

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 – Wednesday 11 March 2026

MEMBERS

Anasina Gray-Barberio – Chair

Michael Galea – Deputy Chair

Melina Bath

Georgie Crozier

Jacinta Ermacora

Sarah Mansfield

WITNESSES

Stefanie Veal, Chief Executive Officer, and

Bree Gauci, Deputy Chief Executive Officer, Training and Skills, Victorian Registration and Qualifications Authority.

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

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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 I ask you to state your name and any organisation you are appearing on behalf of.

Stefanie VEAL: My name is Stefanie Veal. I am from the Victorian Registration and Qualifications Authority.

The CHAIR: Thank you.

Bree GAUCI: I am Bree Gauci. I am also from the Victorian Registration and Qualifications Authority.

The CHAIR: Thank you very much. We will now go around and introduce ourselves. My name is Anasina Gray-Barberio, MP for Northern Metro and Chair.

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

Sarah MANSFIELD: Sarah Mansfield, Member for Western Victoria Region.

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

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

The CHAIR: We also have Ms Ermacora online, who will join us.

Jacinta ERMACORA: Hello. Jacinta Ermacora here. Western Victoria.

The CHAIR: Thank you. I would now like to invite you to make an opening statement. If I could just ask you to keep it to a maximum of 10 minutes, that will allow us to have more time to have a discussion. Thank you.

Stefanie VEAL: Sure. Thank you, Chair. We might bring up the presentation; we thought it may be useful to the committee to provide a little bit of an overview about the functions of the Victorian Registration and Qualifications Authority and then in particular our remit as it relates to training in early childhood education.

Visual presentation.

Stefanie VEAL: We are Victoria's education and training regulator. Our purpose is to regulate for quality learning outcomes in safe environments. As you will see on our slides, we have a very broad remit across both education and training. We register and regulate schools, including schools that provide courses to overseas students and senior secondary qualifications. We register and regulate VET providers, or registered training organisations, which I will touch on in a bit more detail shortly.

We also register children for homeschooling. There are a range of other providers in the school sector such as school boarding premises, student exchange organisations and non-school providers that we register and regulate. In relation to those providers, we are also the integrated child safety sector regulator. We also regulate apprenticeships and traineeships and recognise group training organisations; then we investigate complaints about the providers that we register; we approve school review bodies, which are the Department of Education and Victorian Catholic Education Authority; and we also accredit senior secondary and foundation secondary courses – for example, the VCE. We also accredit vocational education and training courses where there are gaps in the national courses and there are particular things that Victoria requires accreditation of.

In relation to early childhood education and care in Victoria, there are currently 3214 RTOs that deliver vocational education in Victoria – so, that is all vocational education and training. In terms of what that looks like, the Commonwealth regulator ASQA regulates, as you can see up on the screen, 3099 of those registered training organisations. We have 108 registered training organisations that we register and regulate. And then there is the Western Australian regulator as well, which has seven. The difference is that ASQA-regulated RTOs will operate across state boundaries, so outside of Victoria as well as in Victoria. They can also deliver to international students, whereas the RTOs that we regulate must only deliver in Victoria or in Western Australia and can only have domestic students. In Victoria our data shows there are 380 RTOs that provide early childhood education and care courses. There we can see that ASQA regulates the vast majority of those, which is consistent with the number of RTOs it regulates more broadly. The VRQA has 14 registered training organisations that it regulates that deliver either the certificate III or the diploma in early childhood education and care. Of those 14 registered training organisations, there are seven that are adult community education providers, or Learn Local providers, that deliver primarily to post-compulsory school age people within a local community. We have four registered training organisations that are also independent schools, and then there are three private RTOs.

In relation to our regulation of those registered training organisations, when we are conducting audits of them we have always done that with a risk-based approach so that courses that are in the package of the human services community care training package will always be scoped into the audit. In particular, since the media reports and the rapid review, all of the RTOs will have within their audit scope the early childhood qualifications to ensure that they are being delivered in accordance with the training package and in accordance with the VRQA guidelines for VET providers.

In Victoria an early childhood education and care qualification can be undertaken through two different pathways. It can be undertaken as a straight qualification where a student or a young person attends a registered training organisation or a TAFE to do that, and they will then do, as you would be aware, placements as part of their practical training. They can also undertake it as a traineeship. We have provided some data on the slides there in relation to the number of active trainees there currently are in Victoria, which is 2410, undertaking either the certificate III or the diploma of early childhood education and care. In relation to those trainees, there are six VRQA-registered RTOs that they are attending.

We have also provided there a split in terms of the types of employers. In relation to our regulation of employers, somewhat similarly to early childhood, the regulation of apprenticeships and traineeships is undertaken by the state, but then administration of traineeships is also done by the Commonwealth. So the employer approval process is administered by the VRQA but in partnership with the Commonwealth Department of Employment and Workplace Relations. And that is through an employer going through an Apprenticeship Connect Australia Provider.

In relation to regulation of employers, there is a lot of work that the VRQA has been doing to continue to strengthen its regulation of that sector. There really is a big focus on minimising and eliminating harms in that sector, which can look like physical, psychological or psychosocial harms to what is a very vulnerable cohort of young people. Also, harm can include poor-quality training. It can include exploitation. It can also include where there are poor learning outcomes. We, in relation to early childhood – including our board and our Apprenticeship and Skills Compliance and Quality subcommittee, which has specific oversight for our regulation of apprenticeships and traineeships and RTO regulation – have been keenly looking at the early childhood sector, and that has included work such as in our most recent campaign, which targets new employers, ensuring that we have scoped in early childhood employers to ensure that they are meeting their obligations to their trainees.

We have also done a lot of phone calls to trainees of particular early childhood providers where we know there may have been some compliance issues to see whether they are getting the training they need or being released for training to go to their registered training organisation. I might pause there because I realise time is up.

The CHAIR: Are there any burning points that you would like to finish with before we get started into questions?

Stefanie VEAL: No, I am happy to go to questions if you like, Chair.

The CHAIR: Okay. Thank you very much. Thank you very much also for the presentation and the PowerPoint. We appreciate that. I just want to pick up off your last point there: you said during your opening statement since a high-profile case from last year you have started to increase your audits. Is that right?

Stefanie VEAL: No, sorry. What I was referring to there is that with the community services training package, which includes early childhood education and care, it has always been our approach to auditing registered training organisations that we will take a risk-based approach. Registered training organisations can have a lot of different qualifications on their scope of registration that they deliver. We will always ensure that we are looking specifically at high-risk qualifications, such as those in the community services training package. Since last year we have ensured that every RTO audit that has early childhood on its scope includes an audit of that, and that involves looking at the guidelines which –

The CHAIR: Are they the 14 that come under your statutory body, because you said there are 380 RTOs –

Stefanie VEAL: Yes.

The CHAIR: ASQA regulates 366; you regulate 14. So you are only auditing 14 RTOs.

Stefanie VEAL: We have not audited 14 last year, but as they come up for audit, then they will be audited to look at that –

The CHAIR: How about the other 366? Those are out of your jurisdiction.

Stefanie VEAL: They are ASQA RTOs.

The CHAIR: Do you guys talk to each other? The national –

Stefanie VEAL: Yes, regularly. On a month where there are monthly meetings that – I might let Ms Gauci answer that question, Chair, if that is all right.

The CHAIR: Sure.

Bree GAUCI: Thank you. I meet regularly with my counterparts in the Commonwealth and in the WA TAC, which is the Western Australian VET regulator, and I think those meetings are two-monthly. We discuss a range of issues around the regulation of vocational education and training –

The CHAIR: During those meetings – sorry to interrupt – has it come up? We have been reading reports about early childhood educators obtaining fraudulent paid-for qualifications through some RTOs. Is that something that has come up in any of your meetings?

Bree GAUCI: I could not recall off the top of my head, but I know that the Commonwealth regulator is very alive to the risk of poor-quality or fraudulent qualifications being issued by RTOs.

The CHAIR: Do any of those RTOs reside here in Victoria?

Bree GAUCI: I would not be able to say. I cannot recall off the top of my head, because that is a matter for –

The CHAIR: Can you take that on notice?

Bree GAUCI: We can certainly take that on notice.

Stefanie VEAL: We can take that question on notice.

The CHAIR: Okay, great. Thank you, I appreciate that. Apologies for interrupting.

Bree GAUCI: Not a problem.

The CHAIR: You spoke about strengthening regulation and minimising harm. You also identified vulnerable cohorts. Who are they specifically? Are we talking about multicultural women? Who are you referring to?

Stefanie VEAL: We consider that all apprentices and trainees are a vulnerable cohort within the workplace, because of the power imbalance between an employer and an apprentice or a trainee who is reliant obviously upon their employer for their livelihood. An employer has really specific obligations to an apprentice or trainee, but yes, within that vulnerable cohort of workers there are more vulnerable groups, including people of CALD background, women in many industries.

The CHAIR: Are they the ones that you said that you are phoning? You said just at the end that you are calling trainees.

Stefanie VEAL: No. In relation to contacting trainees, that was trainees in the early childhood and education care qualification – all trainees.

The CHAIR: Why were you calling them? What were the risks? Like you said, you take a risk lens. Something obviously has happened here that is triggering and activating you to make these phone calls. What is happening?

Stefanie VEAL: With all of our regulation we take a risk-based approach, which will be informed by emerging risks or issues. That might be referrals from other regulators or from departments, or complaints or concerns that come to us from apprentices or from trainees. There were some media reports in relation to early childhood employers, so we were wanting to – particularly around the quality of training –

The CHAIR: When you say ‘employers’ you mean the RTOs. Is that right?

Stefanie VEAL: No. The employers are the early childhood providers.

The CHAIR: Where they are working. Right, okay.

Stefanie VEAL: Yes, so they are approved employers.

The CHAIR: Were there any specific themes that you are in a position to share with the committee? The employers – are they metro or regional, are they government, are they long day care, are they out-of-home care? Can you just give us more information?

Stefanie VEAL: It would have been a sample across all of those things, because there are, as we said, over approximately, I will say, 2500 trainees. We will have picked a sample which is from across all of those factors and from different employers.

The CHAIR: Right, okay. I just want to come back to the RTOs and how it is split – like how ASQA regulates a certain portion, like 96.3 per cent of RTOs in the sector, and then your organisation, your statutory body, only regulates 3.7 per cent of the sector. Who do you report to, government-wise? Do you report to a government department or a government minister?

Stefanie VEAL: Yes. In relation to our regulation of apprenticeships and traineeships and registered training organisations, the responsible minister is the Minister for Skills and TAFE and the department is the Department of Jobs, Skills, Industry and Regions.

The CHAIR: In your position, do you think this is opening up loopholes rather than closing loopholes when you are only regulating a very, very small portion? You have only got eyes on 3.7 per cent of RTOs delivering early childhood qualifications and then you are saying that you are only meeting with the national body once a

month. That is a long time to go without communicating. Are there other ways that you are staying in touch and picking up on issues?

Stefanie VEAL: To your first question in relation to whether there is a gap – could I ask you to clarify that question? A gap between –?

The CHAIR: A gap between yourself and the national body, because you are only governing and providing regulatory responsibilities to 3.7 per cent of RTOs. There are 380 – you have only got access to 14.

Stefanie VEAL: Yes.

The CHAIR: 366 belong to the national body.

Stefanie VEAL: Yes.

The CHAIR: There seems to be some discrepancy there to me. Please correct me if I am wrong.

Stefanie VEAL: I do not know that there is a discrepancy, but I think it is an outcome of the way that the framework and the regulation of registered training organisations has come about historically in relation to the Commonwealth regulator ASQA. Most of the states and territories, as you may know, referred their powers to ASQA – to the Commonwealth regulator. Victoria and Western Australia decided that they would retain their powers in relation to regulation of registered training organisations and accreditation of courses. So the segmentation, if you like, of the sector and of the regulation is really a product of that – that Victoria has not referred its powers. So there are two regulators that operate within Victoria, but there will be a regulator for every registered training organisation.

In relation to the second part of your question, whilst there are the formal meetings that Ms Gauci mentioned with ASQA and with the Western Australian regulator, there is also ongoing information sharing and collaboration between our organisations, particularly with ASQA, because we may, for example, receive information about a registered training organisation that is an ASQA-registered training organisation through our regulation of apprenticeships and traineeships or through regulation of schools, and so that will be shared with ASQA. Similarly, ASQA may share information with us that is within our jurisdiction. So we have good information sharing and collaboration with the national regulator.

The CHAIR: Thank you. I actually have run out of time, but just super, super quickly: because there has been a lot of fragmentation happening in the sector, do you believe that this is the most cohesive way – the way that it is currently operationalised? Just very quickly because I am well over time.

Stefanie VEAL: Is your question going to the regulatory framework?

The CHAIR: ASQA and VRQA – yes. Is this the most cohesive way moving forward?

Stefanie VEAL: Well, I think to answer the question – I am not 100 per cent clear on what you mean by ‘cohesive way’. But with the skills ministers council – I may be getting the name of that body wrong – there is national consistency, so with the actual regulation in terms of the standards that registered training organisations must meet, the principle is around national consistency of those standards. So there is that. That is in place.

The CHAIR: Thank you very much. I will hand over to our Deputy Chair. Thank you, Mr Galea.

Michael GALEA: Thank you, Chair. Thank you both very much for joining us today. Just furthering some way on that, WATAC – I am not sure if that is how you pronounce your counterpart in WA. I may have misheard you, but please correct me. VRQA obviously can only oversee RTOs that administer within Victoria for domestic students. Did you also say that WATAC can govern Victorian RTOs and vice versa, or is it not quite as simple as that?

Stefanie VEAL: Bree, I might ask you to respond to that question.

Bree GAUCI: Yes, it is somewhat of a legacy from the time when the powers were referred. But because Victoria and Western Australia have retained their authority, my understanding is that we are able to register training organisations that deliver to domestic students in our respective jurisdictions.

Michael GALEA: I see.

Bree GAUCI: It does not make –

Michael GALEA: It is not reciprocal?

Bree GAUCI: Yes, it is reciprocal.

Michael GALEA: Oh, it is reciprocal. Sorry. Thank you.

Bree GAUCI: But in practical terms it does not really happen very often.

Michael GALEA: Sure. It is not like we are exactly close by.

Bree GAUCI: Correct.

Michael GALEA: Thank you. Going on to that disparity of the number of RTOs governed by VRQA compared to ASQA in this space when it comes to ECEC, would we see similar numbers across different training courses, different RTOs as well?

Stefanie VEAL: Yes, you would. As in RTOs that are delivering other qualifications?

Michael GALEA: Outside of early childhood, yes.

Stefanie VEAL: Absolutely, because, as I tried to explain, if an RTO wants to deliver outside of Victoria or it wants to deliver to international students, then it has to register with ASQA. So the larger RTOs will register with ASQA, yes.

Michael GALEA: They will just go by default. And it is a case of either/or, it is not that they go with both?

Stefanie VEAL: No. That is correct.

Michael GALEA: Thank you. The rapid review recommendation 19 advocated for stronger action on the poorer quality training courses. This is fundamentally mostly directed at ASQA, but I would be very keen to know your thoughts on this recommendation, particularly what role the VRQA sees in enforcing this and rolling this out.

Stefanie VEAL: Sure. The community services training package, which includes early childhood, which you may have heard evidence about, is actually a nationally accredited course, and my understanding is that jobs and skills council HumanAbility is currently reviewing the course in light of the rapid review and other issues that have arisen. What I understand informed that recommendation was that there was a lack of focus on two things: on people completing the qualification being ready to work in early childhood and also understanding child safety, including their obligations around reporting.

As I mentioned during my presentation, the VRQA is the integrated sector regulator for the Child Safe Standards in Victoria in relation to schools, registered training organisations and other providers. Our key focus and priority is on child safety, so I think anything that improves the understanding of employees or staff working in schools or in early childhood is absolutely a good thing and a really important thing. I think, unlike other states, we are quite ahead in terms of child safety, particularly in the school space following the Betrayal of Trust inquiry and also the Royal Commission into Institutional Responses to Child Sexual Abuse. I think it is a long way of me saying that our organisation is critically and laser-focused on child safety. So anything that improves understanding of staff and particularly people entering an industry, in our view, would be a positive thing.

Michael GALEA: Thank you. The benefits, if you might want to put it that way, of a combined national approach are easy to see. But I am curious to know: are there benefits of retaining the powers like we do in Victoria – and also WA – where VRQA is able to go above and beyond the requirements that ASQA might set and we do not have to wait for the rest of the nation to catch up?

Stefanie VEAL: Yes. One of the key benefits currently, because we have retained powers in relation to registered training organisations, is that we can require them to comply with the Child Safe Standards. The

child safety and wellbeing Act requires RTOs to comply, which is not something that I understand ASQA requires their RTOs to do, and so that is important. My understanding is that one of the reasons for retaining the functions and the powers within Victoria was also to enable the regulator, the VRQA, to respond to specific emerging, say, skills gaps that are specific for Victoria.

Michael GALEA: Yes, that makes sense too. But I think in particular the Child Safe Standards, that is a pretty major difference.

Stefanie VEAL: Yes.

Michael GALEA: Thank you. My time is about to be up so I will leave it there. Thank you.

Stefanie VEAL: Thank you, Mr Galea.

The CHAIR: Thank you, Mr Galea. Thank you, Ms Crozier.

Georgie CROZIER: Thank you very much, Chair. Thank you both for being before the committee this afternoon. Can I just go back and ask what I think are pretty basic questions, and I just want to get some clarity, if you would not mind for me. You said there were 380 RTOs providing early childhood courses in Victoria. Is that correct?

Stefanie VEAL: That is my understanding based on the data that the VRQA has access to, yes.

Georgie CROZIER: It seems like a lot, 380. Just when you said that, I thought ‘That seems like a lot of RTOs.’ So my question is: when those trainees are applying to do a course in early childhood education, at that point is any screening done with them when they apply for the course around working with children checks; is there any compliance that the RTOs have to do with any trainees; or can they just do the course before they then go through that process?

Stefanie VEAL: I will answer that to the best of my understanding. As I talked about before, there are two pathways to completing a qualification, either the certificate III or the diploma in early childhood education and care. My understanding is that if you are a student and you are wanting to enrol at a registered training organisation to complete a course, there would be no requirement to provide a working with children check.

Georgie CROZIER: That is what I thought.

Stefanie VEAL: So through that pathway, where you are undertaking it through a registered training organisation, as part of the requirements of the qualification for the certificate III my recollection is you must do around 160 hours of a placement, and at that point –

Georgie CROZIER: You would need one.

Stefanie VEAL: it would be the obligation of the employer, of that early childhood provider, to request a working with children check.

Georgie CROZIER: I completely understand that. So if they are doing a placement, they need a working with children check. My thinking is: should those trainees provide that working with children check prior to the placement to red flag anyone so that the RTOs or – just as a greater safety net if you like. Is that something that you have considered?

Stefanie VEAL: As the regulator we are not responsible for setting of the policy or of the legislative framework. Certainly there are matters that if there are emerging risks or issues we can seek to raise with the relevant policy owner, as in the relevant department –

Georgie CROZIER: Has that issue been raised, given –

Stefanie VEAL: Not that I am aware of, no, Ms Crozier.

Georgie CROZIER: So even with those international students, how are they checked?

Stefanie VEAL: I would not be able to answer that question because our RTOs do not deliver to international students. However –

Georgie CROZIER: My apologies, I thought they did.

Stefanie VEAL: My understanding is that as international students they will have also gone through a screening process with the Department of Home Affairs to be issued a student visa, but I am not sure the extent of that and whether it goes to your concern in relation to their suitability to work with children.

Georgie CROZIER: Yes, that is the concern. You have answered my questions, thank you. It was just around whether there needs to be another level. You know, I do not want to put more red tape into the system. I am very anti red tape. We want to cut red tape where we can. But in terms of, if it makes it easy for some of those potential employees or if the system is more streamlined through having some of these checks in place –

Stefanie VEAL: You may filter out some people before they begin the course, but that is not going to replace the need for an employer to do the proper due diligence to ensure that any trainee doing a placement or any employee or person from labour hire is suitable to work with children, to do the appropriate reference checks and also check that they have the right qualifications, all of the things which are required under the Child Safe Standards in addition to just saying, ‘Have you got a working with children check?’

Georgie CROZIER: You did mention poor-quality or fraudulent trainees. Have you got –

Stefanie VEAL: No, I do not think I did.

Georgie CROZIER: My apologies. Did you, Ms Gauci?

Bree GAUCI: I believe I responded to a question about it. I understand that there is a concern around poor-quality training providers issuing qualifications that are either fraudulent or questionable.

Georgie CROZIER: My question is: do we know how many of those fraudulent or poor-quality trainees have been issued, or have you –

Bree GAUCI: I can take that on notice and find –

Georgie CROZIER: All right. Thank you.

Stefanie VEAL: We can take that on notice, but I would say, given the share, if you like, Ms Crozier, of the 14 RTOs that we have – as I explained, all of them are not-for-profit, with the exception of three. They are adult community education providers or they are other types of community providers that are charities and also registered schools – for example, Adass Israel or Foundation Learning, which also has a school. We have not seen the extent of the behaviour of ASQA providers in terms of issuing of fraudulent qualifications, as in the volume and the extent to which that occurs. However, we will take that question on notice and we can provide the committee with some information about that.

Georgie CROZIER: Thank you very much. That is all, Chair. Thank you.

The CHAIR: Thank you. Dr Mansfield.

Sarah MANSFIELD: Thank you, and thank you for your presentation and for appearing today. I am just interested in your relationship with the newly established regulator VECRA and CCYP, if you can explain a bit how you work with them.

Stefanie VEAL: Sure, absolutely. I may start with the Commission for Children and Young People, which is slightly different now that those functions have largely moved – well, the functions that are relevant to our role have largely moved over to the Social Services Regulator. But we have formal quarterly meetings with the Commission for Children and Young People, with the principal commissioner and with the director of regulation. There are also the Child Safe Standards regulators, all five of them being the Commission for Children and Young People, the Department of Health, Wage Inspectorate Victoria, what was QARD now is VECRA and the VRQA. They come together multiple times a year in order to talk about emerging risks and issues and also share different information and trends that we are seeing across the different sectors that we

regulate. But at a more operational level there is very close collaboration with other child safety regulators and then also with the Victorian Institute of Teaching too, because there will often be, if there is a child safety incident, a number of regulators that are involved, so we will come together to share information and to collaborate and coordinate our responses to child safety incidents. That is the example with the commission. In relation to QARD and now VECRA, there is a similar system where there is information sharing and collaboration. As they are relatively new, we need to establish that regularity, which we intend to do. As you will appreciate, there is often a lot of overlap between our functions. We regulate schools. Many schools have kindergarten or outside school hours care or even long day care, so there can be information that we become aware of or that they become aware of that is relevant to one another's functions.

Sarah MANSFIELD: Do you feel that there is sufficient coordination between the different regulators to ensure that child safety issues do not get lost or fall through the cracks?

Stefanie VEAL: I think that in Victoria – maybe this is me with my Victorian hat on – we are fairly advanced in terms of our regulation of child safety. I know that that sounds contrary to the findings of the rapid review. But what I mean by that is the VRQA has been regulating the Child Safe Standards, we have been regulating organisations since 2016–17 and there has been increasing and growing collaboration and information sharing across the key child safety regulators – particularly, as I mentioned, the commission and the Victorian Institute of Teaching in relation to our functions but also with QARD where appropriate, though it is not as often because our focus is on registered schools. So now also with the Social Services Regulator there is always opportunity for continuous improvement to ensure that any gaps in the child safety regulation framework can be addressed but also to respond to emerging issues and emerging risks. The framework, as I said, did commence in 2016–17. There were new Child Safe Standards that commenced in 2022, and there was a change around the regulatory framework as well in terms of the roles of the commission. Now we also have some new changes with some of the functions of the commission moving to the Social Services Regulator. I think there is good collaboration at an operational level and also at the strategic level as well.

Sarah MANSFIELD: Okay. Thank you. Do you collect fees from RTOs at all?

Stefanie VEAL: We do, yes.

Sarah MANSFIELD: Okay. Do you have any role in regulating the fees charged by RTOs?

Stefanie VEAL: I will have to take that question on notice.

Sarah MANSFIELD: Okay. Thank you. We have heard from a number of organisations about, I guess, a failure to embed cultural safety within the regulator. There are some things that speak to it within regulatory frameworks, but to actually really embed it in the regulation, that takes place right across the system. How do you approach the issue of cultural safety and make sure that that aspect of regulation and oversight is done properly?

Stefanie VEAL: Just to clarify, Ms Mansfield, is your question going to how we regulate child safety in a culturally safe way?

Sarah MANSFIELD: Yes.

Stefanie VEAL: I cannot speak to that obviously in the early childhood sector, but I can speak to that in other sectors we regulate. In relation to the school sector, there is ongoing work with the VRQA and with the three school sectors – being independent, government and Catholic – around how you regulate Child Safe Standard 1, which relates to Aboriginal cultural safety, in a culturally safe manner and what regulation of that should look like. There has been, for a number of years, ongoing collaboration with Aboriginal organisations, most recently, say – on an ongoing basis actually, but most recently, if I am thinking 12 to 18 months – with VAEAI.

Sarah MANSFIELD: Okay. Thank you. That is my time.

The CHAIR: Thank you. Ms Bath.

Melina BATH: Thank you very much. This is very interesting indeed. I am just plotting the course of VRQA. You are a statutory authority. Your board has the dep sec of the education department on it?

Stefanie VEAL: The board of the VRQA has the secretary or a nominee.

Melina BATH: Of the education department.

Stefanie VEAL: The secretary's nominee is one of the deputy secretaries of the Department of Education.

Melina BATH: That is right. Up until recently, Victoria had QARD sitting in the education department overseeing regulating the ECEC. We have VRQA overseeing the training in the ECEC sector – of your part, your fragment, of that. Is that correct?

Stefanie VEAL: Does the VRQA oversee the regulation of RTOs? Yes, that is correct.

Melina BATH: I am interested in the role. You are both a regulator and also – and I think the rapid review and even the Auditor-General might have had a conversation about this. How do you maintain your independence when you have got the education department, who is on your board, but then you are regulating within the education department? How have you been able to keep that, in your opinion? Have there been compromises? What feedback have you provided about the level? As you are about quality assurance and a regulator, how do you propose that you have been able to maintain that independence, noting that there are definitely interlocking relationships?

Stefanie VEAL: Thank you. We are an independent statutory authority, which is established under the *Education and Training Reform Act*. Yes, one of the 13 members of the board can be the Secretary of the Department of Education or their nominee, which is currently a deputy secretary. With the nominee of the secretary, it will always be important that there is not a conflict of interest. What I mean by that is in relation to that deputy secretary not being responsible for a function of the department which we regulate – for example, the deputy secretary who is responsible for operation of schools. Were it previously where QARD – well, we do not regulate QARD, but –

Melina BATH: Yes, I understand that. Thank you. So VRQA did, and do still, have that dual role between being the regulator of RTOs, the specific ones that you have mentioned today, and the overseer of traineeships that are occurring in schools?

Stefanie VEAL: Yes. Just to clarify, Ms Bath – and apologies if I was not clear when I was explaining the two pathways – the traineeship pathway can be undertaken by anyone. It is not necessarily undertaken in a school.

Melina BATH: But it can be in a school?

Stefanie VEAL: School-based apprentices and trainees – so if you are still at school, you can undertake the certificate III, not the diploma. But I would have to come back; I do not have the exact number of school-based trainees that are undertaking an early childhood certificate III.

Melina BATH: Thank you. VRQA reports to both the Minister for Education and the Minister for Skills and TAFE.

Stefanie VEAL: Yes, and also the Minister for Economic Growth and Jobs.

Melina BATH: And not the Minister for Children, I am assuming?

Stefanie VEAL: No, we do not.

Melina BATH: So just out of interest, going to RTOs, the registered training organisations are conducting the ECEC course. How do you assess their assessment of the students in the ECEC environment? And that might mean placement. Do you seek information from the centre, or do you actually go and do an audit yourself? What does that look like?

Stefanie VEAL: What we are regulating is the registered training organisation.

Melina BATH: And their placement of the student in the training?

Stefanie VEAL: To go to the first part of the question, did you want to understand how we regulate training and assessment or just the placement aspect of it?

Melina BATH: Well, I think the placement is important because –

Stefanie VEAL: Sure.

Melina BATH: How far do you reach into that placement? Or do you rely on centres, like a third party from the centre, to make assessments?

Stefanie VEAL: The extent to which we would look at it – and I am happy to be corrected by my colleague Ms Gauci. However, it will be to look at whether the placement is appropriate. What I mean by that is it is a registered provider. So, for example, you could sometimes have a student that might be placed in a family day care environment, which would be problematic because it is difficult to get the scope.

Melina BATH: The full breadth of experience. Sure.

Stefanie VEAL: Exactly, yes. We would look at it from that perspective.

Melina BATH: I have heard anecdotal experience and evidence from private providers who have been in the sector for a long time. I note that you only have a slim margin of RTOs, which includes TAFE. Am I correct on that?

Stefanie VEAL: No. ASQA regulates TAFE.

Melina BATH: That is all right. RTOs – and some of them have said that they feel that students are just coming out of the system not ready at all. Do you take the feedback on the sector in your regulation? Is it a one-way observation? I am not trying to hang this on you. I want to see, is there a cycle there, and do you have any opportunity to absorb feedback from the sector about the RTO?

Stefanie VEAL: We do to some extent. However, as I responded to earlier, as the regulator, we do not have responsibility for the legislative framework. That is the department's responsibility, who are the policymakers.

Melina BATH: Your hands are tied. You are smiling, in effect.

Stefanie VEAL: No. However, we do have a power to make guidelines under the *Education and Training Reform Act* which are a legislative instrument, and so when we do remake our guidelines we can go to a broad range of stakeholders for consultation in relation to whether they are fit for purpose, but they obviously need to fit within the guardrails of the existing legislative framework.

Melina BATH: I am going to borrow a question. Take it on notice, because my time has run out.

Stefanie VEAL: Sure.

Melina BATH: But have you done that in the last, say, two, three, four years? Have you made amendments, as you have just been speaking about?

Stefanie VEAL: Yes, we have, and we are actually just about to make some further amendments to ensure the national consistency that I talked about earlier and will shortly commence stakeholder consultation on the revised guidelines.

Melina BATH: Okay, thank you. Thanks, Chair.

Stefanie VEAL: Thank you.

The CHAIR: Thank you. Ms Ermacora.

Jacinta ERMACORA: Thank you very much. Thank you for appearing today, and thank you for the work that you do. I guess that one of the basic questions is: how do we know that people are getting the appropriate training and that they are qualified to – in this case, relevant to this inquiry – ensure that they can recognise situations where abuse might occur? Do you want to address that first?

Stefanie VEAL: In relation to the first part of your question, which goes to how we know that someone who is, for example, undertaking the certificate III or the diploma is actually ready to enter the workplace and have that responsibility of caring for children, my answer to that is that there is a regulatory framework with clear standards around the training and assessment that has to be provided in accordance with the training package; that trainers must have certain qualifications, retain industry currency and a range of other things; and that there are requirements around assessment and that it is fair, valid and reliable. Also, though this is not within our remit, the different community service training packages – or any qualification for that matter – will have the practical component, which requires, in vocational education and training, there to be an actual on-the-job component of that learning. In relation to the second part of your question, which was – correct me if this is not your question – how we ensure people can identify when there are child safety issues – is that correct? Was that your question?

Jacinta ERMACORA: Yes, but ‘child safety issues’ is just a really kind of broad phrase, so I would like to be a bit more specific than that, because we are talking about child abuse. We are talking about sexual assault and having language and conceptual proficiency in that space.

Stefanie VEAL: Thank you for clarifying. Under the Child Safe Standards, registered training – I think the question that you are wanting to go to is: how do you ensure that people working in early childhood, as you say, can identify child abuse? We do not regulate early childhood providers, but I can answer the question in terms of my experience in regulating schools, if that is helpful, and the obligations that generally apply in relation to all organisations that need to comply with the Child Safe Standards, which is to provide appropriate induction and ongoing training to their staff to ensure they understand their obligations. Specific to your question that relates to child abuse, in schools –

Jacinta ERMACORA: That will do.

Stefanie VEAL: I am sorry; that is as close as I can get. In schools the Child Safe Standards are sort of the hook, if you like, but there is a very specific ministerial order, 1359, which has been developed and which applies to all registered government, independent or Catholic schools. That has very specific requirements, and it includes annual training for staff and induction for staff. That training needs to include a range of things, including the ability to recognise indicators of harm. So certainly within the schools space, that is a way that organisations are meant to give their staff the skills and the ability to recognise when students may, unfortunately, have been the subject of child abuse or of other harms.

Jacinta ERMACORA: Thank you. Can I flip it around the other way now? I recognise that there is a narrow sphere that you operate within, but your views would be interesting, I think: how do you flip it to assessing a student’s ability to create a safe environment and maintain that safe cultural environment?

Stefanie VEAL: For a provider to create a child-safe environment? I am happy to answer that question based on my experience as the integrated sector regulator for schools and other school sector providers and registered training organisations – I want to clarify, not early childhood.

Jacinta ERMACORA: I realise that, but in answering that, it tells us something.

Stefanie VEAL: I am happy to answer that question in the sense that there are the Child Safe Standards that apply to most organisations. As I talked about, in the school sector there is the ministerial order, which is much more prescriptive, if you like, in relation to the requirements that schools must implement. In my experience, organisations need to have a real focus on wanting to create a child-safe culture that needs to be driven from the very top of an organisation so that a governing body – and here I am thinking about schools – understands their obligations to students and they care about it and they are laser focused on it and that that then feeds down into the resources and the training, ensuring that at the management and the executive and then the staff level everyone is as focused on ensuring that they not just meet the Child Safe Standards – as in meeting regulatory requirements – but they are genuinely creating a culture and an environment that is safe for children.

Jacinta ERMACORA: Thank you. My time is up.

The CHAIR: Thank you, Ms Ermacora. Thank you very much, Ms Veal and Ms Gauci, for your time. Our session has now come to a close. I want to advise you that you will receive a copy of the transcript within a

week, before it is published on the website, also noting that there is some information from our colleagues to take on notice.

We will now be closing our hearing for today. Thank you very much.

Committee adjourned.