2022	2023	2024	2025 (as at 30 September 2025)	Grand Total
Direct complaints	380	515	512	669	736	861	3,673
Complaints through notifications	1,162	1,470	1,524	1,794	2,158	2,219	10,327
Total complaints	1,542	1,985	2,036	2,463	2,894	3,080	14,000

2025 (as at 30 September 2025)	
Total complaints	3,080
Notifications of allegations/Incidents of physical or sexual abuse	434
Compliance actions issued in relation to notifications of allegations/incidents of physical or sexual abuse notifications	161

6. **Melina BATH, p. 32**

Question Asked:

But my other question is, and I am conscious of time: government departments can take advice from advisory bodies – not government stakeholders, but the sector – and there are a wealth of people out in the sector, private providers who, in my experience from speaking with them, have felt frustrated. They said they have got some suggestions for government about training in TAFEs and sector training that people are not listening to. They have got 30 years experience, and they are knocking on government's door and feel like they are not getting heard. Would you recommend, or would you be opposed to recommending, a proper stakeholder advisory body that comes from across the sector, not just government entities?

...

You can take it on notice: who is on that, and could it be expanded? A lot of these providers are family-owned providers. Are they on there and what representation do they have, so that there is a broad spectrum and across the state representation on this?

Bronwen FITZGERALD: *That advisory body has very broad membership, and it includes the peak bodies that represent the type of providers you just described – ACA, ELAAC and It Takes A Village, which was previously referred to as CCC Victoria. There is a range of peak bodies that represent different types of providers on that group, as well as workforce representatives, sector experts and parent representatives, so it is quite a broad committee. But we can take that on notice and give you the full representation.*

Response:

Composition of the Taskforce Advisory Group

The Best Start, Best Life Taskforce Advisory Group (BSBL-TAG) comprises representatives from across the early childhood sector, including peak bodies, early childhood experts, local government, kindergarten and long day care providers, parent and inclusion representatives, unions, and other key stakeholders. The full list of member organisations can be found below.

The BSBL-TAG provides a forum for high-level engagement and consultation on the Best Start, Best Life reforms and other early childhood education and care issues, and provides a mechanism for ongoing sector collaboration as different reforms are implemented.

BSBL-TAG: Member Organisations

Foundation House

BSBL-TAG: Member Organisations

Victorian Principals Association
Early Learning and Care Council of Australia
University of Melbourne
United Workers Union
Australian Education Union
The Front Project
It Takes A Village (formerly Community Child Care Association)
The Parenthood
Independent Schools Victoria
Joce Nuttall, Academic expert (University of Canterbury, New Zealand)
Victorian Council of Social Service
Victorian Catholic Education Authority
Association for Children with a Disability
Early Learning Association Australia
Municipal Association of Victoria
fka Children's Services
Centre for Excellence in Child and Family Welfare
Victorian Aboriginal Education Association Inc
Australian Childcare Alliance
The Mitchell Institute
Early Childhood Intervention Australia (Victoria/Tasmania Limited)
Early Childhood Australia
Tricia Eadie, Academic expert (University of Melbourne)
Victorian Multicultural Commission

7. **Melina BATH, p. 32**

Question Asked:

Can you also provide some context on what they have been saying, that advisory body, whether it is recommendations to you? Clearly there has been an issue. We do not want to get to the same state that we have been in with these shocking allegations and conduct. So what is that peak body – as long as it is a broad representation of people; and I am also talking about the regions – saying? Can you share that with this committee? What recommendations have they been discussing with you, whether they are formal or informal?

Bronwen FITZGERALD: *We can take that on notice and provide it back.*

Response:

The Best Start, Best Life Taskforce Advisory Group (BSBL-TAG) provides advice to support implementation of the Best Start, Best Life reforms and has also been a forum for engaging the early childhood sector on other key early childhood education and care priorities such as child safety.

At its June 2025 meeting, the BSBL-TAG provided advice to the Minister on strengthening child safety and quality. Members identified national reform as a critical opportunity to elevate safety and quality standards across the sector. A highly skilled, valued workforce, increased resourcing for regulatory bodies, and national engagement were seen as critical to this reform.

8. **Melina BATH, p. 32**

Question Asked:

what is minister-only information and what is actually visible to the public? And if it is visible to this committee, we would appreciate it, because we need to understand what they are saying. We are hearing a lot from government and the sector, sure; we need to understand what is being said out there about this very critical issue.

Bronwen FITZGERALD: *The report on the regulatory impact statement process has been made public. It is long and it is detailed, and it presents that information publicly. We will also take on notice anything for the Victorian setting. Ms Quiney might also want to say a little bit about the advisory approach that the independent regulator will be taking from the start of next year, because obviously for the regulators it is important to have that sector, parent and expert feedback coming in to inform their guidance and their activity.*

The CHAIR: *We have actually run out of time, but I am happy for you to present that when you are taking it on notice.*

Response:

The national reforms were supported by wide public coverage and consultation. The amendments in the Early Childhood Legislation Amendment (Child Safety) Bill 2025 arising from the Victorian Rapid Child Safety Review (Rapid Review) reflected cooperation between Commonwealth, state and territory governments, and consultation with the National Authority, the Australian Children's Education and Care Quality Authority (ACECQA) and the sector.

Public engagement was high nationally, with over 1,500 individuals and organisations providing their views. Sector consultation included over 500 members of the education and care workforce, over 200 family members, parents and carers, and over 300 approved provider representatives across all service types and sizes. All Education Ministers agreed on policy changes for amendments to the [Education and Care Services National Law Act 2010](#) (National Law) and approved the proposed amendments to the National Law. Full details about this consultation can be found at <https://www.education.gov.au/early-childhood/resources/national-child-safety-review-decision-regulation-impact-statement>.

In addition to the National Law reform, Victoria adopted some provisions introduced in NSW, which were recommended to the NSW government independent review. Chris Wheeler, who led the review, spoke with many individuals and organisations across the sector. This included delegates from organisations representing approved providers/approved services, ACECQA and the Victorian, NSW and Queensland regulatory authorities.

Additionally, to inform its findings, the Victorian Rapid Review met with and received information from experts, peak bodies, unions, early childhood education and care providers and service leaders including Aboriginal Community Controlled Organisations, regulators in other sectors that work with vulnerable people, and groups representing parents and the rights and interests of children.

The *Victorian Early Childhood Regulatory Authority Act 2025* provides for the establishment, by instrument, of a committee to provide advice to VECRA on matters related to its functions and powers. The purpose, size, composition, frequency and procedures of any advisory committees will be determined by VECRA, as it thinks fit.

The Quality Assessment and Regulation Division of the Department of Education was advised by the Early Childhood Education and Care Regulatory Reference Group (ECERG). The group consulted with key early childhood education and care stakeholders, provided updates on regulatory changes, and obtained feedback on issues and trends in the sector. In

addition to this, the ECERG included representatives from approved providers and unions.

Membership of the reference group included:

- Australian Childcare Alliance
- Early Learning and Care Council of Australia
- Early Learning Association Australia
- Family Daycare Australia
- fka Children's Services
- Independent Schools Victoria
- It Takes A Village (formerly Community Childcare Association)
- Melbourne Archdiocese Catholic Schools Early Years Education
- Municipal Association of Victoria
- Outside School Hours Council of Australia
- Victorian Aboriginal Education Association Inc
- The Parenthood

VECRA will establish additional advisory groups following its commencement on 1 January 2026.

9. **Sarah MANSFIELD, p. 33**

Question Asked:

Do you have data that you could provide on how many of the providers are currently in those different stages: the ones that are under review, the ones that have received suspensions or some other enforcement action in the last few years?

Helen QUINEY: *We can provide data on those things. I will say that, for administrative law reasons, where there is a review underway, then we need to ensure that we are not breaching those particular requirements.*

Sarah MANSFIELD: *Sure. Even if you provide just the number of centres without necessarily identifying them, I think that would be helpful for the committee. Thank you.*

Response:

When the Regulatory Authority's monitoring and assessment activities reveal that a service is not demonstrating satisfactory compliance, additional monitoring and/or sanctions (including emergency actions) will be imposed by the Regulatory Authority to ensure the safety, health and wellbeing of children.

'Additional monitoring' means the service is subject to increased regulatory activities focused on addressing problematic non-compliance before it escalates or causes serious harm.

Additional monitoring activities, including supports to achieve compliance, may include:

- additional compliance visits by the Regulatory Authority
- an approved provider meeting with the Regulatory Authority to discuss and determine strategies to support continuous improvement and service compliance
- an approved provider conducting a self-assessment and improvement action plan (usually as a new or revised part of their Quality Improvement Plan)
- the Regulatory Authority providing advice on particular aspects or issues including relevant research or best practice guidance materials
- an approved provider (and/or their staff) attending educative sessions, forums or training identified to build particular skills or capabilities
- referral of an approved provider to relevant programs and services
- initiation of a full or partial reassessment process
- sanctions.

In all cases of additional monitoring, the Regulatory Authority expects the approved provider to engage with the process by developing an action plan linked to their Quality Improvement Plan, detailing how they are addressing non-compliance and how they will maintain compliance.

As at 30 September 2025, 80 services are currently subject to additional monitoring, and 29 services have received at least one statutory compliance action.