

TRANSCRIPT

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

Inquiry into the Early Childhood Education and Care Sector in Victoria

Melbourne – Monday 25 May 2026

MEMBERS

Anasina Gray-Barberio – Chair

Michael Galea – Deputy Chair

Melina Bath

Georgie Crozier

Jacinta Ermacora

Sarah Mansfield

WITNESSES

Adam Fennessy, Interim Regulator, and

Helen Quiney, Chief Executive Officer, Victorian Early Childhood Regulatory Authority.

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

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

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

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

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

Adam FENNESSY: My name is Adam Fennessy. I am the Victorian Early Childhood Regulatory Authority Interim Regulator.

The CHAIR: Thank you.

Helen QUINEY: I am Helen Quiney. I am the Chief Executive Officer of the Victorian Early Childhood Regulatory Authority.

The CHAIR: Thank you very much. We are now going to introduce ourselves before I invite you to make an opening statement. My name is Anasina Gray-Barberio, Chair and Member for Northern Metro.

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

Jacinta ERMACORA: Jacinta Ermacora, Member for Western Victoria Region.

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

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

The CHAIR: And I believe we have got Dr Mansfield online.

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

The CHAIR: Thank you. I would now like to invite you to make an opening statement. You have got 10 minutes to make that. Thank you very much.

Adam FENNESSY: Thank you very much, Chair, for the opportunity to present today. I will start by acknowledging the traditional owners of the lands that we are meeting on today, the Wurundjeri people of the Kulin nation, and paying my respects to their elders past and present, and I extend that respect to any elders and First Nations people that are here today or joining us on the live stream. My name is Adam Fennessy. I am the Interim Regulator for VECRA, the Victorian Early Childhood and Regulatory Authority, and I am joined today by Helen Quiney, who is our CEO.

Visual presentation.

Adam FENNESSY: VECRA came into operation on 1 January 2026, established as Victoria's independent and standalone early childhood education and care regulator. Our job is to ensure that Victoria's early childhood services are safe and high quality so that children can thrive and prosper. We exercise our functions under the Education and Care Services National Law and associated regulations, and we co-regulate the Child Safe Standards alongside the Victorian Social Services Regulator.

In Victoria we are also subject to the *Children's Services Act* and relevant recent child safety legislation. With VECRA everything we do puts as a paramount consideration the safety, wellbeing and rights of children, which is consistent with national law. This guides all of our regulatory decisions, priorities and actions at VECRA. We do this through monitoring data intelligence, through compliance visits by VECRA authorised officers, the assessment and rating of services, information sharing with other regulatory and related agencies and educational and information sessions on how to comply with national and state law. In everything we do we do not hesitate to use our regulatory and enforcement powers to take action against those that put the safety of children at risk.

Our establishment from the start of this calendar year delivers on recommendation 9 of the Victorian *Rapid Child Safety Review*, which reported to the Victorian government in August of last year and called for an independent regulator to strengthen accountability and transparency in the sector. The regulator is directly accountable to the Minister for Children and is guided by a statement of expectations from the minister. That statement of expectations makes it very clear about our priority being working to ensure safety and quality across the sector. This includes the implementation of major national and Victorian law reforms to strengthen child safety. It also includes implementation of many recommendations from the *Rapid Child Safety Review*, with a focus on best practice recruitment and induction processes for early childhood staff, increasing the frequency of compliance visits for quality assessment and increasing the transparency of regulatory actions. The statement of expectations also requires VECRA to deliver a capability review, as recommended in the rapid review, to ensure that as a new standalone regulatory authority we have the skills, capabilities and resources to be a highly effective regulator in a rapidly changing world. Going through this presentation, I will talk to some of our work over our first five months.

On the next slide you can see our core responsibilities: informing and educating services, setting standards and building confidence across the sector, supporting quality early childhood education and care service providers, monitoring compliance and, importantly, enforcing the law through enforcement actions and prosecutions.

In the next slide, to give you context, this shows the rapidly changing nature of the early childhood education and care, or ECEC, sector across Victoria. You can see very significant growth in that top purple line in long day care, mainly represented by childcare centres. Sessional kindergartens are a more traditional form of early childhood education. We have also seen – and that is in the green line, the third line down – particular growth as well in the outside school hours, or OSH, care provision for primary school aged children at a school setting. And then family day care, which is provided by an educator in a residential home – there has been less growth in that. But all of these services fall under the national quality framework. We also regulate a smaller number of services under the Victorian *Children's Services Act*. This also shows that while kindergarten numbers have had minimal growth, it is the growth in long day care that was in particular highlighted by the *Rapid Child Safety Review*. As a regulator looking at long day care, while we have seen a specific growth in for-profit provision, as a regulator, we are agnostic about whether services are long day care or kindergarten, for-profit or not-for-profit, government or community owned. We regulate every provider and service equally and fairly according to the law.

Moving to the next slide, I will mention some of our achievements to date. Since 1 January, our first five months, we have firstly built on the work of the former quality assessment and regulation division in the Department of Education, often referred to as QARD, which was the regulatory authority last year. My focus has very much been the establishment of VECRA from the transition from QARD to our standalone entity. We are very much focused on our compliance and authorised officers. Our VECRA authorised officers have undertaken over 1900 visits across the state since the start of this calendar year, with the majority of those being unannounced compliance visits, some of which I have accompanied officers on myself.

In the first quarter of 2026 we have undertaken almost 800 compliance actions spanning across a range of concerns – from low-level breaches, like failure to display the required information at the service, to more serious and urgent actions, including emergency action notices and prosecutions – and that builds on the almost 4500 actions taken last year by what was then QARD.

We have also worked very hard to implement *Rapid Child Safety Review* recommendations as well as the recent changes to the national law. In particular, one of those changes is the key reform with the new national worker register, where we undertook significant communications in partnership with the Australian Children's Education and Care Quality Authority, also known as ACECQA. We ran a number of online sessions to communicate across the sector the many changes that have taken place in the national law. That included the attendance of more than 5500 early childhood service leaders and educators to provide practical guidance for services and educators on how to implement the national laws. We recently as well have undertaken a compliance blitz in conjunction with the New South Wales regulator, where our authorised officers visited 254 services across a 48-hour period earlier this month, resulting in the issue of 43 compliance notices, including compliance breaches which covered worker registration on the national register and beyond. That was a very useful compliance exercise to keep up the profile of VECRA as the new regulator and reinforce the importance of the new national laws as well as the new state laws.

In terms of the last couple of slides and the rest of my presentation, we have our regulatory priorities for 2026. While we have achieved much to date this calendar year, there is a lot more work for us to do to succeed in our goal of becoming a national leading regulator. We are focused on two areas in particular for 2026: the minimisation of the two highest risk harms of abuse caused by adults to children and, secondly, poor-quality education and care environments across services. While they are very sobering areas of focus, they are very much aligned with the rapid review and the ministerial statement of expectations.

Finally, I would like to conclude by acknowledging that just this morning the Minister for Children announced the appointment of Wendy Steendam AM APM as the inaugural Victorian early childhood regulator. Ms Steendam will commence on 1 July, and I will finish my role as Interim Regulator on 30 June. She brings many decades of public sector experience and leadership at Victoria Police, and she will continue our focus and our approach on the rights, best interests and safety of children across the early childhood education and care sector. Our work is ultimately about ensuring every child in Victoria can attend an early childhood service that is safe, that is high quality and that supports them to thrive. Thank you, Chair, for the time for some opening remarks.

The CHAIR: Thank you very much. Ms Quiney, do you have anything you would like to add?

Helen QUINEY: Nothing.

The CHAIR: Okay. Thank you very much for that opening statement. It is much appreciated. We are now going to go around and ask some questions. We have got at least 12 minutes each. You will hear the timer go off, but if you are in the middle of a sentence, feel free to finish that thought. I might kickstart. What is VECRA's operating budget?

Adam FENNESSY: Thank you, Chair. The budget for 2025–26 is \$53.4 million. It does continue to grow. We anticipate further funding in 2026–27 of \$61.2 million, and this builds on the \$137 million of funding announced by the government as its investment in delivering on the *Rapid Child Safety Review*. A lot of that initial money has helped set up VECRA, from the former QARD, and some of that other money, in response to the *Rapid Child Safety Review*, was also for the Social Services Regulator, which members will be aware has enhanced its approach and regulation.

The CHAIR: Just so I am clear, that \$53.4 million that you just spoke to – that is VECRA and the SSR. Is that correct? Or are they separate?

Adam FENNESSY: They are separate. Chair, the \$53.4 million is for VECRA.

The CHAIR: Okay, thank you.

Adam FENNESSY: Last year the \$137 million included money for the Social Services Regulator, but \$53.4 million for 2025–26 is for VECRA.

The CHAIR: Great, thank you. Is the Victorian government the sole funder of VECRA?

Adam FENNESSY: I might ask the CEO Helen Quiney to answer that question around the details of the funding sources.

Helen QUINEY: Thank you, Chair. That is the primary source of funding. There are small discrete funding arrangements that we have with the Commonwealth for joint compliance actions, but the vast majority of our budget comes from the Victorian government.

The CHAIR: Is any of the budget also coming from early childhood services fee increases? Are you receiving any of that or no?

Helen QUINEY: Not at this point.

The CHAIR: Meaning that that could change in the future?

Helen QUINEY: Well, we are continuing to work through the arrangements following the increase in fees.

The CHAIR: Could that happen possibly at any time this year?

Helen QUINEY: I do not think that arrangement will happen this year. Regulations need to be made, and there are further legislative requirements to give effect to that.

The CHAIR: Okay. Thank you very much. I just want to go back to when the Department of Education first appeared before this committee last December. You provided some questions on notice from colleagues on the committee here, in particular about total complaints. How many complaints has VECRA received this year? The figures that I have got sitting in front of me that were provided by the department were 3080 complaints as of September 2025. Out of those 3080, 434 of those complaints were related to notifications of allegations of incidents of physical or sexual abuse. Can you give me some similar data to that that you have collected this year with all the spot checks that you have had?

Helen QUINEY: Thank you. In terms of serious incident notifications this year, which is a requirement under the national law, we have received 1906 notifications year to date.

The CHAIR: And they are considered serious incidents?

Helen QUINEY: They are serious incidents as defined in the national law.

The CHAIR: Meaning what, for the committee, so we understand?

Helen QUINEY: There are a range of thresholds that can include issues in the physical environment. It can include interactions between individuals in the service.

The CHAIR: Are you able to give us a breakdown? Out of those 1096, how many would be classified under 'allegations and incidents of physical or sexual abuse'?

Helen QUINEY: In terms of serious notifications in quarter 1, 61 per cent related to trips and falls.

The CHAIR: But sexual abuse?

Helen QUINEY: Sexual abuse is a separate category and is reported as a separate category under the national law, and allegations of incidents of physical and sexual abuse this year to date are 79. Those are unsubstantiated allegations, so they are not yet confirmed. That is the total number of notifications that we have received.

The CHAIR: So does that mean then that they are under review? If you have received the notifications, obviously you have got to do the investigations.

Helen QUINEY: Yes.

The CHAIR: So that has not been validated to date, right?

Helen QUINEY: Not yet. Some of those may have been. What I can give you now is the number of incidents that have been reported. On each occasion we would make inquiries with the service, consider the immediate risk and then take action following that in terms of whether or not a further investigation is required.

The CHAIR: Mr Fennessy, you spoke in your opening statement about building capacity of VECRA. How many authorised officers have you hired to date?

Adam FENNESSY: In terms of our staffing levels, in terms of authorised officers, we will be doubling the number from 90 FTE authorised officers, which was prior to August 2025, to 180 FTE.

The CHAIR: So you currently have 180 authorised officers. Sorry, can you just be clear: how many do you have on your books?

Adam FENNESSY: The 180 is the funding we have been given. At the moment we have got 110 authorised officers that are filled –

The CHAIR: That have been employed?

Adam FENNESSY: Correct – and we have been given the additional funding to recruit 70. Recruitment is well underway. It has been taking place the whole time that I have been in my role. One thing I will add for the committee is that it takes at least one year and up to two years for full compliance training and authorisation of an authorised officer.

The CHAIR: So it takes an authorised officer six to 12 months to be fully across their role?

Adam FENNESSY: Well, at least 12 months for the onboarding and longer.

The CHAIR: How do we know then? On page 4 of your presentation you told us that you guys have visited 1921 services, and you are telling me that authorised officers take 12 months. Who is conducting these unannounced spot checks? If they are not fully trained, how can they pick up behaviours that involve grooming and all these things that we have heard so far? I am a bit concerned, but I am open to you clarifying what is going on here.

Adam FENNESSY: Chair, I will clarify that we have 110 fully authorised, trained and accredited officers, so they are the ones conducting all of the authorised visits. They will also be the ones who will help induct and train the 70 additional. So fully authorised and trained staff are doing that work, and in some cases they might be accompanied by other people, but they are the regulatory decision makers who are fully trained for things that you have mentioned. We have other authorised staff in our licensing and compliance areas and other parts of VECRA, and it is important that we have got the full suite of regulatory training and expertise so that for things that authorised officers report on and bring in for that follow-up investigation we have got the requisite expertise across the rest of the organisation so that we can take matters to courts and implement proper suspension and other regulatory activity.

The CHAIR: Can I just pick you up on that point. In your presentation you also spoke about prosecution and emergency action notices. How many have you found this year since you started?

Adam FENNESSY: I will ask Helen, or Ms Quiney, to comment on that, and as she is preparing to do so, what I will add is that prosecutions can take time and are often done in –

The CHAIR: But how many are under review at the moment, would you say? Do you have that data?

Adam FENNESSY: I will ask Ms Quiney to comment on that.

Helen QUINEY: In terms of under review, do you mean services on additional monitoring, if I could just – or do you mean services –

The CHAIR: Well, in your presentation you spoke about emergency action. So how many are considered emergency actions? For the benefit of the committee, emergency actions are really serious noncompliance. So these are really serious offenders that are not meeting the high quality that they should be meeting to keep

children safe. We have got an issue right now with public trust in our early childhood settings, and it is our job to ensure that you have capacity and capability in your workforce to be able to go and carry out your functions.

Adam FENNESSY: One thing I will say to assure you is that some of the new powers that we have include the powers to immediately suspend individual workers.

The CHAIR: How many have you immediately suspended this year since they came into force?

Adam FENNESSY: In terms of my regulatory decisions, I have suspended three to date this year.

The CHAIR: Anything to do with sexual abuse?

Adam FENNESSY: They will relate to allegations. Some of them will relate to sexual abuse, and I cannot go into those in detail.

The CHAIR: No, that is fine – just for us a general overview that this is still happening. I am glad you are uncovering it, but it is still happening. So how about the ones that are yet to be uncovered? This is the concern, right?

Adam FENNESSY: Yes. The other benefit across the broader system – and this goes to the rapid review – is that the Social Services Regulator can also immediately investigate people who are on the working with children register, and that can also be unsubstantiated conduct. So that is a new power for SSR.

The CHAIR: Yes, but we are here talking about you, VECRA, the independent regulator for early childhood. Now, I would like to ask you: you are going to be finishing up 30 June. The new regulator that has been appointed, as reported, is starting on 1 July. Why isn't there a transition period?

Adam FENNESSY: Well, the transition period starts now.

The CHAIR: So she is starting already today?

Adam FENNESSY: She is not starting today. Her appointment is through Governor in Council, so there can only be one regulator. So my appointment ends 30 June and she starts 1 July, but we are preparing the transition briefings right now. We have already met with the incoming regulator, but she cannot exercise any powers and functions until 1 July, and I will continue to work with the Department of Education for any of that transition.

The CHAIR: Great. Thank you. I am going to come to you now, Ms Quiney. You appeared before us as the executive leader of quality assessment and regulation of the old regulator, QARD, which sat in the Department of Education, and it has come to light the absolute failings of that regulator. Now you have got a coveted role as the CEO. Why should Victorian parents trust you as the CEO to deliver real change for their children? Why should they trust you?

Helen QUINEY: Thanks for your question, Chair. I commenced in the role in July last year, and prior to that I had a lot of experience prosecuting and giving legal advice in regulating early childhood services, so I have got deep knowledge of the national law and the ability to give advice about how to take an enforcement action –

The CHAIR: But what are you going to change as the CEO? For a lot of it, you are going to be obviously working quite closely with the new regulator.

Helen QUINEY: Yes.

The CHAIR: You are going to be having oversight for a lot of the compliance, the monitoring, the safety, high quality. You were also in a very similar role as part of the executive leadership team, and we have seen structural failings. What is going to change? I know you are saying 'deep knowledge and expertise', but what are you going to do differently for Victorian families?

Helen QUINEY: Thanks, Chair. Our data shows that since my commencement we have significantly shifted our regulatory posture, and that bears out in the rates of enforcement actions that were taken in the

second half of last year. Throughout last year we achieved the highest ever number of compliance visits and visits into services –

The CHAIR: And was that because of the rapid review – because it came to light, all of what is happening in the sector?

Helen QUINEY: We increased the frequency of our visits across the service and also acted really swiftly and moved quickly in terms of taking action when we identified risk. Also we have built out our ability in terms of monitoring and compliance and the strength of our investigations team, and they have been real focus areas for me since I have begun in my role.

The CHAIR: Thank you very much. I appreciate it. Over to you, Deputy Chair.

Michael GALEA: Thank you, Chair. Good afternoon, Mr Fennessy and Ms Quiney. Thank you very much for joining us here today – just a couple of things to get started. Ms Quiney, you started with QARD around July last year, so after the awful allegations came to light, is that correct?

Helen QUINEY: That is correct.

Michael GALEA: Thank you. And so you were in the role just under six months before it becoming VECRA at the start of this year?

Helen QUINEY: Correct.

Michael GALEA: Thank you. And you also said in an earlier answer to the Chair that the overwhelming majority of funding for VECRA does still come from the state government. Apart from any sort of ad hoc operations on a systematic basis, it is fair to say that it is solely state government funded?

Helen QUINEY: Yes.

Michael GALEA: Whereas a long time ago there was federal support for these agencies, as of the current situation that we are here to talk to you about, that is not the case.

Helen QUINEY: That is correct.

Michael GALEA: Thank you. Mr Fennessy, this has also been touched on in your opening remarks and indeed just now with the Chair as well. We do know that Wendy Steendam will be coming on board as the regulator to take over your role from 1 July. I am wondering if you can talk a little bit more to her background and her experience as to why she – perhaps you might not be able to say why she was chosen, but why she would make a good regulator that Victorians can have confidence in?

Adam FENNESSY: Yes. A couple of points I will make about Ms Steendam. As someone who has also worked as a senior executive in the Victorian public sector for over 15 years, I worked with Wendy Steendam when she was a deputy commissioner of Victoria Police. She was the longest serving deputy commissioner at Victoria Police for 11 years – four decades in Victoria Police. Victoria Police, as members will all know, is a very large and significant organisation within Victoria. Within that organisation it also has regulatory roles itself, as well as clear enforcement that all policing agencies have. She also was very renowned across Victoria and nationally for her leadership in setting up family violence response, child abuse and sexual assault programs and capability amongst Victoria Police, and indeed as part of that was recognised with an Australian Police Medal award. So not only did she do that work but she has been very well regarded. I mention that because the regulatory skills and enforcement focus that she will bring from those four decades of experience are critical.

The profile and the role of the regulator is also very important so that not only the sector that we regulate is very well aware of who the regulator is but also families and communities across Victoria can have confidence in the role of the regulator as well as VECRA. This also goes to the whole focus of the rapid review in recommending an independent authority. I will say that while QARD did a lot of that work in the past, and the Chair has asked about that, the important things that Ms Steendam will come into as the new regulator are increased regulatory powers across Victoria and nationally, increased funding and also the standalone nature of VECRA. So to me

the significant benefit of the timing of her appointment is that she not only brings all of that experience with her but also comes to a new standalone organisation with enhanced powers.

The other point I will make, through the Chair, is that I have mentioned the Social Services Regulator, which regulates working with children checks. VECRA does a lot of work – and QARD before it – with Victoria Police, and some of the very troubling and very confronting allegations and incidents that occurred last year are now being fully investigated by Victoria Police. So we play a critical role with Victoria Police, and in particular we have got to be careful to do everything we can to support their investigations and also not prejudice their investigations. I think having someone with deep leadership and experiences – Ms Steendam – will help VECRA enormously.

Michael GALEA: Thank you, Mr Fennessy. The statement of expectations, which has been provided by the minister to your office and is of course publicly available as well, has a particular focus I can see on the recruitment practices and that side of things when it comes to effective child safety regulation. Can you talk to me about the work that you are doing specifically through the lens of the Child Safe Standards – I think it is safety standard 6 – but also how you are in that process acquitting rapid review recommendation 5 and where you are in that process?

Adam FENNESSY: Thank you, Deputy Chair. I will ask Ms Quiney to comment in more detail on those reforms. What I will say is that both the statement of expectations and the rapid review were very clear about the quality and capability of those across the sector and the importance of the training and skills that are brought into the sector so that there is a much broader spread of ability to provide safe and quality services. Ms Quiney, I will get you to comment on that for the Deputy Chair.

Helen QUINEY: Thanks, Mr Fennessy. A couple of examples: Mr Fennessy recently mentioned our blitz across nearly 250 services. In each of those visits we were reminding services about the criticality of rigorous suitability assessments for every individual who works with children. Child safe standard 6 is so clear and has been in place since 2023 about what those requirements are. That is something that we have been regulating for some time, but we are continuing to build our focus across all of our visits in services. The other thing that we are doing as part of our Child Safe Standards regulation is Child safe standard 6 will be our focus for the year ahead. Our authorised officers working in services will be looking very closely at selection services and assessing whether or not they have complied with those requirements. Nationally, there is now a model standard for best practice, recruitment and selection, and we will be continuing to work with ACECQA to promote that across the sector and running information sessions for services as well. Finally, our enforcement action in this area of really critical child safety is also underway, including through a prosecution that we commenced late last week.

Michael GALEA: Thank you, Ms Quiney. Just to develop that point on any organisation or individual found to have breached the Child Safe Standards, can you outline for us what sorts of penalties you are able to impose or what broader regulatory action you are able to take in order to give the Victorian community confidence that you are actually resourced, if you are, to undertake that work?

Helen QUINEY: Compliance with the Child Safe Standards is a condition on every service that is approved under the national law and under the *Children's Services Act*. That means every single service in Victoria must comply with the Child Safe Standards. If they are found to be failing to comply with the Child Safe Standards, then they will be subject to penalties, and that can include anything up to prosecution, with penalties having increased threefold. For a body corporate that might mean a penalty of more than a million dollars, particularly for large providers. That is our focus over the year ahead.

Michael GALEA: Thank you. If a parent, a member of the public, a co-worker, anyone in any way connected finds out about any sort of concern, really, but especially a severe one, how would they go about raising that to VECRA?

Adam FENNESSY: I might make a comment first and then hand back to Ms Quiney. One thing we have been very focused on is increasing families' and other members of the community's ability to report to us. The numbers of complaints, to go to the earlier question from the Chair, have increased. We see that as a very positive sign, because these are complaints about services and service providers. That allows us to get much

better information and feedback from families for any concerns, as you mentioned. Ms Quiney, can you comment in particular on that?

Helen QUINEY: Absolutely. On VECRA's new website we have got a form. It can be translated. That means any member of the community or any staff member can very easily notify us of any concern. And we have got examples of that in practice. In fact our most recent emergency action notice was a response to a notification submitted by a member of the public through our website. We really do want parents to tell us if they are feeling concerned, and there will be more and more information in the public domain about parents knowing when they might ought to be concerned. Child safety training is also now mandatory for all staff working in the sector, and that builds awareness and helps people to know and look for the signs of a person who might not be acting appropriately with children. So that is another opportunity to really build awareness. If every single person working with and around children knows what child safety risk looks like, can identify what it is and what to do with that information and has the confidence to speak up, that will be really powerful in terms of really shifting the dial on child safety across all of our services.

Adam FENNESSY: I will just add, Deputy Chair, in addition to the online materials, we have a telephone number for all parents, and we have a 'no wrong door' approach. So if a matter is raised with Victoria Police, the Social Services Regulator or any other entity, if it is a VECRA matter, we will get directly involved. If it is not directly a VECRA matter but we can assist, we will do that as well.

Michael GALEA: Excellent. Thank you. I am assuming one of the reasons for the uptake is presumably that raised awareness that you referred to as well, Ms Quiney, in your opinion.

Helen QUINEY: That is right. If I could just add, the national early childhood worker register is an extremely powerful tool on worker suitability. We work very closely with other regulators, including the Social Services Regulator, VIT and Victoria Police, and we can now immediately search up any individual and check whether they are working in an early childhood service and, if so, which service or services they are working in, which enables us to take really swift action and have really good intelligence. We can link directly back to those other regulators and be coordinated in our action.

Adam FENNESSY: Deputy Chair, if I may add, that new national worker register came into effect on 27 February this year. It is an example of something that the former QARD did not have the legislative access to. That was also the subject of our compliance blitz, to make sure we had maximum uptake.

Michael GALEA: So you are in charge of compliance with the national register – the Victorian element of it, I presume –

Adam FENNESSY: Correct.

Michael GALEA: and indeed because Victoria did go ahead and not wait for the national register, you were also involved in the Victorian workers register, which now is the national workers register, so your role is there. If you could talk about it in the time you have left, the compliance of that. Just in the same way, if there are breaches of that or improper things done with that register, that is also where you have an enforcement role. Is that correct?

Adam FENNESSY: That is correct. It is as much for the Department of Education to say. But to me, Victoria very much did not wait and led the way on the Victorian register. That has helped significantly to now bring about the national register.

Michael GALEA: Thank you very much. Perfect timing.

The CHAIR: Very good timing today, Mr Galea. Thank you. Ms Crozier.

Georgie CROZIER: Thank you, Chair. Thank you both for being with us this afternoon. Ms Quiney, good to see you again. Mr Fennessy, good to see you in person. Last year you were terminated early by the federal government, and you had a payout of \$900,000 after that termination payment. When did the state government approach you for this role?

Adam FENNESSY: I was approached for this role towards the end of last year. It was around October, November.

Georgie CROZIER: Thank you. You were commuting interstate while serving as the interim regulator. That is correct, isn't it?

Adam FENNESSY: I relocated to Melbourne, so I would not describe myself as commuting, because I moved back here and have spent most of my life and career both in Melbourne and regional Victoria. I have had some travel back to see my children, who still do live interstate, and just for the committee's information, any travel I have undertaken has been at my own expense.

Georgie CROZIER: I am not worried about that. I think that has been reported. How many days per fortnight have you been physically present in Victoria carrying out regulated duties over the time you have been employed by the state government since January this year?

Adam FENNESSY: Since January this year – I am here Monday to Friday every week. Some weekends I have been interstate; some weekends I am in Victoria.

Georgie CROZIER: So every week since January you have been present Monday to Friday?

Adam FENNESSY: With some very specific exceptions. I think there was a public holiday – Good Friday I was not here. As a completely separate matter, I had elective surgery in January in Brisbane that was booked last year before I knew this role was on, and that was, I think, about two days. I also had interstate meetings. A lot of our work for national law is working with other regulators, so I have attended meetings in Tasmania, New South Wales, Queensland and the ACT.

Georgie CROZIER: Can you just give us a breakdown of how many meetings you have had and who they were with, just so we understand that.

Adam FENNESSY: Yes, I can. I can give you more specific information, but in general all the regulators meet in person once a year. That was the Tasmanian one, so that would have been one night in Tasmania. I spent at least one night in New South Wales to meet my equivalent at the Early Learning Commission. In the ACT I met with the federal education department, which is the overall steward of the national policy. I also met with the ACT regulator. That would have been one night in the ACT. And in Queensland I spent one day meeting the Queensland Department of Education and the Queensland equivalent of VECRA. That is to give you the sense of all the time I have not spent in Victoria. The other thing I should add is I have spent time in regional Victoria, which of course it makes sense to do.

Georgie CROZIER: Well, that is in Victoria.

Adam FENNESSY: Correct, yes, but outside of Melbourne.

Georgie CROZIER: Yes. You spoke about Ms Steendam taking up this role on 1 July, when you are exiting, and you spoke about the four decades of very critical skills that she has in policing and dealing with family violence, sexual assault and very, very demanding issues. Why were you chosen then without any of that experience in mind, do you think?

Adam FENNESSY: As a Victorian senior public servant, I have been a regulator for many years. I was a secretary of two Victorian government departments. I have also been a secretary of a Commonwealth government department and a national regulator, and I was the Victorian public sector commissioner for two years. I have undertaken many regulatory roles, which is about the core nature of regulating any particular sector. Throughout my career I have also worked in education policy across state education, Catholic and independent. In terms of advising those sectors, I also worked on early childhood education and care workforce capability and the broader care economy, disability education and aged care. So I have had a lot of experience both as a regulator, firstly, and secondly, in Victoria probably about 15 years in this jurisdiction, and many of those years as a regulator, as well as working at the national level. I think in regulation in Australia many of those regulatory systems are based on national law. I have worked in many interjurisdictional regulation contexts from both perspectives, the Commonwealth and the state government of Victoria.

Georgie CROZIER: There was some criticism about you taking the role, given you did not have any experience in this sector, and some have said that in relation to you not having a presence in Victoria nor that experience. You were approached by the government last year; you were unexpectedly terminated from the

federal role. You see how this sort of is – I am just I am just keen to understand why you were unexpectedly terminated. Or were you poached and then you resigned? What happened there? It does not sort of stack up.

Adam FENNESSY: Yes. I finished with the Commonwealth government before I was approached for this role.

Georgie CROZIER: Right.

Adam FENNESSY: The other points I will make is I have worked to establish new entities in Victoria, I have merged departments and I have helped set up new regulatory authorities. I have done reviews of regulatory authorities in Victoria. I conducted the first – I conducted a number of capability reviews at the federal level, and now, for the first time in Victoria for many years, a capability review is being done for VECRA. So I have certainly had a lot of regulatory experience. I helped preside over the national regulators community of practice and did a lot of work when I was the Victorian public sector commissioner with not only a number of regulators in Victoria but also with Better Regulation Victoria, and before that, other entities like the red tape commissioner. So in fact, on the basis of the approach to me, it was on that regulatory experience, which went for a few decades over my career.

Georgie CROZIER: Are you moving back to Queensland?

Adam FENNESSY: I will be going back to Queensland, where my daughters live. My first love is Victoria, which I can put on the record. But with children –

Georgie CROZIER: You are fleeing back to Queensland? You are not the only Victorian that is doing that, Mr Fennessy.

Michael GALEA: A lot more are coming in, Ms Crozier.

Georgie CROZIER: Not from Queensland.

Adam FENNESSY: But, look, it is a fair question. What I should say is when I was approached at the end of last year I made it clear I could only do it on an interim basis. I was very clearly appointed for just six months with that particular focus to establish the entity, and a lot of the work I had done, particularly as Victorian public sector commissioner and as a secretary in Victoria, was to help bring about new entities. I also spent many years in the Department of Premier and Cabinet in Victoria, so that was experience in setting up, funding and establishing new entities, winding up entities and reforming entities. A lot of it was that public sector experience, and I have done work with a number of secretaries and former secretaries in the education and early childhood development space, so it was a mix of those skills, but I would say it was the regulatory and state government organisational experience that allowed me to come in and hit the ground running in terms of knowing how to set up a new regulatory entity.

Georgie CROZIER: Thank you. Ms Quiney, can I ask you: in response to the Chair, who asked around the numbers of sexual abuse and physical assault, those numbers I think you said were 79. They were unsubstantiated allegations – we understand that. Can you just explain to the committee the process and the length of time that it really takes to go through these sorts of complaints that have been made so that we can get a bit of an understanding of the potential timeframes that are in place here and what happens?

Helen QUINEY: Thanks for the question, Ms Crozier. Whenever we receive a notification, it is triaged, and that helps us to organise ourselves around risk and urgency. If that notification suggests immediate risk, our first action will be to consider the safety of the children in that service and respond as quickly as we can – that is not an investigation, that is an immediate response – and then we organise our response around –

Georgie CROZIER: That is a longstanding response, though, isn't it?

Helen QUINEY: That is right. That has been our arrangement, as it should be, given our priorities for the safety, rights and best interests of children are to first ensure children are safe. Then we will consider the priority level of the investigation. For reports or complaints that relate to risk in terms of sexual harm to children, our first action will be to prioritise that investigation, whereas other investigations that might suggest lower or less serious harms will have lower priority. We have a centralised investigations team, so allegations of that nature would be referred to our central investigations team, which is a team of people who are authorised

and have the ability to ask questions and seek information under the national law but are not authorised officers working out in the field every day. They have unique investigations experience, so they have the ability to gather evidence, to consider and follow through each line of inquiry and consider them.

Georgie CROZIER: Have any of those 79 been referred to the police?

Helen QUINEY: We will absolutely share information with the police, and there are many of those where we would be sharing information with the police. It is a two-way flow of information, so the police, the Social Services Regulator, in some cases Victorian Institute of Teaching –

Georgie CROZIER: But how many of those 79 have been referred, is my question.

Helen QUINEY: I do not have the number, and I am conscious of not prejudicing any open investigation.

Georgie CROZIER: I do not want the details of the investigation. It is just so we can understand, I think, to go to the Chair's point about what is happening. I mean, Mr Fennessy said that three early childcare workers have been suspended.

Helen QUINEY: That is right.

Georgie CROZIER: Suspended – yes. So it is just to get an understanding of the actions.

Helen QUINEY: That is right. And it is quite possible that our suspension actions arose from one of those or several of those 79 reports, because that might be one of our most immediate actions. This new suspension power that we have does enable us to act really quickly to ensure that those workers are removed from the service. One of the other things –

Georgie CROZIER: Sorry to interrupt you; I have only got 30 seconds left. Are you seeing any trends or are there any similarities with the notifications that have taken place and the three who have been suspended? Are there any trends or similarities that you are seeing?

Helen QUINEY: There are trends across behaviours of this type, and there has been quite a bit of work done on that. Those are common, and those include people who are frequently moving between services and might be seeking particular roles, including roles of authority. That gives them the ability to seek to place themselves in roles where they might be more able to perpetrate. They are some of the common factors that we see.

Georgie CROZIER: Thank you.

The CHAIR: Thank you, Ms Crozier. Thank you, Dr Mansfield, who is online.

Sarah MANSFIELD: Thank you. And thank you for appearing today. In your opening remarks you indicated that VECRA had a goal of undertaking more frequent compliance visits, and you provided some information around how many compliance visits had been conducted so far by VECRA. I just want to understand how that compares with the number previously performed by QARD.

Adam FENNESSY: Thank you, Dr Mansfield. I will start by giving you a couple of examples in terms of our activity. For the first three months of 2026 we undertook 39 statutory actions, and that compared to nine in the same period last year, so more than a 300 per cent increase. That was for the first quarter. Over the last two quarters, even though we have not quite finished the second quarter, we have carried out 88 statutory regulatory actions compared to 24 at the same time period a year ago. We have more detailed numbers than that, but I just want to use that as an example of the increased regulatory posture. It is partly because of the new powers and the funding, as well as the clear expectation of the minister, that we are increasing our regulatory posture and we are out there with our authorised officers.

Sarah MANSFIELD: Can you explain what those particular actions are?

Adam FENNESSY: I will ask Ms Quiney to break down some of those examples for you, Dr Mansfield.

Helen QUINEY: Thanks, Dr Mansfield. There are a range of actions. Some of them relate to actions against a provider's approval, because part of our function is licensing. That might mean revoking or amending a

service or provider approval. Then we have actions against individuals, and they may include suspensions or prohibitions of individuals as well. Then also other types of compliance actions that we might take in relation to a service are issuing a compliance notice, issuing a compliance direction and issuing an emergency action notice where there is an unacceptable level of risk in services. The final example I mentioned is we have suspended some service approvals, and in some cases we do that under a show cause process, and other times we do an immediate suspension depending on the level of risk.

Sarah MANSFIELD: Thank you. What you have referred to there are enforcement actions that have been undertaken. I will come back to that, because I do have some more questions about the number of enforcement actions. But my question was about the number of compliance visits. I think that one of the aims was that there would be more visits. I know you have mentioned the blitz and that there have been quite a number of visits, but I am just wondering: have you actually achieved that goal of undertaking more compliance visits compared to a comparable period that was undertaken by QARD?

Helen QUINEY: Thank you, Dr Mansfield. In 2023 the regulatory authority completed 3146 visits. In 2024 that number was 4729, against a target of 4000. We completed 5002 last year as the regulatory authority, and then this year to date, in the first five months of this year, we are at 1900.

Sarah MANSFIELD: Okay. So the overall trend is that there are more compliance visits occurring.

Helen QUINEY: That is right.

Sarah MANSFIELD: With the compliance data that was provided, you provided some specific examples where there were more of a particular category compared to previous years. However, the total number of compliance actions – I think you said there were 799 so far for the first quarter of the year. Is that right?

Helen QUINEY: That is correct.

Sarah MANSFIELD: Compared to – I cannot remember – around 4500 last year.

Helen QUINEY: Correct.

Sarah MANSFIELD: So if you were to expand that out, there are fewer compliance actions being issued.

Helen QUINEY: That is correct, but if I could add, Dr Mansfield, the composition of those actions is a little bit different. The severity of the actions that we have taken in this last quarter includes more serious actions, including a higher number of prosecutions, a much higher number of compliance notices, and other tools – some of those I mentioned earlier. Then the only other thing is – a slightly nuanced point – in January there are generally fewer actions because a lot of services are closed during that time of year. So our averages sort of peak during term times, when kinders, outside school hours care and other services are operating more frequently, which means that our first-quarter data generally has slightly lower numbers than other quarters.

Sarah MANSFIELD: Okay. Thank you. In terms of some of the regulatory data and compliance data, there is some information on the Victorian government website that outlines I think at a very high level different compliance actions that have been undertaken and there is some information about individual services, but when you compare this to the New South Wales early childhood education and care regulatory authority, they seem to provide much more granular detail about compliance. I am just wondering why the difference and whether there are any plans to have greater transparency regarding Victorian compliance data?

Helen QUINEY: Thanks, Dr Mansfield. That was a key recommendation of the *Rapid Child Safety Review*, and we are tackling that across a few fronts. The first is that what is new this year is we have been publishing media releases for most of our more significant actions, and those media releases include a great deal of detail about the action that we have taken and the circumstances of that. We have also just published a new approach to reporting on our website, and there is continuous improvement planned on that. So we will be increasing the frequency with which we are publishing that information but also looking to increase the detail and also plain English language in terms of how that is communicated. There is more information on the Starting Blocks website as well that is not just about enforcement action but the date of the last visit and more detail about assessment and rating, so really useful insights in terms of quality as well. Then when regulations are made later this year, each service will be required to display in their service details of every action taken in their

service. So that is also underway – the legislative provisions are there and the regulations have been made soon that will commence.

Adam FENNESSY: Dr Mansfield, one thing I will add in addition to what Ms Quiney just said is that we have been going out very quickly on information of enforcement that we are taking and we are also now aggregating that up. So we want to do both, but we have taken a very specific approach to put a lot of information out. Some of that is media releases and direct media communication, whereas I think what you have referred to is that more aggregated and summarised version, and we are looking to do both. We will be doing both because I think they are each as important as the other.

Sarah MANSFIELD: Thank you. You mentioned before that some of the compliance actions this year have related to the issuing of licences to providers or potentially cancellation of licences. Does VECRA track whether service providers sell or restructure following a significant compliance action, and do you know if this was something that QARD tracked as well?

Helen QUINEY: If there is a transfer of service approval through a business transaction, the regulator must be notified, and there are a range of notification requirements under the legislation that mean we must know, and we have information about tracking of that. We do track that, and that is something that has been done by QARD as well over several years. Within VECRA we are increasing our capacity to look at provider structure type and consider the corporate structure and arrangements of that entity, the overall performance across the provider and all of their services, and then recent amendments to the national law include related provider provisions. So that will enable us to really draw together conclusions across two different providers that we think, one, are related and make sure that we are considering quality across those different providers and compliance history and then take action accordingly, which will be a really useful tool in terms of thinking about the suitability and quality of providers across the sector.

Sarah MANSFIELD: We have heard from a whole range of witnesses throughout this inquiry about concerns regarding parent companies, against some of whose centres quite serious compliance actions may have been taken, who continue to be issued with licences to open new centres. We have heard from a number of stakeholders who felt that was unacceptable and that until compliance issues have been addressed no new licences should be issued to a parent company. What are your views on that, and is VECRA taking or planning to take stronger action in that regard?

Adam FENNESSY: Dr Mansfield, I might start. On an administrative side of things, since I started in my role, if we are approached or if we are approaching a major for-profit provider – generally one that is operating in all of the national markets – I will not meet with their CEO unless they bring their chair or the representation of their ownership, including if it is a private equity company. We need to speak to the owners of these organisations, not the CEOs. Now, of course we will always talk to a CEO if they are of interest to us. Ms Quiney will meet with them. But that has been a very deliberate approach to say, ‘We don’t want to talk to your company officers. We want to talk to your ownership structure about the need for you to comply.’ We have been reminding them of our ability to pierce the corporate veil under the new laws and also the fact that we will, if it is a publicly listed company, hold directors personally liable. So that has been really important. I do think, working with other regulators, we also are able to share a lot of information about national providers who work in many markets. With the issue you have raised around licence transferring, the new powers help us, again, pierce that corporate veil and follow these structures. To me that is a critical part of what we do. Because of the growth of funding into the sector in Australia, it is a very complex corporate set of structures in the case of many of the providers.

Sarah MANSFIELD: Okay. Thank you. Just to be clear, you were saying that you have got the power to look at these things, but are there instances where licences will not be issued to a company where there have been serious compliance actions at one of their centres within that corporate structure?

Adam FENNESSY: That is correct.

Sarah MANSFIELD: Okay. Thank you. At the very start you talked about developing a capability framework. Where are you at with that process?

Adam FENNESSY: A quick comment: that is based on a national framework used by the Australian Public Service Commission. We are well on the way through that, and that will be reporting in July, August.

Sarah MANSFIELD: Okay. Thank you. A final question: are you still using the same complaints framework that was in place previously under QARD, or has there been any change to the complaints framework?

Helen QUINEY: We are continuing to evolve our approach and take a really strong approach where there are child safety risks identified through our complaints framework. So we are continuing our work on that, and as part of the capability review and continued improvement we will continue to look at our approach on that and to inform our assessment of risk.

Sarah MANSFIELD: But at the moment it is the same complaints framework?

Helen QUINEY: Our complaints framework is under review at the moment.

Sarah MANSFIELD: Okay. Thank you.

The CHAIR: Thank you, Dr Mansfield. Over to you, Ms Ermacora.

Jacinta ERMACORA: Thank you, Chair. Thank you very much for appearing today and for the work that you do. The rapid review recommended working towards an unannounced visit every 12 months. I am just interested to know how you are going on that, whether you have achieved that and where you are at.

Adam FENNESSY: Maybe, Ms Ermacora, I could start by commenting that as part of my role as regulator I am not an authorised officer but it has certainly been really important for me to accompany our authorised officers on unannounced visits. It is a critical regulatory tool that crosses many regulated sectors, and it is also subject to our very specific budget paper 3 measures. If you are okay, I will get Ms Quiney to comment on that.

Jacinta ERMACORA: That was my next question.

Helen QUINEY: Thanks, Mr Fennessy. Ms Ermacora, the rapid review recommended an unannounced compliance visit every 12 months to every service type regardless of rating, and we are continuing to work towards that. We have got a target of 4800 this year that we will continue to work towards as we build and train our authorised officer workforce, but for services that are rated 'working towards', we do more frequent visits to those services as well.

Jacinta ERMACORA: And the budget allocation for that specific activity, is there additional money?

Adam FENNESSY: One general comment I will make is because the unannounced visits are undertaken by authorised officers, that additional funding for new authorised officers, as we discussed earlier with the Chair, will allow us to deliver on that. A lot of our budget is for staffing, which is how we deliver our key regulatory responsibilities. I think 85 per cent of our budget goes to those staffing investments.

Helen QUINEY: That is right. From published decisions, we received a total of \$76.7 million over four years from 2025–26 and \$14.3 million ongoing. That is broken down into \$50.5 million for the immediate uplift and overhaul of child safety, with particular focus on building and growing our authorised officer workforce. So that was a particular focus of that investment. Then a further \$26.2 million over four years was announced as part of the 2026–27 state budget, and that was for the establishment of VECRA as an independent regulator to support us to implement rapid review recommendations and national reforms.

Jacinta ERMACORA: Very good. If I can move to families and carers and all categories in that space, what changes have been made to make it easier for family members to report to you or report to their centres, whatever they feel comfortable with, if they have some kind of concern?

Helen QUINEY: I mentioned before the changes to our website, which include an online form that can be translated so it is much easier to access, and we are continuing to build VECRA's profile, including through information in services, so that parents know they can report to us. Also, under the national law, if parents make complaints to their service, the service must notify us. So we receive both complaints made to services that they refer to us as well as direct complaints, and we consider all of those and respond to those as well. There is a rapid review recommendation that the department is leading on, that they would be well placed to speak to, in terms of building parent understanding of child safety risks and materials and resources. So they would be really well placed to speak to their progress on that. That is complemented by us putting that information on our

website and the translation service. Finally, I just wanted to mention as well the Starting Blocks website, which now has much better information for parents, including about service ratings and quality, including their latest quality rating and the areas where they need to improve.

Adam FENNESSY: Ms Ermacora, if I could just add one other thing that Ms Quiney mentioned in an earlier question and answer, it is that as well as using as many digital tools, the telephone hotline approach, Ms Quiney mentioned the new notices that, under national law, will require providers to display in their premises. That picks up that point of contact in that daily lived experience of parents and families. So it is using every possible channel, whether it be, if I can say, a more old-fashioned poster or report in the provider's premises to online presence, telephone, and of course, behind the scenes, the new information and data-sharing approaches with regulators across Australia and things like that national worker register. We are using many up-front as well as behind-the-scenes tools, digital and notifications to connect with parents in as many channels as possible.

Jacinta ERMACORA: Does that include a QR code or a link to your website or something that is very easy with a phone for a parent?

Helen QUINEY: The VECRA signage that needs to be displayed must include a phone number to contact the local regional office where people can connect directly with authorised officers.

Jacinta ERMACORA: Fantastic. I am just also interested in any recent changes you have made to public reporting. I think Ms Mansfield just referred to that. But what is your understanding from the rapid review? Where are you hoping to get to in public reporting?

Adam FENNESSY: I will pass to Ms Quiney shortly, but one thing I will say: one challenge for any regulator in this space is that there are excellent national websites, like the Starting Blocks website, but we also have to make sure that that reporting is very much for Victorian families. A lot of the work coming out of the rapid review goes to the more local transparency, but we can then avail ourselves of the national reporting and provide easy connections to that to Victorian families. Ms Quiney, do you want to comment more on that?

Helen QUINEY: Yes. The rapid review recommendation really called on us to increase the frequency of publication of compliance action and enforcement activity on our website and make sure that that is really clear, so that is what we have been doing. I think our website has far more information than it did have previously, so we are continuing to build that, particularly as we work towards 12 months from the commencement of the rapid review.

Jacinta ERMACORA: Fantastic. Thank you. One of the new powers for regulators under the national law is the ability to suspend individuals from working, and you mentioned there are three that have occurred. It is always really important if there is an incident reported that is extremely serious that making the victim feel safe is part of that response. Can you describe in a bit more detail how you get to that position and what kinds of suspensions they are? Is it suspension for a couple of days – just removal outside the centre until things can be cleared up, and then sometimes it could be a minor thing, but that suspension was put in place appropriately? What are the different versions of that suspension?

Adam FENNESSY: I will give an example, but I will not refer to any information that goes to the content of an investigation.

Jacinta ERMACORA: Please.

Adam FENNESSY: Where this has really helped us as a new regulator – and because I have been making these decisions directly myself, where it helps me as a regulator – is firstly that paramountcy principle that is now in the national law about the safety, rights and best interests of children. There have been a number of questions today about things like the interests of, say, owners or shareholders to get a return if it is a publicly listed company and individual rights to privacy for workers and others. Now, these are critical and difficult for any regulator to balance, particularly around natural justice. The paramountcy principle makes it very clear, and it makes it far clearer for a regulator to make that decision without the concerns that many regulators in many sectors have of 'We'll be taken to court and it'll get overturned', to put it in a colloquial phrase. So paramountcy helps very significantly.

Secondly, to give you an example, again without going into detail, our ability now to directly suspend individual people in the sector – in some cases we have suspended them for a period of weeks or months so we can undertake further investigations. The bar, if you like – the evidentiary threshold for that – is a lot lower. We can remove that person in the best interests of safety of children without having to go through a tribunal or court process around natural justice. We give ourselves in these cases I think 70 days to do that further work, based on the paramountcy of the safety of children. It may be that that further work allows us to go directly into a prosecution. We might have to do more work. But it is very clear under the national legislation that because of that paramountcy provision, we can take that decision. Having worked in many regulators over many years, it is a difficult balance. Quite rightly, parliaments are very concerned about the balance of the interests of natural justice and individuals or the interests of a company or the profitability of a sector. In this case the paramountcy of the rights and safety of children is now very clear, so it makes our decisions much more straightforward as a regulator.

Jacinta ERMACORA: It is more consistent. It appears to me that it allows you to conduct your activities consistent with trauma theory and the impact on victims. What is your most common complaint or referral?

Helen QUINEY: The majority of our notifications, or the highest proportion of notifications, relate to trips and falls in services. That is the highest majority, and that has consistently been the case. The second most common is typically around equipment or furniture or other issues related to issues in services. The third most common is interactions between children, so that might be one child hitting another child – biting is relatively common – and there is a certain threshold for notification to the regulatory authority about those.

Jacinta ERMACORA: Thank you.

The CHAIR: Thank you, Ms Ermacora. Thank you, Ms Bath.

Melina BATH: Hello. Thank you very much. I have been listening and writing; I am very interested. You are the regulator. You deal with child care centres, with kindergartens, with home-based care, with after-school care. You had that graph that all were basically increasing – flatlining, one, I think, but others increasing. I am interested to just delve into this a little bit. You said – correct me if I am wrong – 19,000 unannounced visits. Is that right, for this year to date?

Helen QUINEY: Yes.

Melina BATH: I wrote, in round terms, 5000 last year –

Helen QUINEY: Sorry, 1900. Yes.

Melina BATH: Sorry, that is right, 1900. Five thousand last year, 4700 the year before, 3000-something the year before that – are all of those unannounced visits actual visits to the centres?

Helen QUINEY: That is correct.

Melina BATH: Thank you. Do you have with you or can you take on notice where those visits are made – that is, occasional care or family day care or long day care or kinder or out-of-school care? Do you have that breakdown?

Adam FENNESSY: I think we do. I will add one quick point while Ms Quiney gets that information – it is also a risk-adjusted approach. We did mention earlier that if there are centres that are in the lowest quality category – ‘working towards’ – they will be subject to more of those unannounced visits. That will not surprise you, but you would be hoping that a regulator takes a risk-adjusted approach and we do. There is also the broader assessment and rating process, which is for the overall quality standard, which helps us determine whether they are ‘working towards’ all the way to ‘exceeding’.

Melina BATH: So to date this year, those 1900 could be repeat visits to a number of centres. Centre X could have had three visits this year. Is that correct?

Helen QUINEY: That is right.

Adam FENNESSY: That is correct.

Melina BATH: Therefore could you actually identify – take it on notice – how many of those 1900 are to different centres or locations? That would be really helpful; thank you. You spoke about compliance actions and notices versus notices of emergency action – different categories. Do you also then have an understanding of – and I will just use out-of-school-hours care – how many visits to how many different out-of-school-hours care centres or spaces at schools? Then, do you have an understanding of what the different compliance action requests were? I am trying to get some granular detail. Do you have that at your availability?

Helen QUINEY: Not for visits this year, although I could give you the breakdown for last year's visits, across 2025, to give you a sense of proportions across both service types and visit types, if you would like. Otherwise, I have to take that on notice in terms of the 1900 for this year.

Melina BATH: Thank you. I am trying to get a picture. If we just go to last year and look at the different sectors, I have just said 'long day care' in my mind, because some of the bigger sectors – long day care, family day care, kinders and out-of-school-hours care – seem to be most of the bigger sectors. Do you have those figures as to the visits?

Helen QUINEY: For 2025? I have those figures.

Melina BATH: Are they easy to access for us?

Helen QUINEY: Yes, absolutely. I can tell you that of the 5002 visits that were conducted in 2025, the majority of those, or more than half of those, were in long day care – 2521. Outside school hours care services had 1251 visits in total. Kindergartens had 954 visits.

Melina BATH: Nine hundred –

Helen QUINEY: and 54. Family day care had 153 and out-of-scope services – those are services regulated under the *Children's Services Act* – they had 108 visits. Those visits had varied purposes, and I have got a breakdown in terms of numbers across visit types, including compliance visits, assessment and rating visits, pre- and post-approval and a number of other categories. There is a lot of data, but I am happy to go to a specific category.

Melina BATH: If I was just to look at this, of those 5000, 1000 of them are in kindergartens. How many of those kindergartens are education-based kindergartens? Are all of them education-based kindergartens, as in run by the education department?

Helen QUINEY: There are kindergartens that are privately run or community run.

Melina BATH: Could you then provide, not necessarily now, a granular of – I am rounding it up to a thousand – how many of those were education department run kindergartens rather than community associated? Could you provide that granular detail?

Helen QUINEY: We could take that on notice.

Melina BATH: Thank you. That would be great. I want to move to out-of-school care. We had Melinda Crole, who is a CEO. She presented to us, and some of her rounding comments were around one-size-fits-all regulatory models not being appropriate for school-aged care. She said that the regulation is misaligned with this sector, and it really seems to be designed more for long day care rather than that older sector, because the out-of-school care can be for children who are not young, between five and 13 potentially. So how are you addressing some of their concerns? They are still valid. They are still looking after children. What is your role in addressing their concerns?

Helen QUINEY: Thanks, Ms Bath. I might address it across two fronts. The first is about the national quality standard and whether it is an appropriate standard to apply in outside school hours care, knowing that they are school-aged children but might attend sporadically or infrequently. There is some work being led and coordinated by ACECQA to develop more specific guidance for outside school hours care – including in relation to responding to children with challenging behaviour in those settings, because they are older and the approach might be different – and the outside school hours care peak associations have been consulted on the development of that and engaged on that process. Then in relation to child safety, I want to comment on just how critical these child safety reforms are for outside school hours care, because with outside school hours

care, it is more likely that there will be higher turnover of educators in some cases and different levels of training and experience. Also often outside school hours care can be positioned in less than ideal arrangements for supervision, depending on the school's kind of set-up and suitability. Finally, there is the possibility that there might be single educators working with children in those services. So the child safety reforms are absolutely critical for the outside school hours care sector. The criticality of suitability checks, training and access to the register are absolutely crucial for that sector.

Melina BATH: I will put my regional hat on. This is critical for women to be able to go to work and complete a job to feed their family, and there is not a lot of other choice sometimes; it is that school sector or nothing. This sector, I believe, is quite an important sector. But how will VECRA assist and sustain those services in this sector to not only comply – because compliance is one thing – but actually provide that high degree of care? What are you doing and what can you do to support that sector?

Adam FENNESSY: Ms Bath, I might start by commenting that I certainly agree that one of the key policy drivers for early childhood care services is participation in the workforce, particularly across regional communities. Having lived in regional Victoria for more than a decade, you see it close up, where often the same volunteers in a small regional town are on the board of the local care service. They might be very much part of the community, and if we have to take a regulatory action, that can have a huge impact on the ability for families and regional communities to stay actively part of their local economy.

Having said that, of course safety of the children is paramount, so we have got to keep that in mind. But we then do a lot of work to work out what that access to those services is across regional communities, for the very reason you have outlined. Ms Quiney, I will get you to comment on how we then work more broadly across that sector.

Helen QUINEY: Mr Fennessy and I both have recently done compliance visits into outside school hours care services and seen firsthand the way our authorised officers take the time to educate those services to help them to understand how to comply in outside school hours care and how the regulatory frameworks operate. And they do a really great job at educating and building understanding in those services. We also do a lot of work in terms of education and engagement across the sector and continue to provide information and resources to the different parts of the sector based on their unique qualities.

Melina BATH: I guess I am just wanting to drill down that little bit further, though. If the regulations are not serving them – highest quality standards, all of those things – how can you not apply one size fits all? What can be done to achieve a high quality of compliance and care for children in that sector without saying the burden is too great? And then these operations just close, and that serves no-one. Maybe that was more a statement.

The other comment I just want to relate is in relation to a submission. This is from a childcare centre in regional Victoria:

I now spend approximately 90% of my time completing administration tasks when I should be in rooms mentoring and role modelling, building family connections and advocating for better childhoods. Educators are filling out checklists, over complicated planning and program documents, critical reflections, risk minimisation plans just to name a few. This is all taking away from what really matters – connecting and responding to children. Historically early years was assessed on practise, with documents supporting, this has now turned to documents with practices supporting. This helps large providers, who have teams of policy writers, but does not produce quality.

Again, I go back to that burden. How can you streamline this so that regulations are not killing this industry or severely inhibiting the quality of work that is done in those rooms?

Adam FENNESSY: As well as working nationally, because this is an issue across Australia as well as Victoria, one thing we do in particular is a lot of our authorised officers are regionally based. They know those communities; they are part of those communities. While enforcement is always critical, that education role with smaller regional providers is also part of what our authorised officers do. So that is –

Melina BATH: And is there a feedback loop? Because this is a mature service. I am aware of this person. So how is that fed back? Because otherwise they feel like they are belting their heads against a soft brick wall.

Helen QUINEY: There has been extensive consultation across the sector, including regulatory impact assessments associated with these reforms that considered that. But I know that consultation is continuing to

occur in relation to the national law and regulations and those requirements too, which informs any further changes.

Adam FENNESSY: And that is direct with the outside school hours care peak entities, as well as some of the specific outside school hours care providers.

Melina BATH: Okay. Thank you.

The CHAIR: Thank you, Ms Bath. We have only got 2 minutes left, so I might just ask a very quick question in relation to a media release that VECRA released in March. It was regarding an early childcare centre out west. The media release was Tuesday 31 March, for your reference. This particular centre comes under the Affinity umbrella. They have been suspended. Some of their breaches include children under 12 months being left unsupervised, which is very, very troubling, amongst other breaches. Did you fine Affinity for these pretty serious breaches?

Helen QUINEY: That service has been suspended and must correct those measures before it reopens.

The CHAIR: But were they fined at all at any point?

Helen QUINEY: No, at this point they have not been fined.

The CHAIR: Why not?

Helen QUINEY: At the moment VECRA do not yet have fines capacity. We are building that soon, and we will be able to issue fines by authorised officers.

The CHAIR: Right now, then, centres could commit pretty serious breaches and all they get is suspension. So there is no financial penalty for some of these pretty serious breaches. Is that what I am hearing?

Michael GALEA: When do you expect to have that capability?

Adam FENNESSY: Firstly, to go to the Chair's question, for providers, including Affinity, cutting off their ability to keep a service delivering does impact their revenue, so that does have a financial implication on them. We would much prefer to take them offline so they are no longer able to provide service and then follow up with prosecution, but to go to the Deputy Chair's question, through the Chair, because there has been a huge amount of law reform, that is one of our priorities, the ability to issue infringement notices. That has not happened before in this sector, and that has that immediate turnaround because that is fine first before going to court. We anticipate that will have a huge impact on provider behaviour, and that is why it was such an important part of the national law reform.

The CHAIR: Okay. Thank you. That brings our session to a close. I just want to say thank you very much for your time this afternoon. We really appreciate it.

Witnesses withdrew.