

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 – Tuesday 24 February 2026

MEMBERS

Anasina Gray-Barberio – Chair

Michael Galea – Deputy Chair

Melina Bath

Georgie Crozier

Jacinta Ermacora

Sarah Mansfield

WITNESSES

Paul Mondo, President,

Tonii Tran, President, Victoria, and

Brooke Eerden, Vice-President, Victoria, Australian Childcare Alliance.

The CHAIR: Good afternoon. We will now resume the committee's public hearings for the Inquiry into the Early Childhood Education and Care Sector in Victoria.

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 be ultimately 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.

Tonii TRAN: Tonii Tran, President, ACA Victoria.

Paul MONDO: Paul Mondo, President of ACA National.

Brooke EERDEN: Brooke Eerden, Vice-President, ACA Victoria.

The CHAIR: Thank you, and welcome. We are now going to introduce ourselves. My name is Anasina Gray-Barberio, MP for Northern Metro and Chair of the select committee.

Michael GALEA: Michael Galea, Deputy Chair and Member for South-Eastern Metropolitan.

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

Melina BATH: Hello. Melina Bath, Eastern Victoria Region.

Sarah MANSFIELD: Sarah Mansfield, Western Victoria Region.

Jacinta ERMACORA: And Jacinta Ermacora, Member for Western Victoria Region online here.

The CHAIR: Thank you. I would now like to invite you to make an opening statement, and if you could please keep it to a maximum of 8 to 10 minutes just so we have plenty of time to have a discussion. Thank you.

Tonii TRAN: I will try. Thank you, everyone. Good afternoon, Chair and committee members. Thank you for the opportunity to appear today on behalf of the Australian Childcare Alliance Victoria. I will probably mention ACA Vic in my opening statement. We have here today Paul, as he mentioned – he is a board member of ACA Victoria, and he is also the President of ACA national – and Brooke Eerden is also my Vice-President. Paul Mondo has two services, Brooke has one small service and I have six services. Collectively we have 65 years in early childhood education. We are all elected representatives of ACA Victoria, and also national for Paul. We are all in voluntary capacities in our roles as board members, and we are all committed to early childhood education and care and children's safety. We are all very experienced providers of small to medium local services.

ACA Victoria itself is the peak body representing privately owned and operated early learning and care services across Victoria. We also have a few members who are not-for-profit services. Our members deliver education and care to thousands of Victorian children and families each day across metropolitan, regional and rural communities. We represent more than 620 services, ranging from small family-owned services to medium multisite-approved providers, all united by a shared commitment to quality, child safety and the long-term

sustainability of the early childhood education and care sector. In many situations our member services are key pillars of their community and retain trust due to being embedded in the understanding of their communities.

ACA Victoria welcomes the opportunity to contribute to this inquiry into the ECEC sector in Victoria. In our submission to this inquiry ACA Vic has addressed the interconnected areas of educator training, professional development and qualifications and workforce conditions, which we view as core components of quality, safety and sustainability within this sector. The revelations of serious breaches of trust have deeply shaken families, providers, educators and the broader community. These events have underscored the urgent need for coherent nationally aligned mechanisms that both safeguard children and support providers and educators.

Child safety must be non-negotiable, but safety does not exist in isolation from workforce capability, training, integrity and professional oversight. ACA Vic strongly believes that reforms to professional oversight, educator training, qualification integrity and workforce wellbeing must proceed together if the sector is to retain public confidence and consistently deliver high standards of education and care.

We also acknowledge the findings of the Victorian government's rapid review into child safety, which identified systemic gaps and included sector consultation from many stakeholders, including ourselves. We recognise and support the government's commitment to closing these gaps through legislative reform and strengthened oversight; however, reform must be coordinated and evidence based and operate in a way that can deliver on its stated objectives. The ECEC sector is currently operating under significant workforce shortages, financial pressures and rising compliance obligations. This does not diminish the need for change, but unless these changes are well considered they may not achieve their aim.

Our submission emphasises several key principles. Firstly, strengthening educator screening and professional standards – child safety begins with robust recruitment, verification and ongoing oversight. This includes strengthened working with children check processes, improved information sharing between jurisdictions where appropriate and clearer professional conduct expectations. We believe consideration should also be given to mechanisms that elevate professional standards across the sector, ensuring that individuals who are unsuitable to work with children cannot move undetected between services or across state borders, and acknowledge that work is underway across the country to solve these problems.

Second, ensuring high-quality and accountable training providers – qualification integrity is fundamental to child safety. Training providers must deliver rigorous, practical and supervised learning experiences that properly prepare educators for the responsibilities of working with young children. We support stronger oversight of registered training organisations, improved auditing processes and consequences where training standards are not met. Poor-quality training undermines workforce capability and ultimately child safety. This should not be used as an excuse to penalise RTOs who do maintain high standards.

Third, embedding child-safe cultures, not simply increasing compliance burden – while regulation is necessary, safety is created through culture. Services must foster environments where children's voices are heard, where educators feel empowered to raise concerns and where leadership models ethical behaviour and transparency. Compliance requirements should support these outcomes rather than create administrative overload that detracts from direct supervision and engagement with children.

Fourth, improving governance and providing accountability – approved providers carry significant legal and moral responsibilities. Strengthening governance capability, including clearer accountability settings, transparent reporting mechanisms and targeted regulatory responses to serious breaches, is essential. However, regulatory action must remain proportionate and evidence based, distinguishing between systemic misconduct and isolated noncompliance. I will be there soon.

Fifth, supporting workforce wellbeing as a protective factor for children – a stable, supported workforce is central to safe environments. Chronic workforce shortages, excessive administrative burden and burnout create risks. Investment in workforce sustainability, including access to quality professional development, mentoring and mental health support, strengthens supervision, professional judgement and responsiveness to children's needs.

Finally, aligning state and federal reforms to avoid duplication and confusion – the ECEC sector operates within a national regulatory framework, and reform occurring at both state and commonwealth levels must be coordinated to ensure consistency, clarity and effectiveness. Fragmented reform risks creating gaps, overlap or

unintended consequences. A nationally coherent approach will better safeguard children and support providers to meet those expectations.

The issues before this Victorian inquiry sit within a broader national conversation, and reform must be coordinated across jurisdictions to be effective. An example of this playing out in a way that is not consistent is that Victorian ECEC providers will be obligated to maintain two independent educator registers from 27 February. We are here to ensure reform genuinely strengthens child safety outcomes, supports a capable and professional workforce and maintains a stable and sustainable sector for Victorian families. ACA Vic and our members stand ready to work constructively with government, regulators and the broader community to rebuild trust, strengthen safeguards and ensure every child in Victoria is safe, respected and supported to thrive. Thank you, and we welcome your questions.

The CHAIR: Thank you very much, Ms Tran. I will go ahead. You have got 620 services. How many of those are privately owned and how many are non-profit?

Tonii TRAN: I do not have the numbers, but the majority are privately owned. I think we only have a few that are community not-for-profits.

The CHAIR: Would you say 90 per cent, 95 per cent?

Paul MONDO: Yes, about 95 per cent would be privately owned.

Tonii TRAN: 95 per cent, yes.

The CHAIR: How do you balance the needs of for-profit centres versus your non-profit members?

Tonii TRAN: The organisation, the association, itself was brought about to help support the privately owned services, and I guess over time some of our not-for-profit members have just joined up. That could be a way to perhaps join some of our network meetings, our webinars and any other services that we provide.

The CHAIR: Are you noticing any differences between your for-profit members versus non-profits in the way that their structures are built out in response to the safety and wellbeing of children?

Paul MONDO: Look, I suppose our sector is really diverse, and I think separating by not-for-profit or for-profit probably oversimplifies that diversity in a particular way. We have very large providers, we have very small providers, we have not-for-profit providers, we have for-profit providers, we have local government-run providers and we have state government-run services now – not necessarily our members, but within our sector there – and the pre-eminent motive for everybody should be to ensure that they are delivering programs that support child safety and great developmental outcomes for children. That objective should not change, regardless of what your ownership type is, and in fact –

The CHAIR: Except, Mr Mondo, the evidence the committee has heard today is that overwhelmingly the non-profit providers and centres' safety breaches are a lot less than the for-profits' breaches. I guess what I am trying to understand from you is: how are you balancing your for-profit members' needs versus your non-profit members' needs?

Paul MONDO: Our role as a peak is to improve the quality of services for the people who choose to join us. We are not the only peak body in Victoria. Some of our members will be members across multiple peaks, some will only be members with us. What we do within this is that we run professional development, we run member meetings, we run networking opportunities and we inform them of legislative change. The education role that we play for services is absolutely critical. Ultimately, those changes occur regardless of service because the law is sector blind in terms of ownership type from them. What we know, particularly with small services, small providers – which is our membership predominantly – is that they operate in silos, and so what they –

The CHAIR: Can I just tick yes, because I want to touch on that in your submission. Your submission actually speaks about how Child Safe Standards, the child information sharing and reportable conduct schemes and the Orange Door are siloed. Then you go on to talk about greater alignment and interoperability. What does that actually look like in practice for the Australian Childcare Alliance?

Paul MONDO: We have a member support team. A large provider might have a head office which helps support their network when something happens at a service, whether that is supporting a family's needs or whether that is a critical incident, whatever the case may be. As a member support function, our goal is to try to bridge that gap and provide some support, which is potentially what our head office structure might look like there. In terms of where we see that play out in practice, very much we will talk about how some of those are operational concerns or some of those are legislative changes. For example, yesterday we ran a webinar which was around the child safety changes coming in from 27 February and what people need to do to continue to be prepared for that purpose there. What we find, honestly, is that those changes, regardless of whether you are a not-for-profit or for-profit, continue to be a question of: 'How does this look in practice?' Because often the wording in the legislation is one thing but actually how that will be interpreted on the other side of that by the provider, the staff and our regulators can be very different; it can be interpreted very different. There is a level of complexity attached to that. What we would say is providing high-quality early childhood education and care is a complex task. No-one would say it is easy. That is really critical, and that is a good thing because we are talking about the most vulnerable people in our society, which are children.

The CHAIR: Just on that, Mr Mondo, in your submission you talk about the Victorian government kindergarten inclusion support being challenging to access. Can you speak more to the committee about that?

Paul MONDO: Absolutely. As part of service delivery, what we do is we provide education and care to children of all levels of need. Being long day care services, we are federally funded, and obviously those who are delivering kindergarten programs are state funded as well. To support a child with a range of inclusion needs, there are two possibilities for additional funding which help us provide extra resources and also, in some cases, extra staff to be able to support the needs of those children. That is a really critically important thing to consider because, ultimately, where we know there are children with complex behaviours, with trauma, with all manner of things, sometimes the consequence of that is life in that room can be really difficult, particularly if you have got two staff with 22 children.

The CHAIR: But life in that room could be compromising the safety of children with a disability, right?

Paul MONDO: Absolutely.

The CHAIR: So in your view, what happens to their additional needs, and does that increase their risk of harm and mistreatment?

Paul MONDO: The kindergarten inclusion support program is a program where an agency provides an additional person to come and help support that room and that child in a particular kindergarten context. That could be three- or four-year-old kindergarten, whether that is integrated into long day care or whether that is a standalone session. To qualify for that, there are a set of really tight criteria. The kindergarten teacher needs to apply for that generally in about December before that child participates in the program, and there is a whole interview process. It is really quite a rigorous process from there. It is also very narrow in its approval. So you need to prove that that child is a risk to themselves or others, for example, to be able to have this person allocated to you at your service to support them. What we have seen, particularly in the last four years where workforce shortages have been a huge problem in the sector, is under the kindergarten inclusion support program that person is not an employee of the service. They are placed. They are not included in the ratio. They are not part of the day-to-day operations of the service. They are placed in the service. The service has no say who that individual is coming in. They are given that person, generally speaking, for somewhere between 3 and 5 hours a day, and that will be assessed by the independent panel in relation to that. Of late sometimes that person does not even hold an early childhood qualification. They might have done a micro-credential, they might have done some professional learning, but they come into that service under this program broadly to support the teacher and the other educators in that room to do their job a little more effectively to support the needs of that child.

The CHAIR: So essentially they are coaching?

Paul MONDO: Where you have people who are placed who do not have the relevant experience, sometimes that is not necessarily extremely helpful for the staff in the service, because we are responsible for what happens in our service and sometimes the training of those people is not necessarily up to standard. Now, I do not want to tar all of them with the same brush, because that is not fair.

The CHAIR: No, that is fine. I think I understand the gist of it. I am so sorry, my time has expired.

Paul MONDO: That is okay. It is a complex issue.

The CHAIR: It is, but it is great to get that insight from you, so I appreciate you explaining that to the committee. I will hand over to Mr Galea. Thank you.

Michael GALEA: Thank you, Chair. Thank you very much for joining us today. As the peak body, or one of the peak bodies, for largely the private sector, what guidance do you give your members when they come to you on questions of balancing their profit motivation, especially if they have shareholders, against the duty to keep children safe and to have the highest possible standards? Where do you give that guidance on where to fall?

Paul MONDO: My answer to that is that when I talk about a small provider, the idea of what this looks like in practice is I think a bit misunderstood. What I mean by that is often there are a lot of mum-and-dad small business operators who work 12 hours a day.

Michael GALEA: Not to cut you off, but I will just say that I am sure the majority of people are trying to do the right thing and want to do the right thing by the children they have in their care. But how do you give them that support as to where to draw that line?

Paul MONDO: It is not our role to talk to them about how to manage their finances in their service. What we clearly have is a set of regulations which give you at the very least a minimum requirement that you must follow, otherwise you are in breach of the law. So what we expect from every service provider in Victoria, in this case, is that that is your bare minimum, that is your minimum threshold. If providers are making choices to flout those regulations, unfortunately they are not the people that we would think are suitable to provide education and care in our sector. What we have known over a long period of time is that it is really clear that for people who are intentionally and deliberately and consistently using that sort of practice that is a problem, and what we have known and what our submission will say in many forums is that regulators had not kept up with the frequency of unannounced spot checks at services. I have been in this sector for more than 25 years now. You were guaranteed at least one every 12 months then. Over the last 10 years that changed, and – I want to be clear about this – this is not necessarily because regulators were being flippant about their job in any way, shape or form, but the sector has grown immeasurably; over the last five years there are an extra 600 long day care services alone in Victoria. We need enough people to be able to do that there. I think that has been recognised in the rapid review and that has been recognised in the government response to that. So the risk of being caught out for deliberately doing the wrong thing needs to be there, and we have supported more regular visits for that purpose there.

Do we think that following the minimums in the national quality framework is always the right solution? No, because there is no uniform way to deliver early childhood education and care. High-quality early childhood education and care responds to its community, its context, its children. If you have 15 children with high-level needs in that room and you only operate at a one-to-11 ratio in that room, I tell you what, something is going to go wrong there. It is completely different sometimes within centres and also across suburbs as to what the output should look like. But the baseline is actually really important as your bare minimum there, and then it is up to us as operators to be able to make sure that we understand that context and we are supporting our teams to be able to do that and also making sure that we have got, where possible, suitably qualified and experienced people who have the tools to be able to do that and the support mechanisms around them to succeed.

Tonii TRAN: Can I just add as well: in terms of ACA as a peak body, we do not touch on their finances, but what we do is provide them with guidance: guidance about what the regulations are, how you could practically use that in your services and perhaps how you could do more with them as well. So that is essentially what the peak body does.

Michael GALEA: Thank you. I know that there are a great many private operators that I am sure you personally represent, I trust, that well and truly exceed those targets and standards, just as there are not-for-profit providers that do not meet those standards. But given the aggregate disparity as a whole, what do you think the private sector needs to be doing better to rectify that big gap between those who are exceeding and those who are just meeting the targets? Is there an inherent difference in the private versus the non-profit sector, or are there specific things that the private sector can be changing to bring that into a balance?

Paul MONDO: Do you want to go? I will talk for too long and then you will not get a chance.

Tonii TRAN: I guess what I want to say is there is a misconception about what is meeting and what is exceeding that has happened over time. Personally, in my experience, exceeding is difficult to achieve. The department have introduced three exceeding themes in the last few years, and to showcase that is very difficult because, dependent on the individual authorised officer that comes and visits your service to assess and rate you, it can be very subjective. The gap between meeting and exceeding is huge. 'Meeting' means that all compliance measures have been met, and even that we believe the goalposts and the expectations are even higher. We have had meetings with the department as well about how services can achieve that, and as a peak body, that is what we do with our services so we help support them. If we have services that are achieving 'working towards', if you look at the statistics, I think in a lot of cases out of the 40 elements that you could meet or exceed perhaps one to four of them have received 'working towards', whereas there are 40 elements to achieve that. So what I can say is, yes, there is a bit of misconception of how easy or not it is to achieve those expectations.

Michael GALEA: Sure. Just very quickly with the time I have, sorry: do you think it is a good thing that the thresholds are as tough as they are?

Tonii TRAN: Yes, I do. I do agree, and that is what our peak body does, help support our members do that.

Michael GALEA: Thank you.

The CHAIR: Thank you. Ms Crozier.

Georgie CROZIER: Thank you very much, Chair. Thank you all for being before us this afternoon and your very interesting and informative evidence that you have provided to us. Ms Tran, if I can go to you first. You said in your statement that the ECEC sector will be obligated to two mandatory registration components, I think in three days time. Is that correct?

Tonii TRAN: Yes.

Georgie CROZIER: February 27th?

Tonii TRAN: Well, it starts on Friday.

Georgie CROZIER: Right. What additional resources will providers be required to have to meet those obligations?

Tonii TRAN: Are we talking about the national register or the training? The national register?

Georgie CROZIER: Yes.

Tonii TRAN: We really have not been given extra resources or funding to be able to do that. We have just been given a timeline. What it means for our teams is that they need to collect or collate all this information and input it into their systems. The system does allow for bulk inputting, so we can send a spreadsheet of all those details.

Georgie CROZIER: So you send that to the national register. Then they will come back to you if they see a red flag or anything?

Tonii TRAN: Yes, missing information. They will probably come back and say, 'Hey, there's some missing information in what you have input,' but we have got to remember this is stage 1 of this national register as well. On the other hand, Victoria as a state introduced our own workforce register that we had last year as well. So we are going with two registers now.

Georgie CROZIER: So that is duplication. It is inefficient. It is additional resourcing. It is ridiculous, frankly. Can I go to the point: did you as the peak body have concerns around gaps in the working with children check?

Tonii TRAN: Yes.

Georgie CROZIER: And when? When did you have those concerns, and did you flag them with anyone?

Paul MONDO: I mean, everybody is aware of the royal commission into institutional abuse, where this was flagged.

Georgie CROZIER: 10 years ago.

Paul MONDO: Yes, so it is real. It is there. What I would say is there is as much a concern around – when an incident happens at a service, obviously there is potentially a criminal component which needs to be reported, and that is the number one threshold. In Victoria we have had a reportable conduct scheme since 2018, I think it is now, on top of departmental notification, or the regulator, obviously previously under the department's control.

We concur with what the rapid review found. In fact it was one of the things that we raised through the rapid review, which was those bodies did not talk, and that created gaps in systems there. There were examples where there was a delay between when someone who was undergoing reportable conduct had a pause applied to their working with children check. We also know that the working with children check is different in different states, has different thresholds, does not talk across borders. That played out really horribly in New South Wales and Queensland, so these challenges are quite profound. Our view is beyond the working with children check, we actually need a national working with vulnerable people check, because it is not just –

Georgie CROZIER: And you say that in your submission. You are calling on that. Sorry to cut you off there. I am saying that about duplication because given the timeframes, obviously we want children to be safe. But if it requires duplication in the short term, how long do you think that will be duplicated for?

Paul MONDO: The Victorian government went early by having its own register and rolling it out. The register does nothing for services. What it does is it gives the department – the regulator – access to information. Our vision with the register is that it is actually a give-and-take process – that we provide data but actually we have the best information possible to be able to stop people who should not be in front of children. That was our pitch. There was a piece in the *Herald Sun* to support that effect. Clearly the national register comes in this Friday. We have got a month to complete that. We were assured at the start that the Victorian register ultimately would be replaced by the national register. We do not have a commitment to that at this particular point in time.

Georgie CROZIER: That is my point. Okay. I want to just explore your membership: 620 members, 95 per cent of which you said are private providers. How many children are involved? Roughly what sorts of numbers are we talking?

Paul MONDO: Broadly, the average-size service in Victoria is about 100 licensed places, give or take. If you are full at 100 places, which is very rare in this market, you would have somewhere around 200 to 250 children at each of those services.

Georgie CROZIER: Thank you. Given that enormous component that you provide – and I have to say that through this inquiry, the private sector has been demonised by some – you actually provide a huge service to the community. As you said, there are different communities that are very different, so you have got to meet the expectation of that community to ensure that those children are safe and to be flexible. You spoke about that in your evidence to us today. If you were taken out of the system, what would be the cost to the state?

Tonii TRAN: I think a lot of services might be going blind without the support that we provide.

Georgie CROZIER: Yes, I am sure, but –

Paul MONDO: At a systems level?

Georgie CROZIER: At a systems level, and as an economic –

Paul MONDO: I think that is right. One size does not fit all in any system out there.

Georgie CROZIER: Correct. I agree.

Paul MONDO: There is a role to play for all players in the system, assuming that they are motivated to do the right thing by delivering children an outcome and making sure everybody who delivers high-quality services should not be penalised as a result of those who have not. We care. We are passionate. My parents started in this sector in 1990 and my mother worked 70 hours a week in that, and she did that way up until 2015. She did that out of care, because she was a teacher before that and she did that. Because you are a private provider it does not mean you do not care about children and families and outcomes.

Georgie CROZIER: Exactly. I agree with you. Has anyone done any modelling, though, about that economic cost to the state if you were taken out of the system?

Paul MONDO: No.

Georgie CROZIER: Okay. Thank you.

The CHAIR: Thank you. Dr Mansfield.

Sarah MANSFIELD: Thank you. Thank you for your submission and for appearing today. Just taking that thread that Ms Crozier was on, she referenced that in your submission 79 per cent of approved providers operate a single service; 1 per cent operate 25 or more services, so they are maybe not universally, but probably more likely to be, those larger corporate equity-backed services. In your view, do you think there is any pattern or difference in where some of the problems might be emerging, and is it in your view or experience more likely that they are occurring in those larger corporate models?

Paul MONDO: It is difficult to say, because the data might suggest that. I mean, we think that as you start to unpack what the sector looks like in the future, one of the things is because even in those there are some fantastic services and some fantastic people, and actually what they need to succeed are fantastic people working for them. Any provider out there is as good as the workforce we cultivate and the workforce we succeed. One of the biggest markers of quality is staff retention, ultimately, because where you have staff who continue to stay in your workplace, you are able to scaffold their learning: they understand the systems better, they understand your systems better, they report better and they know where the boundaries sit around what they should and should not do. Workforce – it is impossible to remove that there. I would look for a provider where workforce has higher retention levels for success. That does not matter whether you are small, large, not for profit, for profit. Workforce retention is a marker of quality and also a marker of where you are more likely to have better safeguarding practices in place.

Sarah MANSFIELD: So you are suggesting that perhaps there are systemic challenges that would affect the whole sector regardless of what the data shows, rather than it being something peculiar to the model of the corporate providers.

Paul MONDO: There is no reason why a large corporate provider cannot be high quality. In fact there are high-quality corporate providers out there. Again, if we are really looking at solutions to fix problems, characterising it by binary definitions is not going to actually get us to the outcome that we need there. We know that a supported workforce is critical to this. Probably the hardest role in our sector is being a service leader, a centre manager, and actually doing that job there, because you are responsible for what happens in that service and you are responsible, depending on who you are working for, for learning, applying all the new regulations, putting them into practice and having a financial penalty if you get it wrong along the way. Ensuring that we have great leaders in those services, regardless of who and where it is, will ensure that at the local level that individual service is doing the best that it possibly can. Now, how do we wrap around support for those leaders? Well, it looks different in my services versus a multisite provider, whatever scale that might be, because we operate in different ways and we have different resources available to us to do that.

Sarah MANSFIELD: Do you think there could be a problem, though? If there is a corporate model that is equity-backed and you are reporting to shareholders, there is I guess a stronger profit motive there, potentially. The drive to do things like cut corners around, say, staffing ratios and other things might be greater just because of that profit motive. Do you think that could play a role in some of the issues that we are seeing?

Paul MONDO: I mean, of course it is possible. You cannot say it is not possible; it is possible. Whether that is a systemic issue by design, again, I do not know the inner workings of those organisations to be able have a view on it.

Sarah MANSFIELD: Do you represent any of those organisations?

Paul MONDO: They are not in our membership at ACA Victoria.

Sarah MANSFIELD: Okay. Thank you.

Paul MONDO: But it comes back to what I said before: we have a law which is the bare minimum, and that is just non-negotiable. And then there is context for community, for services. Viability is critical. I know Ms Page from Early Childhood Australia spoke really well about this. Having the right level of occupancy in your service is absolutely vital to being able to reinvest in quality, do the extra things. If you are at the headline, unfortunately you have just got to get by sometimes, which means that you are closer to skirting at the edges there.

Sarah MANSFIELD: Do you support some of her comments around that maybe more intentional service planning and oversight of the whole system rather than the more free-for-all system that we have got, where anyone – I am paraphrasing – can open up a centre anywhere?

Paul MONDO: We have called for – I have been national President for almost 10 years now – in every budget submission for 10 years pretty much greater federal oversight of the supply of new services. Now, will that solve every problem? No. But there was a system way back in 1999 to 2001 where you were not just approved for federal funding to deliver the childcare subsidy, you actually had to prove demonstrable need in that particular community. Now, there is a delicate balance between having enough competition to make sure people are doing the best they can versus flooding the market, which dilutes workforce, dilutes patronage and dilutes a whole range of things that happen there. And we do have in Victoria obviously the expansion of three-year-old kindergarten over the last decade, which is also delivered in long day care services, Building Blocks grants, building more standalone preschools and kindergartens out there. Sometimes those also take children out of long day care services and reduce their viability. That is part of the delicate balance of policy implementation for 30 hours of pre-prep, for example. You need the infrastructure. Is the infrastructure ahead of the implementation timeline, which then has some flow-on effect there? While staffing is a variable cost based on your occupancy, for rent and commercial leases for a 100-place service you are spending half a million dollars a year, and if you are only operating at 50 per cent occupancy, actually that represents far more than is sustainable for that service there.

Sarah MANSFIELD: In my last few seconds I just want to ask about the issue that we spoke about earlier around how sometimes there may be a situation where there is not an overt breach of regulations but there are concerns about an employee's behaviour or work practices. There is a tension there with some of the employer's obligations under Fair Work, and their duty is really to provide a safe environment for children. Is that something you or your membership find challenging, and do you think that tension could be contributing to situations where employees who are problematic are allowed to continue working?

Paul MONDO: Where they are the less obvious type incidents, absolutely. I think there is this real tension between employment law and our responsibilities there. Again, Ms Page did a great job of articulating the fact that if you are a small business and you have an unfair dismissal and you have got a \$10,000 payout for that unfair dismissal or what has come out with new laws around general protections, they are significant costs to service, notwithstanding things like standdown costs that happen from there. So it is complicated. The other part that sits with that is where you have this really long process to deal with an incident that happens sometimes around standdown there. There is a workplace culture thing because there is a lot of uncertainty in place at that particular point in time. Last year in one of our submissions we called for a federal taskforce on how to navigate this issue and investing some time in thinking about how we can solve this problem in a way that ensures that there is not this competing priority for an employer in that particular circumstance, because it is real and it does exist.

Sarah MANSFIELD: Thank you.

The CHAIR: Thank you, Ms Bath.

Melina BATH: Hello. Thank you, everyone, for being here. Can I put on record, Mr Mondo, thanks to your mother for dedicating her life's work to looking after and caring for children and nurturing them. As somebody who had to use the system in order to provide food for her children, I really recognise the lasting and positive

impact that carers can have on children. I want to go to your submission, which talks about Child Safe Standards, and we have heard this theme. You talk about separate siloed systems, inconsistent terminology thresholds and reporting pathways. Clearly silos are not positive in the long run. The government has failed so far to break down those silos. What are some directions for us to provide to government to help break down those silos so that we can create safer environments for kids?

Paul MONDO: Our Child Safe Standards were adapted or modified about three years ago now, from memory. I think the inherent challenge that we see when you change something is: how do you embed that across your service? People can do an online training session and say, 'Yes, I've got my certificate. Here's my certificate. We're done. We've ticked that box there.' And often from a compliance perspective you are doing your job and you are not in breach of your regulations as a provider in that context there. To be fair, our regulator – I am talking pre VECRA – did spend a lot of time in 2024 working with services on understanding how they were applying those changes to the Child Safe Standards at a very operational level and how they were being embedded. I think that is useful, and it comes back to my point before about staff retention, whereby if you are always churning through staff, you are on this never-ending cycle of having to bring people up to a minimum standard there. So what we want to make sure of is that that peer learning actually exists. If you add in the odd staff member here or there, they will learn from the whole. In every system, including ours, that is a really important marker.

I want to bring it back to some of the challenges that we have in our sector when we apply change and why sometimes change is not as quick as people think it would be. If I compare us to a schooling system, for example, when they need to undertake professional learning they get a curriculum day. They say, 'Right, we're closing. We're going to bring all our workforce together. We're going to spend a day, two days, whatever, to embed this practice in our system.' In an early childhood service, one, if we close, we cannot charge fees because we cannot – well, we can charge fees but we cannot claim childcare subsidy, and obviously no parent is going to do that. Clearly our parents use us to participate in the workforce. If we were to close, that would be a really complex thing to navigate. But for us to bring a whole team together – and when you actually embed as a team is when you are together as a group – we either need to do that at 6:30 at night or Saturday. Now, if you start at 6:30 in the morning, because centres operate 50 to 52 weeks a year, 12 hours a day, and you come back at 6:30 at night for a staff meeting, you ain't taking much in, because it is a really difficult thing to do. So we really do have a structural challenge in our sector when it comes to implementing change. The complete challenge for us is that the amount of change that we have had since 2012 is phenomenal, astronomical, so people feel: 'When is the change going to stop?' Now, change is progress and we have got to get it right, but we actually have to understand that the more we push people to do these things because of the way our system is structured –

Melina BATH: For compliance.

Paul MONDO: actually we are not actually doing it properly. We spoke about the need to embed stuff and make sure it is done to deliver the outcome we want, not just to tick the box that it has been achieved there.

Melina BATH: And that is the difference, isn't it: compliance versus culture and embedding the culture. So what can be done, chequebooks aside, to support maybe centre by centre or the sector to have those smaller PD sessions that are achievable without shutting down a centre or having a Saturday session?

Tonii TRAN: I think the priority, which we have put in our submission, is the leadership training. It is sort of a program of 'Teach the teachers'. Something we have tried to promote with the department is to provide us with the resources and provide us with the professional learning so that our teachers can teach.

Melina BATH: And they have not? What does that look like?

Tonii TRAN: No, because culture is a huge concept in itself. It is not just culture in terms of psychological safety, so that people can feel safe to report if they see something suspicious, but it is team culture. It is embedded culture in terms of –

Melina BATH: So what can government do? You have got the keys to government, you have got the keys to the education department – what can they do?

Paul MONDO: There is a challenge in that obviously we have a federal funder and a state regulator. There are some challenges in relation to that. Now, the federal government made some announcements around being able to close an hour early to undertake child safety training, which is unprecedented in our sector. Does it go far enough? We do not believe it goes far enough. But as a first step maybe we are starting to recognise that we need to do things a bit differently in our sector if we want to achieve an outcome there. I think we would like to see more flexible ways of us being able to deliver this. We would like to work with that. The issue is that the context is different based on service to service. If you have got 120 children a day, you have about 40 staff. Bringing 40 – even bringing 20 – staff together is hard.

Melina BATH: Can I get you to hold that one? Write it down and send it in to us if you can as well. I just want to ask very briefly: the KIS scenario. I am just looking it up – I was a schoolteacher. When you had integration aides, the principal and the school had a big say on that integration aide, who that person was coming in. They could select, hand-pick. They did not have to have a qualification. My understanding is that with KIS, again, for disability support you do not have to have a qualification but the centre does not necessarily have any choice as to who that person is. Is that one of the flaws that you would like to see changed?

Paul MONDO: Yes, we would love to. I mean, I do not want to say that there have been child safety incidents because of KIS. But as a system and as a provider if you do not think it is suitable, you can say, ‘I don’t want this person back.’ Do not get me wrong; you have some capacity to say, ‘No, we’re better off without them there.’ But actually is that the right outcome? The whole point of the program is to ensure we have people who have the capacity. I know that there is work being undertaken to reform KIS. It is really critical. Sometimes where there are clear disabilities, that is what KIS is for, but actually where the challenges sit in early childhood are the more borderline-type things which, as a whole and as a group, can cause problems.

Melina BATH: Thank you. Thanks very much, Chair.

The CHAIR: Thank you. Ms Ermacora.

Jacinta ERMACORA: Hello. Thank you very much for appearing. I just want to start with the Victorian register. Even though it will be merged in with the national one, which starts this Friday, do you believe it was correct for Victoria to act immediately and set up a register straightaway?

Paul MONDO: I do not have – I am totally comfortable. We are an advocate of a register, assuming that ultimately the register does a whole range of different things. I am very comfortable that the Victorian government took the decision to act first in the climate that we had last year. I think it was a commendable choice, and we probably learned a lot around how we can then use that information for the purposes of a national educator register. Obviously the key thing is around how long we will have a duplicated process to do as providers.

Jacinta ERMACORA: Yes. I just want to move to CCTV, if that is all right.

Paul MONDO: Sure.

Jacinta ERMACORA: You have been very interesting in your responses. One of the pieces of work that is currently being undertaken is a trial in that space – a review, in a sense, of CCTV. What are the ACA’s views on the role of CCTV in childcare centres?

Paul MONDO: I think, again, it is how you are using CCTV that will ultimately determine its benefit or otherwise. I will start with this: if CCTV is set up with an office and it is kind of like a shopping centre security room where you have got screens everywhere and you are watching what is happening in the service, that is not what CCTV is effectively going to be used for. That would be a dedicated role in its own right trying to keep on top of that. What we think with CCTV is: does it genuinely prevent all possible things from going wrong? I would say that that is impossible to guarantee in any way, shape or form.

The inherent benefit of CCTV is that when something does happen, if you can prove or disprove an allegation really quickly, that is really powerful for both the child and the family involved. Also, if it is an allegation against an educator that can be disproven – which actually could be quite harmful to that educator’s

professional and personal life – being quicker to solve those things is a positive benefit of CCTV. Unfortunately, whilst there can be allegations made, it does not necessarily mean that every allegation has occurred at that point. Having clear black-and-white evidence, where you can, is critical. Now, to do that you need enough cameras in the right places that do the right things to be able to get to as many places as possible.

I think that what can happen is where services have no CCTV and there is an allegation that goes on, particularly a really serious allegation, the timeline involved with getting to the bottom of that can be really traumatic for that workplace's culture, for the individual there and for the family. Some people will never feel sure about the outcome, despite what the formal investigation may or may not say. So that is where I see inherent benefit. Now, does it replace the need for an appropriate culture of safeguarding, good embedded strong practice, knowledge, appropriate staffing skills and qualification retention? No, it does not replace that. But it is one of the tools that I think can provide a benefit to our sector over time.

Jacinta ERMACORA: Have you had any reflections as a peak body on privacy considerations for various staff or children involved in relation to CCTV, the ability to keep the footage secure and then who would be able to appropriate that footage and in what circumstances? Have there been views of your members expressed in relation to that?

Paul MONDO: I would characterise it as being a range of different views in relation to whether people want CCTV or not. As you would imagine, people have different opinions. Data security is absolutely vital. I mean, if this stuff can be hacked online, what does that look like? So there need to be clear policies that comply with the relevant legislation. We need to think about the whole picture, not just one part of the picture, to be able to make it work. Of course there are parts of a service where CCTV cameras should not exist. I think that that is really obvious to respect privacy. I think the trial that is underway being led by the federal government is a really important part of trying to break through all of those barriers and challenges around 'Well, if we were to have CCTV, what does it look like?' – because we know there are lots of services who have or are rolling out CCTV. Firstly, we need to ensure that they are doing it in a way that is best practice and protects children's privacy and families' privacy and workforce privacy.

Jacinta ERMACORA: Thank you. I just want to ask about your support of recommendation 17 of the Victorian rapid review that spoke to making information more accessible for parents about service quality and compliance, and some of the changes that have been made in the national law. Again we have got this national-state thing going on, but just that transparency and accessibility for parents to see exactly what is going on in the centre they might be considering.

Paul MONDO: Parents should be armed with the amount of information they need to make the most informed choice. Sometimes context to a particular breach or action is really important to understand. A breach might list that the service has breached the rights and dignity of a child. Well, what does that mean? What happened there? How do you talk about that in language that helps support a family's choice, ultimately? That is a piece really critical to the action that we need to think about. It is not always straightforward, because for obvious reasons we are not going to publish all of the specific details associated with an enforcement action or a compliance notice or something like that, because we cannot, but the context sometimes makes a big difference there as compared to the legislated language that applies for a breach.

Jacinta ERMACORA: Thank you.

The CHAIR: Thank you, Ms Ermacora. Thank you very much, Mr Mondo, Ms Tran and Ms Eerden. That brings our session to a close. We thank you for the evidence that you have contributed to the inquiry today, noting that you will receive a copy of the transcript for review in about a week's time before it is published on the website.

We will now take a short break. Thank you again for your time.

Witnesses withdrew.