



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

The early childhood education and care sector in Victoria

Inquiry | Final Report

September 2026

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About the Committee

Functions

The Select Committee will inquire into and report on the Early Childhood Education and Care sector in Victoria including the adequacy of current quality and safety standards, the quality and oversight of educator training, professional development and qualifications, the impacts of Victoria's predominantly privatised system, the impact of workforce conditions, the adequacy of staff-to-child ratio regulations, whether there is sufficient oversight of the Department of Education and any other matter in relation to the adequacy, implementation, compliance and/or enforcement of child safety standards and regulations in the sector.

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Terms of reference

Inquiry into the early childhood education and care sector in Victoria

That a Select Committee of six members be appointed to inquire into, consider and report on the Early Childhood Education and Care (ECEC) sector in Victoria, including but not limited to —

- (a) the adequacy of current quality and safety standards across all ECEC service types;
- (b) the quality and oversight of educator training, professional development and qualifications, including a review of the effectiveness of Working with Children Checks and of Registered Training Organisations issuing early childhood certifications;
- (c) the impacts of Victoria's predominantly privatised ECEC system, including a comparison with public, not-for-profit and cooperative models in terms of accessibility, affordability, safety and outcomes;
- (d) the impact of workforce conditions, such as pay, job security, workload and recognition on educator wellbeing, retention and service quality;
- (e) the adequacy of staff-to-child ratio regulations, including ratios being averaged across entire services rather than applied per room;
- (f) whether there is sufficient oversight of the Department of Education and the role it plays in monitoring and maintaining child safety;
- (g) any other matter in relation to the adequacy, implementation, compliance and/or enforcement of child safety standards and regulations in the ECEC sector.

Final report due by 30 July 2026.*

* On 28 July 2026, the Legislative Council resolved to extend the reporting date to 9 September 2026.

Chair's foreword

Imagine a future where no child entering an early childhood education and care setting ever has to fear harm from the very people entrusted to nurture, educate and protect them. That future must be within our reach.

It is with a strong sense of responsibility that I, together with the Committee present the Final Report of the Inquiry into the early childhood education and care sector in Victoria.

This Inquiry was established following the emergence of serious child abuse allegations against educator Joshua Brown in July 2025. These deeply distressing allegations were most acutely felt by the young children affected and their families, and exposed critical systemic failures that enabled an individual to work across multiple early childhood education services while posing an unacceptable risk. This should never have been possible.

I want to acknowledge the victim survivors; young Victorian children whose lives have been harmed and traumatised by sexual violence at the hands of those who were meant to protect them. I acknowledge their families, carers and communities who also carry the trauma of what has happened. We recognise the breach of trust that has occurred and that healing from sexual violence will be a long journey ahead for affected families.

The Victorian Government, along with other Australian governments, were quick to act on implementing urgent safety reforms identified in the Victorian Rapid Child Safety Review following these horrific allegations against Mr Brown. While these changes have been welcome, much more is required to ensure child safety.

This Final Report provides a pathway forward. One that guides and supports everyone working across the sector to strengthen early learning outcomes, and uphold the safety, dignity and paramount interest of every child. It is imperative that we learn from failures of the past wrongs to ensure that these failings are never repeated.

The new paramount consideration sets the standard of behaviour expected of all people and organisations involved in providing early childhood education and care services. It is an assurance to parents that their children are safe from all levels of harm. This is a standard that is expected of everyone and all models of care, be it private or publicly run early childhood services.

The Committee drew from a rich evidence base in writing this Report which led to its 43 Findings and 37 Recommendations. The Committee accepted 102 submissions and heard from 66 witnesses over 7 days of public hearings. This evidence provided a clear and consistent picture of the challenges facing the sector.

The Inquiry has been shaped by the lived and living experiences of children, families, educators, advocates, regulators, service providers, unions, community organisations, First Nation peoples, and disability-led representatives across Victoria's early childhood sector.

The early childhood education and care sector has gone through significant change in the last few decades. These changes include rising demand and increasing system complexity. Government regulation, oversight, and investment have not kept pace with these changes. Government investment is given from 3-years-old upwards, however, 0–3-year-olds is a vulnerable age group that warrants greater investment, stewardship and support.

The Committee heard evidence of educator shortages, staff working under sustained pressure, and inadequate resources, support, and training to meet children's complex needs. Educator supply and demand pressures are seeing a trend towards an ill-prepared and casualised workforce. The rapid rise of the for-profit sector has shifted the focus from children's safety to profit, further stretching systems and undermining both child safety and quality. Cultural safety is further compromised due to a lack of general capability across the sector to assess, measure, evaluate and implement culturally safe practices.

The Committee heard clear and consistent calls for stronger stewardship from regulators to ensure that safety, quality and accountability are not optional but guaranteed in the sector. The evidence stressed that governments cannot continue with the same reactive, fragmented, and piecemeal approach and expect enduring outcomes.

We only get one childhood, good or bad it lasts a lifetime. We owe it to every Victorian child who has experienced harm, and to every child whose safety depends on the systems we build, to tackle the failures that have happened and the devastating cost to our children when those systems fail to protect them.

Let's make sure all our children have access to safe and secure early childhood and education settings. I call on the Government to show leadership required to deliver this.

I thank all those who have contributed to this Inquiry, particularly those who have shared their stories. Your voices have been central to our work and helped guide the Committee's understanding of the issues and recommendations to achieving transformative change.

I thank my Committee colleagues — Deputy Chair Micheal Galea, Dr Sarah Mansfield, Melina Bath, Georgie Crozier and Jacinta Ermacora for their dedication and collaboration in advancing this Inquiry. My thanks to the Committee's secretariat staff for their hard work during the Inquiry. Committee Manager Matt Newington, Inquiry Officer Te Kooanga Awatere, Administrative Officer Sylvette Bassy, and Monash Intern Frank Fong.



Anasina Gray-Barberio MLC
Chair

Findings and recommendations

1 Inquiry into the early childhood education and care sector summary

FINDING 1: The state of the early childhood education and care sector is a direct result of a lack of a coordinated approach by federal and state governments in supporting and regulating the sector. The lack of a national body to act as a steward for quality and improvement is one of the key missing regulatory components identified consistently by Inquiry stakeholders and in other previous reviews to date, including:

- the Productivity Commission's report *A path to universal early childhood education and care* (2024)
- the Rapid Child Safety Review (2025).

4

FINDING 2: Since 2018, early childhood education and care regulatory authorities have been solely funded by state and territory governments, following the withdrawal of funding support from the then Commonwealth Government.

4

FINDING 3: Following the Education Ministers Meeting in July 2026, a working group has been established to provide advice on establishing a national early childhood education and care commission.

4

RECOMMENDATION 1: That the Victorian Government advocates to the Education Ministers Meeting to establish a national commission for early childhood education and care. The role of the commission should be to improve child safety and service quality through functions that include:

- overseeing, monitoring and enforcing nationally consistent quality and safety standards
- coordinating information sharing between jurisdictions
- coordinating and developing early childhood education and care roadmaps to guide growth in the sector.

4

RECOMMENDATION 2: That the Victorian Government works with the Commonwealth Government to develop a framework for the distribution and composition of the early childhood education and care sector in Victoria, which includes:

- identifying areas of oversaturation or childcare deserts, including targeted supply for regional and rural areas where fewer childcare places are available
- considering the ratio of private to government operated providers
- providing flexibility and options for parents and families in choosing services to send their children to.

4

RECOMMENDATION 3: That the Victorian Government advocates to the Education Ministers Meeting to review and formally clarify the responsibilities of oversight and regulatory agencies at all levels. This review should intend to clarify the roles of agencies at each level of government, streamline compliance and reduce complexity of the system for stakeholders.

5

2 Regulatory framework and the role of regulatory authorities and government agencies

FINDING 4: The Quality Assessment and Regulation Division's failings in its performance of regulating the early childhood education and care sector included:

- an insufficient frequency for conducting service inspections
- a perception of reduced compliance action taken over a period where complaints increased
- lack of transparency on enforcement and compliance outcomes.

39

FINDING 5: The establishment of the Victorian Early Childhood Regulatory Authority is an opportunity for a new regulatory approach that promotes transparency and accountability and to ensure the failings of the Quality Assessment and Regulation Division are not repeated.

39

RECOMMENDATION 4: That the Victorian Early Childhood Regulatory Authority increases its focus on service quality improvement in addition to its increased compliance focus.

39

RECOMMENDATION 5: That the Victorian Early Childhood Regulatory Authority operates in a transparent, consistent and accountable way by ensuring its objectives and responsibilities are clear and free of undue political interference and adequately resourced.

39

RECOMMENDATION 6: That the Victorian Early Childhood Regulatory Authority publishes in its annual reports details on funding and outcomes such as number of visits, assessments, enforcement actions, workforce capability and other activities performed in a year.

39

FINDING 6: The consolidation of the Child Safe Standards, Reportable Conduct Scheme and Working with Children Check framework into the Social Services Regulator was intended to close gaps in information sharing and exploitation by individuals.

40

RECOMMENDATION 7: That the Social Services Regulator publishes in its annual report details on funding and outcomes related to the Child Safe Standards, Reportable Conduct Scheme and Working with Children Check frameworks. This should include:

- the number of assessments performed
- average time between assessments
- compliance and enforcement activities
- funding received from the Victorian Government and other income sources.

40

RECOMMENDATION 8: That the Victorian Government publishes a detailed response outlining why recommendations from the Victorian Ombudsman's 2022 report *Investigation into a former youth worker's unauthorised access to private information* were not implemented until after the Rapid Child Safety Review in 2025.

40

FINDING 7: The implementation and understanding of the Child Safe Standards is not consistent across the sector or among service providers.

45

RECOMMENDATION 9: That the Social Services Regulator, in collaboration with the Victorian Early Childhood Regulatory Authority, conduct an education campaign for the early childhood education and care sector on the obligations of the Child Safe Standards.

45

FINDING 8: The landscape of child safety legislation that governs the early childhood education and care sector is complex and includes a range of Commonwealth and state requirements which are difficult for stakeholders to navigate.

49

FINDING 9: The Commission for Children and Young People, the former administrator of the Reportable Conduct Scheme and Child Safe Standards, failed to maintain its responsibilities under the various child safety schemes. It had repeatedly called to the Victorian Government for increased funding, but did not receive additional funding.

49

RECOMMENDATION 10: That the Social Services Regulator issues guidance and a training plan to lift the collective understanding of the Child Safe Standards and the relationship the Standards have with the other child safety schemes.

49

FINDING 10: The Rapid Child Safety Review recommended the Commonwealth Government reinstate funding for state and territory regulatory authorities to be able to meet their obligations to the National Quality Framework.

59

RECOMMENDATION 11: That the Victorian Government advocates for the Commonwealth Government to resume funding contributions for state and territory early childhood education and care regulatory authorities.

59

3 Child safety and wellbeing

FINDING 11: The paramount consideration is widely supported by stakeholders who see it as a positive step towards embedding the rights and best interests of children at the centre of all decision-making.

64

RECOMMENDATION 12: That the Victorian Government advocates to the Education Ministers Meeting to develop an implementation plan on how to consistently embed the paramount consideration in practice across the early childhood education and care sector.

64

FINDING 12: In September 2022, the Victorian Ombudsman identified several issues with the Working with Children Check framework in its report *Investigation into a former youth worker's unauthorised access to private information about children*. The Victorian Government failed to act on these recommendations to strengthen the Working with Children Check framework until 2025, and after the Rapid Child Safety Review made similar recommendations.

67

FINDING 13: There is general support for legislative changes made to the Working with Children Check framework following the Rapid Child Safety Review. However, additional issues remain unaddressed, including:

- limited information sharing across other sectors such as education, aged care, and disability
- no mandatory child-safety training requirements for applicants applying for a Working with Children Check
- limitations on the type of information that is taken into account when determining a person's suitability
- people who fail a Working with Children Check and/or reassessment are not barred from working in similar sectors such as education, disability, and aged care.

69

RECOMMENDATION 13: That the Victorian Government strengthens the Social Services Regulator's information sharing capabilities for Working with Children Checks to include relevant information for individuals working with vulnerable people from other similar sectors, including education, aged care and disability.

70

FINDING 14: Educator-to-child ratios operate on the assumption that age determines the level of adult supervision required. This does not take into account the needs of children such as behaviours and medical conditions.

74

FINDING 15: As at 1 July 2026, Victoria has the lowest proportion of services with a staffing waiver, at 0.7% compared to a national average of 4.3%.

75

FINDING 16: Victoria does not provide standalone, granular-level data of current waivers in place for Victorian early childhood education and care services.

75

RECOMMENDATION 14: That the Victorian Early Childhood Regulatory Authority consistently publishes improved data of the conditions, waivers, and compliance actions currently in place for all Victorian early childhood education and care services.

75

RECOMMENDATION 15: That the Victorian Government advocates to the Education Ministers Meeting to implement the 'four-eyes' principle as best practice under the National Quality Framework.

76

FINDING 17: CCTV alone is not an effective preventative measure against child abuse and is useful primarily as a deterrence, monitoring and investigative tool. Investment in culture, skilled workforce, and clear reporting pathways are more effective in promoting child safety.

77

FINDING 18: Children with disabilities are more likely to experience violence and abuse than their peers.

80

RECOMMENDATION 16: That the Victorian Government advocates to the Commonwealth Government to establish a needs-based Early Childhood and Care Inclusion Fund, in line with the recommendations of the Productivity Commission's report *A path to universal early childhood education and care* (2024).

80

FINDING 19: Under the National Regulations only one anaphylaxis trained staff member is required to be present onsite for centre-based early childhood education and care services. This requirement applies regardless of the number of children with a food allergy.

83

FINDING 20: There is no requirement for early childhood educators to undergo training to administer insulin to children with type 1 diabetes. They only require parents' approval to do so.

83

RECOMMENDATION 17: That the Victorian Government advocates to the Education Ministers Meeting to introduce accredited training pathways and a framework for managing medical conditions such as, but not limited to, children with type 1 diabetes, and anaphylaxis and allergy management.

83

RECOMMENDATION 18: That the Victorian Government advocates to the Education Ministers Meeting to develop and implement:

- guidelines for anaphylaxis prevention and management for children with allergies
- guidelines for the appropriate safety and care of children with type 1 diabetes.

84

4 Cultural safety

FINDING 21: The National Quality Framework and National Quality Standard do not adequately recognise the extent nor quality of education and care services provided by Aboriginal and Torres Strait Islander providers.

88

FINDING 22: First Nations stakeholders reported that Victorian Early Childhood Regulatory Authority authorised officers are not providing adequate, culturally responsive evaluation of cultural safety in early childhood education and care settings.

88

RECOMMENDATION 19: That the Victorian Government works together with Gellung Warl and Aboriginal Community Controlled Organisations to co-design an Aboriginal cultural safety framework for early childhood education and care, similar to the *NSW Aboriginal Cultural Safety Framework for Early Childhood Education*.

88

RECOMMENDATION 20: That the Victorian Government and Victorian Early Childhood Regulatory Authority work with Gellung Warl and Aboriginal Community Controlled Organisations in the co-design of policies, auditing, and tools to support service providers to meet the National Quality Standard and Child Safe Standard 1 to create culturally safe environments. This includes:

- developing resources that model Aboriginal service providers with an Excellent or Exceeding the National Quality Standard rating, such as *Bubup Wilam*
- requiring mandatory cultural safety training for all staff and service providers
- partnering with Aboriginal Community Controlled Organisations to lead cultural audits for cultural safety compliance
- developing a workforce capability strategy for the Victorian Early Childhood Regulatory Authority in partnership with Aboriginal Community Controlled Organisations.

88

FINDING 23: Despite only comprising a small number of services, early childhood education and care services operated by Aboriginal Community Controlled Organisations have consistently received high National Quality Standard ratings, including Excellent ratings.

93

FINDING 24: Funding arrangements for Aboriginal Community Controlled Organisation-led early childhood education and care services remain fragmented, short-term and insufficient to support growing community demand.

98

RECOMMENDATION 21: That the Victorian Government expands investment in Aboriginal Community Controlled Organisation-led early childhood education and care services.

98

RECOMMENDATION 22: That the Victorian Government advocates to the Commonwealth Government for flexible, ongoing funding models that invest in Aboriginal Community Controlled Organisation-led early childhood education and care services.

98

FINDING 25: The Committee received evidence that Aboriginal Community Controlled Organisations were not meaningfully engaged during significant reforms to Victoria's early childhood education and care sector, including the Rapid Child Safety Review process. The Committee considers that genuine engagement with the Aboriginal community controlled sector is essential to achieving the partnership and shared decision-making objectives of the National Agreement on Closing the Gap.

99

FINDING 26: The Committee heard consistent evidence that fragmented responsibility across government agencies can inhibit coordinated action, create unnecessary administrative burdens and make it difficult to assess which parts of government are accountable for improving outcomes for Aboriginal children and families.

99

RECOMMENDATION 23: That the Department of Education, the Victorian Early Childhood Regulatory Authority, Gellung Warl and Aboriginal Community Controlled Organisations co-design a 'partnership framework' for early childhood education and care services in Victoria. This should include clear agency responsibilities, coordinated implementation arrangements and measurable performance indicators aligned to Closing the Gap Outcomes 3 and 4, to improve access to culturally appropriate early childhood education and developmental outcomes for Aboriginal children.

99

RECOMMENDATION 24: That the Victorian Government publicly reports annually on progress against Closing the Gap targets relevant to early childhood development, including responsibility for delivery, progress against agreed measures and actions being taken where targets are not on track.

99

RECOMMENDATION 25: That the Victorian Government prioritises the expansion of Aboriginal Community Controlled Organisation-led early childhood education and care services as the preferred model of service delivery for Aboriginal children, supported by long-term workforce, infrastructure and capacity-building investment.

100

5 Early childhood educators

FINDING 27: The early childhood education and care sector is experiencing persistent and increasing shortages of appropriately skilled and qualified early childhood teachers and educators. Research shows that current workforce levels are not sustainable to meet current and forecasted levels of demand.

112

FINDING 28: According to the Department of Education, from 2024–30, the demand for Victorian early childhood education and care educators is forecast to grow by 26.9% and supply is forecast to grow by 21.4%.

112

RECOMMENDATION 26: That the Victorian Government works with the Commonwealth Government to ensure that early childhood educators are fairly remunerated at a level that appropriately reflects the complexity and demands of their work.

112

FINDING 29: Families in rural and regional Victoria are disproportionately impacted by workforce shortages compared to metropolitan areas. Barriers to increasing the regional workforce include limited regional-based education provision, long commute and travel times, and housing affordability.

115

RECOMMENDATION 27: That the Victorian Government develops a targeted workforce strategy for regional and rural early childhood services, including scholarships, training pathways, retention incentives, and relocation support.

115

FINDING 30: Low pay and work intensification create poor working conditions for educators, which results in burn-out, hinders child development and weakens regulatory compliance. This in turn creates poor outcomes across several metrics, including staff wellbeing and child safety.

117

FINDING 31: The Commonwealth Government's Worker Retention Payment for the sector has been well-received, however its 2028 end date has resulted in uncertainty.

117

FINDING 32: High-quality early childhood education and care workforce practice is linked to high-quality courses and the availability of ongoing professional development.

119

RECOMMENDATION 28: That the Victorian Government advocates to the Education Ministers Meeting to improve access to professional development opportunities for early childhood education and care workers, including to:

- ensure professional development opportunities are equally accessible to educators, regardless of employment status or service type
- consider increasing the value of the professional development subsidy
- provide wrap-around support for educators and centres to implement training
- explore options to support professional development days for early childhood educators, similar to the school sector.

119

FINDING 33: Early childhood education and care services report that some new graduates are increasingly not receiving the appropriate level of training to confidently perform their roles as educators when they begin in the workforce.

120

FINDING 34: Accelerated pathways to complete core early childhood education and care qualifications are beneficial in circumstances where the sector is facing supply issues. However, these should not be at the cost of child safety or increase the workloads of experienced educators already in the sector.

121

RECOMMENDATION 29: That the Victorian Government advocates to the Education Ministers Meeting for Commonwealth intervention for quality audits to assess the suitability of fast-tracked courses.

121

6 Early childhood education and care services

FINDING 35: Over the past 10 years, growth in the early childhood education and care sector has been primarily driven by for-profit long day care services to meet demand.

132

RECOMMENDATION 30: That the Victorian Government advocates to the Education Ministers Meeting to consider ways in which large for-profit providers can be required to provide parents and prospective parents with information on their ownership and financial performance, including profit and loss.

132

FINDING 36: There is a correlation between services that record higher National Quality Standard ratings and the wellbeing of their staff.

138

FINDING 37: The quality areas that early childhood education and care services are most likely to be rated as Working Towards National Quality Standard are:

- Quality Area 2: Children’s Health and Safety
- Quality Area 7: Leadership and Governance.

139

FINDING 38: An inability to exceed the National Quality Standard Quality Area 7: Leadership and Governance, is a key reason many services do not reach the threshold for Exceeding National Quality Standard.

139

FINDING 39: Victoria has the lowest proportion of services rated Working Towards National Quality Framework or Significant Improvement Required compared to all Australian states and territories, with less than 4% of total services rated at these levels.

139

FINDING 40: Not-for-profit services are more likely to be rated Meeting or Exceeding National Quality Standard. Conversely, for-profit services are more likely to be rated Working Towards National Quality Standard.

139

RECOMMENDATION 31: The Victorian Early Childhood Regulatory Authority prioritises follow-up inspections to services with Working Towards National Quality Framework ratings.

139

RECOMMENDATION 32: That the Victorian Government advocates to the Education Ministers Meeting to review the National Quality Standards as they relate to non-long day care services, such as family day care and outside school hours care.

140

FINDING 41: In Victoria, as well as across Australia, there is a higher concentration of for-profit services in more advantaged areas. In contrast, there is better access to kindergarten and non-long daycare services in less advantaged areas.

144

FINDING 42: There is no coordinated government policy for supply of childcare and long day care services.

144

FINDING 43: A market-driven approach has led to inequities in access to services including oversaturation (typically in affluent metropolitan areas) and ‘childcare deserts’ (typically in rural and regional areas).

144

RECOMMENDATION 33: That the Victorian Government advocates to the Education Ministers Meeting for a nationally coordinated approach to address supply and market failures in the early childhood education and care sector, focusing on accessibility and affordability and geographic locations.

145

RECOMMENDATION 34: That the Victorian Early Childhood Regulatory Authority develops approval criteria for new childcare and long day care services throughout the State. This should include criteria that considers:

- the impacts of service disruption and workforce supply for new services opening in areas that are already saturated with existing services
- a provider's past performance for their existing services when considering whether to grant approval for a new premises.

145

RECOMMENDATION 35: That the Victorian Government advocates to the Education Ministers Meeting to introduce regulatory requirements that prohibit early childhood education and care providers from establishing new services where:

- their existing services are not consistently rated Meeting National Quality Standard
- providers have a history of poor compliance.

145

RECOMMENDATION 36: That the Victorian Government provides targeted funding and support for small, rural, and regional services so that they can maintain safe minimum staffing and supervision levels.

145

RECOMMENDATION 37: That the Victorian Government develops targeted workforce strategies for early childhood education and care services in regional and rural areas. This should include training pathways, relocation and retention support.

145

Chapter 1

Inquiry into the early childhood education and care sector summary

1.1 Overview of key findings and themes

“ The ECEC system has grown rapidly to meet the community need for early childhood education and care.

...

This rapid growth has not been accompanied by a coherent plan to ensure the delivery of safe and quality services.

Source: Jay Weatherall AO and Pam White PSM, *Rapid child safety review*, Victorian Government, Melbourne, 2025, p. 23.

During the course of this Inquiry, the consistent message heard from early childhood education and care stakeholders is the need for a stronger, nationally consistent approach to regulating and supporting the sector. The fragmented, uncoordinated and reactive approach from governments to date has led to quality and safety issues in the early childhood education and care sector.

This Inquiry was prompted as a result of troubling revelations of charges made against Joshua Brown. At the time of his arrest, Mr Brown was an early childhood educator who had worked at over 20 childcare centres across the northern and western suburbs of Melbourne since 2017. He had no criminal history and had a valid Working with Children Check, and was still working at a childcare centre days before his arrest.

Following one of the worst revelations of early childhood education and care abuse in the State, the Victorian Government established a six-week Rapid Child Safety Review panel to investigate urgent safety reforms for the sector. The Review ran from July to August 2025 and made 22 recommendations. Among these was a consistent message for a ‘national rethink’ of early childhood education and care, primarily a result of lack of strategic direction from governments.

The Victorian Government has since accepted all recommendations from the Rapid Child Safety Review. At the time this Report was adopted, all recommendations were either in progress or had been implemented. The Committee welcomes these changes and the commitment from the national Education Ministers Meeting to implement urgent reforms. The Rapid Child Safety Review and its recommendations are discussed in detail in Section 1.4.1.

This high-profile incident is a symptom of broader issues in the early childhood education and care sector. Child safety and service quality were not adequately prioritised by the Victorian Government's regulatory framework prior to 2025. Multiple warning signs including increasing complaints, declining regulatory performance and the Victorian Ombudsman's 2022 findings were not acted upon until after the Joshua Brown matter exposed systemic failures.

The actions taken following the Rapid Child Safety Review demonstrate that governments at different levels can work together to quickly address child safety and wellbeing outcomes when there is the political will to do so. The findings from this Inquiry and other recent reviews¹ in other jurisdictions present an opportunity for the 'rethink' of how governments regulate and support the early childhood education and care sector.

In the Committee's view, there are a range of reforms required to support the 'rethink' of the sector. In particular:

- establishing an independent national commission for early childhood education and care
- formal agreements between the Commonwealth, state and territory governments to clarify the roles, responsibilities and expectations of various agencies
- streamlining compliance, reporting and information sharing to help decision making between regulators, government agencies and police
- working towards national harmonisation of existing child safety legislative frameworks, including Working with Children Checks
- a coordinated funding model, led by the Commonwealth Government.

These are discussed further in Section 1.2.1.

A consistent theme throughout these reviews has been the need for greater and proactive government support and oversight to the sector to improve service quality and availability. In particular:

- creating a national commission to act as a 'steward' for the sector and to ensure national consistency throughout Australia
- adopting policies or frameworks at national and state levels to plan for better distribution of services and targets for sector composition
- existing state regulatory agencies to be more actively involved in assisting services to improve their quality ratings, rather than purely focusing on compliance and penalties.

¹ Productivity Commission, *A path to universal early childhood education and care: Volume 1*, Commonwealth of Australia, Canberra, 2024; Australian Competition and Consumer Commission, *Childcare inquiry — September interim report*, Commonwealth of Australia, Canberra, 2023; Australian Competition and Consumer Commission, *Childcare inquiry — Final report*, Commonwealth of Australia, Canberra, 2024; Education and Employment References Committee, *Quality and safety of Australia's early childhood education and care system*, Australian Senate, Canberra, 2026; Legislative Council Portfolio Committee No. 3 — Education, *Early childhood education and care sector in New South Wales*, Parliament of New South Wales, Sydney, 2026.

The Australian Children's Education and Care Quality Authority is the independent national authority that assists governments in administering the National Quality Framework for children's education and care. It fills an important function in providing resources on the National Quality Framework and coordinating national registers. However, its current functions do not extend to providing overarching support to the sector to ensure regulators and services are all consistently focusing on child safety and service quality.

Since this Inquiry was established, the Commonwealth Government has announced that it will consider development of a national early childhood education and care commission, in consultation with state and territory governments. In July 2026 the Education Ministers Meeting confirmed it is exploring development of a national commission and has established a working group to provide advice on its establishment.²

The Committee welcomes this decision and has recommended that the Victorian Government advocates to the Commonwealth Government to establish a national commission to oversee the sector.

In addition, the Commonwealth, state and territory governments need to clearly articulate a vision for early childhood education and care throughout Australia and adopt a 'stewardship' role. This term has been used frequently throughout various reviews without proper definition. However, the Committee considers a stewardship role refers to active involvement in the sector, working directly with services to improve child safety and service quality.

The lack of the Commonwealth Government taking a coordination role is in part due to the early childhood education sector being administered by state and territory governments under the National Law and Regulations. However, as seen with other types of education (such as primary and secondary schooling, TAFE and higher education) there can be a balance for national consistency that still allows states and territories to actively manage a sector. In the Committee's view, adopting a national approach is a principal reform that must be implemented to address safety and quality issues in the sector.

Between 2022 and 2025 the Victorian Government failed to implement key recommendations of the Victorian Ombudsman relating to the Working with Children Check system despite being repeatedly advised of deficiencies in the scheme.

2 Education Ministers Meeting, *Communiqué*, 15 July 2026, <<https://www.education.gov.au/download/20190/communiques-education-ministers-meetings-2026/45187/education-ministers-meeting-communique-july-2026/pdf>> accessed 28 July 2026.

FINDING 1: The state of the early childhood education and care sector is a direct result of a lack of a coordinated approach by federal and state governments in supporting and regulating the sector. The lack of a national body to act as a steward for quality and improvement is one of the key missing regulatory components identified consistently by Inquiry stakeholders and in other previous reviews to date, including:

- the Productivity Commission's report *A path to universal early childhood education and care* (2024)
- the Rapid Child Safety Review (2025).

FINDING 2: Since 2018, early childhood education and care regulatory authorities have been solely funded by state and territory governments, following the withdrawal of funding support from the then Commonwealth Government.

FINDING 3: Following the Education Ministers Meeting in July 2026, a working group has been established to provide advice on establishing a national early childhood education and care commission.

RECOMMENDATION 1: That the Victorian Government advocates to the Education Ministers Meeting to establish a national commission for early childhood education and care. The role of the commission should be to improve child safety and service quality through functions that include:

- overseeing, monitoring and enforcing nationally consistent quality and safety standards
- coordinating information sharing between jurisdictions
- coordinating and developing early childhood education and care roadmaps to guide growth in the sector.

RECOMMENDATION 2: That the Victorian Government works with the Commonwealth Government to develop a framework for the distribution and composition of the early childhood education and care sector in Victoria, which includes:

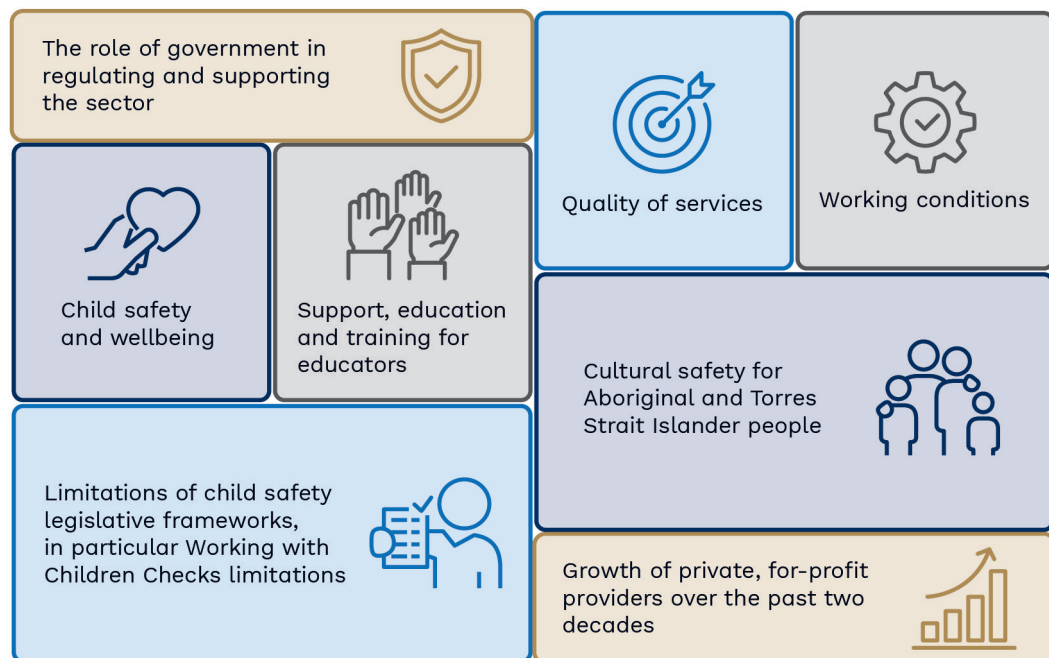
- identifying areas of oversaturation or childcare deserts, including targeted supply for regional and rural areas where fewer childcare places are available
- considering the ratio of private to government operated providers
- providing flexibility and options for parents and families in choosing services to send their children to.

RECOMMENDATION 3: That the Victorian Government advocates to the Education Ministers Meeting to review and formally clarify the responsibilities of oversight and regulatory agencies at all levels. This review should intend to clarify the roles of agencies at each level of government, streamline compliance and reduce complexity of the system for stakeholders.

1.1.1 Inquiry Interim Report

This is the Committee's second report for the Inquiry. In its Interim Report, tabled in Parliament on 31 March 2026, the Committee highlighted key issues raised by stakeholders to the Inquiry. These are summarised in Figure 1.1 below.

Figure 1.1 Key issues raised in the Committee's Interim Report



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

1.1.2 Inquiry Final Report

This is the Committee's Final Report for the Inquiry into the early childhood education and care sector in Victoria. The findings and recommendations are a culmination of all evidence presented and submitted as well as the Committee's additional research.

The Committee accepted 102 submissions. These were from a range of organisations and individuals, including:

- early childhood education and care peak bodies
- parents and caregivers
- service providers (for-profit, not-for-profit, kindergarten, family day care and outside school hours care)

- former and current early childhood education and care workers
- advocacy groups
- Aboriginal and Torres Strait Islander services and advocacy groups
- unions
- government agencies
- academics and researchers
- other interested individuals.

The Committee also heard from 66 witnesses over 7 days of public hearings.

A full list of all submissions accepted and published by the Committee and completed public hearings schedule is provided in Appendix A.

The Committee is grateful to all those who gave up their time to provide their valuable insights and lived experiences. Your expertise, knowledge and vulnerability has helped shaped this report and recommendations to address systemic issues and make meaningful improvements to strengthen the sector.

The Committee has drawn on the findings and recommendations of recent reviews into early childhood education and care in Australia. In particular, reports published by:

- the Productivity Commission³
- Australian Competition and Consumer Commission⁴
- Senate Education and Employment References Committee⁵
- the New South Wales Legislative Council Education Committee.⁶

1.2 What the Committee found

This Report summarises the key issues the Committee found in evidence under its Terms of Reference. The themes below form the Chapters of the Report:

- Chapter 1: the need for principal reforms, particularly better coordination between all levels of government to support and regulate the sector
- Chapter 2: the regulatory framework and role of key government agencies, including the Victorian Early Childhood Regulatory Authority and the Australian Early Childhood Education and Care Quality Authority
- Chapter 3: child safety and wellbeing

³ Productivity Commission, *A path to universal early childhood education and care*.

⁴ Australian Competition and Consumer Commission, *Childcare inquiry — September interim report*; Australian Competition and Consumer Commission, *Childcare inquiry — Final report*.

⁵ Education and Employment References Committee, *Quality and safety of Australia's early childhood education and care system*.

⁶ Legislative Council Portfolio Committee No. 3 — Education, *Early childhood education and care sector in New South Wales*.

- Chapter 4: cultural safety for Aboriginal and Torres Strait Islander children
- Chapter 5: early childhood educators
- Chapter 6: quality and availability of services, including the change in demographics of service management types.

The sections below provide a summary of the issues discussed in each Chapter.

1.2.1 The role of government and national reform

“ Multiple inquiries – including Victoria’s Rapid Child Safety Review, the Productivity Commission, the ACCC and the South Australian Royal Commission – have now reached a consistent conclusion: Australia needs stronger, clearer national system stewardship in early childhood education and care, including clearer national-state roles, coordinated oversight and a long-term reform strategy.

Source: Minderoo Foundation and Thrive by Five, *Submission 61*, p. 4.

In 2024, the Productivity Commission published its report *A path to universal early childhood education and care*. It recommended establishing an independent national early childhood education and care commission to support ‘system stewardship’.

The Productivity Commission highlighted that change is required to address this:

“ In recognition of their evolving role in ECEC [early childhood education and care], the Australian, state and territory governments are developing a joint National Vision for ECEC. A draft of the vision positions governments as ‘stewards of the system’, implying greater accountability for the outcomes of the ECEC system. However, in the current policy landscape there is no entity that holds the responsibility for quality, access, inclusion, transparency and accountability across the entire ECEC system.⁷

The Commission considered that overall stewardship for the sector was a ‘missing part of the policy puzzle’. However, it stated the lack of effective coordination and limited government accountability for sector-wide outcomes has hampered the use of a system stewardship model.⁸

In May 2026, the Commonwealth Government announced that it will consider development of a national early childhood education and care commission, in consultation with state and territory governments. It noted the Productivity Commission’s recommendations and stated a commission could:

- have a role in ensuring services are located where families need them
- also involve reforming the Australian Children’s Education and Care Quality Authority.⁹

⁷ Productivity Commission, *A path to universal early childhood education and care*, p. 24.

⁸ Ibid.

⁹ Department of Education, *Early Education and Care Commission*, 11 May 2026, <<https://www.education.gov.au/early-childhood/announcements/early-education-and-care-commission>> accessed 2 June 2026.

The Education Ministers Meeting has since established a working group to provide advice on options for a national commission. It intends to discuss further details at a meeting in October 2026.

At his second appearance at a public hearing in May 2026, Tony Bates, Secretary of the Department of Education described further leadership from the Commonwealth Government he believed was needed:

“ This action includes rethinking the design of the early childhood system composition, with a priority on safety and quality; strengthening Commonwealth stewardship alongside states and territories to manage the market; a 10-year strategy to fundamentally consider the design and growth of the system going forward; and the Commonwealth looking at the child care subsidy, which has driven a lot of the market growth. It should be prioritising affordability but has not been as supportive, and it has encouraged more for-profit providers to enter the sector.¹⁰

Previously, the Rapid Child Safety Review called for a Commonwealth-led ‘national rethink’ of the early childhood education and care sector. It also recommended establishing a time-limited ‘reform commission’ to lead and prioritise national reforms to the sector.¹¹

The Committee understands the intent of this recommendation. However, governments should go a step further and establish a permanent national commission to provide a coordinated approach to support the sector.

In addition, the Committee stresses that the purpose of a national commission should be to prioritise child safety and service quality. It should not simply be an additional level of regulation but instead focus on coordinating a nationally consistent approach to supporting the sector and enforcing regulatory compliance and accountability.

In contrast, the Senate Education and Employment References Committee’s 2025 Inquiry report addressed calls from stakeholders to establish a national commission. It found that evidence submitted to the Committee did not illustrate how establishing a national body would improve child safety. The Committee did not go as far as recommending a national commission, however it stated if created the commission should focus on:

- how to streamline and simplify regulatory requirements to reduce the compliance burden on providers and staff
- ensuring that regulatory requirements are fit-for-purpose.¹²

Similarly, in this Committee’s Inquiry, Early Learning Association Australia supported a commission in principle. However, it stated a higher priority is to address the

¹⁰ Tony Bates PSM, Secretary, Department of Education, public hearing, East Melbourne, 25 May 2026, *Transcript of evidence*, p. 23.

¹¹ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, Victorian Government, Melbourne, 2025, p. 5.

¹² Education and Employment References Committee, *Quality and safety of Australia’s early childhood education and care system*, p. 144.

‘complexity and confusion’ of the roles and responsibilities of governments and agencies:

“Australia is a federation, and some complexity is inevitable in any government program. But the level of complexity and lack of coordination is far higher than it needs to be, and adds to the burden on the sector, diverting time and resources that should be spent on the core aspects of delivering a safe and high quality education and care service to children. Meaningful progress to resolve these entrenched issues could be of significant benefit for the effectiveness and efficiency of the system, and the ability of families, services and the workforce to navigate it.”¹³

In its 2026 Inquiry report, the New South Wales Legislative Council Education Committee was also critical of the speed of government reform, stating in its report:

“It is clear to the committee that the nationally harmonised system of child safety laws and regulations has meant that governments have been too slow to act upon recommendations made in reviews of the ECEC sector, which has prevented must needed reforms designed to protect children from harm.”¹⁴

Regardless, the urgency in which the Rapid Child Safety Review reforms were implemented shows that it is possible to implement nationally consistent reforms where there is the will to do so. The Committee accordingly implores governments to act swiftly to implement changes as recommended in this Report.

1.2.2 The role of government and regulatory authorities in the early childhood education and care sector

“Accountability in early childhood regulation remains fragmented. With no clear division of responsibilities between the Commonwealth and the states and territories, oversight is stretched and inconsistent. States and territories carry the bulk of the regulatory task but do so without a coherent line of sight to Commonwealth leadership or investment. Meanwhile, the Commonwealth sets national ambitions yet lacks mechanisms to ensure that regulatory practice on the ground aligns with those ambitions.”

Source: The Front project, *Submission 28*, p. 11.

The early childhood education and care sector is regulated through a nationally agreed framework, which is adopted by the state and territory governments. This is referred to as the National Quality Framework and includes the regulatory requirements and quality standards for service providers.

Australia has a strong regulatory base in the National Quality Framework, but a lack of coordination and vision from governments has led to poor outcomes in service quality and children’s safety.

¹³ Early Learning Association Australia, *Submission 35*.

¹⁴ Legislative Council Portfolio Committee No. 3 — Education, *Early childhood education and care sector in New South Wales*, p. 47.

State and territory governments are responsible for monitoring and enforcing compliance with the Framework. The Victorian Early Childhood Regulatory Authority is the State's regulatory body, which came into operation in January 2026 as recommended by the Rapid Child Safety Review. Before this, the Quality Assessment and Regulation Division was the sector regulator and sat within the Department of Education.

The Quality Assessment and Regulation Division was criticised for performance issues even before these were highlighted in the Rapid Child Safety Review. The Division reported a steadily increasing number of complaints over its lifespan. However, the number of compliance actions it had taken had not risen accordingly.

Many witnesses and submitters to the Inquiry indicated frustration with the lack of transparency on compliance and enforcement actions that had been taken by the regulator. In addition, the average time between regulator assessment and ratings was too high, at an average of 3.5 years between visits over all Victorian services.¹⁵

The Rapid Child Safety Review highlighted these failures and the conflict of interest that had arisen since the Department of Education began establishing department-run early childhood education services. The Review recommended establishing a new independent regulatory authority, which led to the establishment of the Victorian Early Childhood Regulatory Authority in January 2026:

“ The current ECEC Regulator, Quality Assessment and Regulation Division, (QARD) is located within the Department of Education. While internal protocols are in place to allow QARD to operate with independence from the broader department, the risk of conflict of interest is now higher with the roll-out of department-run early learning and childcare centres. The Review is of the view that the ECEC Regulator should be made independent and significantly strengthened. Given the specialist nature of the regulatory function and the complexity of the sector, particularly at this time, the Review recommends the independent ECEC Regulator should be standalone entity.¹⁶

The Review also led to streamlining administration of key Victorian child safety legislative schemes under the Social Services Regulator. This included the Working with Children Check, Reportable Conduct Scheme and Child Safe Standards. At the time, the administration of these schemes was fragmented, with the Working with Children Check administered by the Department of Government Services and the Reportable Conduct Scheme by the Commission for Children and Young People. The Quality Assessment and Regulation Division was a co-regulator of the Child Safe Standards for the early childhood education and care sector, under the Commission for Children and Young People as the lead regulator.

¹⁵ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p. 53.

¹⁶ *Ibid.*, p. 11.

The Rapid Child Safety Review panel recommended consolidating the schemes, noting the need to reform information sharing and more timely decision making:

“ The Review heard multiple times that the ‘breadcrumbs’ of information about a person—including information which does not meet the relatively high thresholds for substantiated conduct, but which is nevertheless still concerning—is rarely able to be seen and acted upon because no one can see the whole picture. Currently the Working with Children Check scheme and Reportable Conduct Scheme sit in 2 separate entities. Valuable intelligence from the Reportable Conduct Scheme—particularly in the form of unsubstantiated allegations—is often unable to be accessed by the Working with Children Check screening authority, which means that incidents are viewed in isolation rather than in aggregate.¹⁷

The Victorian Ombudsman previously investigated the Victorian Working with Child Check scheme in 2022. The Ombudsman initiated an own-motion investigation following media reports in April 2021 into a significant data breach by a former youth worker Alexander Jones.

The Ombudsman’s report highlighted a range of issues with the scheme which prevented agencies from identifying applicants who were an inappropriate risk to work with children. The Victorian Government made the decision not to act on these recommendations until they were again raised as an issue by the Rapid Child Safety Review in 2025.

In February 2026, responsibility for Victoria’s Working with Children Check scheme and Reportable Conduct Scheme were transferred to the new Social Services Regulator.

In response to the Rapid Child Safety Review, the Government replaced the Quality Assessment and Regulation Division of the Department of Education with a new independent regulator, the Victorian Early Childhood Regulatory Authority, in January 2026.

1.2.3 Child safety and wellbeing

“ **Improving the safety and wellbeing of children in ECEC settings requires more than basic compliance with existing frameworks; it demands a system that identifies risks early, ensures accountability at every level, empowers educators to act with confidence, protects whistleblowers who raise concerns, and supports children to recognise and disclose unsafe behaviour.**

Source: National Survivors foundation, *Submission 45*, p. 6.

Child safety and wellbeing must be the priority of all people involved in the early childhood education and care sector. The recent child safety failures have illustrated the need for reform.

¹⁷ Ibid., p. 46.

A key legislative change following the Rapid Child Safety Review was to amend the National Law to introduce a ‘paramount consideration’. This put a legal requirement on staff, managers, service providers, owners, funders and board members to ensure the safety, rights and best interests of children are paramount in providing services.

Following the Rapid Child Safety Review, the Victorian Government introduced a range of changes to the Working with Children Check process to address safety issues in the application process. These changes include:

- taking more information into account when assessing eligibility
- moving full responsibility for the checks to one regulator (the Social Services Regulator)
- implementing interim exclusion measures
- the ability to share information with other agencies and regulators as needed.

These were welcome changes, however they had also been identified previously by the Victorian Ombudsman in a 2022 investigation. The Government did not implement the reforms at the time.

A CCTV trial has been implemented to help improve child safety. However, key stakeholders warned that CCTV should not be considered a ‘silver bullet’. CCTV footage is a useful tool for enforcement after an incident has occurred, but on its own is not enough to stop incidents occurring.

The United Workers Union stated that to improve child safety, the main focus should be on creating a capable and accountable workforce rather than surveillance tools:

“Surveillance is not a substitute for safe staffing, strong leadership, or a culture of accountability. Cameras may create a false sense of security while failing to address the root causes of risk—such as chronic understaffing, inadequate training, and poor oversight. It also introduces significant privacy and data security risks in environments where children are most vulnerable ... the focus should be on supporting stable employment, professional development, and safe staffing levels that ensure every child receives the care and attention they deserve.”¹⁸

Inclusion for all children is a guiding principle embedded in the National Quality Framework, as well as a general requirement under a range of state and Commonwealth legislation. However, the Committee heard evidence that the sector is not equipped with the knowledge and skills needed to support and safeguard children with disability and complex needs.

There are no legal requirements for who can provide insulin to a child. In contrast, in the aged care sector only registered nurses or personal care assistants (under direction of a nurse) can do so. Stakeholders raised significant concerns with the lack of training

¹⁸ United Workers Union, *Submission 53*, p. 8.

and qualification requirements for educators to administer medicine to children with medical conditions.

Inquiry participants considered that raising awareness and education alone will not resolve the issues of a workforce capability gap. Consistent and accessible training pathways and formal accreditations are required for educators to properly care for children with medical conditions.

1.2.4 Cultural safety

“ Culturally safe early childhood environments, which recognise and embed Aboriginal and Torres Strait Islander children’s identities and connections as a core practice, support stronger wellbeing, engagement and learning outcomes.

Cultural safety is a critical determinant of wellbeing and an essential practice standard.

Source: Secretariat of National Aboriginal and Islander Care, *Submission 89*, p. 14.

Children who are culturally strong and connected to their communities have been shown to have stronger social and emotional wellbeing, greater sense of identity, and greater resilience. For Aboriginal and Torres Strait Islander people, child and family wellbeing is fundamental for children’s safety, development, and lifelong outcomes.

Australian governments have made commitments to partner with First Nations peoples to overcome the inequality experienced by Aboriginal and Torres Strait Islander people. This is captured under the Closing the Gap National Agreement and includes various priorities and solutions that uphold culture, connectivity, and community. The Victorian Government has also now enacted the *Statewide Treaty Act 2025* which further supports meaningful partnership with the First Peoples of Victoria to shape a future grounded in justice, understanding and unity.

The Yoorrook Justice Commission in its report, *Yoorrook for Transformation*, also recommended urgent action to support sustainable funding for Aboriginal-led early childhood education and care services. It recommended that the Victorian Government work with First Peoples and must continue to ensure that ongoing sustainable funding is provided to First Peoples-led early education services, including to expand service provision and meet demand.¹⁹ It also recommended amendments to the *Education and Training Reform Act 2006* to explicitly recognise Victoria’s First Peoples’ rights, cultures, histories, and perspectives in education. The reforms came into effect in August 2026.

Cultural safety forms part of the Child Safe Standards. However, witnesses such as Ngaweeyan Maar-oo and the Secretariat of National Aboriginal and Islander Child Care raised concerns that the lack of understanding of what cultural safety looks like in practice has resulted in poor monitoring and implementation.

¹⁹ Yoorrook Justice Commission, *Yoorrook for Transformation: Third Interim Report Summary*, 2025, p. 67.

There are no specific requirements under the National Quality Framework relating to ensuring cultural safety for children. The Committee heard from multiple Aboriginal Community Controlled Organisations and mainstream services which shared that the sector is ill-equipped to assess, evaluate, and implement culturally safe practices.

Aboriginal Community Controlled Organisations are a key driver to improved early learning outcomes for Aboriginal children. For a small cohort, these organisations have consistently received high National Quality Standard ratings.

Inquiry participants raised concerns with the lack of meaningful engagement from key government agencies during key reforms to the sector. In particular, the Rapid Child Safety Review panel, the Department of Education and the Victorian Early Childhood Regulatory Authority. This is contrary to the Victorian Government's multiple commitments to partner and meaningfully engage with First Nations peoples.

1.2.5 What the Committee heard from the early childhood education and care workforce

“ The Early Childhood Education and Care (ECEC) workforce is in crisis. This is a long-standing circumstance embedded in gender wage and work value discrimination. Extensive research lays out structural, cultural and economic disadvantages that accrue in ‘feminised’ workforces, and that these biases are based in discrimination. Attracting and retaining qualified and skilled workers is a challenge. Low pay, work intensification, minimal professional development opportunities, and insufficient staffing create harsh work and employment arrangements.

Source: Australian Services Union, *Submission 97*, p. 5.

Victoria has the second largest early childhood education and care workforce in Australia, after New South Wales.

Educators hold an important role in caring for Victorian children and supporting their learning and development. The role of educators has evolved significantly over the past two decades and they are subject to increased training and compliance requirements.

The Committee heard a clear message that the early childhood education and care sector is stretched, and it is becoming increasingly difficult to attract new educators. In addition, modelling by HumanAbility suggests that the current workforce is unable to meet current demand and falls short of meeting future demand.²⁰ This is discussed in detail in Chapter 5.

²⁰ HumanAbility, *Workforce Plan 2025*, report prepared by HumanAbility, report for Australian Government, 2024.

Educators are experiencing burnout. The main drivers for this are excessive workloads, low pay, and feeling undervalued. In her submission, Rebecca Saville, a parent and educator of over 20 years, told the Committee:

“In two decades, I have never witnessed such severe levels of burnout, unsafe behaviours, and disillusionment across the sector.”²¹

Whilst educators and service providers supported the Commonwealth Government’s Worker Retention Payment, the Committee heard that this alone is not sufficient to improve attraction and retention rates. A related issue is barriers to completing professional development. This included finding time during and outside work hours to complete professional development and the associated costs.

Over the years the early childhood education and care sector has become highly casualised for various reasons such as better pay and work life balance. This has led to workforce shortages and the sector becoming dependent on casual staff. This in turn had a negative impact on the quality of childcare and the workloads of permanent staff. Casual staff are unfamiliar with children’s needs and service protocols which can impact safety and quality.

There are limited career pathways for educators. The way that early childhood careers are currently structured offers relatively few opportunities for specialised roles. Stakeholders supported establishing clear pathways, including developing a sector career framework with clear steps to higher responsibilities and pay, and specialist roles.

Proper training for new educators was another issue raised by stakeholders. Accelerated pathways to complete core early childhood education and care qualifications is beneficial, particularly where the sector is facing supply issues. However, there are concerns that new graduates are increasingly not receiving the appropriate level of training to confidently perform their roles when they enter the workforce.

1.2.6 Victoria’s early childhood education and care services

“For-profit long day care services in Victoria are more likely to be ‘Working Towards’ the National Quality Standard than not-for-profit long day care services.

...

It may have once been that a market-driven approach was appropriate for the ECEC system—when the sector’s composition was different, and when workforce challenges were not so significant—but this is no longer the case. It is clear now that this system is not delivering the outcomes government wants, or the community expects.

Source: Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, Victorian Government, Melbourne, 2025, p. 23.

²¹ Rebecca Saville, *Submission 9*, p. 1.

Victoria's early childhood education and care sector has grown considerably over the last decade. Demand for services has increased due to a number of factors, including workforce participation by parents, the cost of living and population growth.

There is a disparity in supply and demand for services, caused by a lack of coherent roadmap for the sector. In some areas there is an oversupply of services, leading to lower occupancy rates at centres whilst putting pressure on workforce supply. In other places, particularly in regional and rural Victoria, there are 'childcare deserts' where there are no services available close by.

Victoria's long day care sector consists predominantly of private, for-profit companies. Growth in the sector over the past decade is driven almost entirely by the private sector. Since 2015, for-profit long day care providers have accounted for almost 90% of growth in new services in Victoria. In contrast, the kindergarten sector is almost entirely made up of not-for-profit services.

Many witnesses and submitters expressed concerns over for-profit services prioritising profits and cutting costs over child safety and wellbeing. The Committee found that the consistent theme of services that had higher ratings under the National Quality Standard was support and investment in their staff. In many cases, these were not-for-profit services. It is important that providers are focusing on service quality to ensure the best outcomes for child safety and wellbeing.

Private providers have expanded access to early childhood education and care services for families. It is also important that parents are given a choice in the type of service they can choose to send their children to. However, it is important the primary driver for services is to provide high-quality education and care to children. In addition, private providers seeking to open new services should do so in areas that have unmet demand rather than guided by perceptions of profitability in certain suburbs and areas.

Further, it is clear that certain providers have displayed ongoing service quality issues over multiple services.

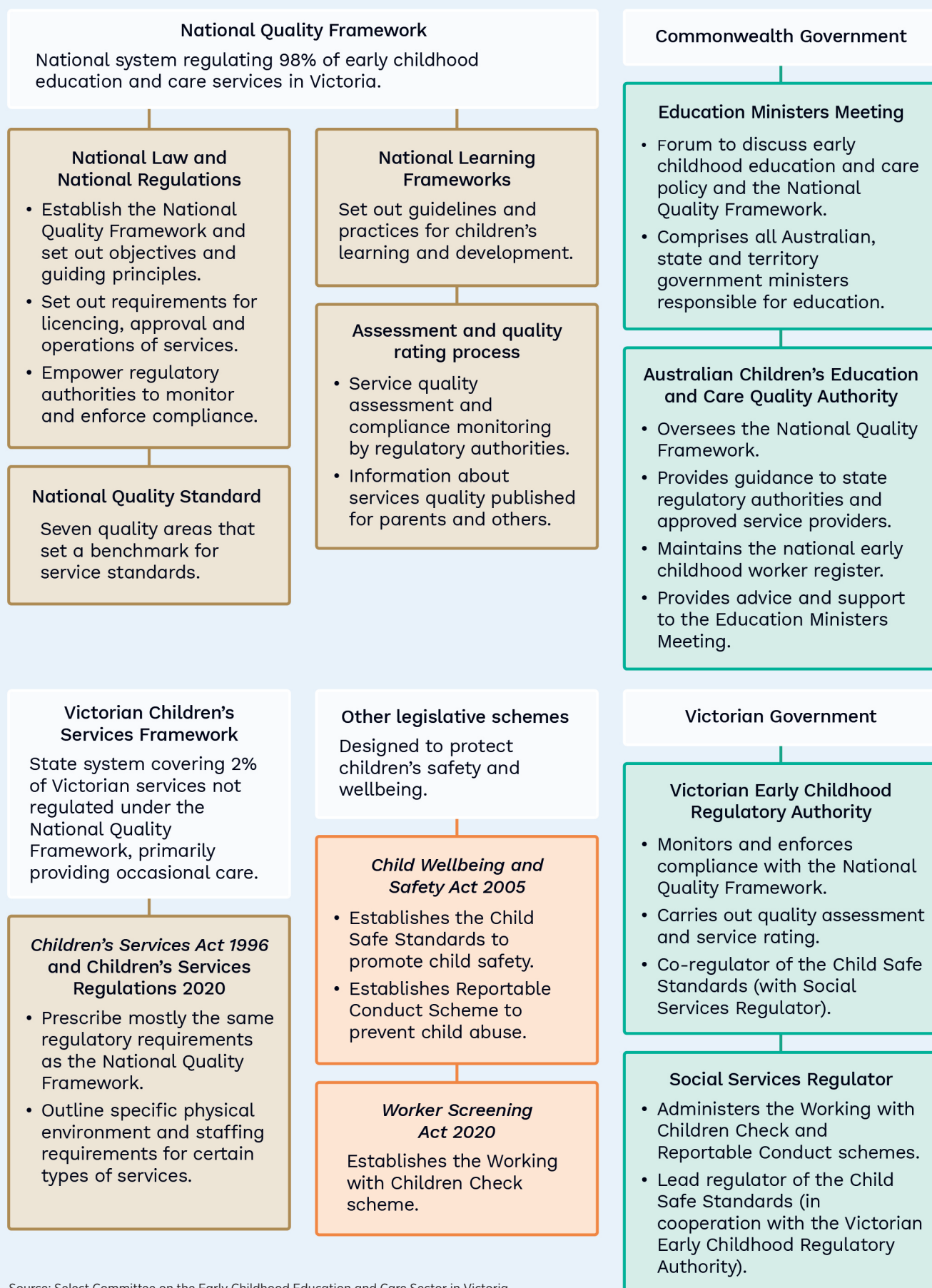
1.3 Overview of how the National Quality Framework and state laws work together

Figure 1.2 below illustrates how the Victorian Government regulates the early childhood education and care sector.



Figure 1.2 Overview of the early childhood education and care regulatory framework in Victoria

- Early childhood education and care sector
- Child safety and wellbeing
- Regulatory authorities



Since 2012, Australian state and territory governments have been operating under a nationally consistent regulatory framework for the early childhood education and care sector. This is known as the National Quality Framework. The Framework comprises:

- National Law and National Regulations
- National Quality Standard
- assessment and quality rating process
- national learning frameworks.²²

Early childhood education and care is part of the education sector, which is traditionally managed at state and territory levels rather than by the Commonwealth Government. As a result, the National Law and Regulations are not administered through Commonwealth legislation. They are ‘hosted’ by Victoria and New South Wales respectively and applied to each state and territory through uniform legislation passed in each jurisdiction.

Approximately 98% of Victorian early childhood education and care services are regulated under the National Quality Framework. The remaining 2% that fall outside the scope of the National Quality Framework are regulated by the *Children’s Services Act 1996*.

Although the requirements under the Children’s Services Act and Regulations largely reflect those under the National Quality Framework, there are some key differences. For example, neither the National Quality Standard nor the assessment and quality rating process apply to services regulated under the Children’s Services Act.

In addition, the Children’s Services Regulations also provide for different physical environment and staffing requirements. These different requirements were left in place to avoid unreasonable burdens on services providing limited hours of care and the additional regulatory investment.²³

In Victoria, the Victorian Early Childhood Regulatory Authority administers and enforces compliance with the National Quality Framework and Children’s Services Act. The role of the Regulatory Authority is discussed in detail in Chapter 2.

²² Australian Children’s Education and Care Quality Authority, *What is the NQF?*, <<https://www.acecqa.gov.au/nqf/about>> accessed 27 September 2025.

²³ Department of Education and Training, *Children’s Services Regulations 2020: Regulatory Impact Statement*, The Victorian Government website, 2020.

In addition, early childhood education and care services operate within regulatory schemes which provide mechanisms to protect children from harm and abuse. These include:

- The Reportable Conduct Scheme, established under the *Child Wellbeing and Safety Act 2005*. The Scheme requires certain types of organisations (including early childhood services) to notify regulatory authorities of any allegation of child abuse.²⁴
- The Child Safe Standards, also established under the *Child Wellbeing and Safety Act*. The Standards are issued by the Minister for Children and prescribe expectations on child safety for organisations.²⁵
- The Working with Children Check scheme, established under the *Workers Screening Act 2020*. Any person who interacts directly with children during work must obtain a Working with Children Check, unless an exemption applies.²⁶

These schemes are overseen and administered by the Social Services Regulator as the lead regulatory agency and the Victorian Early Childhood Regulatory Authority (as an integrated regulator).

The Australian Children's Education and Care Quality Authority is a national statutory body responsible for assisting governments to administer the National Quality Framework. It also administers the national workers register, provides resources for parents, and conducts research relating to the sector. The role of the national Authority is discussed further in Chapter 2.

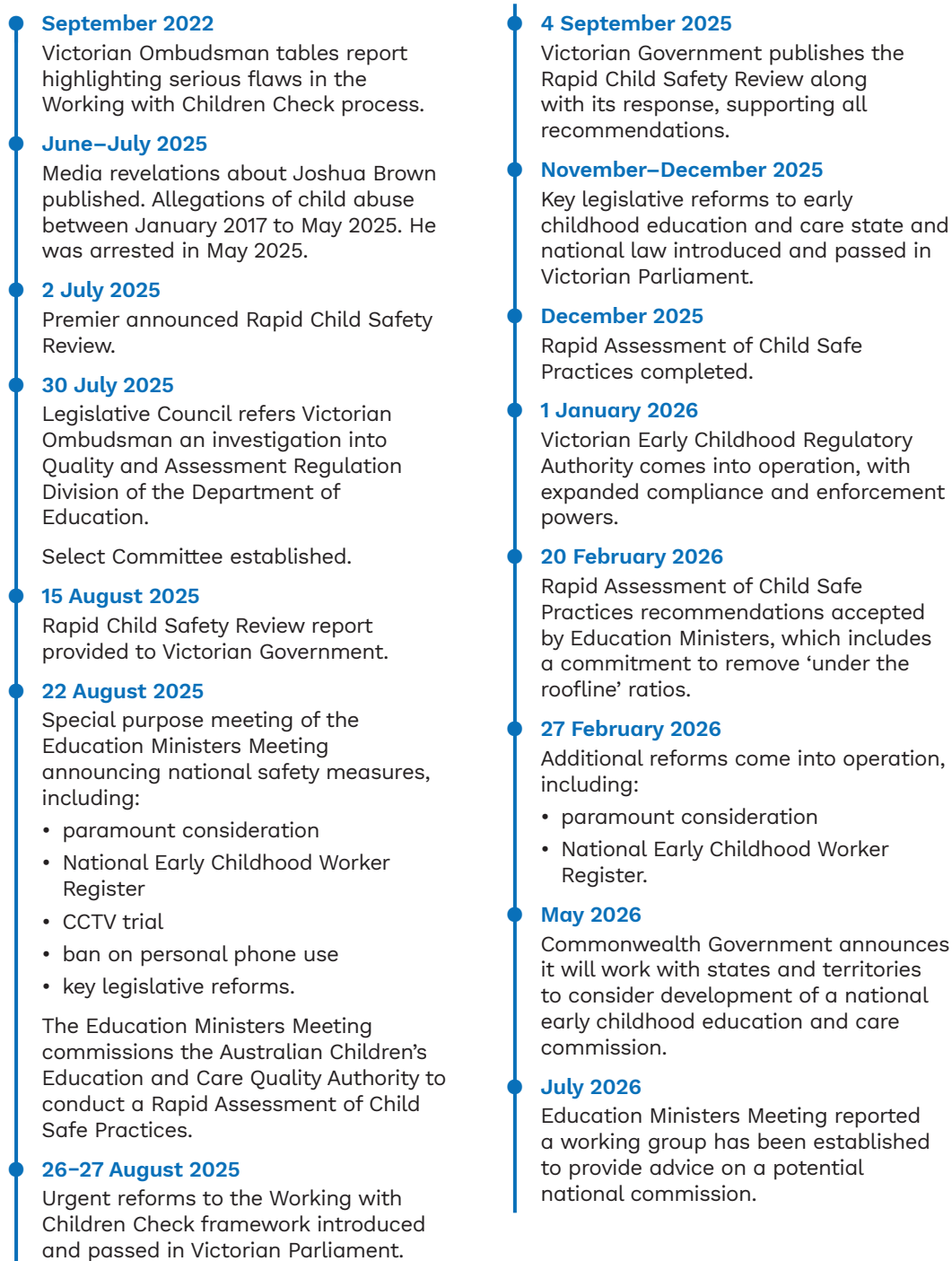
1.4 Timeline of recent events

Figure 1.3 provides a summary of recent events relevant to the Inquiry.

²⁴ *Child Wellbeing and Safety Act 2005* (Vic).

²⁵ Commission for Children and Young People, *The 11 Child Safe Standards*, <<https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards>> accessed 15 October 2025.

²⁶ *Worker Screening Act 2020* (Vic).

Figure 1.3 Timeline of recent events

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

In May 2025, Victoria Police arrested Joshua Brown after discovering child abuse material and proactively pursuing an investigation into him.

Mr Brown was a childcare worker and had worked at 20 childcare centres across Melbourne since 2017. He had no criminal history and had a valid Working with Children Check, and was still working at a childcare centre days before his arrest.

The revelations were not made public until 1 July 2025, when Victoria Police and the Victorian Government made an announcement. Victoria Police and the Office of Public Prosecutions had applied and were granted a suppression order to contact affected families before any information was made public.

The Department of Education and Victoria Police established a co-ordinated response and hotline to contact affected families. This included recommending children be tested for sexually transmitted diseases.

On 2 July 2025, the Victorian Government commissioned an independent Rapid Child Safety Review in response to the allegations. The review was led by Jay Weatherill AO and Pam White PSM, who provided the report to the Government on 15 August 2025. The Government published the report and its response on 4 September 2025.

On 30 July 2025, the Legislative Council agreed to two motions for investigations related to the incident:

- to the Victorian Ombudsman, on the performance of the Quality Assessment and Regulation Division of the Department of Education
- establishing this Select Committee and its Terms of Reference for the Inquiry.

At the time this Report was adopted, the Ombudsman's investigation was still ongoing. The Committee awaits the findings of the report.

1.4.1 Rapid Child Safety Review

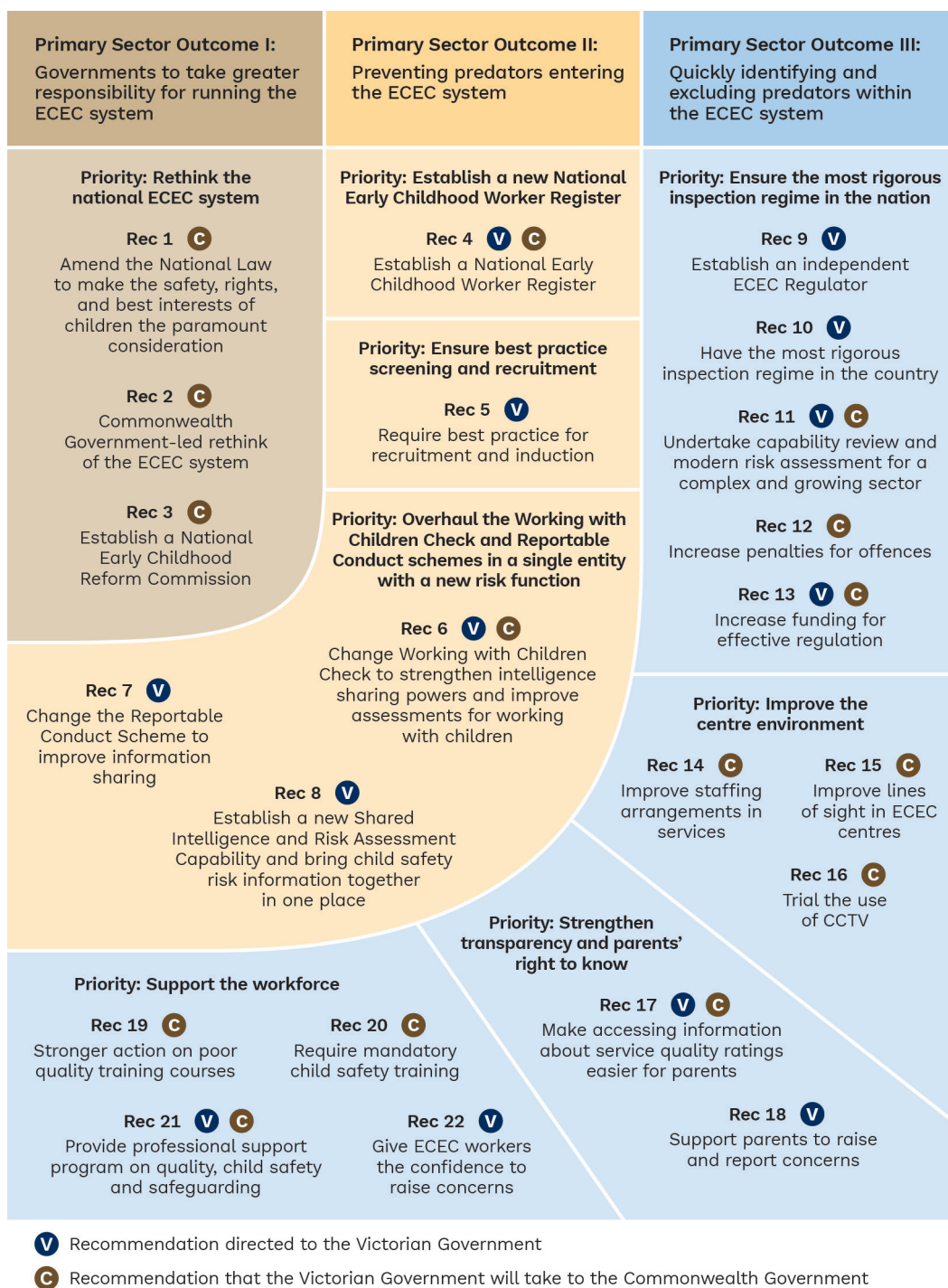
On 2 July 2025, the Victorian Government commissioned a Rapid Child Safety Review to examine immediate actions to improve child safety in early childhood education and care.

The Rapid Child Safety Review panel called for a 'rethink' of the national early childhood education and care system. In its report, the panel focused on key areas including:

- sector-wide improvements, including a greater responsibility for governments in running the early childhood education and care system
- preventing predators from entering the system
- improving Victoria's Working with Children Check and Reportable Conduct schemes
- improving regulation and oversight of the sector
- improving centre environments
- improving transparency and information provided to parents
- supporting the early childhood education and care workforce.

The panel made 22 recommendations to government. These are summarised in Figure 1.4 below.

Figure 1.4 Summary of recommendations in the Rapid Child Safety Review



Source: Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, Victorian Government, Melbourne, 2025.

1.4.2 Victorian Government response and changes made

In its response, the Victorian Government accepted all recommendations and committed to their implementation. The Government subsequently introduced legislation to address the issues.²⁷

The Government also advocated at a national level to implement changes to the National Law. On 22 August 2025, the Education Ministers Meeting held a special purpose meeting and agreed to a range of child safety and quality reforms, including those raised in the Rapid Child Safety Review. These are summarised in Figure 1.5.

Figure 1.5 Early childhood education and care sector reforms implemented after the Rapid Child Safety Review

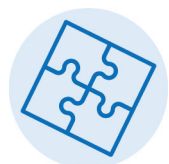
LEGISLATIVE CHANGES

- Increasing powers to suspend or cancel a person's Working with Children Check, and prohibiting people from working with children pending the outcome of their application.
- Consolidating the Working with Children Check framework, Child Safe Standards and Reportable Conduct Schemes and functions within the Social Services Regulator.
- Establishing the Victorian Early Childhood Regulatory Authority as an independent agency to replace the Quality Assessment and Regulation Division of the Department of Education.



ADDITIONAL REFORMS

- National Early Childhood Educators Register
- mandatory national child safety training
- CCTV trial
- banning the use of personal mobile phones and devices capable of videoing or taking pictures of children
- increased unannounced spot checks
- funding for joint regulatory action
- improved information provided to parents on the StartingBlocks website and on location at services



(Continued)

²⁷ *Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025 (Vic), Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Act 2025 (Vic), Victorian Early Childhood Regulatory Authority Act 2025 (Vic), Early Childhood Legislation Amendment (Child Safety) Act 2025 (Vic).*

ADDITIONAL REFORMS (Continued)

- tripled fines for offences under the National Law and Regulations
- an agreement for states and territories to ensure all services are assessed on average once every three years, with more frequent visits for those rated Working Towards the National Quality Standard rating.

CHANGES TO THE NATIONAL LAW

- legislating the ‘paramount consideration’, which places a statutory duty on all individual involved to uphold the safety, rights, and best interests of children
- mandating national child safety training for all staff, volunteers and students
- enabling regulatory authorities to proactively share the identity of certain individuals with service providers
- removing the ability to apply for service waivers related to building design to improve adequate supervision of children
- requiring approved Working with Children Checks before to commencing any work in the sector and mandating notification of any changes to status
- extending the limitation period for offences to enable prosecution to be undertaken.



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

1.4.3 National Rapid Assessment of Child Safe Practices

Along with agreeing to the reforms announced in August 2025, the Education Ministers Meeting requested that the Australian Children’s Education and Care Quality Authority conduct a Rapid Assessment of Child Safe Practices.

The scope of the Rapid Assessment was to:

- analyse and evaluate the practice of calculating educator-to-child ratios across a service (known as ‘under the roofline’) rather than by individual rooms
- identify operational practices that improve safeguarding and supervision of children beyond educator-to-child ratios.²⁸

In its December 2025 report to the Education Ministers Meeting, the Australian Children’s Education and Care Quality Authority made a series of recommendations aimed at educator-to-child ratios. In its April 2026 response, the Education Ministers Meeting accepted all the recommendations and stated intent to implement further reforms. These are summarised in Table 1.1 below.

²⁸ Australian Children’s Education and Care Quality Authority, *Rapid Assessment of Child Safe Practices*, report for Australian Government, 2025, p. 47.

Table 1.1 Summary of Rapid Assessment of Child Safe Practices recommendations and response

Australian Children's Education and Care Quality Authority recommendations	Education Ministers Meeting further reforms
• clarifying that under the roofline ratios should be used in exceptional circumstances only • extending testing so approved providers are required to demonstrate a thorough understanding of their responsibilities under the National Quality Framework • incorporating audits of service approvals, with a focus on ratio/supervision related conditions and waivers • reviewing building design and physical environment requirements to improve supervision of children at all times and remove opportunities to isolate children • developing better guidance material and improved communication material targeted at specific roles (providers, educators, regulatory authorities and the broader sector).	• banning bad business practices • stronger requirements for child safety and supervision policies • risk assessments for situations where educators supervise children alone • changes to support safer supervision at all times • clearer legislative definitions of 'adequate supervision' • reviewing when educators working towards qualifications can be counted in ratios.

Source: Australian Children's Education and Care Quality Authority, *Rapid Assessment of Child Safe Practices*, report prepared by Australian Children's Education and Care Quality Authority, Australian Government, 2025, pp. 10–11.

In May 2026 the Commonwealth Government announced it would work with states and territories to consider development of a national early childhood education and care commission. This was in response to a recommendation in the Productivity Commission's 2024 report, *A path to universal early childhood education and care*.

The Education Ministers Meeting met in July 2026 and agreed to explore the development of a national commission. This will also include reform of the Australian Children's Education and Care Quality Authority.²⁹

The Education Ministers Meeting established a working group to provide advice on the national commission reform at its next meeting in October 2026.

²⁹ Education Ministers Meeting, *Communiqué*.

Chapter 2

Regulatory framework and the role of regulatory authorities and government agencies

Early childhood education and care services in Victoria are primarily regulated through the National Quality Framework. This is a range of legislative and regulatory requirements agreed to by all state and territory governments, which provide a nationally consistent approach for regulatory authorities. Approximately 98% of Victorian services are regulated through the National Quality Framework.

Like other education services, early childhood education and care is primarily regulated by state and territory governments. The Commonwealth Government currently has a limited role beyond funding services through the Child Care Subsidy and providing funding to the Australian Early Childhood Education and Care Quality Authority.

Early childhood education and care services, among others, are also subject to requirements of child safety legislative schemes. These have been introduced to improve child safety and wellbeing and include the Reportable Conduct Scheme, Working with Children Check framework and Child Safe Standards.

2.1 Role of the Victorian Early Childhood Regulatory Authority

The Victorian Early Childhood Regulatory Authority began operations on 1 January 2026. The Authority oversees all early childhood services both under the National Quality Framework and the *Children's Services Act 1996* and is the primary agency that deals directly with Victorian early childhood education and care services.

The Victorian Early Childhood Regulatory Authority succeeded the former regulator, the Quality Assessment and Regulation Division of the Department of Education. The Authority was established following a key recommendation of the Rapid Child Safety Review to establish an independent regulatory authority for the sector.

The Victorian Early Childhood Regulatory Authority's key functions are:

- assessing approvals for new providers and individual services
- ongoing assessment and monitoring of services, including conducting quality assessments and inspections under the National Quality Framework
- investigating services where there potential offences have occurred
- undertaking enforcement action.

The Authority's priority areas for 2026 were minimising the two highest risk harms to children:

- abuse caused by adults to children (with a focus on sexual abuse and other serious physical and psychological harms)
- poor quality education and care environments.¹

In May 2026, the Victorian Government announced that Wendy Steendam AM APM had been appointed the inaugural Commissioner of the Victorian Early Childhood Regulatory Authority. She succeeded Adam Fennessy PSM as Interim Regulator.

Previously, the Quality Assessment and Regulation Division of the Department of Education was the Victorian regulator of the early childhood education and care sector. It was also an integrated regulator of the Child Safe Standards after 1 January 2023. The Division transitioned into the Victorian Early Childhood Regulatory Authority at 1 January 2026.

The Victorian Early Childhood Regulatory Authority was given additional powers from reforms to the National Law and Victorian laws, alongside increased resources and staffing levels. The intent was for the Authority to 'more than double' the number of compliance visits, as recommended by the Rapid Child Safety Review.

The Rapid Child Safety Review also recommended a capability review of the Victorian regulatory authority. The Victorian Government noted its intent to conduct a capability review of the regulator to 'modernise its approach and access to the best available tools and training'. In addition, the Government stated that a revised risk assessment framework, tools and training will also be developed.²

The Rapid Child Safety Review also highlighted the variance in full-time equivalent staff between states, with Victoria (195) lower compared to New South Wales (448) and Queensland (250) at the time.³ This increased to approximately 350 full-time equivalent positions as of June 2026, comprising 180 authorised officers and 170 support staff.⁴

At a public hearing, Interim Regulator Adam Fennessy PSM and Chief Executive Officer Helen Quiney provided a breakdown of the Victorian Early Childhood Regulatory Authority's budget allocation:

- \$76.7 million over four years from 2025–26 and \$14.3 million ongoing
- of this, \$50.5 million allocated to immediate uplift and overhaul of child safety, with particular focus on building the authorised officer workforce

1 Victorian Early Childhood Regulatory Authority, presentation at public hearing, Melbourne, 25 May 2026, p. 6.

2 Victorian Government, *Submission 82*, p. 17.

3 Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, Victorian Government, Melbourne, 2025, p. 55.

4 Department of Education, Inquiry into the early childhood education and care sector in Victoria hearing, response to questions on notice received 9 January 2026, p. 1.

- a further \$26.2 million over four years announced under the 2026–27 Budget
- approximately 85% of budget allocated to staffing.⁵

The Victoria Early Childhood Regulatory Authority is guided by a Ministerial Statement of Expectations. This states how its strategic priorities must relate to the Minister's expectation of the sector.⁶ At the time this Report was adopted, the most recent Statement of Expectations was issued in December 2025.⁷

In her Statement of Expectations, the Minister for Children outlined requirements of the regulator including:

- the implementation of recommendations of the Rapid Child Safety Review
- an increased focus on approved providers recruitment of new staff, induction of staff and child safety cultures
- increasing the frequency of compliance visits and quality assessments
- recruiting additional authorised officers to facilitate an increased frequency of unannounced visits to every 12 months
- more frequent publication of compliance and enforcement activity
- a capability review of the new independent regulator
- implementation of the National Law reforms.⁸

2.1.1 Authorised officers

Under the National Law and *Children's Services Act 1996*, the Victorian Early Childhood Regulatory Authority can appoint authorised officers to carry out a range of enforcement and compliance roles.⁹

At May 2026 there were approximately 110 authorised officers, with funding allocated to increase this to 180.¹⁰ At a public hearing, Interim Regulator Adam Fennessy PSM indicated it would take at least 12 months for additional authorised officers to be trained and onboarded to the organisation.¹¹

5 Adam Fennessy PSM, Interim Commissioner, Victorian Early Childhood Regulatory Authority, public hearing, Melbourne, 25 May 2026, *Transcript of evidence*, p. 25; Helen Quiney, Chief Executive Officer, Victorian Early Childhood Regulatory Authority, public hearing, Melbourne, 25 May 2026, *Transcript of evidence*, p. 25.

6 Department of Education, *Ministerial Statement of Expectations for regulators: Department of Education*, 26 March 2026, <<https://www.vic.gov.au/ministerial-statement-expectations-regulators-department-education>> accessed 2 June 2026.

7 At the time, the Ministerial Statement of Expectations was issued to the Quality and Regulation Division of the Department of Education.

8 Department of Education, *Ministerial Statement of Expectations for regulators: Department of Education*.

9 *Reportable Conduct Scheme information sheets: Information sheet 1: About the Reportable Conduct Scheme*, <<https://ccyp.vic.gov.au/resources/reportable-conduct-scheme/reportable-conduct-scheme-information-sheets>> accessed 20 October 2025.

10 Adam Fennessy PSM, *Transcript of evidence*, p. 5.

11 Ibid.

Authorised officers are empowered to enter any education and care service premises to:

- monitor compliance with the National Law
- conduct a rating assessment of a service
- collect contact details of the parents of all enrolled children due to the suspension or cancellation of a service or provider approval.

Authorised officers also have powers to enter a service (including a business premises) to conduct an investigation, including to:

- inspect the premises and associated plant, equipment, vehicles or other things
- take photos or audio recordings
- inspect, make copies of or take documents or other things
- require information from a person present to assist in an investigation.¹²

2.1.2 Early childhood education and care provider and service approvals

The Victorian Early Childhood Regulatory Authority assesses applications for new providers and new service locations in Victoria.

Provider approval is granted to a person or legal entity and allows them to operate an early childhood education and care service. Applicants must also undergo a fit and proper person test. This applies to all persons with management or control of the relevant education and care service.

Service approval is required for each physical premises of an early childhood education and care service. Service approval is only granted after provider approval has been obtained.

Approval requirements are set out in the National Law and *Children's Services Act 1996* depending on the type of service the applicant is seeking to operate.

The Victorian Early Childhood Regulatory Authority may also seek further information about the applicant's knowledge of the National Quality Framework, or require the applicant to undergo an oral or written assessment on the Framework.¹³

Under the National Regulations, a provider must prepare a quality improvement plan within the first 3 months of service approval.¹⁴ The plan is used by services to self-assess their performance against the National Quality Framework and by regulatory authorities during quality assessments. Services can then lodge the plan

¹² Reportable Conduct Scheme information sheets.

¹³ Ibid.

¹⁴ Education and Care Services National Regulations 2011 s 55.

with the Australian Children's Education and Care Quality Authority and are required to update plans once a year.¹⁵

2.1.3 Assessment and inspections

New services usually undergo an assessment within 9 to 18 months after they start operating. Services that are yet to be assessed in this time hold a 'Provisional – Not yet rated' rating. After that, a service will be subject to ongoing site visits and inspections by the regulatory authority.

In its submission, the Victorian Government stated it was increasing the number of authorised officers, and each service would be subject to an unannounced visit every 12 months, as recommended by the Rapid Child Safety Review. In addition, the Australian states and territories committed that all services will be assessed and rated on average of once every 3 years.¹⁶

In its submission, the Australian Children's Education and Care Quality Authority noted that the provisional time before formal rating allows quality practice to be embedded by the service. It also highlighted that before formal rating, regulatory authorities have already assessed and granted approvals to providers to operate a service against minimum regulatory licensing standards.¹⁷

2.1.4 Investigations and complaints

The Victorian Early Childhood Regulatory Authority will investigate potential offences against:

- the National Law and Regulations
- the *Children's Services Act 1996* and Regulations
- the *Child Wellbeing and Safety Act 2005*.

The Authority may conduct an investigation after becoming aware of a possible offence through:

- authorised officers' observations during a service visit
- notifications made by a provider about serious incidents or complaints at the service
- direct complaints received about care provided for children at a service by parents, caregivers or others
- reports made by service staff or other agency staff

¹⁵ Australian Children's Education and Care Quality Authority, *Quality improvement plan*, <<https://www.acecqa.gov.au/assessment/quality-improvement-plans>> accessed 2 July 2026.

¹⁶ Victorian Government, *Submission 82*, p. 17.

¹⁷ Australian Children's Education and Care Quality Authority, *Submission 99*, p. 7.

- disclosures made by children
- desktop audits and analyses
- referrals by other agencies and stakeholders.¹⁸

‘Serious incidents’ are defined in Regulation 12 of the National Regulations and include:

- the death of a child at the service, or following an incident occurring at the service
- serious injury or trauma to a child at the service that required urgent medical attention or where the child attended or should have attended a hospital
- serious illness of a child at the service, where the child attended or should have attended a hospital
- any emergency attended by emergency services
- any circumstance where a child:
 - appears to be missing from the service or cannot be accounted for
 - appears to have been taken or removed from the service premises in a way that breaches regulations
 - is mistakenly locked in or out of the service premises or any part of the premises
 - appears to be involved in a sexual offence or sexual misconduct.

At a public hearing, Adam Fennessy PSM highlighted compliance actions that the Victorian Early Childhood Regulatory Authority had undertaken since its establishment in January 2026:

- 1,921 service visits, including 434 assessment and rating visits
- 799 compliance actions in Q1 2026
- a joint compliance blitz with NSW Early Learning Commission, visiting 254 services over 2 days and issuing 43 compliance notices.¹⁹

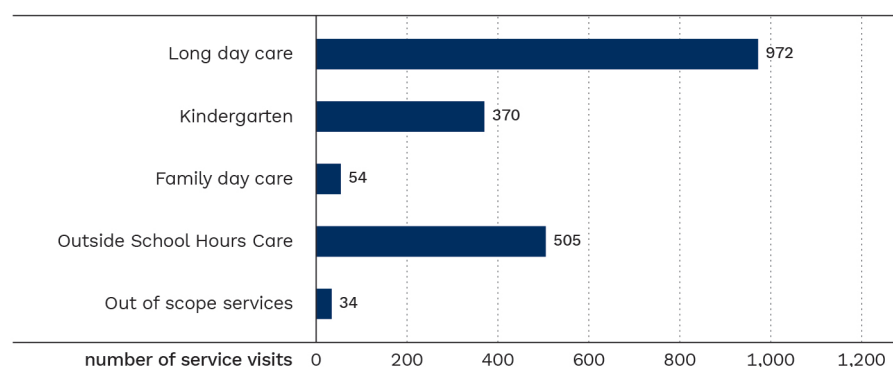
In response to questions taken on notice, the Victorian Early Childhood Regulatory Authority provided data on visits taken as at 18 May 2026. Table 2.1 and Figure 2.1 below provide a breakdown by service type.

¹⁸ Victorian Early Childhood Regulatory Authority, *Investigations at early childhood services*, 1 June 2026, <<https://www.vecra.vic.gov.au/investigations-early-childhood-services>> accessed 10 August 2026.

¹⁹ Victorian Early Childhood Regulatory Authority, Presentation at public hearing, 25 May 2026, p. 5.

Table 2.1 Service visits undertaken by the Victorian Early Childhood Regulatory Authority (1 January 2026 to 18 May 2026)

Service type	Number of visits
Long day care	972
Kindergarten	370
Family day care	54
Outside School Hours Care	505
Out of scope services	34
Total	1,935

Figure 2.1 Service visits undertaken by the Victorian Early Childhood Regulatory Authority (1 January 2026 to 18 May 2026)

Source: Victorian Early Childhood Regulatory Authority, Inquiry into the early childhood education and care sector in Victoria public hearing, response to questions on notice, received 5 June 2026.

Before the Victorian Early Childhood Regulatory Authority was established, the Quality Assessment and Regulation Division published data on complaints received each year. A summary of data between 2018 and 2025 is listed in Table 2.2 below.

Table 2.2 Early childhood education and care complaints received by the Quality and Regulation Division of the Department of Education, 2018 to 2025

Complaint type	2018	2019	2020	2021	2022	2023	2024	2025 ^a
Direct complaints	650	677	380	515	512	669	736	861
Complaints through notifications	1,044	1,323	1,162	1,470	1,524	1,794	2,158	2,219
Total complaints	1,694	2,000	1,542	1,985	2,036	2,463	2,894	3,080

a. To 30 September 2025.

Source: Department of Education, Inquiry into the early childhood education and care sector in Victoria public hearing, response to questions on notice, received 9 January 2026.

2.1.5 Enforcement action

The Victorian Early Childhood Regulatory Authority can undertake a range of enforcement actions, including:

- holding formal regional meetings
- placing providers and services on additional monitoring to ensure they resolve non-compliance
- imposing conditions on service or provider approval
- suspending or cancelling service or provider approval
- issuing infringement notices, compliance notices and directions
- issuing emergency action notices
- accepting enforceable undertakings
- imposing a direction for supervision or mandatory training of an individual
- suspending or banning a person, including someone providing unlicensed services
- prohibiting an individual, including someone providing unlicensed services.²⁰

Following recommendations in the Rapid Child Safety Review, the Victorian Early Childhood Regulatory Authority began publishing detailed compliance action data more frequently. At the time this Report was adopted, the Authority had published periodic enforcement and compliance action it had completed between January and June 2026. Previously, enforcement action was only published on a yearly basis. In addition, it published information on over 400 provider cancellations due to inactivity, which were enforced in May 2026 following an audit.²¹

2.2 Performance of the Victorian early childhood education and care regulatory authority

“ Oversight should move beyond compliance checks toward genuine partnership with services. Effective regulation requires trust in educators’ professional judgement, local knowledge and ethical decision-making. When oversight becomes primarily about surveillance, documentation and risk minimisation, it can unintentionally undermine the very conditions that enable high-quality, democratic and relational pedagogy.

Independent Schools Victoria, *Submission 91*, p. 7.

Establishing the Victorian Early Childhood Regulatory Authority was a signal to Victorian families and the sector that improving child safety and raising service quality

²⁰ Department of Education, *Enforcing compliance in early childhood services*, 27 March 2026, <<https://www.vic.gov.au/enforcing-compliance-early-childhood-services>> accessed 2 June 2026.

²¹ Victorian Early Childhood Regulatory Authority, *Enforcement action*, 27 May 2026, <<https://www.vecra.vic.gov.au/enforcement-action>> accessed 10 June 2026.

was a priority. Key staff at the new regulator were also former staff of the Quality Assessment and Regulation Division of the Department of Education. This included Helen Quiney, the inaugural Chief Executive Officer who was previously Executive Director of the Quality Assessment and Regulation Division. As such, it is important that the Victorian Early Childhood Regulatory Authority does not repeat the same failings identified with the Quality Assessment and Regulation Division with regards to children's safety in early childhood settings.

The Committee recognises the need for increased compliance visits and regulatory action from the Victorian Early Childhood Regulatory Authority. However, it believes this should be part of an approach that seeks to improve quality and capability of services.

Service quality and promoting child safety culture should be the primary driver for government and regulatory bodies. Government agencies should be regulating for quality. This includes ensuring children's safety and development is balanced alongside compliance and monitoring.

The Committee notes that when the Rapid Child Safety Review was established, the terms of reference stipulated it was 'not intended to be a review of the performance or governance of the [Quality Assessment and Regulation Division]'.²² Nevertheless, the review made recommendations on these matters which were accepted by Government.

2.2.1 Referral to the Victorian Ombudsman

On 30 July 2025 the Legislative Council referred an investigation to the Victorian Ombudsman into the performance of the Quality Assessment and Regulation Division. This included:

- its performance in monitoring, investigating, and enforcing compliance with Victoria's Child Safe Standards and the National Quality Framework
- any failure to comply with applicable laws, policies, or codes in relation to its regulatory role.

At the time this Report was adopted, the investigation was ongoing. In July 2026, the Ombudsman informed the President of the Legislative Council that she expects the investigation will not conclude in the 60th Parliament.

The Committee also notes that the Government has committed to complete a capability review of the Victorian Early Childhood Regulatory Authority by September 2026. At the time this Report was adopted work on the review was underway.

22 Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, pp. 78–79.

2.2.2 What Stakeholders said about the early childhood education and care regulatory authority

Inquiry stakeholders raised a range of troubling concerns with their dealings with the Victorian regulator and how they perceived it had conducted its role.

Issues raised included:

- the number of compliance visits, including instances where services went several years without initial inspections, visits or spot checks²³
- inconsistent interpretation of standards and conflicting advice provided by authorised officers and regulator staff²⁴
- a perception that authorised officers may feel pressure not to record failures due to the impact this would have on sector supply²⁵
- lack of early childhood qualifications and experience from authorised officers²⁶
- too great a focus on financial or administrative compliance rather than child safety²⁷
- dissatisfaction with how complaints or escalated incidents were dealt with²⁸
- fragmented accountability, since the Department overall was responsible for policy, funding and regulating the sector.

One of the key issues consistently raised during the Inquiry is the need for more unannounced inspections from authorised officers. This was also highlighted in the Rapid Child Safety Review, which noted at the time there was an average of 3.5 years between visits.

The Review found the number of unannounced visits was ‘not sufficient to drive vigilance and compliance’. It also found allowing too much time between visits can make quality ratings misleading and outdated.²⁹

The Review recommended that the Victorian Government introduce ‘the most rigorous’ inspection scheme in Australia, with unannounced visits occurring at least once every 12 months.³⁰ The Government accepted this recommendation and committed to a 12-month inspection target for services.

²³ Early Childhood Education and Law academics, *Submission 78*.

²⁴ Uniting Victoria and Tasmania, *Submission 33*, p. 23; Directors Network, *Submission 39*, p. 3; KU Children's Services, *Submission 52*, p. 4; Diamond Creek Memorial Kindergarten, *Submission 75*, p. 5; Australian Childcare Alliance Victoria, *Submission 76*, p. 7; Early Childhood Education and Law academics, *Submission 78*, p. 14; Independent Schools Victoria, *Submission 91*, p. 7.

²⁵ Independent Schools Victoria, *Submission 91*, p. 10.

²⁶ Australian Childcare Alliance Victoria, *Submission 76*, p. 15; Independent Schools Victoria, *Submission 91*, p. 8.

²⁷ KU Children's Services, *Submission 52*, p. 9.

²⁸ Tully Gordon, *Submission 98*; Name withheld, *Submission 3*.

²⁹ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p. 11.

³⁰ *Ibid.*, p. 51.

From 1 January to 30 June 2026, the Victorian Early Childhood Regulatory Authority undertook 2,791 visits to services, many of which were unannounced. This is in comparison to 2,703 visits during the same period in 2025. The Authority stated that it plans to increase the number of unannounced visits to one per service each year.³¹

A number of Inquiry stakeholders also spoke of a perception that complaints to the former regulator (the Quality Assessment and Regulation Division) were brushed aside or not acted on.

In its submission, Mallee Family Daycare outlined an example where it believed the Quality Assessment and Regulation Division failed to address a child safety concern and deflected it as a workplace conflict. It went on to state:

“ The rapid review found that families and educators across the sector have been discouraged from raising concerns, with those who do being labelled as difficult or unreasonable. The regulatory system has too often prioritised risk management for the Department over the protection of children.³²

It is not the Committee’s role to determine the validity of individual cases and responses from the former regulatory authority. However it is important to highlight these criticisms and failings to ensure that these are addressed under the new Victorian Early Childhood Regulatory Authority.

Inquiry stakeholders also discussed how the new regulatory authority should expand its focus into actively supporting services to improve their quality and performance.

In its submission, the Australian Childcare Alliance highlighted the opportunity for the new regulatory authority to operate in a more holistic manner:

“ This is a timely moment to move away from transactional compliance and toward rebuilding consistency, strengthening relationships between regulators and services, and improving the overall regulatory experience.

As Victoria moves toward an independent regulator, there is potential to embed a meaningful regulatory approach that is more consistent, proportionate and supportive of high-quality service delivery.³³

Stakeholders from the Australian Education Union advocated for a more hands-on approach from the Victorian regulator for underperforming services. Justin Mullaly, President, expanded on this at a public hearing:

“ when a centre is ‘working towards’, it clearly needs to address a number of deficits. We have got a number of centres, I think, on the public record where they are in that situation on multiple occasions, sometimes consecutive occasions, over a review cycle. So from that point of view, we say that we need to perhaps look at the question of what

31 Victorian Early Childhood Regulatory Authority, *More visits and more action to protect children in early childhood services*, media release, 6 August 2026.

32 Mallee Family Care, *Submission 44*, p. 8.

33 Australian Childcare Alliance Victoria, *Submission 76*, p. 7.

‘working towards’ means. It is more than nomenclature; clearly ‘working towards’ means that there is a sufficient view that the service can remain open, but what we think is: what does it mean to enable a service to remain open? We think that there is a role for the regulator or for another agency of government, because it can be different to the regulator, to be able to go in and work with the management of that centre.³⁴

In response to questions taken on notice, the Secretariat of National Aboriginal and Islander Child Care asked Aboriginal Community Controlled Organisations about their interaction with the new regulator. The organisation stated:

- services made it clear there has been no meaningful effort to engage with or develop relationships with Aboriginal Community Controlled Organisations
- there had been no deliberate effort made to understand and incorporate Aboriginal and Torres Strait Islander ways of knowing, being, doing and lived experiences when establishing the Victorian Early Childhood Regulatory Authority.³⁵

The organisation noted an Aboriginal Community Controlled Organisation’s recent compliance visit by the authorised officers as ‘very different’ to previous spot checks. It stated the impression was that the visit was more about ‘compliance and surveillance’ rather than understanding the services and supporting improved quality.³⁶ This evidence shows an apparent increased focus on compliance on the part of the regulator.

In contrast, the Australian Childhood Foundation highlighted the conflicting roles of regulatory authorities in performing compliance and ‘coaching’ roles at the same time:

“ From the perspective of childcare providers, it is often unclear whether a regulator is acting as a supportive adviser or as an enforcer. Services can become reluctant to be open and transparent about emerging safeguarding concerns, worried that what they disclose “for advice” could later be used as evidence against them in compliance proceedings. This undermines trust and discourages a culture of learning and disclosure.³⁷

The organisation recommended a clarification of roles, so that regulators focus on enforcement while other independent bodies provide education and capacity building to the sector.³⁸

The Committee acknowledges this view, however believes that more clarity around the role and scope of the Victorian Early Childhood Regulatory Authority would address these issues.

³⁴ Justin Mullaly, President, Victorian Branch, Australian Education Union, public hearing, Melbourne, 26 February 2026, *Transcript of evidence*, p. 53.

³⁵ Secretariat of National Aboriginal and Islander Child Care, Inquiry into the early childhood education and care sector in Victoria hearing, response to questions on notice received 19 May 2026, pp. 1–2.

³⁶ Ibid.

³⁷ Australian Childhood Foundation, *Submission 27*, p. 18.

³⁸ Ibid., p. 5.

FINDING 4: The Quality Assessment and Regulation Division's failings in its performance of regulating the early childhood education and care sector included:

- an insufficient frequency for conducting service inspections
- a perception of reduced compliance action taken over a period where complaints increased
- lack of transparency on enforcement and compliance outcomes.

FINDING 5: The establishment of the Victorian Early Childhood Regulatory Authority is an opportunity for a new regulatory approach that promotes transparency and accountability and to ensure the failings of the Quality Assessment and Regulation Division are not repeated.

RECOMMENDATION 4: That the Victorian Early Childhood Regulatory Authority increases its focus on service quality improvement in addition to its increased compliance focus.

RECOMMENDATION 5: That the Victorian Early Childhood Regulatory Authority operates in a transparent, consistent and accountable way by ensuring its objectives and responsibilities are clear and free of undue political interference and adequately resourced.

RECOMMENDATION 6: That the Victorian Early Childhood Regulatory Authority publishes in its annual reports details on funding and outcomes such as number of visits, assessments, enforcement actions, workforce capability and other activities performed in a year.

2.3 The Social Services Regulator

The Social Services Regulator is an independent statutory authority. Among other functions, it is now the lead regulator for the Child Safe Standards. Its other main roles include administering the Reportable Conduct Scheme and Working with Children Check framework.

The Victorian Early Childhood Regulatory Authority is a co-regulator of the Child Safe Standards and is responsible for monitoring early childhood education and care service compliance with those Standards.

The Rapid Child Safety Review recommended consolidation of the Working with Children Check framework, Reportable Conduct Scheme and the Child Safe Standards

under the Social Services Regulator.³⁹ The Victorian Government implemented these changes through legislation passed in late 2025.⁴⁰

The allegations made against Joshua Brown highlighted that these important child safety schemes were siloed, as they were administered by different agencies. As a result, the agencies did not always receive information required to make informed decisions. This created loopholes which allowed people who intended to do harm to gain access to employment working with children.

The consolidation was intended to streamline and strengthen information sharing. This included giving the Social Services Regulator quicker and more comprehensive access to information about child safety issues to more quickly address risks.⁴¹

Inquiry stakeholders supported streamlining the schemes within a single regulatory authority to create an integrated, safer and consistent approach.

FINDING 6: The consolidation of the Child Safe Standards, Reportable Conduct Scheme and Working with Children Check framework into the Social Services Regulator was intended to close gaps in information sharing and exploitation by individuals.

RECOMMENDATION 7: That the Social Services Regulator publishes in its annual report details on funding and outcomes related to the Child Safe Standards, Reportable Conduct Scheme and Working with Children Check frameworks. This should include:

- the number of assessments performed
- average time between assessments
- compliance and enforcement activities
- funding received from the Victorian Government and other income sources.

RECOMMENDATION 8: That the Victorian Government publishes a detailed response outlining why recommendations from the Victorian Ombudsman's 2022 report *Investigation into a former youth worker's unauthorised access to private information* were not implemented until after the Rapid Child Safety Review in 2025.

³⁹ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p. 6.

⁴⁰ *Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025* (Vic); *Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Act 2025* (Vic); *Victorian Early Childhood Regulatory Authority Act 2025* (Vic).

⁴¹ Victorian Government, *Submission 82*, p. 17.

2.3.1 Child Safe Standards

The Child Safe Standards are established under the *Child Wellbeing and Safety Act 2005*. Organisations that provide services or facilities for children must comply with the Standards to protect them from abuse.

At the time this Report was adopted the most recent Standards came into effect on 1 July 2022.⁴² These are 11 Standards that organisations must comply with when providing services to children. These are listed in Box 2.1 below.

Box 2.1 The 11 Child Safe Standards

1. Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
2. Child safety and wellbeing is embedded in organisational leadership, governance and culture.
3. Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
4. Families and communities are informed and involved in promoting child safety and wellbeing.
5. Equity is upheld and diverse needs respected in policy and practice.
6. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
7. Processes for complaints and concerns are child focused.
8. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
9. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
10. Implementation of Child Safe Standards is regularly reviewed and improved.
11. Policies and procedures document how the organisation is safer for children and young people.

Source: Commission for Children and Young People, *The 11 Child Safe Standards*, <<https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards>> accessed 15 August 2026.

⁴² Victoria, *Victoria Government Gazette*, No. G26, 1 July 2021.

The Child Safe Standards were first introduced in response to the Royal Commission into institutional responses to child sexual abuse (2013).⁴³ The Act allows the Minister to make standards to ensure that:

- safety of children is promoted
- child abuse is prevented
- allegations of child abuse are properly responded to.⁴⁴

2.3.2 Who is in charge of the Child Safe Standards

As of February 2026, the Social Services Regulator is now responsible for overseeing the Child Safe Standards together with other integrated regulators for specific sectors. Before this, the Commission for Children and Young People was responsible for oversight of the Standards.

The Victorian Early Childhood Regulatory Authority is an integrated regulator for the Standards and the lead regulator for the early childhood education and care sector. It monitors and enforces compliance with the Child Safe Standards as part of its overall regulatory approach to early childhood services.

The Commission for Children and Young People developed a range of compliance indicators to assess organisations' compliance with the Child Safe Standards. To meet the indicators, an organisation is required to produce documents and undertake actions that show they are meeting the minimum requirements set by the Commission.⁴⁵

At the time this Report was adopted the most recent reported data of assessments of the Child Safe Standards was from 2024–25. The assessments were conducted by the former regulator the Quality Assessment and Regulation Division through a program of specific visits by authorised officers over the reporting period. This involved compliance visits on all 11 standards at 80 early childhood education and care services, with 2 further themed Standards visits (on Standards 1, 6, 7, 8 and 9).

The results of these visits are summarised in Table 2.3 below.

⁴³ The Royal Commission into Institutional Responses to Child Sexual Abuse, *Royal Commission into Institutional Response to Child Sexual Abuse, Final Report*, <<https://www.childabuseroyalcommission.gov.au/final-report>> 2013; Department of Families, Fairness and Housing, *Review of the Victorian Child Safe Standards*, <<https://www.dffh.vic.gov.au/publications/review-victorian-child-safe-standards>> 2019.

⁴⁴ *Child Wellbeing and Safety Act 2005* (Vic) s 17(11).

⁴⁵ Commission for Children and Young People, *A guide for creating a Child Safe Organisation*, 2025, <<https://ccyp.vic.gov.au/assets/resources/New-CSS/A-guide-for-creating-a-Child-Safe-Organisation-27.04.23.pdf>> accessed 7 August 2026.

Table 2.3 Child Safe Standards assessed by the Quality Assessment and Regulation Division, Department of Education and outcomes of assessment, 2024–25

Standard	Assessments	Non-compliance identified	No non-compliance identified
1	82	69	13
2	80	67	13
3	80	43	37
4	80	17	63
5	80	55	25
6	82	30	52
7	82	64	18
8	82	40	42
9	82	72	10
10	80	24	56
11	80	67	13

Source: Commission for Children and Young People, *Annual report 2024–25*, Melbourne, 2025, p. 129.

According to the annual report, activities that the Quality Assessment and Regulation Division undertook to support compliance with the Child Safe Standards included:

- publishing articles about the Standards in its newsletters
- publishing material about the Standards online
- raising the Standards as part of regular meetings with sector representatives, including the Early Childhood Education and Care Regulatory Reference Group
- conducting regional education sessions and meetings with approved providers and services that included information and discussions on the Standards.⁴⁶

2.3.3 Stakeholder views on the Child Safe Standards

Inquiry stakeholders supported the Child Safe Standards but believed that there was inconsistent application between services. A key message they presented was that child safety needs to be embedded in organisational culture rather than enforced through compliance tools.

KU Children's Services submitted that while the Standards were comprehensive, the varying interpretations by authorised officers create uncertainty for providers.⁴⁷

⁴⁶ Commission for Children and Young People, *Annual report 2024–25*, Melbourne, 2025, p. 128.

⁴⁷ KU Children's Services, *Submission 52*, p. 4.

Some stakeholders believed that for-profit services struggle to comply with the Child Safe Standards due to their staffing arrangements and lack of accountability. Chelsea Heights Kindergarten submitted that the Standards are becoming ‘more comprehensive and more complex’ and that there is inconsistent implementation amongst for-profit providers because of ‘high-turnover’.⁴⁸ Diamond Creek Memorial Kindergarten stated that it does not use agency staff because it deems the practice as a ‘risk to Child Safe Standards and curriculum quality’.⁴⁹

The Directors Network submitted that independent schools take child safety incidents seriously because they have an understanding of the Child Safe Standards and educator responsibilities.⁵⁰ However, it highlighted that current staff-to-child ratios do not take into account a child’s needs, which ‘significantly limits the capacity to fully meet the Child Safe Standards’.⁵¹

The Australian Childcare Alliance Victoria shared that navigating the Victorian child safety landscape is complex and administratively burdensome. It noted the lack of consistency in processes, terminology, thresholds, and reporting pathways:

“ Greater alignment and interoperability across these systems would significantly strengthen educators’ capacity to act swiftly and confidently when concerns arise. A more integrated and consistent approach— supported by clearer guidance and streamlined reporting—would not only improve compliance but also enhance our collective ability to protect children and uphold their safety and wellbeing.⁵²

Similarly, Foundation House believed the Child Safe Standards need to be embedded in organisational accountability and the workforce whereby training and oversight ‘must evolve beyond compliance to competence’.⁵³

In its submission, National Association for Prevention of Child Abuse and Neglect supported a comprehensive review of the Standards. It stated that implementation remains inconsistent which reflects a deeper structural issue between ‘compliance and culture’. It stated that the Standards need to be embedded into practice ‘from staff recruitment and training to educator-child interactions and parent/guardian communication’.⁵⁴

The Association also recommended targeted professional learning packages for leaders to confidently navigate the multiple platforms and systems linked to compliance, reporting, and workforce development.⁵⁵ The training should include practical tools for

⁴⁸ Ibid.; Chelsea Heights Kindergarten, *Submission 32*, p. 3.

⁴⁹ Diamond Creek Memorial Kindergarten, *Submission 75*, p. 4.

⁵⁰ Directors Network, *Submission 39*, p. 1.

⁵¹ Ibid., p. 2.

⁵² Australian Childcare Alliance Victoria, *Submission 76*, p. 6.

⁵³ Foundation House, *Submission 87*, p. 4.

⁵⁴ National Association for Prevention of Child Abuse and Neglect, *Submission 20*, p. 2.

⁵⁵ Australian Childcare Alliance Victoria, *Submission 76*, p. 7.

leaders to respond to workplace dynamics, foster open communication, and support staff wellbeing.

FINDING 7: The implementation and understanding of the Child Safe Standards is not consistent across the sector or among service providers.

RECOMMENDATION 9: That the Social Services Regulator, in collaboration with the Victorian Early Childhood Regulatory Authority, conduct an education campaign for the early childhood education and care sector on the obligations of the Child Safe Standards.

2

2.3.4 Reportable Conduct Scheme

The Reportable Conduct Scheme is established under the *Child Wellbeing and Safety Act 2005*. It requires certain organisations to notify the Social Services Regulator of allegations of child abuse (and other child-related misconduct) made against their workers and volunteers.

Early childhood education and care services are required to comply with the Scheme.

Reportable conduct includes:

- sexual offences (against, with or in the presence of, a child)
- sexual misconduct (against, with or in the presence of, a child)
- physical violence (against, with or in the presence of, a child)
- behaviour that causes significant emotional or psychological harm
- significant neglect.⁵⁶

The Reportable Conduct Scheme was introduced in response to recommendations in the Victorian Parliament Family and Community Development Committee's *Betrayal of Trust* report in 2013. It was designed 'to ensure that the authority will be aware of every allegation of certain types of misconduct involving children in relevant organisations', including early childhood services.

2.3.5 Who is in charge of the Reportable Conduct Scheme

As of February 2026, the Social Services Regulator oversees the responses to reportable conduct allegations. Before this, the Scheme was administered by the Commission for Children and Young People.

Evidence and feedback heard by the Committee demonstrated strong support for streamlining the schemes within a single regulatory authority to create a safer,

⁵⁶ *Child Wellbeing and Safety Act 2005* (Vic) s 3.

integrated and consistent approach. The National Association for Prevention of Child Abuse and Neglect submitted that bringing the three schemes under the Social Services Regulator:

“ presents an important opportunity to strengthen coordination between the Department of Education, registered training organisations, and professional regulators, ensuring consistent and proactive safeguarding standards across the sector.⁵⁷

KU Children’s Services shared a similar view that this was a significant opportunity to ‘improve consistency and coordination’. However it stated that further improvements could be made to establish ‘a single reporting pathway for non-police mandatory reports’ to streamline processes and strengthen compliance.⁵⁸

Foundation House, a peak body for refugee communities, provided that consolidating the schemes has strengthened the system, however, implementation remains uneven.⁵⁹ It submitted that effective implementation requires appropriate support tailored to culturally and linguistically diverse communities.⁶⁰

This included the Commission for Children and Young People, which noted the Government’s commitment to limitations which had prevented the Commission from sharing information under the Scheme.⁶¹

2.3.6 Working with Children Check

The Working with Children Check is a screening process for assessing and reassessing a person’s suitability to work with or care for children in Victoria. There are two types of checks: employee or volunteer.

As noted previously, when Joshua Brown was arrested he held a valid Working with Children Check. The allegations made against him led to the establishment of the Rapid Child Safety Review and this Inquiry.

2.3.7 Who is in charge of the Working with Children Check

As of February 2026, the Social Services Regulator administers the Working with Children Check framework as recommended by the Rapid Child Safety Review. Previously, it was administered by the Department of Government Services.

The *Worker Screening Act 2020* classifies Working with Children Check applications based on the applicant’s police record check and other relevant disciplinary or regulatory action made against them.

⁵⁷ National Association for Prevention of Child Abuse and Neglect, *Submission 20*, p. 3.

⁵⁸ KU Children’s Services, *Submission 52*, p. 4.

⁵⁹ Foundation House, *Submission 87*, p. 9.

⁶⁰ *Ibid.*, p. 5.

⁶¹ Commission for Children and Young People, *Submission 81*, p. 9.

Applicants with no relevant police history or other disciplinary action will generally be granted a Working with Children Check. However, the Social Services Regulator is empowered to consider broader information as part of its decision and is not compelled to issue a Working with Children Check if it deems it inappropriate to do so.⁶²

Table 2.4 below provides a summary of the categories of Working with Children Check applications under the Worker Screening Act.

Table 2.4 Categories of Working with Children Check applications under the Worker Screening Act 2020

Category	Criteria	Outcome
Category A	Subject to sex offender reporting obligations	Regulator must refuse an application unless special circumstances apply
	Charged or convicted of a category A offence e.g. child sexual offending, rape	
	Subject to a supervision order, detention order, emergency order	
	Excluded from child-related work under another state or territory working with children framework	
Category B	Charged with, convicted or found guilty of other serious offences such as serious violence and drug offences and sexual offences against adults	Regulator must refuse an application unless satisfied that doing so would not pose an unjustifiable risk to the safety of children
Category C	Have not been charged with, convicted or found guilty of any category A or B offences (unless the category B offence occurred when the applicant was a child)	Regulator must grant application unless satisfied: - it would pose an unjustifiable risk to the safety of children - a reasonable person would not allow their children to have direct contact with the individual in the course of child-related work - the applicant's engagement in child-related work would pose an unjustifiable risk to child safety.
	Individuals subject to relevant disciplinary or regulatory findings	
	Subject to certain NDIS exclusions	
	Charged with certain offences other than a conviction or finding of guilt	
Applications not assessed category A, B or C	Individuals who have not been charged with, convicted or found guilty of any offences and who have not been subject to relevant disciplinary or regulatory findings	Application granted

Source: *Worker Screening Act 2020* (Vic).

Stakeholder views and further issues identified with the effectiveness of the Working with Children Check are discussed in further detail in Chapter 3.

⁶² Hon. Lizzie Blandthorn MLC, Minister for Children, public hearing, East Melbourne, 25 May 2026, *Transcript of evidence*, p. 26.

2.4 The Commission for Children and Young People

The Reportable Conduct Scheme was initially administered by the Commission for Children and Young People, when the scheme began operation in July 2017. At the time, the Scheme covered organisations such as schools, out-of-home care providers, disability services, religious organisations and health services.

In January 2019, the Reportable Conduct Scheme was expanded to include a wider range of organisations, including early childhood education and care services. Following the expansion, the Commission for Children and Young People noted a steady increase of notifications rising from 265 in 2019–20 to 705 in 2024–25. The early childhood education sector contributed the second highest number of notifications in 2024–25 behind the education sector.⁶³

The Scheme was reviewed in 2022.⁶⁴ In its submission to the review, the Commission stated that the Act did not provide it with the ability to:

- give directions to the head of an organisation about the conduct of their investigation into reportable allegations or their findings following an investigation
- take a role to act as a point of appeal for subjects of allegation, alleged victims or parents and carers
- substitute findings where the Commission believed the head of the organisation has reached the incorrect finding on the evidence.⁶⁵

In its submission to the review, the Commission highlighted key issues with the two schemes:

- limitations on two-way information sharing between the Commission and Working with Children Check Victoria⁶⁶
- there was ambiguity in the Child Wellbeing and Safety Act on how the Reportable Conduct Scheme applied to former employees and how long a former employee's conduct should be captured for⁶⁷
- the Child Wellbeing and Safety Act excluded a significant cohort of workers due to the way they have been engaged by an organisation (e.g. labour hire employees, sole traders, secondees, trainees and work placements, apprentices).⁶⁸

The Commission also stated that since 2022 it had repeatedly advocated to the Victorian Government for increased funding to manage the increased demand on

⁶³ Commission for Children and Young People, *Submission 81*.

⁶⁴ Department of Families, Fairness and Housing, *Review of Victoria's Reportable Conduct Scheme: Final report—March 2024* State of Victoria, Melbourne, 2024.

⁶⁵ Commission for Children and Young People, *Submission 81*, p. 7.

⁶⁶ Commission for Children and Young People, submission to Department of Families, Fairness and Housing, *Review of Victoria's Reportable Conduct Scheme 2022*, p. 51.

⁶⁷ *Ibid.*, p. 24.

⁶⁸ *Ibid.*, p. 51.

the Reportable Conduct Scheme. It believed because of under resourcing it could not effectively run the Reportable Conduct Scheme in a way that maximises child safety.⁶⁹

From July 2017 to 30 June 2025, the Commission received 10,353 mandatory notifications from heads of organisations.⁷⁰ For the period 1 July 2024 to 30 June 2025, the Commission received 2,232 notifications of reportable allegations from heads of organisations. This was an 18% increase on the number of notifications received in 2023–24, and a 178% increase on the number received in 2017–18.

The Commission stated that despite this volume increase, it had received no additional base funding for the Scheme since it began in 2017.⁷¹

FINDING 8: The landscape of child safety legislation that governs the early childhood education and care sector is complex and includes a range of Commonwealth and state requirements which are difficult for stakeholders to navigate.

FINDING 9: The Commission for Children and Young People, the former administrator of the Reportable Conduct Scheme and Child Safe Standards, failed to maintain its responsibilities under the various child safety schemes. It had repeatedly called to the Victorian Government for increased funding, but did not receive additional funding.

RECOMMENDATION 10: That the Social Services Regulator issues guidance and a training plan to lift the collective understanding of the Child Safe Standards and the relationship the Standards have with the other child safety schemes.

2.4.1 Use of discretionary powers by the Commission for Children and Young People

In its submission to this Inquiry, the Commission outlined the process it took in exercising discretionary powers under s 16ZD(2) of the *Child Wellbeing and Safety Act 2005*.⁷² This provision has since been repealed through legislative changes implemented following the Rapid Child Safety Review.⁷³

Under the Reportable Conduct Scheme, the Commissioner was required to refer substantiated allegations of reportable conduct to the Worker Screening Unit⁷⁴ for the purposes of Working with Children Check assessments. The Child Wellbeing and

⁶⁹ Commission for Children and Young People, *Submission 81*, p. 27.

⁷⁰ *Ibid.*, pp. 7–8.

⁷¹ *Ibid.*, p. 7.

⁷² *Ibid.*

⁷³ Under the *Social Services Regulation Amendment (Child Safety, Complaints and Worker Regulation) Act 2025*.

⁷⁴ A former unit of the Department of Government Services which administered the Working with Children Check process.

Safety Act also provided the Principal Commissioner with the discretion to not refer substantiated allegations under prescribed circumstances.

In its submission, the Commission stated its process was that these decisions were only able to be made by the Principal Commissioner. Of the 6,515 substantiated findings made between 1 July 2017 and 30 June 2025, 259 allegations (4%) were not referred. Substantiated findings were still shared with Quality Assessment and Regulation Division and the Victorian Institute of Teaching (if the educator was a registered teacher).⁷⁵

In exercising this discretion, the Commission stated it considered matters such as the type of allegation, its severity, whether there have been any prior allegations under the Scheme, along with the employer organisation's proposed risk mitigation actions. Given the Commission had not itself conducted the investigation, it would base its decision on the evidence and information provided by the organisation.⁷⁶

2.4.2 Evidence from the former Principal Commissioner for Children and Young People

In December 2025, Liana Buchanan gave evidence at a public hearing, speaking about experiences in her previous role as the Principal Commissioner for Children and Young People (from 2016 to 2025). She stated in her evidence that at the time when she was Principal Commissioner she held discretionary power to not refer substantiated claims where there were reasons not to. For example, where training and supervision was being provided. She stated that she would not have referred a claim:

“ in circumstances where there were no sexual elements to the conduct whatsoever and only in circumstances where I was confident, based on the information we had been given by the organisation, that they were taking steps or had taken steps to provide training and supervision.”⁷⁷

However, this evidence was later contradicted by news media. In June 2026, ABC News published information obtained under the *Freedom of Information Act 1982* which showed that the former Principal Commissioner had not referred a number of allegations to the former Worker Screening Unit.⁷⁸

The publication reported there were a total of 255 non-referred reports, which included 10 allegations of sexual misconduct and 1 of sexual offending. In the article, the Social Services Regulator announced that it will review all the previously unreferred allegations.⁷⁹

⁷⁵ Commission for Children and Young People, *Submission 81*, p. 8.

⁷⁶ Ibid.

⁷⁷ Liana Buchanan, Former Principal Commissioner for Children and Young People, Public hearing, Victoria, 8 December 2025, *Transcript of evidence*.

⁷⁸ Monique Hore, 'Sexual misconduct findings not referred for Victorian Working with Children Check review', *ABC News*, 26 June 2026, <<https://www.abc.net.au/news/2026-06-26/vic-commissioner-liana-buchanan-working-with-children-checks/106838422>> accessed 7 August 2026.

⁷⁹ Ibid.

The Committee sought clarification from Ms Buchanan, and she was summonsed to appear at a subsequent public hearing on 3 August 2026 to provide additional evidence. When asked if she reiterated her previous evidence, Ms Buchanan stated:

“ I feel very clear that I gave evidence that day based on what I knew of my practice over what was almost seven years making decisions in relation to the reportable conduct scheme, and that it was absolutely my practice, and what I had in mind when I said those words was that if there was a reportable conduct finding where there was any suggestion of sexual intention or motivation, where there was any sexual or physical contact with a child, where there was any prospect or risk of sexual harm to the child from that conduct, then I absolutely would not have exercised my discretion and would indeed have made sure that that was referred. So in terms of the cases and the data that I understand the ABC journalist obtained and that formed the basis for that story, what I now understand is that there were some cases that were caught by the definition of ‘sexual misconduct’ – caught within that very broad definition – that were not referred. I have had the benefit of being briefed on those cases since I was first approached by the reporter and again just in this last weekend past. I am absolutely confident that, taking into account those cases, those features that I just described apply to those cases, so none of those cases involved any suggestion of sexual intention or motivation. None involved any physical or sexual contact with a child and none gave rise to any suggestion of sexual harm or risk of sexual harm to a child.⁸⁰

She clarified that the 10 allegations related to six separate individuals and incidents, one of whom had died by the time of her decision.⁸¹

Sexual misconduct is defined under s 3 of the *Child Wellbeing and Safety Act 2005* as including:

“ behaviour, physical contact or speech or other communication of a sexual nature, inappropriate touching, grooming behaviour and voyeurism.

Ms Buchanan noted this definition encompasses a wide range of misconduct, and clarified the nature of the five remaining incidents:

“ Three of those five involve adults in organisations using inappropriate language – perhaps, for example, in the context of referencing what should be covered in sex education in front of children – all in group settings, with no one-on-one language or engagement with children ... One involved a worker taking a photograph on the class iPad in order to show her colleague that she had not been properly cleaning a child’s nappy area. The other involved a childcare worker sending photos of children playing to families and not realising until it was brought to her attention that one of the children in the photograph had taken their nappy off.⁸²

She also noted that the Social Services Regulator had not taken different action or exclusion against any of the five remaining individuals.⁸³

⁸⁰ Liana Buchanan, public hearing, East Melbourne, 3 August 2026, *Transcript of evidence*, p. 3.

⁸¹ *Ibid.*, p. 5.

⁸² *Ibid.*, p. 7.

⁸³ *Ibid.*, p. 6.

The Committee accepts Ms Buchanan's explanation and considers she acted in line with legislative provisions and the Commission's processes at the time. However, it is important that the reasons behind decisions such as these are made transparent and align with the best interests of children.

The Committee also notes that the legislative provision for discretion no longer exists following reforms to the Reportable Conduct Scheme introduced following the Rapid Child Safety Review.

The Committee emphasises the importance of providing accurate evidence to a parliamentary inquiry and reiterates the need for witnesses to clarify or provide further information if necessary. The Committee makes no further finding and considers the matter resolved.

2.5 Department of Education's role

Since the Victorian Early Childhood Regulatory Authority came into operation on 1 January 2026, the Department of Education no longer has any direct role in regulating the sector.

Some of the key reasons for establishing an independent agency included:

- the Quality Assessment and Regulation Division's location within the Department of Education created an inherent conflict of interest as the funder and regulator of the early childhood sector
- failings of the Quality Assessment and Regulation Division to manage consistent and accountable oversight across the early childhood sector and to respond to serious risks to children
- an independent regulator was imperative to ensure that protecting the safety of children and their wellbeing was central in regulatory decision making
- criticism of the Division's performance in enforcing compliance.

The Department's role now relates primarily to administering education policy and government initiatives. Recent initiatives include:

- administering the Best Start, Best Life reforms
- managing Early Learning Victoria, a government organisation that operates early childhood education and care services
- early childhood intervention services for non-permanent residents
- Kindergarten Building Blocks Improvement and Inclusion grants
- audit and assurance of kindergarten funding.

In 2025 the Victorian Government established Early Learning Victoria, an agency within the Department of Education. It was established to set up and operate 50 new early learning and childcare centres across Victoria by 2032.

Early Learning Victoria opened an initial 4 centres in 2025 with a further 14 expected to be opened in 2026.⁸⁴

The Department also led coordination of the Victorian Government's response to the Rapid Child Safety Review. At a public hearing Tony Bates, Secretary, gave an update on the progress of implementing reforms from the Rapid Child Safety Review:

- 31 out of 40 sub-recommendations across the 22 recommendations had been implemented
- the remaining 9 sub-recommendations were on track to be implemented within the timeframes of the review and response.⁸⁵

The recommendations were primarily implemented through a range of reforms to the National Law and state child safety legislation, as well as advocacy for policy changes through the Education Ministers Meeting.

2.6 Commonwealth bodies

There are two key bodies at a national level that coordinate early childhood education and care regulation throughout Australia:

- the Education Ministers Meeting
- the Australian Children's Education and Care Quality Authority.

2.6.1 Education Ministers Meeting

The Education Ministers Meeting is a standing national ministerial forum responsible for coordinating the early childhood education and care regulatory and policy framework. The Meeting is a forum comprised of state, territory and federal ministers overseeing early childhood education and care, school education, higher education and international education. It is chaired by a Commonwealth minister.⁸⁶

The role of the Education Ministers Meeting is to provide a forum for national cooperation on education policy. The Ministers collectively set the agenda and meet at least four times a year. It resolves issues in its portfolio and does not report directly to National Cabinet or the National Reform Council.⁸⁷

As discussed in Chapter 1, following the Rapid Child Safety Review the Education Ministers Meeting met to discuss the recommendations and agreed to implement

⁸⁴ Victorian Government, *Submission 82*, p. 11.

⁸⁵ Tony Bates PSM, Secretary, Department of Education, public hearing, East Melbourne, 25 May 2026, *Transcript of evidence*, p. 22.

⁸⁶ Department of Education, *Education Ministers Meeting members*, 6 May 2026, <<https://www.education.gov.au/education-ministers-meeting/education-ministers-meeting-members>> accessed 2 June 2026.

⁸⁷ Department of Education, *Education Ministers Meeting terms of reference*, <<https://www.education.gov.au/download/12012/education-ministers-meeting-terms-reference/22800/education-ministers-meeting-terms-reference/pdf>> accessed 2 June 2026.

changes to the National Quality Framework. It also established the Rapid Assessment of Child Safe Practices to investigate issues in the sector, including ‘under the roofline’ ratios and use of waivers.

2.6.2 Australian Children’s Education and Care Quality Authority

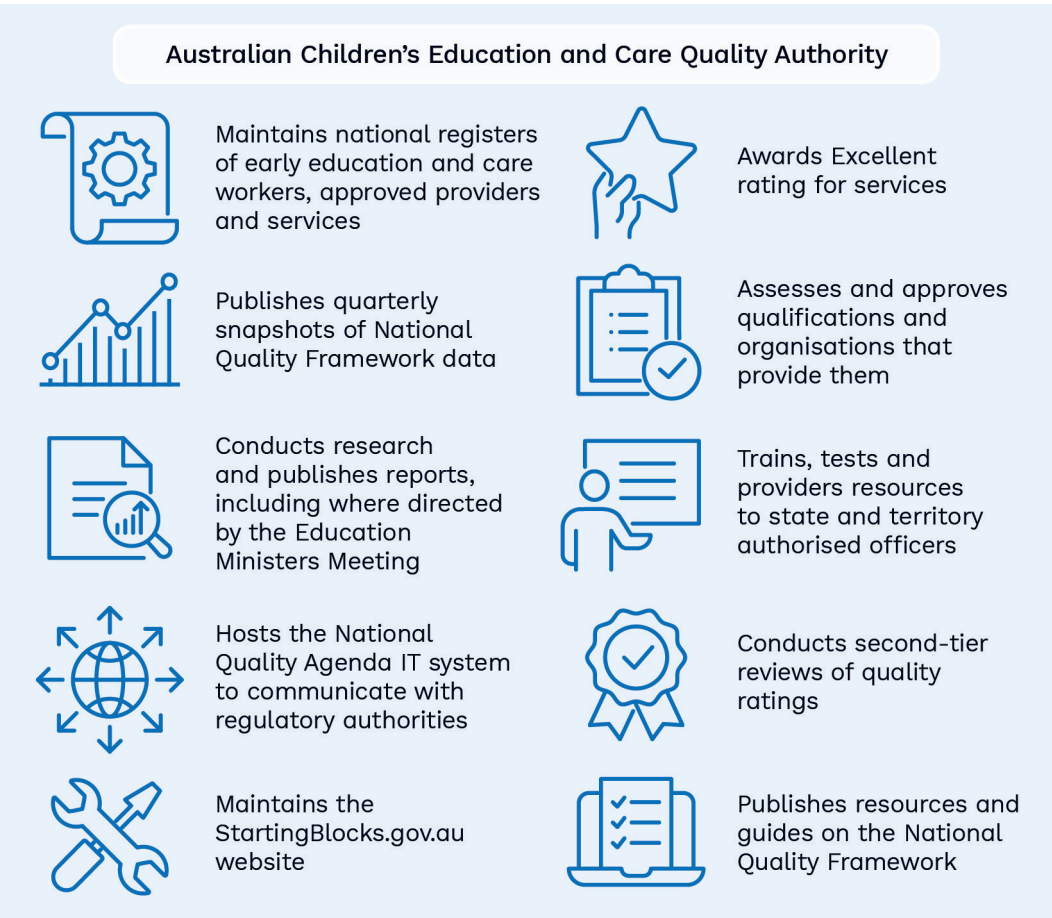
The Australian Children’s Education and Care Quality Authority is an independent national authority established under the National Quality Framework. Its primary responsibilities are to:

- support state and territory regulatory agencies to administer the National Quality Framework
- promote continuous improvement and national consistency in service quality.

It is funded by the Commonwealth Government and accountable to the Education Ministers Meeting.

Figure 2.2 below illustrates the key roles and functions of the Australian Children’s Education and Care Quality Authority.

Figure 2.2 Key functions of the Australian Children’s Education and Care Quality Authority



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

The Authority does not:

- assess and rate early childhood education and care services
- regulate or oversee state and territory regulatory agencies in how they perform their functions
- deal with general complaints made about services
- provide specific guidance to services.⁸⁸

The Commonwealth Government has also released its 10-year Early Years Strategy 2024–34. The strategy contains four broad priority focus areas, which will be complemented by three action plans published over the life of the strategy. The four priority focus areas are:

- value the early years
- empower parents, caregivers and families
- support and work with communities
- strengthen accountability and coordination.⁸⁹

2.6.3 National Early Childhood Worker Register

The Australian Children's Education and Care Quality Authority is responsible for administering the National Early Childhood Worker Register.

The register only came into effect on 27 February 2026 following recommendations from the Victorian Rapid Child Safety Review. The register intends to streamline information gathering and sharing for Working with Children schemes throughout Australia.

All approved providers must enter and keep up-to-date information for everyone working or volunteering in their service.

Before the national register came into operation, the Victorian Government had established the Victorian Early Childhood Workforce Register from July 2025. This register fulfilled the same purpose as the new national worker register at a state level and has since been superseded by the national register.

The national register checks entries against a Prohibited Persons and Suspended Educators Register. It also considers the requirements for organisations as per the Child Safe Standards. If a potential match is identified, the approved provider will be prompted to contact the relevant regulatory authority for further information.

⁸⁸ Australian Children's Education and Care Quality Authority, *About us*, <<https://www.acecqa.gov.au/about-us>> accessed 2 June 2026.

⁸⁹ Department of Social Services, *Early Years Strategy*, <<https://www.dss.gov.au/early-years-strategy>> accessed 28 July 2026.

This does not replace the approved provider's requirement to check the Register of Prohibited Persons before employing or engaging anyone.⁹⁰

At a public hearing, Gabrielle Sinclair, Chief Executive Officer of the Australian Children's Education and Care Quality Authority explained that the register did not require providers to gather new information from providers. She also said it will allow regulatory authorities to more efficiently regulate services:

“ we are not asking approved providers to do anything other than what they are already required to do in making sure that they have a very complete record of all their staff, including that they have sighted staff qualifications and making sure that they have working with children and working with vulnerable people checks. The difference this national system will make is that regulatory authorities will not have to actually go to the premises of a service to check the workforce register. They can do it online. That gives a little bit more transparency about, for example: are services keeping up to date with ratios? Are they ensuring that all of their staff are qualified and appropriate? And mostly we can then say as a foundational stage this gives regulatory authorities the information that they need before they even go into the service to check.⁹¹

Inquiry stakeholders have been generally supportive of the new register.⁹² Whilst some shared concerns that this would increase the administrative burden for Victorian providers due to duplication with the Victorian Early Childhood Workforce Register, as of February 2026 the national register has now been established and is operational.⁹³

The Australian Children's Education and Care Quality Authority clarified that approved providers would no longer need to update the Victorian Register once the new national workers register was in force.⁹⁴

2.6.4 Commonwealth Government funding

The Commonwealth Government provides funding to the sector through a range of initiatives, subsidies and grants. Its main contribution is through the Child Care Subsidy. This is a means-tested subsidy which is generally paid to providers and passed on to families as a fee reduction.⁹⁵

⁹⁰ Australian Children's Education and Care Quality Authority, *National Early Childhood Worker Register*, 2026, <<https://www.acecqa.gov.au/sites/default/files/2026-06/Child%20safety%20-%20National%20early%20childhood%20worker%20register.pdf>> accessed 22 July 2026.

⁹¹ Gabrielle Sinclair, Chief Executive Officer, Australian Children's Education and Care Quality Authority, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, p. 8.

⁹² Early Childhood Education and Law academics, *Submission 78*, p. 17; Law Institute Victoria, *Submission 90*, p. 7.

⁹³ Tonii Tran, President, Australian Childcare Alliance Victoria, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, pp. 53–54.

⁹⁴ Abigail Weldon-Chan, Acting General Manager, Policy and Regulatory Systems, Australian Children's Education and Care Quality Authority, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, p. 6.

⁹⁵ Victorian Government, *Submission 82*, p. 6.

Other initiatives include:

- the Building Early Education Fund, a \$1 billion capital fund to build new and expand existing services⁹⁶
- the Community Child Care Fund, which provides grants to providers and services to address barriers in early childhood education and care participation, particularly for regional and remote areas⁹⁷
- the Inclusion Support Program, \$54.8 million allocated in 2026–27 to support children with additional needs⁹⁸
- the worker retention payment, a grant program for providers to help services increase their workers' wages (extended to 30 June 2028)⁹⁹
- the professional development subsidy, provided to services to help pay staff to complete national child safety training during or outside work hours¹⁰⁰
- the Preschool Reform Agreement, between the Commonwealth and state and territory governments to provide funding for kindergarten/preschool through a per-child contribution (for up to 15 hours a week).¹⁰¹

The Commonwealth Government also provides operational funding to the Australian Children's Education and Care Quality Authority.

According to the Productivity Commission's *Report on Government Services 2026*, total government expenditure for the sector has increased since 2014–15 as detailed in Table 2.5 below.

Table 2.5 Total government real expenditure on early childhood education and care (2024–25 dollars)

Jurisdiction	2014–15 expenditure (adjusted)	2024–25 expenditure
Victorian Government	473,699	1,746,122
Commonwealth Government	9,418,041	16,238,428
Total Australian government	11,477,148	20,851,969

Source: Productivity Commission, *Report on government services 2026*, 2026, <<https://www.pc.gov.au/ongoing/report-on-government-services/child-care-education-and-training/early-childhood-education-and-care>> accessed 11 February 2026.

⁹⁶ Department of Education, *Building Early Education Fund*, 1 June 2026, <<https://www.education.gov.au/early-childhood/about/building-early-education-fund>> accessed 30 June 2026.

⁹⁷ Department of Education, *Community Child Care Fund*, 27 February 2026, <<https://www.education.gov.au/early-childhood/providers/extra-support/community-child-care-fund>> accessed 30 June 2026.

⁹⁸ Department of Education, *Inclusion Support Program*, 13 May 2026, <<https://www.education.gov.au/early-childhood/providers/extra-support/inclusion-support-program>> accessed 30 June 2026.

⁹⁹ Department of Education, *Worker retention payment*, 30 June 2026, <<https://www.education.gov.au/early-childhood/providers/workforce/worker-retention-payment>> accessed 30 June 2026.

¹⁰⁰ Department of Education, *Professional development subsidy*, 30 May 2026, <<https://www.education.gov.au/early-childhood/providers/workforce/support/professional-development-opportunities/professional-development-subsidy>> accessed 30 June 2026.

¹⁰¹ Department of Education, *Preschool Reform Agreement*, 22 December 2025, <<https://www.education.gov.au/early-childhood/about/preschool/preschool-reform-agreement>> accessed 30 June 2026.

2.6.5 Child Care Subsidy

Before 2018, funding provided to regulators of early education and care services was shared between the Commonwealth and state and territory governments. The Commonwealth Government's contribution was set out through national partnership agreements. Under the agreements, the Commonwealth Government contributed to the cost of regulatory authorities. The state and territory governments contributed to the cost of operating the Australian Children's Education and Care Quality Authority.

In 2017–18, the last year of this agreement, Victoria received \$5.439 million, representing around 35% of the annual operating budget of the Quality Assessment and Regulation Division.¹⁰² Since 2018, the Victorian Government has been the sole funder where the Division's operating budget has increased by about 38% from 2017–18 to 2024–25.

The Rapid Child Safety Review highlighted that the Commonwealth Government's lack of direct funding to the sector gives it 'little control or influence over the regulation of a sector it currently spends more than \$15 billion per year on'. This is despite that 'the scale and complexity of the system has grown significantly' since the agreement ended.¹⁰³

The Review recommended the Commonwealth Government reinstate funding for state and territory regulatory authorities, to enable them to meet their obligations in the National Quality Framework.

The Committee heard some criticisms of how the Child Care Subsidy is applied. Georgie Dent, Chief Executive Officer at The Parenthood spoke of the financial viability issues caused by limitations of the childcare subsidy:

“ One of the limitations of the childcare subsidy is that in some regional or rural areas – more regional areas – when there is not a guaranteed exact population of children to get to the optimal capacity, it is not viable for a service to set up there. So that is part of why even not-for-profit providers struggle to open in areas where there is not a particular population, because it just is not financially viable for them to do so. That is a reason in our view to be looking at what the funding model is, because just because there are not X amount of children in a particular community does not mean that community does not require quality early education and care, so what funding model would mean it is viable for there to be a service in that community?¹⁰⁴

Early Learning Association Australia highlighted that under the Child Care Subsidy, there is no additional funding element directed to need. As a result, the resources a service has depends on how much parents pay rather than what it costs to meet children's needs.¹⁰⁵

¹⁰² Department of Education, response to questions on notice, p. 3.

¹⁰³ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, pp. 56–57.

¹⁰⁴ Georgie Dent, Chief Executive Officer, The Parenthood, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, p. 46.

¹⁰⁵ Early Learning Association Australia, *Submission 35*, p. 14.

The Outside School Hours Council of Australia stated that Commonwealth Government funding such as the Child Care Subsidy and Inclusion Support Payment were largely designed around centre-based services. As such, they do not consider the unique staffing and program costs of other service types. To address this, the Council advocated for governments to move away from a one-size-fits-all approach to funding.¹⁰⁶

Tony Bates, Secretary of the Department of Education, believed that the Child Care Subsidy does not appropriately incentivise experts for rural services or those in disadvantaged areas. He further stated that it does not provide financial incentives for quality and safety.¹⁰⁷

FINDING 10: The Rapid Child Safety Review recommended the Commonwealth Government reinstate funding for state and territory regulatory authorities to be able to meet their obligations to the National Quality Framework.

RECOMMENDATION 11: That the Victorian Government advocates for the Commonwealth Government to resume funding contributions for state and territory early childhood education and care regulatory authorities.

¹⁰⁶ Outside School Hours Council of Australia, *Submission 88*, p. 4.

¹⁰⁷ Tony Bates PSM, *Transcript of evidence*, p. 23.

Chapter 3

Child safety and wellbeing

“ Article 3 of the United Nations Convention on the Rights of the Child reminds us that children’s rights and safety rely on authorities and adults, so securing the safety, rights and best interests of young children as a paramount consideration will involve a continuous commitment to working together across governments, peak bodies, organisations, but also, very importantly, in consultation with early childhood teachers, educators, leaders, service providers delivering early childhood education and care programs and the children and families attending Victorian early childhood services.

Source: Professor Jane Page OAM, public hearing, East Melbourne, 8 December 2025, *Transcript of evidence*, p. 66.

The safety, protection and wellbeing of children must be the priority of the early childhood education and care sector, governments and regulatory authorities. This includes ensuring best interests and rights of the child is the paramount consideration across the early childhood education and care sector.

The events involving Joshua Brown prompted a suite of urgent legislation that was passed in 2025 aimed at strengthening child safety, regulatory oversight and accountability across the sector. Key reforms included:

- the new paramount consideration established as a requirement under the National Law
- establishment of the new independent state regulator, the Victorian Early Childhood Regulatory Authority
- consolidation of the Working with Children Check framework, the Reportable Conduct Scheme, and Child Safe Standards under the Social Services Regulator.

The Committee heard considerable support for these changes. However, stakeholders also raised a number of lingering concerns that impact child safety and wellbeing:

- The lack of guidance and oversight for how the paramount consideration will be implemented and reflected in day-to-day practice.
- Evidence on limitations of the Working with Children Check framework, Reportable Conduct Scheme and Child Safe Standards, including opportunities to streamline reporting and information sharing between state and Commonwealth agencies.
- Stakeholder concerns about limitations and misuse of educator-to-child ratios, particularly the reliance on ‘under the roofline’ ratios to circumvent requirements and compensate for staffing shortages. Since this Inquiry was established, the Education Ministers Meeting has committed to removing this provision from the National Quality Framework.

- The use of CCTV in centres received mixed views. Some supported its potential for regulatory oversight while others cautioned and criticised its effectiveness as a child safety mechanism and its detracting from investment in workforce capability.
- Concerns about inclusive practice, particularly meaningful support for children with disabilities and complex needs.
- Gaps in educator training and qualification requirements for administering medication to children with medical conditions.

3.1 Paramount consideration

The paramount consideration is a statutory duty that sets the standard of behaviour expected of all people and organisations involved in providing early childhood education and care services. It was a key recommendation of the Rapid Child Safety Review and was introduced as a legislative provision of the National Law, coming into effect on 27 February 2026.

The paramount consideration must be upheld by all individuals involved in operating and providing education and care services, including:

- approved providers
- people with management or control of a service
- people in day-to-day charge of a service
- a nominated supervisor
- staff members
- volunteers.¹

This obligation is enforceable by regulatory authorities, which will consider how a service is achieving the paramount consideration when assessing the quality of a service.²

During the Rapid Child Safety Review, the panel highlighted how other legal priorities had diverted the focus of child safety and wellbeing from the centre of early childhood education and care:

“ While it is clear to the Review that the majority of services across the system care deeply about the children in their care and prioritise their safety, there are tensions in the system that lead some providers to prioritise other things, including profit in some instances. The current mix of legislative and regulatory obligations for providers can create potential conflicts between the best interests of children and other duties.

...

¹ *Education and Care Services National Law Act 2010* (National) s 2A.

² Australian Children's Education and Care Quality Authority, *Child safety understanding paramount consideration*, 2026, <<https://www.acecqa.gov.au/sites/default/files/2026-02/Child%20safety%20-%20Understanding%20paramount%20consideration.pdf>> accessed 2 July 2026.

Current legal frameworks are often interpreted as prioritising procedural fairness for employees, which can act as a brake on employers taking early or decisive action to protect children, for fear of industrial or legal challenges. Privacy laws can be seen as a barrier to proactive information sharing relating to individuals of concern. All these factors can divert focus from what is truly in the best interests of children.³

Along with the new paramount consideration, the panel recommended that the National Regulations and operational guidance should detail how to interpret the concepts of the safety, rights and best interests of children. Further, guidance should:

- “ consider how to minimise risks of differing and conflicting interpretations and the risk of unintended consequences in application, such as discrimination or unreasonable expectations placed on employees.⁴

The Australian Children’s Education and Care Quality Authority has issued an Information Sheet to assist those involved in providing early childhood education and care services. The guidance states that ‘in practice, the paramount consideration will look different for each person, depending on their role’.⁵

It also includes a list of questions that providers should consider to ensure that the paramount consideration is reflected in policies, procedures, and governance frameworks. Further, there are specific questions that providers should consider when assessing their application of the paramount consideration against the National Quality Standard.⁶

Stakeholders strongly supported the introduction of the paramount consideration as it places the rights and interests of children at the centre of the system and all decision making. However, the Committee noted some concerns about implementing the paramount consideration in practice.

Stakeholders highlighted that the paramount consideration applies to everyone exercising their powers or performing functions under the National Law. However, there is very little guidance to support all the different decision makers who hold this statutory duty in performing their roles.

Stakeholders provided examples to improve implementation of the paramount consideration in various areas. In its submission, KU Children’s Services stated that a ‘strong child safe culture is not achieved through technical compliance alone, it must be embedded in values, behaviour, and daily practices’.⁷ It further considered that a ‘well-supported workforce is the strongest safeguard against harm’ so staff can embed child-safe principles into everyday practice.⁸

³ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, Victorian Government, Melbourne, 2025, pp. 21–22.

⁴ Ibid., p. 23.

⁵ Australian Children’s Education and Care Quality Authority, *Child safety understanding paramount consideration*.

⁶ Ibid.

⁷ KU Children’s Services, *Submission 52*, p. 5.

⁸ Ibid.

Early Childhood Australia, The Parenthood, Australian Childhood Foundation, and KU Children's Services all shared that there need to be additional requirements for providers to support applying the paramount principle in practice. These included:

- introducing regulatory settings to '[offset] the strict commercialisation of childcare to ensure quality and safety are paramount'⁹
- requiring all service providers to make a commitment to children's safety which serves as a mechanism to support the implementation of the paramount consideration.¹⁰

It is clear to the Committee that there is a lack of guidance for the sector to understand and apply the paramount consideration in practice. In addition, there is a lack of transparency with the Victorian Early Childhood Regulatory Authority's expectations for what it is looking for when assessing the quality of a service against the paramount consideration.

As stated previously, the Committee notes concerns raised by stakeholder reports that the regulator is primarily focused on compliance with less emphasis on building relationships and providing guidance and support.

The Committee recognises that the paramount consideration only came into effect in February 2026. At the time this Report was adopted, less than a year has passed since the enactment.

The Committee considers it is appropriate that the sector receives an implementation plan. This would help ensure that the paramount consideration is embedded consistently across the system with greater stewardship from governments and regulators to provide practical guidance. This should apply to all aspects of the sector such as service providers, authorised officers and staff.

FINDING 11: The paramount consideration is widely supported by stakeholders who see it as a positive step towards embedding the rights and best interests of children at the centre of all decision-making.

RECOMMENDATION 12: That the Victorian Government advocates to the Education Ministers Meeting to develop an implementation plan on how to consistently embed the paramount consideration in practice across the early childhood education and care sector.

⁹ Australian Childhood Foundation, *Submission 27*, p. 12.

¹⁰ Early Childhood Australia, *Submission 92*, p. 3.

3.2 The Working with Children Check framework

The effectiveness of the Working with Children Check has been subject of ongoing scrutiny with successive reviews and various reports over the past decade. The reviews have identified limitations in its capacity to safely identify and prevent risks of harm to children.

The evidence in these reviews identified the following issues:

- limitations on information sharing between government agencies
- limitations on the type of information that can be considered to assess a person's risk to children
- the inability to cross-check a person's suitability with other jurisdictions
- requirements that needed to be met to suspend or revoke a Working with Children Check.

Many submitters to this Inquiry also raised issues about the effectiveness of the Working with Children Check framework, drawing on their experience in the early childhood education and care sector. Additional reforms identified by stakeholders included:

- there are no training requirements for obtaining a Working with Children Check¹¹
- the Working with Children Check process should consider information other than what is available to Police, such as behavioural patterns¹²
- the length of the renewal period is inappropriate because 5 years is too long and seen as a safeguarding weakness¹³
- the need for a cross-sector disqualified provider process, where people who fail a Working with Children Check or reassessment are barred from working in similar sectors such as education, disability, and aged care¹⁴
- the need to shift the responsibility of linking a Working with Children Check to a new employer from the employee to the employer¹⁵
- the need for enhanced information sharing across sectors such as education, aged care, and disability.¹⁶

¹¹ Kristi McVee, *Submission 36*, p. 8; Australian Childhood Foundation, *Submission 27*, p. 27; Municipal Association of Victoria, *Submission 38*, p. 4.

¹² McVee, *Submission 36*, p. 10; Mallee Family Care, *Submission 44*, p. 5.

¹³ Early Childhood Education and Law academics, *Submission 78*, p. 7.

¹⁴ Advocating for Children with Disability, *Submission 34*, p. 7.

¹⁵ Goodstart Early Learning, *Submission 55*, p. 6; The Parenthood, *Submission 43*, p. 6.

¹⁶ Advocating for Children with Disability, *Submission 34*, p. 7.

Following the Rapid Child Safety Review, the Victorian Government implemented a range of changes to the Working with Children Check framework. These included:

- national mutual recognition of Working with Children Check exclusions
- expanding Working with Children Check suspension powers
- cancelling clearances granted in certain circumstances, such as when the person has provided false or misleading information on reassessment
- prohibiting certain persons from engaging in child-related work pending the outcome of the person's application for a Working with Children Check
- increasing the time limit for prosecuting offences of providing false or misleading information.¹⁷

Stakeholders also urgently called for a harmonisation of Australia's Working with Children Check systems through a nationally administered Working with Children Check framework.

3.2.1 Victorian Ombudsman's report *Investigation into a former youth worker's unauthorised access to private information about children*

The issues relating to the Working with Children Check during the Rapid Child Safety Review were raised previously by the Victorian Ombudsman. In the 2022 report *Investigation into a former youth worker's unauthorised access to private information about children*, the Ombudsman made a series of recommendations to address these. However, the recommendations were not implemented by the Government at the time.

The Ombudsman initiated an own-motion investigation following media reports in April 2021 into a significant data breach by former youth worker Alexander Jones. The Ombudsman's investigation examined circumstances surrounding his access to Victorian Government information about children and young people. In the investigation, the Ombudsman also examined the Working with Children Check framework.

The Ombudsman recommended specific amendments to the *Worker Screening Act 2020*, including that the Secretary of the Department of Justice and Community Safety¹⁸ should have the power to:

- obtain and consider any information that may be relevant to an applicant's suitability to work with children
- refuse an application for a Working with Children Check if reasonably satisfied the applicant poses an unjustifiable risk to the safety of children (including where no criminal or disciplinary history exists)

¹⁷ *Worker Screening Amendment (Strengthening the Working with Children Check) Act 2025* (Vic); Victoria, Legislative Assembly, 20 August 2025, *Parliamentary debates*, pp. 3163–3164.

¹⁸ At the time, the Department of Justice and Community Safety was responsible for administering the Working with Children Check scheme.

- reassess a person's suitability to hold a Working with Children clearance on the Secretary's own initiative, and without need for notification of a criminal charge or disciplinary outcome
- pending determination of a reassessment, suspend a person's Working with Children clearance where the Secretary reasonably suspects the person poses an unjustifiable risk to the safety of children
- revoke a person's Working with Children clearance following reassessment, where reasonably satisfied the person poses an unjustifiable risk to the safety of children (including where no criminal or disciplinary history exists).¹⁹

In response to questions on notice, the Office of the Victorian Ombudsman also provided a timeline of communication with the Worker Screening Unit (at that time a unit of the Department of Justice and Community Safety) following the tabling of the 2022 report:

- Between 13 July 2022 and 10 January 2025, the Office of the Ombudsman wrote to the Department of Justice and Community Safety four times seeking to consult and asking for an update on progress to implement recommendations.²⁰
- On 10 February 2025, officials from the Office of the Victorian Ombudsman and the Department of Justice and Community Safety met to discuss progress on implementing recommendations.²¹

When Committee members asked the Department of Education about its response to the Ombudsman's 2022 report, the representatives of the Department could not provide a comprehensive answer.²²

The Department of Education did note that it had several consultation meetings with the Worker Screening Unit of between 2023 and 2024. These meetings led to the former early childhood education and care regulator (the Quality Assessment Regulation Division) being added as a prescribed entity under the *Worker Screening Act 2020*. This meant that it could share information that supports the wellbeing or safety of children with other prescribed entities and authorised professionals.

FINDING 12: In September 2022, the Victorian Ombudsman identified several issues with the Working with Children Check framework in its report *Investigation into a former youth worker's unauthorised access to private information about children*. The Victorian Government failed to act on these recommendations to strengthen the Working with Children Check framework until 2025, and after the Rapid Child Safety Review made similar recommendations.

19 Victorian Ombudsman, *Investigation into a former youth worker's unauthorised access to private information about children*, Office of the Victorian Ombudsman, Melbourne, 2022, p. 80.

20 Victorian Ombudsman, Select Committee on the Early Childhood Education and Care Sector hearing, response to questions on notice received 16 January 2026 pp. 3–4.

21 Office of the Victorian Ombudsman, Inquiry into the early childhood education and care sector in Victoria hearing, response to questions on notice received 16 January 2026, pp. 3–5.

22 Tony Bates PSM, Secretary, Department of Education, public hearing, Melbourne, 8 December 2026, *Transcript of evidence*, pp. 22–23.

3.2.2 A national Working with Children Check framework

The Committee considers that the evidence presented during the Inquiry supports a nationally consistent approach to working with children checks. This includes harmonising legislation of state and territory Working with Children Check laws, a national Working with Children Clearance register, and a national Working with Children Check.

The Rapid Child Safety Review panel recommended that the Victorian Government work with the Commonwealth and other Australian governments to develop a national approach to Working with Children Check laws. It also advocated for a national database that is able to support real-time monitoring of Working with Children Check holders.²³

Since the Rapid Child Safety Review was published, the Standing Council of Attorneys-General has endorsed the Agreement to Deliver National Working with Children Check Reform. This Agreement outlines six priority actions that set out the agreed pathway and timeframes to strengthen and improve consistency for a national approach to working with children checks:

1. Implementing mutual recognition of negative notices
2. Meaningful consistency in automatic exclusion criteria
3. Meaningful consistency in risk assessment frameworks
4. Clear information sharing pathways
5. An operational National Continuous Checking Capability
6. Mutual recognition of working with children checks.²⁴

Following the Agreement, the Commonwealth Government committed \$37 million over five years to implement the National Continuous Checking Capability. This is a national system that will provide continuous monitoring of changes to the criminal history information of Working with Children Check holders.²⁵

In December 2025, a pilot program was completed using Commonwealth and ACT Policing data. The Australian Criminal Intelligence Commission has stated that it is working with state and territory screening units to onboard them to the National Continuous Checking Capability by the end of 2026.²⁶

²³ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p. 44.

²⁴ National Officer for Child Safety, *Working with Children Check Reform*, 2026, <<https://www.childsafety.gov.au/what-we-do/child-safe-organisations/working-children-check-reform>> accessed 22 July 2026.

²⁵ Commonwealth Attorney-General, *Albanese Government announces \$37 million to support Working with Children Check Reform*, November 2025, <<https://ministers.ag.gov.au/media-centre/albanese-government-announces-37-million-support-working-children-check-reform-14-11-2025>> accessed 3 July 2026.

²⁶ Australian Criminal Intelligence Commission, *Our National Police Checking Service supports major events and processes millions of applicants each year*, 2026, <<https://www.acic.gov.au/media-centre/media-releases-and-statements/our-national-police-checking-service-supports-major-events-and-processes-millions-applicants-each-year>> accessed 3 July 2026.

Stakeholders were supportive of a national Working with Children Check and harmonisation of the Working with Children Check laws.²⁷ In its submission, the Australian Childhood Foundation recommended that the national Working with Children Check reforms should consider workplaces that employ children or where children are frequent clients or customers.²⁸

Advocating for Children with Disability also believed that the harmonisation must occur across the aged-care, childcare, and disability sectors. This would ensure that individuals barred from one sector cannot obtain or retain a Working with Children Check in another.²⁹ This position is also supported by Australian Childcare Alliance Victoria which shared with the Committee that a ‘national working with vulnerable people check’ is what is required.³⁰

Dr Ros Baxter, Chief Executive Officer of Goodstart Early Learning told the Committee that a national Working with Children Check system will close gaps in the system. She stated that no matter how good an individual state scheme is, it is insufficient in a federated system like Australia:

“ The main reason why we have called for a national scheme is because it is insufficient to simply allow states to check each other’s schemes, to check whether someone has a valid working with children check or whether they have been banned. What we really need to do is start from scratch and look at each of those thresholds for assessment, reassessment and temporary suspension, make sure we get them right everywhere nationally and make sure we are able to do that work nationally.³¹

FINDING 13: There is general support for legislative changes made to the Working with Children Check framework following the Rapid Child Safety Review. However, additional issues remain unaddressed, including:

- limited information sharing across other sectors such as education, aged care, and disability
- no mandatory child-safety training requirements for applicants applying for a Working with Children Check
- limitations on the type of information that is taken into account when determining a person’s suitability
- people who fail a Working with Children Check and/or reassessment are not barred from working in similar sectors such as education, disability, and aged care.

²⁷ Alison Geale, Chief Executive Officer, Bravehearts, public hearing, Melbourne, 11 March 2026, *Transcript of evidence*, p. 11; Warren Bright, Chief Executive Officer, Guardian Childcare and Education, public hearing, Melbourne, 11 March 2026, *Transcript of evidence*, p. 47.

²⁸ Australian Childhood Foundation, *Submission 27*, p. 26.

²⁹ Advocating for Children with Disability, *Submission 34*, p. 7.

³⁰ Paul Mondo, President, Australian Childcare Alliance Victoria, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 54.

³¹ Dr Ros Baxter, Chief Executive Officer, Goodstart Early Learning, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 30.

RECOMMENDATION 13: That the Victorian Government strengthens the Social Services Regulator’s information sharing capabilities for Working with Children Checks to include relevant information for individuals working with vulnerable people from other similar sectors, including education, aged care and disability.

3

3.3 Educator-to-child ratios

The Committee heard concerns about educator-to-child ratios, particularly issues around the misuse of the under the roofline ratios and implementing the four-eyes principle. These were two identified areas that the Rapid Child Safety Review and Inquiry stakeholders called for reform.

Following the Rapid Child Safety Review, the Education Ministers Meeting directed the Australian Children’s Education and Care Quality Authority to undertake a Rapid Assessment of Child Safe Practices. This consequently led to the Education Ministers Meeting agreeing to amend the National Quality Framework and repeal the under the roofline ratio.

The use of staff waivers was also a key issue raised by stakeholders, with many disapproving of services seeking waivers because this inhibits supervision and compromises child safety. The Committee notes that Victoria records the lowest use of staff waivers, as discussed in Section 3.3.4.

3.3.1 Requirements under the National Quality Framework

The National Quality Framework sets out the minimum qualification and educator-to-child ratio requirements for early childhood education and care services. The ratios differ depending on whether the service is centre-based or family day care, and the age of the children.

For centre-based services, the ratios differ depending on the jurisdiction the service is in. The ratios apply to long day care, kindergarten, outside school hours care, occasional care and limited hours services.

Table 3.1 below provides a summary of these.

Table 3.1 Educator-to-child ratios in centre-based services by child age and jurisdiction

Age of children	Staff to child ratio	Applies to
Birth to 24 months	1:4	All states and territories
Over 24 months and less than 36 months	1:5	All states and territories excluding VIC
	1:4	VIC
36 months up to and including kinder/preschool age	1:11	ACT, NT, QLD, SA, VIC
	1:10	NSW
	1:10	TAS
	2:25 for children attending a preschool program	
	1:10	WA
Over kinder/preschool age	1:15	NT, QLD, SA, TAS, VIC, NSW
	1:11	ACT
	If no Kindergarten children present	WA
	1:10 for first 12 children then 1:13	

Source: Australian Children's Education and Care Quality Authority, *Educator to child ratios*, <<https://www.acecqa.gov.au/nqf/educator-to-child-ratios>> accessed 31 July 2026.

In a mixed age group of children, an educator who is caring for one age range of children can also be counted against another age range of children, as long as the ratio for each age range is maintained and adequate supervision is maintained at all times.³²

The National Regulations require the educator-to-child ratio to be maintained at all times no matter what activity the children or the educators at the service are undertaking. Some jurisdictions have specific provisions which modify these ratio requirements when educators are taking short breaks and are not working directly with children.³³

For family day care services, the educator-to-child ratio for all children is:

- 1:7 educator-to-child ratio
- maximum of four children preschool age or under
- ratio includes the educator's own children younger than 13 years if there is no other adult to care for them.³⁴

³² Australian Children's Education and Care Quality Authority, *Australian Children's Education and Care Quality Authority Annual Report 2013–2014*, report prepared by Australian Children's Education & Care Quality Authority, report for Education Council (South Australian Parliament), NSW.

³³ Queensland, Tasmania, South Australia and Western Australia.

³⁴ Australian Children's Education & Care Quality Authority, *Educator to child ratios: The National Quality Framework (NQF) sets out the minimum child ratio requirements for children's education and care services.*, <<https://www.acecqa.gov.au/nqf/educator-to-child-ratios>> accessed 3 July 2026.

Educators must be working directly with children to be counted in the educator-to-child ratios. This means being physically present with the children and directly involved in providing education and care to those children.

3.3.2 Rapid Assessment of Child Safe Practices

On 22 August 2025, the Education Ministers Meeting announced that the Australian Children's Education and Care Quality Authority would undertake a Rapid Assessment of Child Safe Practices. The review considered whether educator-to-child ratios being applied appropriately and supported child safety.

On 27 February 2026, the Australian Childhood Education and Care Quality Authority published its report on the Rapid Assessment of Child Safe Practices after it had been accepted by the Education Ministers Meeting.

This report identified issues on the application of educator-to-child ratio requirements and proper supervision of children. These included:

- pressure or incentives by approved providers on staff to only plan and implement ratios 'across the service'
- increasing and changing responsibilities of educators to support children with diverse needs, including children with complex behaviours, health considerations, and additional needs
- educators and teachers who are alone with individuals or groups of children feel vulnerable and unable to protect the safety of children.³⁵

The Report made several recommendations, including to clarify that under the roofline ratios should be used in exceptional circumstances only. For example, their use may be appropriate where fewer children are in attendance due to fluctuation, and using ratios for individual rooms or groups would isolate children or an educator.³⁶

The Education Ministers Meeting accepted the recommendations. This included an agreement to remove the under the roofline provision from the National Quality Standard and define 'adequate supervision' in the National Law. In the Communiqué from the July 2026 Education Ministers Meeting, it was noted that there was an agreement to:

- “implement further reforms to strengthen safety and quality for children in [early childhood education and care], covering key areas such as across the service ratios', and in other areas.³⁷

³⁵ Australian Children's Education and Care Quality Authority, *Rapid Assessment of Child Safe Practices*, report prepared by Australian Children's Education and Care Quality Authority, report for Australian Government Department of Education, 2025, pp. 10–11.

³⁶ Ibid., p. 11.

³⁷ Education Ministers Meeting, *Communiqué*, 15 July 2026, <<https://www.education.gov.au/download/20190/communiques-education-ministers-meetings-2026/45187/education-ministers-meeting-communique-july-2026/pdf>> accessed 28 July 2026.

At the time this Report was adopted, the changes were still waiting implementation.

3.3.3 Under the roofline ratio

“ Children’s brains develop most rapidly in the early years. What they need during this time isn’t just supervision or stimulation. They need calm, consistent, and responsive relationships with trusted adults. When educator-to-child ratios are too high, it becomes impossible to provide the kind of individualised, connected care that supports healthy brain development, emotional regulation, and learning. Lower ratios have been consistently linked to better outcomes in language, social development, and emotional wellbeing.

...

When educators are overworked, emotionally stretched, or under constant pressure due to high ratios and heavy workloads, children feel that stress too. Young children are highly sensitive to the emotional tone of those around them, especially their caregivers.

Source: Sarah Briggs, *Submission 13*, p. 1.

As mentioned previously, since this Inquiry was established the Education Ministers Meeting has agreed to reform under the roofline ratios.

Many Inquiry stakeholders criticised the use of the under the roofline calculation of educator-to-child ratios. This allows larger services to average ratios across different rooms, which may lead to certain rooms being understaffed at times.

Some stakeholders were concerned that averaging ratios across a service led to poor safeguarding and can lead to imbalances between rooms.³⁸ Others described it as a ‘loophole’ to ensure compliance whilst not maintaining safe conditions for children.³⁹

In a United Workers Union survey of 3,000 educators released in July 2025, 77% of educators said that they were operating below minimum staffing levels in their rooms at least weekly. In addition, 42% said it was occurring daily, indicating widespread misuse of the ratios. In the same survey, 83% of educators strongly agreed that this compromises the safety and wellbeing of children.⁴⁰

Providers supported reform however noted that changes to ratios increase operational costs. In its submission, Early Learning Association of Australia highlighted that the change would further exacerbate staffing issues and workforce stability:

“ Tightening ratio requirements would, in almost any scenario, increase the number of teachers and/or educators required to provide ECEC to children ... It is also possible that, in seeking to hire additional staff who are not currently employed in the sector, it will

³⁸ Australian Childhood Foundation, *Submission 27*.

³⁹ Early Learning Association Australia, *Submission 35*, p. 7.

⁴⁰ The Front Project, *Submission 28*, p. 22.

mean that lower quality staff are joining the system. If the additional staff cannot be found, then the number of children able to be provided ECEC will fall. This can happen through services capping room numbers and enrolments, or services closing (and new services not opening).⁴¹

Other stakeholders discussed the need for increased staff where there are children with additional needs. YMCA recommended that ratio requirements be reviewed for services working with cohorts of children with higher or more complex needs.⁴²

FINDING 14: Educator-to-child ratios operate on the assumption that age determines the level of adult supervision required. This does not take into account the needs of children such as behaviours and medical conditions.

3.3.4 Waivers for educator-to-child ratios

Waivers are intended as a temporary measure to allow services to operate when they cannot meet legislated requirements relating to physical environment or staffing arrangements. If granted, the service is taken to comply with that specific requirement under the National Law and Regulations or the *Children's Services Act 1996* and Regulations, which ever applies.

There are two types of waivers:

- service waivers, which have no specified expiry date
- temporary waivers, which only apply for up to 12 months (with a further extension available).

Staffing waivers can fall under a service waiver or a temporary waiver.⁴³ As mentioned previously in section 3.3.1, to be counted in the required educator-to-child ratio, staff must be directly involved in education and care of children. They must also hold or be actively working towards an approved qualification.

The Australian Children's Education and Care Quality Authority provides data snapshots of the proportion of services with a waiver by jurisdiction and waiver category.⁴⁴

At 1 July 2026, Victoria has the lowest proportion of services with a staffing waiver compared to all other Australian jurisdictions: 0.7% compared to a national average of 4.3%.⁴⁵ A further breakdown of the data shows that Victoria:

- has the lowest number of temporary staffing waivers, 0.1% compared to the national average 4.1%

⁴¹ Early Learning Association Australia, *Submission 35*, p. 18.

⁴² YMCA, *Submission 29*, p. 7.

⁴³ *Education and Care Services National Regulations 2011* (National) s 123.

⁴⁴ Australian Children's Education & Care Quality Authority, *Waivers*, 2026, <<https://snapshots.acecqa.gov.au/Snapshot/waivers.html>> accessed 6 August 2026.

⁴⁵ Ibid.

- is above the national average for the number of indefinite staffing waivers, 0.6% compared to 0.2% national average
- is above the national average for staffing waivers at pre-school and kindergarten services, 1.8% compared to 1.4% national average.⁴⁶

Some stakeholders shared that although the use of waivers relating to educator-to-child ratios are low, there needs to ongoing monitoring to maintain that low percentage. The Front Project stated that targeted support is needed where services rely on waivers for extended periods or show limited progress in addressing workforce shortages.⁴⁷

This is more so the case following removal of the under the roofline exception and there is a risk that services may turn to waivers to obtain an exception from the ratio requirements.

FINDING 15: As at 1 July 2026, Victoria has the lowest proportion of services with a staffing waiver, at 0.7% compared to a national average of 4.3%.

FINDING 16: Victoria does not provide standalone, granular-level data of current waivers in place for Victorian early childhood education and care services.

RECOMMENDATION 14: That the Victorian Early Childhood Regulatory Authority consistently publishes improved data of the conditions, waivers, and compliance actions currently in place for all Victorian early childhood education and care services.

3.3.5 Four-eyes principle

In the Rapid Child Safety Review, the panel recommended reviewing staffing arrangements, including the practice of two adults being visible to each other when with children, also referred to as the ‘four-eyes’ principle.⁴⁸ The Review noted that some centres have adopted this principle in practice, and believed this should be recognised and promoted as best practice, even without changes to the National Law.⁴⁹

Inquiry stakeholders supported implementing the four-eyes principle as best practice through policy guidance, training and compliance visits.⁵⁰ Body Safety Australia raised the issue that the ‘eyes are only as good as what they are trained to see’ and stated that child safety training is a determining factor to adequate supervision.⁵¹

⁴⁶ Ibid.

⁴⁷ The Front Project, *Submission 28*, p. 26.

⁴⁸ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, p. 13.

⁴⁹ Ibid., p. 57.

⁵⁰ The Front Project, *Submission 28*, p. 26; Parenthood, *Submission 43*, p. 10.

⁵¹ Body Safety Australia, *Submission 68*, p. 6.

The Front Project emphasised that services should have management plans where it is impractical to continually meet the four-eyes principle.⁵²

The Australian Education Union stated that the policy should be explicit where the four-eyes principle may not be necessary or appropriate, for example when children are toileting, during nappy changing or nap time.⁵³ Further it should provide ‘ethical and practical’ guidance to support those who cannot meet the four-eyes principle.⁵⁴

RECOMMENDATION 15: That the Victorian Government advocates to the Education Ministers Meeting to implement the ‘four-eyes’ principle as best practice under the National Quality Framework.

3.4 CCTV trials

In August 2025, the Commonwealth Government announced a trial of CCTV in early childhood education and care centres. At the time this Report was adopted the trial remains underway, with over 300 services participating nationally.

Approximately 135 services provided baseline information to the trial, with a further 170 participating in a data collection period from April to June 2026 through fortnightly reporting.⁵⁵

The Education Ministers Meeting expects a final report on the trial in October 2026.

Inquiry stakeholders had differing views on the use of CCTV in centres. Some were supportive of the use of CCTV more generally, such as monitoring who is entering and exiting a service. Others raised issues with the limitations of CCTV including that it was not a substitute for staffing shortages and could create significant privacy and security risks.

In its submission, Early Learning Association Australia stated that CCTV would provide a ‘false sense of security’ on child safety and wellbeing.⁵⁶ It also believed it would distract efforts from other important areas, such as building a strong reporting culture where staff are comfortable to report concerns.⁵⁷

⁵² The Front Project, *Submission 28*, p. 26.

⁵³ Australian Education Union, *Submission 94*, p. 7.

⁵⁴ Early Childhood Australia, *Submission 92*, p. 10.

⁵⁵ Australian Government, *National CCTV assessment: A national assessment will explore the use of CCTV in early childhood education and care (ECEC) settings*, <<https://www.education.gov.au/early-childhood/about/quality-and-safety/national-cctv-assessment>> accessed 9 July 2026.

⁵⁶ Early Learning Association Australia, *Submission 35*, p. 5.

⁵⁷ Ibid.

The Australian Education Union submitted that investment in CCTV is ‘a dollar not being spent on improving ratios, access to funded Professional Development, wages, additional planning time and embedding child safe practices’.⁵⁸

The Australian Children’s Education and Care Quality Authority previously examined CCTV use in its 2023 report *Review of child safety arrangements under the National Quality Framework*. The National Authority recommended that there should be clear guidance about:

- the development of policies covering communications with families, educators and all staff about the use of CCTV
- how CCTV footage is collected, used and stored.⁵⁹

FINDING 17: CCTV alone is not an effective preventative measure against child abuse and is useful primarily as a deterrence, monitoring and investigative tool. Investment in culture, skilled workforce, and clear reporting pathways are more effective in promoting child safety.

3.5 Children with disabilities and complex needs

“Children with disability ... face elevated risk of sexual abuse and other harm in institutional contexts due to the dependence on adults for intimate care. Barriers to communication and societal attitudes can silence or disbelieve them. When funding is thin or inflexible, services cut corners on the very measures that reduce risk: adequate supervision, two-person visibility in high-risk routine situations, tailored communication supports and staff time for proactive planning.

Source: Dr Liz Hudson, Policy and Research Manager, Children and Young People with Disability Australia, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 18.

Children with disability are at greater risk of harm than their peers without disability. Children with disability are:

- at more than three times higher risk of physical violence
- nearly three times higher risk for sexual violence
- over four times higher risk for emotional abuse and neglect.

Inclusion for all children is a key principle embedded in the National Quality Framework, as well as a general requirement under a range of state and Commonwealth legislation.

⁵⁸ Ibid.; Australian Education Union, *Submission 94*, p. 8.

⁵⁹ Ibid.; Australian Children’s Education and Care Quality Authority, *Review of Child Safety Arrangements under the National Quality Framework: Final Report – Findings and recommendations for the NQF and inter-related child safety mechanisms* report for Australian Government Minister for Education and Minister for Early Childhood Education, NSW, 2023.

Safety and wellbeing for children with disabilities was examined in detail in the 2023 Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

The Royal Commission referred to evidence that showed that ‘education settings have institutional cultures that create barriers to complaint making and expectations of retribution’.⁶⁰ Children and parents are placed in difficult situations where they accept situations of violence and mistreatment or, alternatively, complain and face loss of educational opportunity or further violence.⁶¹

In the Report, the Royal Commission discussed principles of ‘inclusive education’, which:

- involves specialist expertise to make reasonable adjustments for students with disability and support them to participate fully in school life
- empowers the leadership and voice of students with disability, while engaging parents and carers in planning and decision making
- builds inclusive attitudes and behaviours among parents, students, teachers and school leadership
- enhances workforce capabilities and changes classroom and extracurricular practices, including support for post-school transitions and cultural capability.⁶²

The Committee heard evidence that the early childhood education and care sector is not equipped with the knowledge and skills needed to support and safeguard children with disability.

Dr Liz Hudson, Policy and Research Manager at Children and Young People with Disability Australia drew attention to the fact. She noted that inclusive practice is not reflected in the National Quality Standard, and this has led to implementation issues and notable differences of understanding across the sector:

“ They [children with disabilities] are denied full hours or refused enrolment altogether, and these experiences send a really harmful message at a formative stage that their participation and safety are conditional, and when staff are not trained to communicate with children using non-verbal methods or to recognise distress in children with complex communication needs, unsafe situations unfortunately go unnoticed or unaddressed or unreported.⁶³

In its submission, Advocating for Children with Disability shared that many parents with children with disabilities are denied or discouraged from accessing early childhood and care services.⁶⁴

⁶⁰ Disability Royal Commission, *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability – Final Report: Volume 7, Inclusive education, employment and housing – Part A*, report prepared by Disability Royal Commission, report for Australian Government, Commonwealth of Australia, 2023.

⁶¹ Ibid., p. 254.

⁶² Ibid., p. 90.

⁶³ Dr Liz Hudson, Policy and Research Manager, Children and Young People with Disability Australia, Public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 16.

⁶⁴ Advocating for Children with Disability, *Submission 34*, p. 4.

Additional issues raised in evidence included:

- difficulties navigating government support programs
- inconsistent training to early childhood education and care workers
- the lack of adequate regulation and oversight to ensure that services and educators are equipped to care for children with medical conditions.

3.5.1 Inclusion programs for children with disabilities

The Inclusion Support Program plays a critical role supporting early childhood education and care services to improve their inclusive practices. It is an opportunity to enable children with disability to access and engage in these settings with agency and autonomy.

The Program is funded through the Child Care Subsidy and is available to services that provide centre-based day care, outside school hours care, and family day care.⁶⁵

The Kindergarten Inclusion Support Program is the primary Victorian funding mechanism that assists services to implement inclusive programs for children with disability or additional needs in kindergarten programs.⁶⁶

Advocating for Children with Disability expressed that the current suite of programs is administratively complex and is perceived as a barrier to accessing funding.⁶⁷ In its submission, the organisation stated that the Kindergarten Inclusion Program, in its current form, is ‘under-resourced and unable to meet the inclusion needs of children with disability’.⁶⁸

Further, it found that the application process was difficult to navigate, confusing, and onerous on centre staff:

“ The application process is described as confusing, difficult to navigate and emotionally confronting, requiring families to describe their child ‘at their worst.’ Families also highlight that the process has an overly narrow focus on behaviours of concern, rather than taking a holistic view of a child’s inclusion and safety needs.

...

The process is also onerous for centre staff, placing additional pressure on an already stretched workforce and, in some cases, acting as a deterrent to educators assisting families.⁶⁹

⁶⁵ Department of Education, *Inclusion Support Program*, <<https://www.education.gov.au/early-childhood/providers/extra-support/inclusion-support-program>> accessed 6 March 2026.

⁶⁶ Victorian Government, *Kindergarten Inclusion Support (KIS)*, 2026, <<https://www.vic.gov.au/kindergarten-inclusion-children-disabilities>> accessed 5 June 2026.

⁶⁷ Advocating for Children with Disability, *Submission 34*, p. 5.

⁶⁸ Ibid.

⁶⁹ Ibid.

Goodstart supported increasing the level of support to children with disabilities and additional needs.⁷⁰ It submitted that the Inclusion Support Program needs a ‘funding boost’ and that the Victorian Government should advocate to the Commonwealth Government for this.⁷¹

Mallee Family Care joined these calls.⁷² It stated that these educators struggle with core skills relating to caring for children:

“ new [Kindergarten Inclusion Support Additional Assistants] without qualifications often struggle with basic expectations: understanding child behaviour, managing conflict, following routines, and recognising when children are distressed. The burden then falls on kindergarten teachers (who are already stretched) to provide on-the-job coaching and supervision.⁷³

The Victorian 2026–27 Budget included increased supplementary funding to the Inclusion Support Program, totalling \$114 million to support services to address barriers to children with additional needs. It also included \$9.8 million to help kindergarten services to upgrade their facilities and provide inclusive spaces for children.

FINDING 18: Children with disabilities are more likely to experience violence and abuse than their peers.

RECOMMENDATION 16: That the Victorian Government advocates to the Commonwealth Government to establish a needs-based Early Childhood and Care Inclusion Fund, in line with the recommendations of the Productivity Commission’s report *A path to universal early childhood education and care* (2024).

3.6 Children with medical conditions

“ No other Australian workforce sector would normally be permitted to undertake high-risk clinical duties involving Schedule 4 medicines through reliance upon awareness-based education alone.

...

Governments should not expect educators to undertake dangerous clinical tasks without recognised training, competency assessment, lawful authorisation pathways and appropriate regulatory safeguards.

Source: Australian Paediatric Society, *Submission 101*, pp. 6, 9.

⁷⁰ Goodstart Early Learning, *Submission 55*, p. 12.

⁷¹ Ibid.

⁷² Mallee Family Care, *Submission 44*, p. 6.

⁷³ Ibid., p. 3.

Evidence presented during the Inquiry revealed the absence of robust educator training relating to caring for children with medical conditions such as diabetes and allergies.

Educators are increasingly required to care for children with diverse medical needs. This includes implementing medical management plans relating to conditions such as:

- allergies
- asthma
- type 1 diabetes
- epilepsy.

Under the National Quality Framework, an approved provider must ensure that policies and procedures are in place for dealing with children with medical conditions, even when they do not have any children with a medical condition.⁷⁴

For centre-based services (excluding family day care services)⁷⁵, the provider must ensure that at least one staff member who has undertaken approved anaphylaxis management training is:

- in attendance at all times at any place where children are being educated and cared for by the service (including excursions)
- immediately available in an emergency.⁷⁶

In relation to supporting children with diabetes, centres are responsible for:

- ensuring that staff know how to safely and effectively manage diabetes, including administering medication
- raising awareness of diabetes and appropriate management among all staff through education and policy implementation.

Centres must also ensure that staff have professional development opportunities to support children with type 1 diabetes. Educators are currently not legally required to undertake formal training regarding caring for children with diabetes.

Current state policy provides that educators can administer medication as long as they are authorised by the child's parents to do so.⁷⁷

⁷⁴ Australian Children's Education and Care Quality Authority, *National Law and Regulations*, <<https://www.acecqa.gov.au/nqf/national-law-regulations>> accessed 27 September 2025.

⁷⁵ *Education and Care Services National Regulations 2011* (National) s 4.

⁷⁶ *Ibid.*, s 136(1)(b).

⁷⁷ Early Learning Victoria, *Administering medication procedure* <<https://www.earlylearning.vic.gov.au/administering-medication-policy-and-procedure>> accessed 22 July 2026.

3.6.1 Children with diabetes

The National Type 1 Diabetes Council considered that the Victorian early childhood education and care sector is not equipped to manage and care for children with complex medical conditions. It highlighted that early childhood education and care educators are not required to undergo training to administer medicine to children with type 1 diabetes.⁷⁸

Submitter Sophie Baker shared her experience as a mother of a child with type 1 diabetes:

“ I must attend the centre multiple times each day to administer insulin. Without my presence, [my daughter] cannot safely remain in care unless a centre accepts the legal risk of administering a Schedule 4 drug without accredited staff — a situation that endangers both children and staff. This is not a safe or equitable option.⁷⁹

The National Type 1 Diabetes Council believed that the lack of formal training and accredited qualifications is a significant risk to child safety and has resulted in significant and serious incidents:

“ Currently there is no accredited, approved, workplace training program or pathway to provide ECEC educator employees the requisite qualifications and training to be responsible for children with type 1 diabetes and administer the dangerous S4 drug, insulin, in the course of their employment. ECEC employees are being intentionally misclassified as informal “carers” in an attempt to avoid compliance with the mandatory training requirements and legal and regulatory obligations. The reality is that ECEC employees are employees and must be provided the requisite training and qualifications to comply with work, health, and safety obligations.⁸⁰

The National Type 1 Diabetes Council and the Australian Paediatric Society made the following recommendations to government:

- introducing an accredited training and qualification pathway for early childhood education and care workers to support children with type 1 diabetes
- providing practical, consistent guidance that addresses risk and enables compliance
- developing a sustainable workforce capability and governance framework that supports the safe and equitable inclusion of children with type 1 diabetes.⁸¹

⁷⁸ National Type 1 Diabetes Council, *Submission 100*, p. 5.

⁷⁹ Sophie Baker, *Submission 74*, p. 1.

⁸⁰ National Type 1 Diabetes Council, *Submission 100*, p. 5.

⁸¹ National Type 1 Diabetes Council, Type 1 Foundation, and the Australian Paediatric and Society, *Submission 102*, pp. 3–4.

3.6.2 Children with allergies

Allergy and Anaphylaxis Australia highlighted that around 10% of one-year-olds are at risk of food anaphylaxis. Some infants will outgrow their allergy, leaving around 4% to 8% of children in Australia with a lasting food allergy.⁸²

The National Allergy Council has developed Best Practice Guidelines for Anaphylaxis Prevention and Management in Children's Education and Care Services. Under the guidelines, the Council suggests that all staff should undergo anaphylaxis training at least every two years.⁸³ This differs substantially from the one staff member requirement under the National Quality Framework.

The Australian Paediatric Society considered conditions such as allergy and asthma require 'universal workforce capability' as they are 'common and foreseeable'. It suggested that educators should possess:

- awareness education
- emergency recognition skills
- basic first aid response capability.⁸⁴

The organisation highlighted that nationally recognised accredited training systems already exist, which can support broad workforce implementation.⁸⁵

The Australasian Society of Clinical Immunology and Allergy also raised issues with educators receiving limited training regarding food allergies.⁸⁶

FINDING 19: Under the National Regulations only one anaphylaxis trained staff member is required to be present onsite for centre-based early childhood education and care services. This requirement applies regardless of the number of children with a food allergy.

FINDING 20: There is no requirement for early childhood educators to undergo training to administer insulin to children with type 1 diabetes. They only require parents' approval to do so.

RECOMMENDATION 17: That the Victorian Government advocates to the Education Ministers Meeting to introduce accredited training pathways and a framework for managing medical conditions such as, but not limited to, children with type 1 diabetes, and anaphylaxis and allergy management.

⁸² Allergy and Anaphylaxis Australia, *Submission 37*, p. 1.

⁸³ National Allergy Council, *Submission 83*, p. 22.

⁸⁴ Australian Paediatric Society, *Submission 101*, p. 4.

⁸⁵ Ibid.

⁸⁶ Australasian Society of Clinical Immunology and Allergy, *Submission 70*, p. 3.

RECOMMENDATION 18: That the Victorian Government advocates to the Education Ministers Meeting to develop and implement:

- guidelines for anaphylaxis prevention and management for children with allergies
- guidelines for the appropriate safety and care of children with type 1 diabetes.

Chapter 4

Cultural safety

First Nations peoples hold a significant role in ensuring that their children are learning in environments that are culturally safe and where they are supported to develop their cultural identity.

Children who are culturally strong and connected to their communities have been shown to have stronger social and emotional wellbeing, greater sense of identity, and greater resilience.

For Aboriginal and Torres Strait Islander people, child and family wellbeing is fundamental for children's safety, development, and lifelong outcomes.¹

Aboriginal and Torres Strait Islander child nurturing is centred on storytelling, lifelong learning, and collective education with multiple care givers.

Aboriginal Community Controlled Organisations are a key driver to improved early learning outcomes for Aboriginal children. Research has shown this to be a preferred model of care for Aboriginal and Torres Strait Islander families and communities, and well suited to high-quality early childhood education and care settings.²

Australian governments have made commitments to partner with First Nations peoples to overcome the inequality experienced by Aboriginal and Torres Strait Islander people. This is captured under the Closing the Gap National Agreement and includes various priorities and solutions that uphold culture, connectivity, and community.

The Yoorrook Justice Commission in its report, *Yoorrook for Transformation*, recommended amendments to the *Education and Training Reform Act 2006*. This included to explicitly recognise Victoria's First Peoples' rights, cultures, histories, and perspectives in education. It also recommended urgent action to support sustainable funding for Aboriginal-led early education services.

The Victorian Government has also enacted the *Statewide Treaty Act 2025* which further supports meaningful partnership with the First Peoples of Victoria, to shape a future grounded in justice, understanding and unity.

The Committee heard from multiple Aboriginal Community Controlled Organisations and mainstream services which shared that the sector is ill-equipped to assess, evaluate, and implement culturally safe practices.

1 Secretariat of National Aboriginal and Islander Child Care, *Child and Family Wellbeing*, 2026, <<https://www.snaicc.org.au/our-work/child-and-family-wellbeing>> accessed 22 July 2026.

2 Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 11.

One of the key issues raised by stakeholders was the lack of general capability across the sector to uphold cultural safety, which reflects a systemic failure. This deficiency is predominantly seen amongst those who are engaging directly with services or directly with children, such as authorised officers and educators.

Cultural safety forms part of the Child Safe Standards. However, stakeholders raised concerns that the lack of understanding of what cultural safety looks like in practice has resulted in poor monitoring and poor implementation.

Other key issues that stakeholders raised included:

- the lack of capability amongst regulatory staff to assess, measure, and evaluate culturally safe practices
- the limited and inappropriate investment in Aboriginal Community Controlled Organisations to provide early childhood education and care services
- recent reviews and legislative reforms have proceeded without meaningful engagement with Aboriginal and Torres Strait Islander peoples.

4.1 Cultural safety requirements in early childhood education and care services

“ The Child Safe Standards add to the responsibilities and highlight the importance of cultural safety for Aboriginal children (Standard 1), and of equity being upheld and diverse needs respected (Standard 5). These responsibilities are not abstract; they are legally and morally binding obligations for both the State and Federal governments that require active implementation to enable access to quality and culturally empowering early education and child services for Aboriginal children.

Source: Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 7.

Child Safe Standard 1 requires organisations to establish culturally safe environments where Aboriginal children's identities are respected and valued. Child Safe Standard 5 also states that organisations should pay particular attention to the needs of Aboriginal and Torres Strait Islander children and provides and promote a culturally safe environment for them.

The Committee heard criticism that the Standards are largely implemented and monitored in tokenistic ways in mainstream early childhood education and care settings.³ Inquiry stakeholders highlighted that the National Quality Standard does not include adequate provisions relating to cultural safety. They also noted that authorised officers lack capability to determine whether a centre is meeting the standards of cultural safety.

³ Ibid., p. 17.

In its submission, the Secretariat of National Aboriginal and Islander Child Care stated that advocating cultural safety is everyone's responsibility. This includes from staff to the national regulator, and is not just the responsibility of Aboriginal Community Controlled Organisations:

“ Cultural safety is a critical determinant of wellbeing and an essential practice standard. While *Marrung*⁴ and the Child Safe Standards recognise this principle, there is no statewide framework to guide how cultural safety is implemented in early learning environments. Cultural safety requires whole-of-system reform across curriculum, workforce, environment design and governance.⁵

In its submission, Ngaweeyan Maar-oo recommended that the Victorian Government co-design Child Safe Standard 1 with Aboriginal Community Controlled Organisations. This would include:

- defining cultural safety
- developing tools, resources, and training for the sector
- embedding cultural safety into the approval and inspections of services to ensure consistency across the sector regardless of the service type.⁶

The Secretariat referred to the joint framework it developed with New South Wales, *The NSW Aboriginal Cultural Safety Framework for Early Childhood Education*. It provides an evidence-based example for a Victorian framework, both in the process of its design and the important policy outcomes created.⁷

The Framework sets clear expectations, standards, and guidance for the sector:

“ Culturally safe services not only support the participation of more Aboriginal children in early childhood education and care, but they ensure that all children attending early childhood and care services learn, understand and value Aboriginal and Torres Strait Islander people's culture and history.⁸

It includes tools and resources to support early childhood education and care services to develop, maintain and improve culturally safe environments that value and nurture culture, language, kinship and identity.

The Committee recognises the capability gap that exists within the sector and how this can compromise child safety. As such, the Committee considers that replicating a framework that is co-designed with Aboriginal communities, evidence-based and proven to work would be a sensible starting point to progress improving capability across the Victorian sector.

4 Department of Education and Training, *Marrung Aboriginal Education Plan 2016–2026*, Melbourne, 2016.

5 Secretariat of National Aboriginal and Islander Child Care, *Submission 89*, p. 14.

6 Ngaweeyan Maar-oo, *Submission 95*, pp. 18–19.

7 Secretariat of National Aboriginal and Islander Child Care, *Submission 89*, p. 14.

8 Department of Education, *Aboriginal Cultural Safety Framework*, 2026, <<https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/current-service-providers/making-services-accessible-for-all-children/aboriginal-access/aboriginal-cultural-safety-framework>> accessed 29 July 2026.

FINDING 21: The National Quality Framework and National Quality Standard do not adequately recognise the extent nor quality of education and care services provided by Aboriginal and Torres Strait Islander providers.

FINDING 22: First Nations stakeholders reported that Victorian Early Childhood Regulatory Authority authorised officers are not providing adequate, culturally responsive evaluation of cultural safety in early childhood education and care settings.

RECOMMENDATION 19: That the Victorian Government works together with Gellung Warl and Aboriginal Community Controlled Organisations to co-design an Aboriginal cultural safety framework for early childhood education and care, similar to the *NSW Aboriginal Cultural Safety Framework for Early Childhood Education*.

RECOMMENDATION 20: That the Victorian Government and Victorian Early Childhood Regulatory Authority work with Gellung Warl and Aboriginal Community Controlled Organisations in the co-design of policies, auditing, and tools to support service providers to meet the National Quality Standard and Child Safe Standard 1 to create culturally safe environments. This includes:

- developing resources that model Aboriginal service providers with an Excellent or Exceeding the National Quality Standard rating, such as *Bubup Wilam*
- requiring mandatory cultural safety training for all staff and service providers
- partnering with Aboriginal Community Controlled Organisations to lead cultural audits for cultural safety compliance
- developing a workforce capability strategy for the Victorian Early Childhood Regulatory Authority in partnership with Aboriginal Community Controlled Organisations.

4.1.1 Closing the Gap National Agreement

In July 2020, the Australian governments and the Coalition of Peaks⁹ signed the National Agreement on Closing the Gap. The Agreement intends to enable parties to work together to overcome the inequality experienced by Aboriginal and Torres Strait Islander people.

⁹ A representative body of over 80 Aboriginal and Torres Strait Islander Community Controlled Organisations.

The Agreement is a commitment to set out a future where policy making that impacts on the lives of Aboriginal and Torres Strait Islander people is done in full and genuine partnership.¹⁰ The Agreement sets out four priority reform areas:

- Priority Reform 1, formal partnerships and shared decision making
- Priority Reform 2, building the Aboriginal community-controlled sector
- Priority Reform 3, transforming mainstream government organisations
- Priority Reform 4, shared access to data and information.¹¹

Under the Agreement, there are five policy priority areas, one of which includes early childhood care and development.¹²

Inquiry stakeholders referred to Closing the Gap as the basis to reform the early childhood education and care sector in Victoria to improve outcomes for Aboriginal and Torres Strait Islander children. In particular, Closing the Gap Priority Reform 2 refers to building the Aboriginal community-controlled sector.

The Victorian Aboriginal Children and Young People Alliance submitted that Closing the Gap underscores the Victorian Government's commitment and responsibility to ensure the wellbeing of Aboriginal children in their early years. It believed this is achieved through:

- culturally safe, community-led, not-for-profit approaches
- continuous investment in Aboriginal Community Controlled Organisation-led services that work best for young Aboriginal children and their families.¹³

4.1.2 Victorian Government Aboriginal Affairs Framework

Since 2022, the Victorian Government has published an Aboriginal Affairs Report. It is an outcomes measurement and accountability tool that the Government uses to identify areas for improvement and issues that need to be addressed.¹⁴

The Government measures and evaluates its progress within an overarching framework, the Victorian Aboriginal Affairs Framework. The Framework has 20 goals and 111 measures and is closely aligned to Closing the Gap outcomes and targets.

¹⁰ Australian governments, Australian Local Government Association, and the Coalition of Peaks, *Closing the Gap*, National Agreement, Australia, July 2020, p. 4.

¹¹ Ibid., pp. 5–15.

¹² Ibid., pp. 7–8.

¹³ Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 7.

¹⁴ Victorian Government, *Victorian Government Aboriginal Affairs Report 2025*, Melbourne, 2026, p. 6.

Goal 4¹⁵ of the Aboriginal Affairs Report is ‘Aboriginal children thrive in the early years’. This goal is closely aligned to Outcomes 3 and 4 of Closing the Gap:

- Outcome 3: Aboriginal and Torres Strait Islander children are engaged in high quality, culturally appropriate early childhood education in their early years:
 - Target 3: by 2025, 95% of Aboriginal and Torres Strait Islander children are enrolled in preschool in the year before full-time schooling
- Outcome 4: Aboriginal and Torres Strait Islander children thrive in their early years:
 - Target 4: By 2031, increase the proportion of Aboriginal and Torres Strait Islander children assessed as developmentally on track in all five domains of the Australian Early Development Census to 55%.¹⁶

The report stated that Victoria has achieved Target 3 (121.2%¹⁷ of children are enrolled in preschool the year before full-time schooling). However, Target 4 is worsening with 35.8% of Aboriginal children assessed as being developmentally on track in all five Australian Early Development Census domains.¹⁸

The Committee is concerned that Victoria’s achievement of preschool enrolment targets has not been matched by comparable improvements in developmental outcomes for Aboriginal children. As the Secretariat of National Aboriginal and Islander Child Care noted in its submission:

“ We recognise that the Victorian government’s investment in 3- and 4-year-old kindergarten is having a positive, meaningful impact on the enrolment rates of Aboriginal and Torres Strait Islander children.

...

However, we caution that enrolment statistics do not tell the full story ... with only 35.8% of Aboriginal and Torres Strait Islander children in Victoria commencing school were assessed as developmentally on track across all five Australian Early Development Census domains in 2024.¹⁹

The evidence suggests that participation alone is insufficient without access to culturally safe, Aboriginal-led early childhood services and supports.

15 This goal is measured against the following measures: the number and proportion of eligible children enrolled in a funded four-year-old kindergarten program in the year before school; the number of children funded to participate in Early Start Kindergarten; the proportion of children vulnerable in one or more domain on the Australian Early Development Census.

16 Victorian Government, *Victorian Government Aboriginal Affairs Report 2025*, p. 49.

17 Figures of 100% and above are achievable with this measure due to undercounts in population figures for Aboriginal children in Victoria.

18 Victorian Government, *Victorian Government Aboriginal Affairs Report 2025*, p. 49. Against these measures, the report stated that in 2024: 1,573 of Aboriginal children were funded to participate in Early Start Kindergarten which equates to 93.5% of eligible Aboriginal children that were enrolled in Three-Year-Old Kindergarten; there were 2024 Aboriginal children enrolled in a funded four-year-old kindergarten program before school and equates to 100% of eligible Aboriginal children in Victoria.

19 Secretariat of National Aboriginal and Islander Child Care, *Submission 89*, p. 10.

With regard to vulnerability, results for Aboriginal children have not improved (41.3%).²⁰ When comparing Aboriginal children against non-Aboriginal children, Aboriginal children are 1.9 times more likely to be assessed as vulnerable.

Despite ongoing policy commitments and reforms, developmental vulnerability among Aboriginal children remains persistently high. In its submission, the Victorian Aboriginal Children and Young People's Alliance stated:

“ Only one-third of Aboriginal and Torres Strait Islander children are developmentally on track by the age of 5. This means that two-thirds of Aboriginal and Torres Strait Islander children are experiencing developmental vulnerability at a critical stage of life. These outcomes are not accidental but reflect the impact of successive policy failures.²¹

Further, it submitted that governments need to mandate investment of cultural safety training for all early childhood education and care workers who work with Aboriginal children.²²

The Alliance also considered that current compliance processes fail to ensure providers are upholding their cultural safety obligations under Child Safe Standard 1.²³

It stated further that authorised officers lack cultural understanding and skills to assess a provider's compliance with cultural safety requirements. The Alliance stated that this can in turn create unsafe environments amongst staff and children in Aboriginal Community Controlled Organisations. It also believed they frequently overlook cultural authority and the flexibility that the Organisations exercise to uphold cultural safety.²⁴

The Alliance recommended that Aboriginal people should be tasked to assess and determine cultural safety compliance.²⁵ Further, that funding Aboriginal people to lead cultural audits of mainstream early childhood education and care services would strengthen accountability and guarantee genuine cultural safety.²⁶

4.1.3 Legislative reform following the Yoorrook Justice Commission

In July 2025, the Yoorrook Justice Commission published its report, *Yoorrook for Transformation: Third Interim Report*.²⁷ The Report found that the *Education Training Reform Act 2006* has not and does not specifically recognise First Peoples, the right to self-determination or cultural rights.²⁸ It stated that ‘many of the obstacles to

²⁰ Victorian Government, *Victorian Government Aboriginal Affairs Report 2025*, p. 53.

²¹ Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 11.

²² Ibid., p. 16.

²³ Ibid., p. 18.

²⁴ Ibid.

²⁵ Secretariat of National Aboriginal and Islander Child Care, *Submission 89*, p. 14.

²⁶ Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 18.

²⁷ Yoorrook Justice Commission, *Yoorrook for Transformation: Third Interim Report Summary*, 2025.

²⁸ Yoorrook Justice Commission, *Yoorrook for Transformation: Third Interim Report Volume 3*, 2025, p. 32.

an equitable and culturally safe education cannot be addressed without legislative reform'.²⁹

It recommended the Victorian Government must amend the Education and Training Reform Act to:

- expressly recognise Victoria's First Peoples
- acknowledge First Peoples' rights, cultures, histories and perspectives in education
- protect and prioritise First Peoples' cultural safety and right to a culturally safe education
- include an actionable right to protection of cultural rights and cultural safety in all Victorian schools
- ensure the representation and perspectives of Victorian and other First Peoples in the school curriculum
- create a First Peoples Education Council as a governance mechanism for oversight and accountability of First Peoples' school education.³⁰

In August 2026, the Victorian Government passed the *Education and Training Reform Amendment Act 2026* and strengthened Aboriginal recognition and self-determination across the early childhood education and care sector and further education sectors.³¹

The Education and Training Reform Act now incorporates elements of truth-telling and principles that honour cultural rights of First Nations peoples and mandate Government departments to partner with First Nations communities.

4.2 Support for Aboriginal Community Controlled Organisations

Aboriginal Community Controlled Organisations are not-for-profit groups that provide services, including early childhood education and care services, that builds the strength and empowerment of Aboriginal and Torres Strait Islander communities and people and is:

- incorporated under legislation
- controlled and operated by Aboriginal or Torres Strait Islander people
- connected to the community, or communities, in which they deliver the services
- governed by a majority Aboriginal or Torres Strait Islander governing body.³²

²⁹ Ibid., p. 44.

³⁰ Yoorrook Justice Commission, *Yoorrook for Transformation*, p. 67.

³¹ Education and Training Reform Amendment Bill 2026 (Vic).

³² Australian governments, *Closing the Gap*, p. 8.

Aboriginal Community Controlled Organisations operate on a kinship-model which ‘exercise greater levels of scrutiny and safety because children are seen as family and community’.³³

The Committee heard criticisms that the current design of the early childhood education and care sector fails to adequately support Aboriginal child nurturing practices as supported by Aboriginal Community Controlled Organisations.

Further, the Victorian Government has committed to building the Aboriginal Community Controlled sector in partnership with Aboriginal and Torres Strait Islander representatives. This is in line with the strong sector elements in the National Agreement to deliver Closing the Gap services and programs.³⁴

At the time this Report was adopted there were 14 Aboriginal Community Controlled Organisations in Victoria.³⁵ All registered providers that have been rated are meeting the National Quality Standard. Of these, one service is Exceeding the National Quality Standard, and another one has an Excellent rating at the time this Report was adopted.³⁶

FINDING 23: Despite only comprising a small number of services, early childhood education and care services operated by Aboriginal Community Controlled Organisations have consistently received high National Quality Standard ratings, including Excellent ratings.

4.2.1 Funding arrangements for Aboriginal Community Controlled Organisations

“ First Peoples-led early childhood education provides specific benefits compared to mainstream services, playing an essential role in building trust and creating culturally safe environments for children and their families. This fosters the wellbeing and success of First Peoples families and children, ‘laying the foundation for stronger, more empowered communities in the future’.

Source: Yoorrook Justice Commission, *Yoorrook for Transformation: Third Interim Report*, 2025, p. 25.

The Yoorrook Justice Commission found that despite the success of Aboriginal Community Controlled Organisations, First Peoples-led early childhood education services remain inaccessible to a large proportion of First Peoples families in Victoria.³⁷

In the 2025–26 Budget, the Victorian Government allocated \$5.3 million to Aboriginal Community Controlled Organisations with kindergarten programs. In comparison, in

³³ Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 10.

³⁴ Victorian Government, *Victorian Government Aboriginal Affairs Report 2025*, p. 14.

³⁵ Secretariat of National Aboriginal and Islander Child Care, Inquiry into the early childhood education and care sector in Victoria hearing, response to questions on notice received 19 May 2026, p. 3.

³⁶ StartingBlocks.gov.au, *Service quality ratings*, <<https://startingblocks.gov.au/resources/choosing-a-service/service-quality-ratings>> accessed 2 June 2026.

³⁷ Yoorrook Justice Commission, *Yoorrook for Transformation*, p. 27.

the 2026–27 Budget the Government allocated \$541 million to support early childhood education, however, it is unclear how much of this funding is allocated for Aboriginal Community Controlled Organisations to deliver specific programs.³⁸

In March 2026, the Victorian Government introduced a new funding initiative which streamlined all eligible kindergarten funding streams into one source for Aboriginal Community Controlled Organisations.³⁹

The Commonwealth Government provides funding through the Indigenous Advancement Strategy, National Partnership Agreements, special accounts and special appropriations.⁴⁰

The Committee heard that the current Commonwealth funding to Aboriginal Community Controlled Organisations provides insufficient support and is not fit-for-purpose.⁴¹ Stakeholders have shared that funding for Aboriginal Community Controlled Organisations to provide programs such as the Early Years Support program has been inconsistent and insufficient.

Since the Early Years Support Program was first piloted in 2022, Commonwealth Government funding has been granted on an annual basis. This makes planning and allocating resources very difficult for services noting that funding is time sensitive and unable to be allocated for successive years.

Table 4.1 below provides a breakdown of funding provided to the Program.

Table 4.1 Funding for the Early Years Support Program, 2022 to 2026

Year	Grant	Details
2022–2024	Multi-year grant	Three-year grant from January 2022 to December 2024 for a total amount of \$8.3 million, divided equally across three states (NSW, WA, Vic) and a national coordination team. Each state and team received approximately \$2.07 million.
2025	One-year grant	One-year grant for \$2.1 million divided equally across the three states and national coordination team. Each state and team received approximately \$530,512.
2026	One-year grant	One-year grant for \$2.2 million divided equally across the three states and national coordination team. Each state and team received approximately \$547,072.

Source: Secretariat of National Aboriginal and Islander Child Care, Inquiry into the Early Childhood Education and Care Sector in Victoria hearing, response to questions on notice received 19 May 2026.

38 Department of Treasury, *Budget Paper 3: Service Delivery*, 2026, <<https://s3.ap-southeast-2.amazonaws.com/vicbudgetfiles2/026.27vicbudget/2026-27+State+Budget+-+Service+Delivery.pdf>> accessed 22 June 2026.

39 Victorian Government, *Funding for Aboriginal Community Controlled Organisations delivering kindergarten*, 2026, <<https://www.vic.gov.au/funding-aboriginal-community-controlled-organisations-delivering-kindergarten>> accessed 30 July 2026.

40 National Indigenous Australians Agency, *Grants and Funding*, 2026, <<https://www.niaa.gov.au/our-work/grants-and-funding>> accessed 29 July 2026.

41 Laura Browne, Manager of Policy and Advocacy, Victorian Aboriginal Children and Young People’s Alliance, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, p. 31.

Stakeholders told the Committee that current funding arrangements create engagement fatigue, increasing administrative burden and allowing them less time to focus on service provision.

The Secretariat of National Aboriginal and Islander Child Care highlighted that the structure of the Child Care Subsidy focuses on workforce participation. The organisation also considered the transition from flexible funding models like Budget Based Funding caused a decline in Aboriginal Community Controlled Organisation enrolments. It attributed this to parents in the community receiving a limited Child Care Subsidy entitlement.⁴²

The Committee heard from Miranda Edwards, Director Early Years Support, Western Australia at the Secretariat of National Aboriginal and Islander Child Care. She shared her experience running an early childhood education and care service when the Child Care Subsidy came into force:

“ it made me feel, as a director, I was looking at kids with dollar signs because if that child could come in, I could afford staff an extra day. It really took away why, like I said, our elders wanted these services provided in our communities from 50 years ago. We have got centres in Victoria that are celebrating 40 years, 50 years and why they started. The childcare subsidy system came in, and it really took away – it is a business model, and that is not what our services are about. We are not about making money.⁴³

4.2.2 Proposed Aboriginal Community Controlled Organisation funding model

The Secretariat of National Aboriginal and Islander Child Care and the Victorian Aboriginal Children and Young People's Alliance advocated for a sustainable block-based funding approach to the delivery of services.

In response to questions on notice, the Secretariat of National Aboriginal and Islander Child Care highlighted its proposed Early Years Service Model. This was previously recommended in a 2024 report, *Funding model options for ACCO integrated early years services*, based on national modelling research.

This is a dedicated model outside of the Child Care Subsidy. It has a single recurrent funding stream and is directed to Aboriginal Community Controlled Organisations integrated with early childhood education and care services.⁴⁴

⁴² Secretariat of National Aboriginal and Islander Child Care, *Funding model options for ACC integrated early years services* 2024, p. 64.

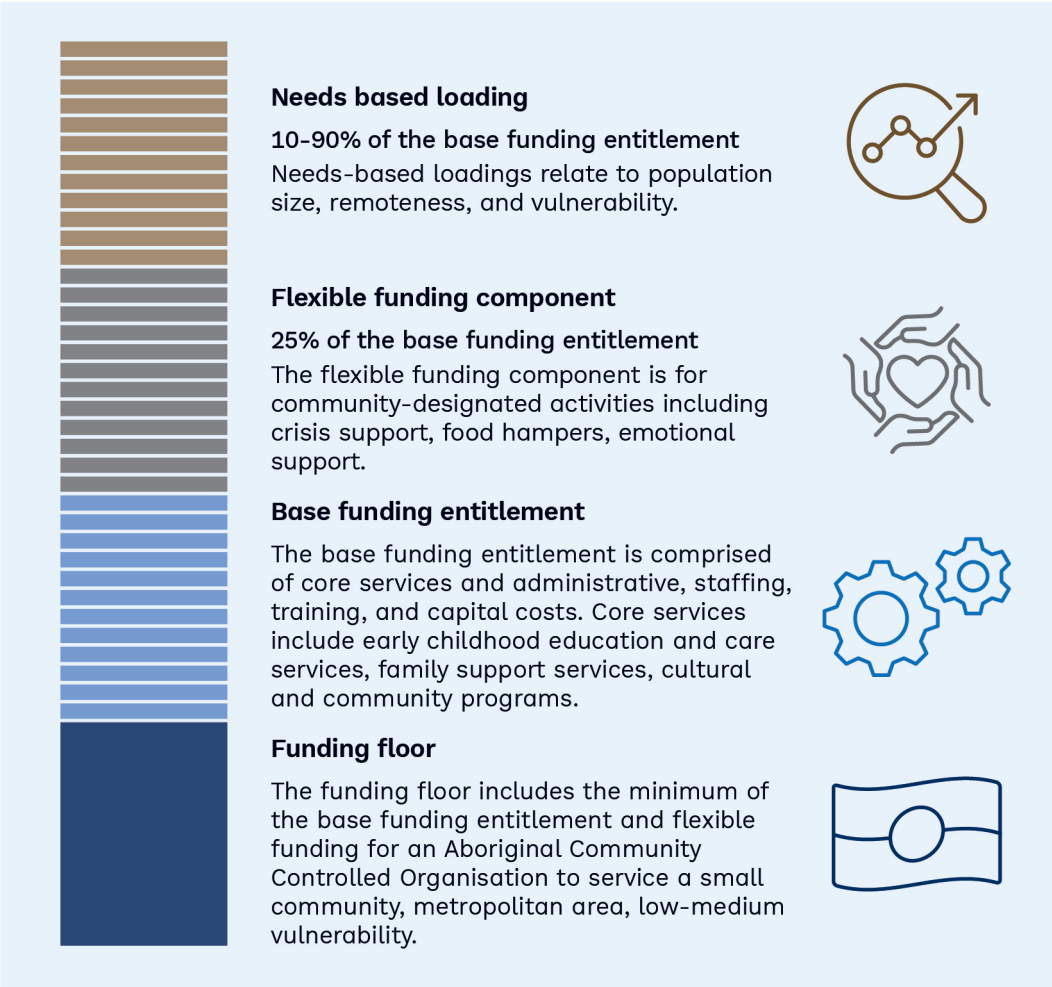
⁴³ Miranda Edwards, Director, Early Years Support, Western Australia, Secretariat of National Aboriginal and Islander Child Care, public hearing, Melbourne, *Transcript of evidence*, p. 25.

⁴⁴ Secretariat of National Aboriginal and Islander Child Care, response to questions on notice, p. 4.

The funding model has three key components: base funding, flexible funding, and needs-based loadings.

Figure 4.1 below explains each component of the Aboriginal Community Controlled Organisations Early Years Service Model.

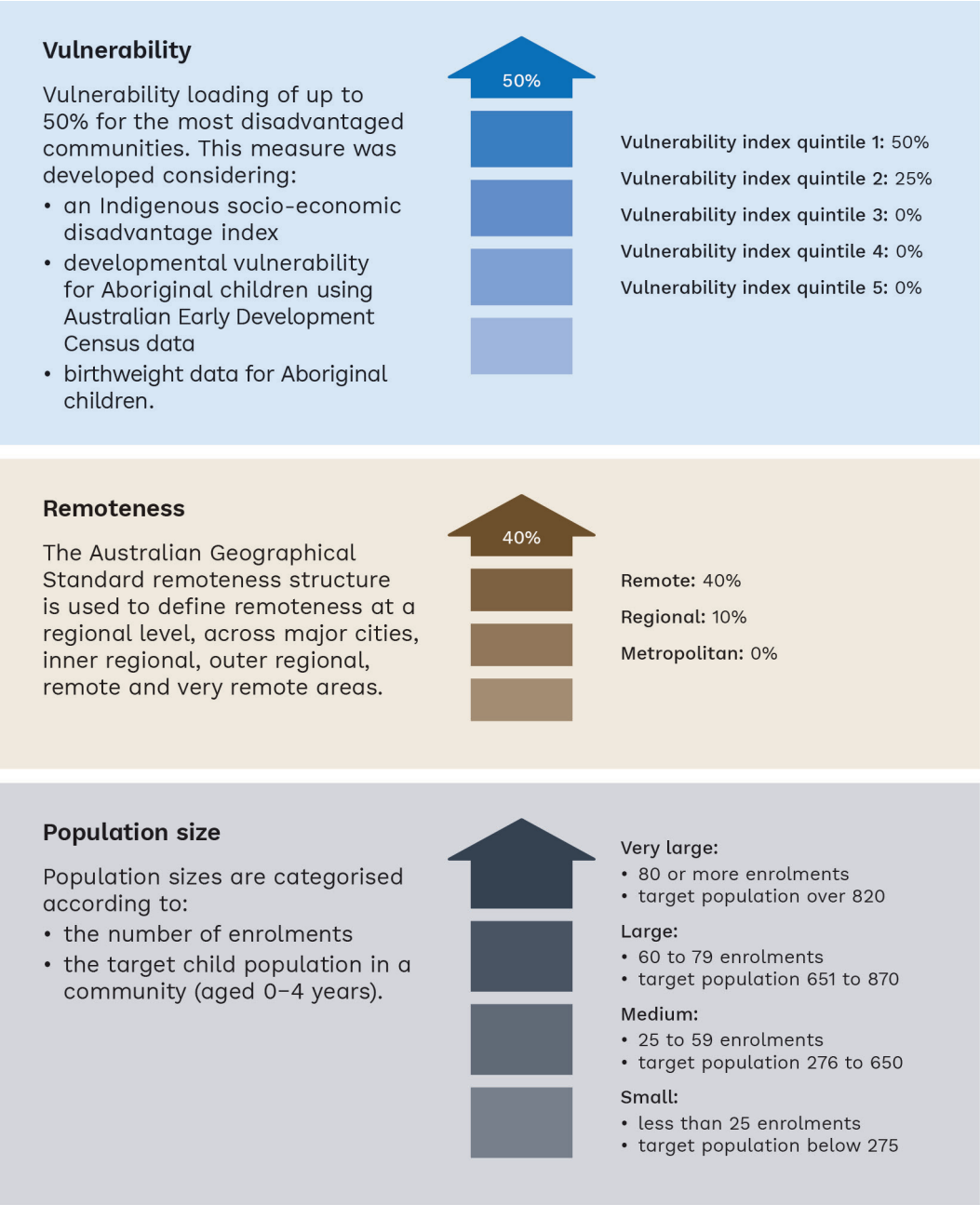
Figure 4.1 Aboriginal Community Controlled Organisations Early Years Service Model



Source: Secretariat of National Aboriginal and Islander Child Care — National Voice for our Children, *Funding Model Options for ACCO Integrated Early Years Services*, 2024, pp. 100-107.

The needs-based loadings relate to population size, remoteness, and vulnerability. Figure 4.2 explains these elements.

Figure 4.2 Needs-based loadings



Source: Secretariat of National Aboriginal and Islander Child Care — National Voice for our Children, *Funding Model Options for ACCO Integrated Early Years Services*, 2024, pp. 100–107.

Stakeholders raised concerns regarding the adequacy and sustainability of funding arrangements for Aboriginal Community Controlled Organisation-led early childhood education and care services:

“ [Aboriginal Community Controlled Organisations] demonstrate best practice in delivering culturally safe, trauma-informed and integrated early years services, but they are continually hampered by inadequate, fragmented and short-term funding cycles.⁴⁵

45 Secretariat of National Aboriginal and Islander Child Care, *Submission 89*, p. 11.

Consistent with the evidence provided by the Secretariat of National Aboriginal and Islander Child Care, the Victorian Aboriginal Children and Young People's Alliance also observed that funding arrangements remain overly restrictive and do not adequately support comprehensive, community-led models of care:

“ Current funding models undermine this vision. They focus on early childhood education and care (ECEC), limiting flexibility to deliver holistic services that families need.⁴⁶

FINDING 24: Funding arrangements for Aboriginal Community Controlled Organisation-led early childhood education and care services remain fragmented, short-term and insufficient to support growing community demand.

RECOMMENDATION 21: That the Victorian Government expands investment in Aboriginal Community Controlled Organisation-led early childhood education and care services.

RECOMMENDATION 22: That the Victorian Government advocates to the Commonwealth Government for flexible, ongoing funding models that invest in Aboriginal Community Controlled Organisation-led early childhood education and care services.

4.3 Government consultation and engagement with Aboriginal and Torres Strait Islander stakeholders

Inquiry stakeholders raised concerns with the lack of meaningful engagement from the Rapid Child Safety Review panel, the Department of Education and the Victorian Early Childhood Regulatory Authority.

The Secretariat of National Aboriginal and Islander Child Care stated that neither the Rapid Child Safety Review panel nor the Victorian Government had undertaken a meaningful process to engage with Aboriginal Community Controlled Organisations in Victoria.⁴⁷

At a public hearing, the Committee heard from John Burton, Executive Director Policy and Research from the Secretariat of National Aboriginal and Islander Child Care. He shared his view that a regulatory system underpinned by self-determination would have a stronger focus on understanding communities' needs and supporting services to meet them.⁴⁸

⁴⁶ Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 13.

⁴⁷ Secretariat of National Aboriginal and Islander Child Care, response to questions on notice, p. 1.

⁴⁸ John Burton, Executive Director Policy and Research, Secretariat of National Aboriginal and Islander Child Care, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, p. 25.

Members of the Victorian Aboriginal Children and Young People's Alliance expressed that the Regulator focuses more on regulatory outputs rather than genuine safety outcomes.⁴⁹

The Committee notes that the Victorian Government has made several commitments to partner with First Nation peoples. In particular, to meaningfully engage with First Nation peoples in areas where there are disparities.

Based on this evidence it shows that these commitments have not been upheld in recent reviews and legislative reforms to the sector. Further, the Committee also heard evidence that the new Victorian regulatory authority has made no meaningful effort to engage with, get to know, visit, or develop relationships with Aboriginal Community Controlled Organisations.⁵⁰

FINDING 25: The Committee received evidence that Aboriginal Community Controlled Organisations were not meaningfully engaged during significant reforms to Victoria's early childhood education and care sector, including the Rapid Child Safety Review process. The Committee considers that genuine engagement with the Aboriginal community controlled sector is essential to achieving the partnership and shared decision-making objectives of the National Agreement on Closing the Gap.

FINDING 26: The Committee heard consistent evidence that fragmented responsibility across government agencies can inhibit coordinated action, create unnecessary administrative burdens and make it difficult to assess which parts of government are accountable for improving outcomes for Aboriginal children and families.

RECOMMENDATION 23: That the Department of Education, the Victorian Early Childhood Regulatory Authority, Gellung Warl and Aboriginal Community Controlled Organisations co-design a 'partnership framework' for early childhood education and care services in Victoria. This should include clear agency responsibilities, coordinated implementation arrangements and measurable performance indicators aligned to Closing the Gap Outcomes 3 and 4, to improve access to culturally appropriate early childhood education and developmental outcomes for Aboriginal children.

RECOMMENDATION 24: That the Victorian Government publicly reports annually on progress against Closing the Gap targets relevant to early childhood development, including responsibility for delivery, progress against agreed measures and actions being taken where targets are not on track.

⁴⁹ Victorian Aboriginal Children and Young People's Alliance, *Submission 93*, p. 18.

⁵⁰ Secretariat of National Aboriginal and Islander Child Care, response to questions on notice, p. 1.

RECOMMENDATION 25: That the Victorian Government prioritises the expansion of Aboriginal Community Controlled Organisation-led early childhood education and care services as the preferred model of service delivery for Aboriginal children, supported by long-term workforce, infrastructure and capacity-building investment.

Chapter 5

Early childhood educators

“ Quality care and safety cannot exist without a capable, confident, and well-supported workforce. Children’s experiences in early education are only as safe as the adults who care for them - adults who must feel valued, psychologically safe, and ethically grounded in their roles.

Source: National Association for Prevention of Child Abuse and Neglect, *Submission 20*, p. 3.

The Committee considered evidence during the Inquiry that workforce capability is significant to child safety, wellbeing and service quality. This requires educators to have appropriate professional development, training and supervision. Under the current legislative framework, parents are supported to return to the workforce and the responsibility of caring for children is shared with educators.

The role of educators has evolved significantly over the past two decades and they are subject to increased training and compliance requirements. In addition, there is an increased demand for early childhood education that appropriately services diverse families and their children. In particular, neurodiverse children, culturally and linguistically diverse communities, children with disabilities, and those living in regional and remote communities.

Educators therefore need to be well supported to ensure that they are appropriately qualified, trained and remunerated. They should be working in conditions that uphold their integrity and do not compromise the best interests of the child.

In Victoria, the disparity between educator supply and demand is increasing. The Committee heard overwhelming evidence that the sector is facing significant issues in attracting and retaining educators in the sector. Specific issues included:

- low pay and poor working conditions
- limited and restricted professional development opportunities
- limited career progression
- the quality of education and training providers.

5.1 Workforce demographics

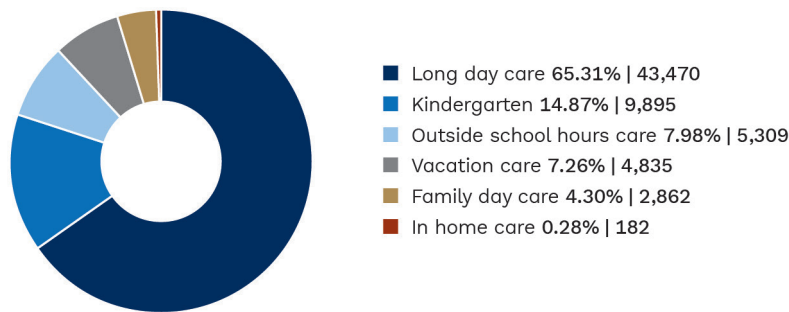
Victoria has the second largest early childhood education and care workforce in Australia, after New South Wales.

The Early Childhood Education and Care National Workforce Census collects data on workforce demographics. In the 2024 census there were approximately 66,566 workers

in Victoria providing education and care to approximately 368,928 children. The workforce was 93.3% female with a median age of 37.¹

The workforce is predominantly long day care staff. In the 2024 workforce census they comprised 65% of the workforce. Figure 5.1 below provides a breakdown of workers by service type.

Figure 5.1 Composition of the Victorian early childhood education and care workforce by service type (2024 census)



Source: Department of Education, 2024 *National Early Childhood Education and Care Workforce Census*, 16 September 2025, <<https://www.education.gov.au/early-childhood/about/data-and-reports/national-workforce-census/2024-national-early-childhood-education-and-care-workforce-census>> accessed 8 July 2026.

The overwhelming majority of workers (53,715) worked in major cities with the remaining 12,842 dispersed across regional and rural areas. In addition, the 2024 National Workforce Census showed that in the Victorian sector:

- almost 24% of workers had less than 1 years’ experience at their current service
- over 40% of the workforce have 3 years or less experience in the early childhood sector and 28% had been in the sector for over 10 years.²

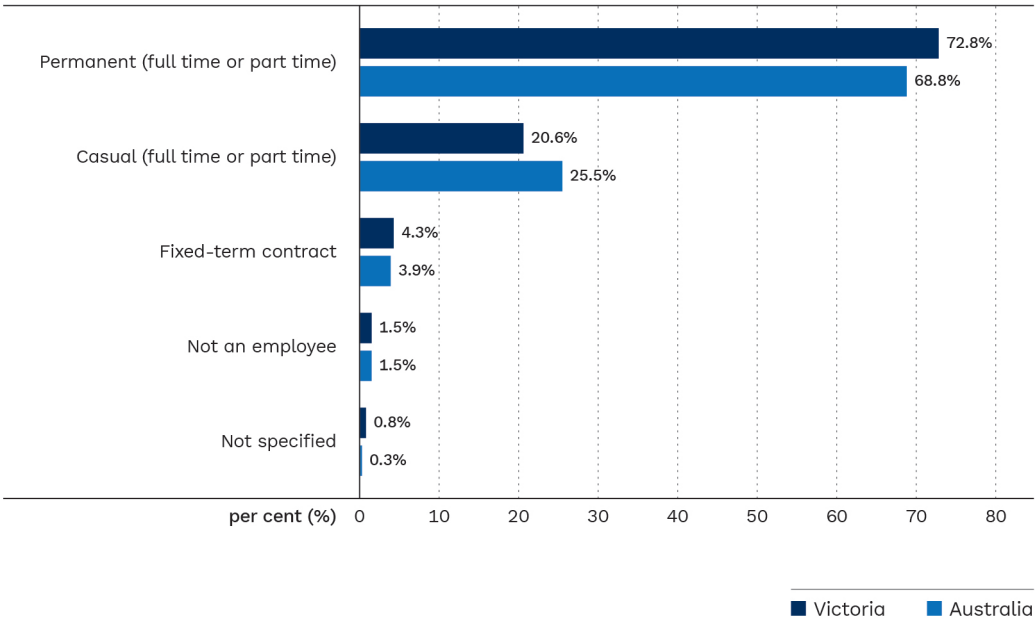
According to the 2024 census, 42.3% of workers reported being paid above the award rate. 47% were at award rate and the remaining 10.7% were classed as ‘unknown’.

In Victoria, 72.8% of workers were in permanent full- or part-time positions and 20.66% were in casual full- or part-time roles. Figure 5.2 provides a breakdown in comparison with Australia nationally.

1 Department of Education, 2024 *National Early Childhood Education and Care Workforce Census*, 16 September 2025, <<https://www.education.gov.au/early-childhood/about/data-and-reports/national-workforce-census/2024-national-early-childhood-education-and-care-workforce-census>> accessed 8 July 2026.

2 Ibid.

Figure 5.2 Early childhood education and care workforce employment status, Victoria and Australia (2024 census)

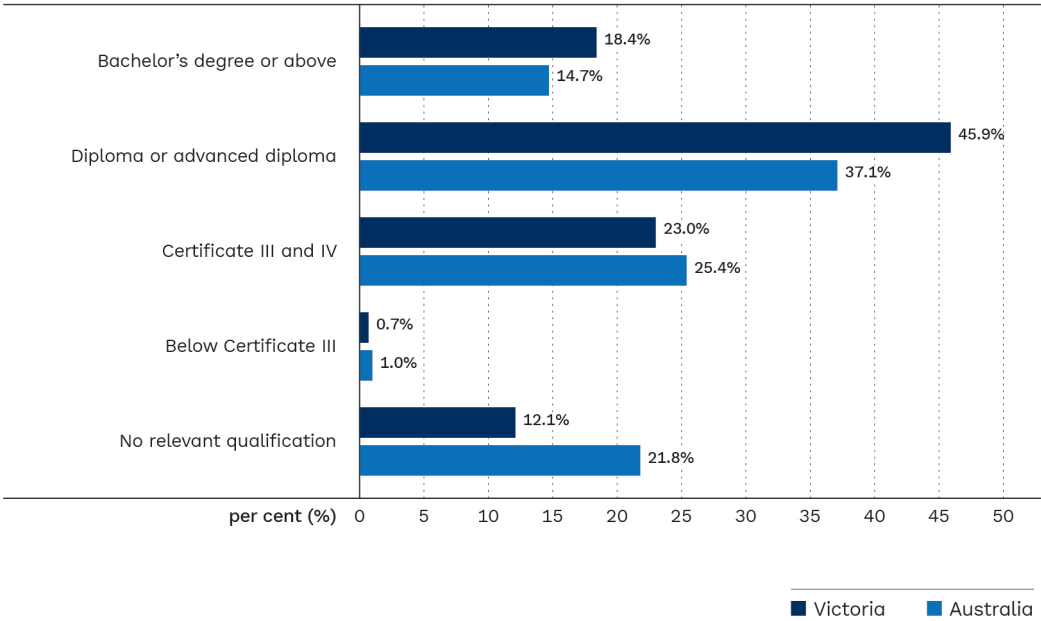


Source: Department of Education, 2024 *National Early Childhood Education and Care Workforce Census*, 16 September 2025, <<https://www.education.gov.au/early-childhood/about/data-and-reports/national-workforce-census/2024-national-early-childhood-education-and-care-workforce-census>> accessed 8 July 2026.

In the 2024 census, approximately 88% of Victorian early childhood education and care workers across all services held a qualification, compared to 78.2% nationally. Workers who did not hold a qualification were predominantly not paid contact workers: only 8.5% of paid contact workers did not hold any qualification.

Figure 5.3 below provides a breakdown of qualifications across the paid and non-paid contact workforce in Victoria and Australia.

Figure 5.3 Early childhood education and care worker highest level of qualification, Victoria and Australia (2024 census)



Source: Department of Education, 2024 *National Early Childhood Education and Care Workforce Census*, 16 September 2025, <<https://www.education.gov.au/early-childhood/about/data-and-reports/national-workforce-census/2024-national-early-childhood-education-and-care-workforce-census>> accessed 8 July 2026.

5.2 Early childhood education and care qualifications

The Australian Skills Quality Authority is the national regulator monitoring the quality of most early childhood education and care related training providers. As at March 2026, there were 380 registered training organisations providing early childhood education and care courses in Victoria. Of these, the Australian Skills Quality Authority regulated 366 and the remaining 14 were regulated by the Victorian Registrations and Qualifications Authority.³

In Victoria, a person can also opt to undertake a traineeship. This allows an early childhood education and care service provider to employ trainees who work towards their qualification while working at the service.

As at 2 March 2026, there were 2,410 active trainees in Victoria undertaking either the Certificate III or Diploma in early childhood education.⁴

In its 2024 report *A path to universal early childhood education and care*, the Productivity Commission found that staffing issues have been affecting the sector for

³ Victorian Registration and Qualifications Authority, *Presentation at a public hearing*, 11 March 2026, p. 3.
⁴ Stefanie Veal, Chief Executive Officer, Victorian Registration and Qualifications Authority, public hearing, Melbourne, 11 March 2026, *Transcript of evidence*, p. 66.

many years. As such, early childhood centres ‘have been delaying expansion plans, closing rooms and limiting enrolments as they are unable to find qualified staff’.⁵

The Commission made the following recommendations to reduce barriers for qualified educators, including:

- ‘accelerated pathways’ that allow Diploma-qualified educators to gain an early childhood education and care qualification earlier
- governments to work with universities and the early childhood education and care sector to develop and promote accelerated degree programs
- governments should provide financial incentives to universities to facilitate trials of innovative approaches for providing Initial Teacher Education to early childhood teachers, while still maintaining high standards in teaching degrees
- evaluating the Certificate III in Early Childhood Education and Care and the Diploma of Early Childhood Education and Care qualifications
- reviewing prerequisites for entry into the Diploma of Early Childhood Education and Care to make enrolment more accessible.⁶

The Committee heard from various stakeholders on issues related to the core of the Certificate III and Diploma in Early Childhood Education and Care. Limitations identified minimal coverage of child protection laws.

At the time this Report was adopted, HumanAbility was undertaking a review of the Certificate III and Diploma of Early Childhood Education and Care to:

- help align qualifications with current legislation and reporting requirements
- ensure graduates enter the workforce with adequate preparation
- provide insights into current workforce skills gaps and identify opportunities for training improvements.⁷

The review has distributed a discussion paper for a second round of consultation that included proposed changes to both qualifications.⁸ The key proposed changes include revising the number of core and elective units.⁹

The final report is expected to be submitted to the Australian Skills Ministers for endorsement between August and November 2026.

5 Productivity Commission, *A path to universal early childhood education and care: Volume 1*, Commonwealth of Australia, Canberra, 2024, p. 23.

6 Ibid., pp. 66–68.

7 HumanAbility, *Early Childhood Education and Care Qualification Review*, 2026, <<https://humanability.com.au/project/early-childhood-education-and-care-qualification-review-2>> accessed 7 July 2026.

8 HumanAbility, *Summary of proposed changes CHC30125 Certificate III in Early Childhood Education and Care and CHC50125 Diploma of Early Childhood Education and Care*, 2026, <<https://humanability.com.au/news/early-childhood-education-and-care-safety-training-update>> accessed 20 July 2026.

9 Ibid.

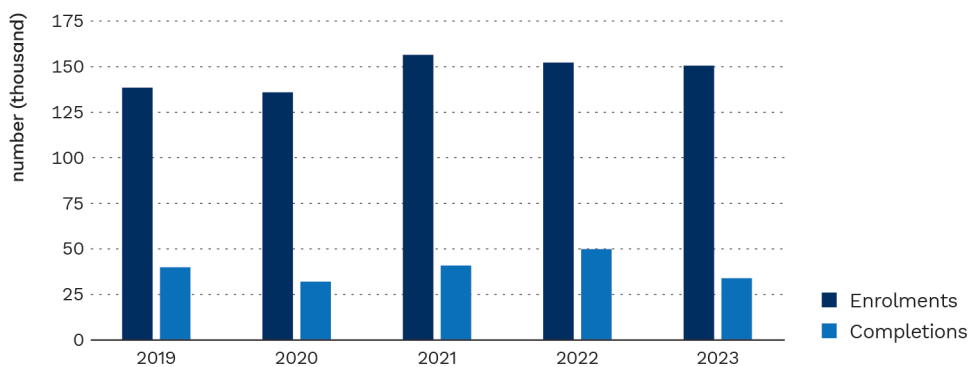
HumanAbility’s Workforce Capacity Study found that the content of the Certificate III and Diploma in Early Childhood Education and Care may not be fit for purpose. It also highlighted concerns raised around graduates’ preparedness and completion rates. Specific issues included:

- inadequate content on learning and development for infants, evidence-based teaching, and how to conduct planning and assessment
- the way training is provided, which can make success more difficult, such as balancing studies and work commitments
- qualifications are overly compliance-focused and complex in some areas but too broad in others.¹⁰

In addition, the Report found there is not sufficient coverage of First Nations topics in either Certificate III or Diploma of Early Childhood Education and Care.¹¹

Figure 5.4 below illustrates that while enrolments have risen since 2019, completion numbers per year have fluctuated.

Figure 5.4 Enrolments and completions in early childhood education and care qualifications 2019–2023



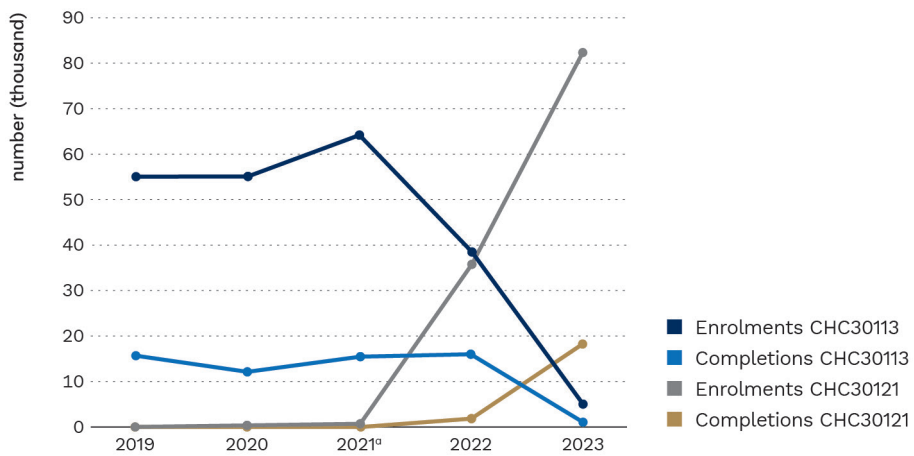
Source: HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, report prepared by HumanAbility, report for Australian Government, Australian Government, 2024, p. 132.

Figure 5.5 and Figure 5.6 below show the trends in enrolment numbers and completion numbers for both Certificate III and a Diploma in Early Childhood Education and Care.

¹⁰ HumanAbility, *Workforce Plan 2025*, report prepared by HumanAbility, report for Australian Government, 2024, p. 166.

¹¹ Ibid., p. 162.

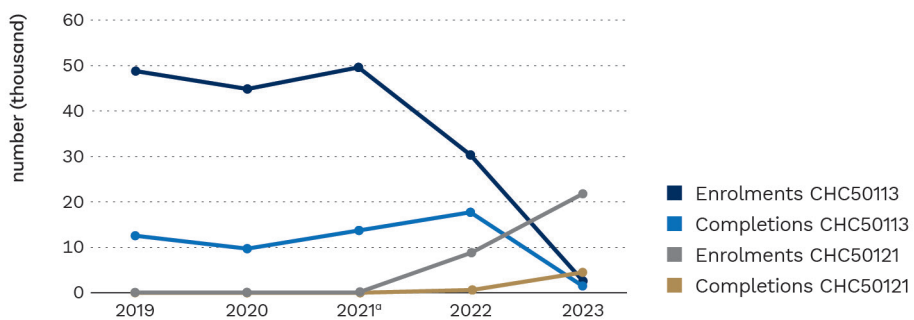
Figure 5.5 Trends in enrolment and completion numbers for Certificate III in Early Childhood Education and Care in Australia



a. In 2021, the CH30113 qualification was superseded by the CHC3021 qualification which explains the increasing uptake.

Source: HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, report prepared by HumanAbility, report for Australian Government, Australian Government, 2024, p. 133.

Figure 5.6 Trends in enrolment and completion numbers for Diploma in Early Childhood Education and care in Australia



a. In 2021, the CHC50113 transitioned to the new CHC50121 which explains the increasing uptake.

Source: HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, report prepared by HumanAbility, report for Australian Government, Australian Government, 2024, p. 134.

The report highlighted that the slower rise in completions compared to enrolments suggests challenges in course retention and completion rates, which may require further investigation.¹²

The report concluded that supporting students to complete their qualifications will be essential in meeting workforce demands in the early childhood education and care sector.¹³

12 HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, report prepared by HumanAbility, report for Australian Government, Australian Government, 2024, p. 133.

13 Ibid., p. 134.

5.3 Workforce capacity and capability

“ The ECEC workforce – educators, teachers, directors and other professionals – are the foundation of the sector. Children value their relationships with educators and teachers more than any other aspect of ECEC.

Source: Productivity Commission, *A path to universal early childhood education and care: Volume 1*, Commonwealth of Australia, Canberra, 2024, p. 44.

The Committee heard a clear message that the early childhood education and care sector is stretched, and it is becoming increasingly difficult to attract new educators into the sector. In addition, modelling by the Commonwealth Government suggests that the current workforce is unable to meet current demand and falls short of meeting future demand.

5.3.1 Workforce shortages

“ The leading driver behind workforce shortages is a retention gap ... where there are below average rates of retention of employees by employers, as existing workers exit the sector.

Source: HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, report prepared by HumanAbility, report for Australian Government, Australian Government, 2024, p. 144.

The Committee heard frequently about concerns around workforce shortages, including the drivers and impacts of limited resources in service delivery.

In 2023, the Commonwealth Government commissioned HumanAbility (Jobs and Skills Council Australia) to undertake the Early Childhood Education and Care Workforce Capacity Study 2024.¹⁴ The report investigated the entire Australian early childhood education and care sector and focused on workforce and skills issues, particularly attraction and retention. The report also looked at geographical factors to understand its impact on training, attracting, and retaining the early childhood education and care workforce.

HumanAbility found that meeting current unmet demand at sustainable staffing levels would mean that the workforce would need to grow by an extra 16%.¹⁵

Other key findings included:

- data gaps and inconsistencies constrain effective workforce planning which makes it difficult to capture the unmet service demand
- the leading driver behind workforce shortages is a retention gap

¹⁴ Ibid.

¹⁵ HumanAbility, *Workforce Plan 2025*, p. 154.

- although the workforce has expanded over the last decade, demand for educators remains high
- the occupations themselves need to be made more attractive to retain workers, such as through improved pay, conditions, professional learning, growth, recognition and respect.¹⁶

HumanAbility found that addressing the issue of workforce shortages takes concerted effort with clear focus on:

- attracting more workers to all parts of the workforce pipeline
- improving completion rates for all courses.¹⁷

The workforce shortage in Victoria remains a live issue for the Victorian Government. Between 2024 and 2032, the Government will open 50 new centres across regional Victoria and metropolitan locations which in turn means that the demand for educators will rise.

In 2025, the Government published the Victorian Teacher Workforce Snapshot 2024.¹⁸ A key finding of the report was that between 2024 and 2030, demand is forecast to grow to 26.9% and supply is forecast to grow to 21.4%. It forecasts a small excess of supply over demand over the period, which will narrow in 2028 due to the expansion of three-year-old kinder and Pre-Prep.¹⁹

The increase in demand in 2028 is largely driven by the roll-out schedule for Pre-Prep. In 2028, Pre Prep will roll out to an additional 15 local government areas, as well as to new priority groups including families who hold a Commonwealth concession card.²⁰

Figure 5.7 below shows the overall forecast supply and demand for early childhood teachers.

¹⁶ HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, p. 144.

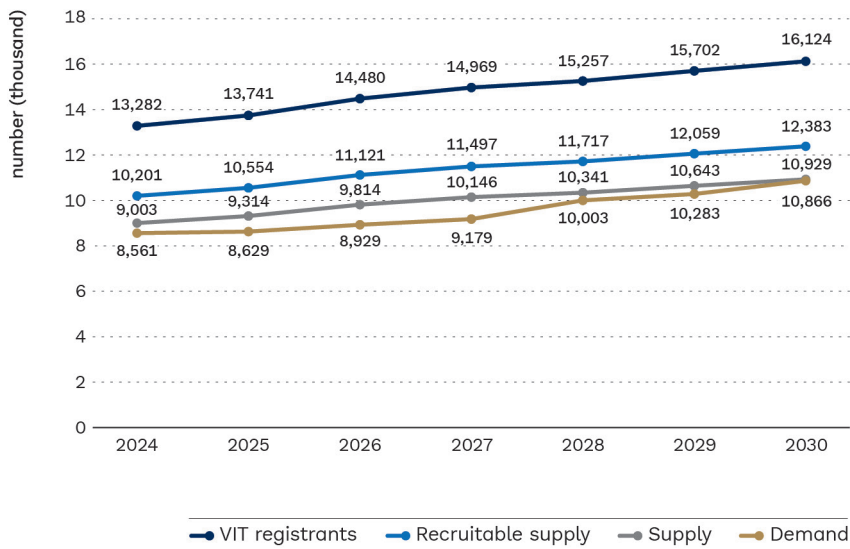
¹⁷ HumanAbility, *Workforce Plan 2025*, p. 161.

¹⁸ Department of Education, *Victorian Teacher Workforce Snapshot 2024* Victoria, 2025.

¹⁹ Ibid., p. 35.

²⁰ Ibid.

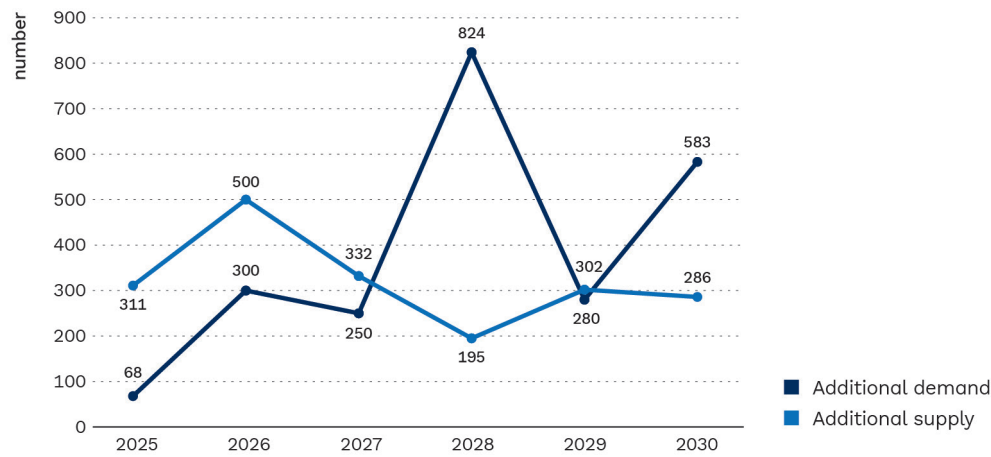
Figure 5.7 Forecast early childhood teacher workforce and demand for early childhood teachers



Source: Department of Education, *Victorian Teacher Workforce Snapshot 2024, 2025*, p. 35.

Figure 5.8 below shows the forecast of the additional supply and demand for early childhood teachers.

Figure 5.8 Forecast additional supply of and demand for early childhood teachers



Source: Department of Education, *Victorian Teacher Workforce Snapshot 2024, 2025*, p. 35.

The working environment for educators is complex as it includes a range of tasks from programme planning, caring for children, and ensuring health and safety. Service providers also reported increasing levels of compliance and administrative tasks that increasingly take time away from caring for children.

The United Workers Union stated that educators are faced with ‘excessive paperwork demands’. It is reported that educators ‘spend hours of unpaid overtime completing paperwork, recording, and planning educational and care activities as well as updating parent[s] on their child’s development’.²¹

In addition, their educators are ‘told to spend more quality time with the children yet then told to do paperwork, insane planning standards with no planning time, clean centres as [Early childhood education and care providers] don’t hire cleaners’.²²

Similarly, the Australian Services Union stated that ‘structural stressors’ relating to limited staffing, low pay, and work intensification are the responsibilities of government and employers. Union members shared with the Committee that issues they faced also disproportionately impact women and that:

“High responsibility, lack of Support (no planning/ off the floor time for administrative tasks or minimum time, missed time due to staff shortages, no consultation with educators on added responsibilities, extra cleaning responsibilities that are daily mopping floors disinfecting toilets not one off...daily check lists. Children[d]s minimum ratios 3 and over 11-1 children still require toileting assistance, co regulation assisting with other additional needs. Very stressful with just one educator (ASU 9).

...

The pay does not reflect the responsibilities, experience and knowledge I have. There are more challenging behaviours and diagnosis than ever before. The children attend for longer days which contributes to behaviours. Our days are long and stressful at times (ASU 31).²³

Rebecca Saville, an educator and member of the Early Childhood Educators’ Support Network believed that the perception that the sector is ‘women’s work’ has influenced how the sector is funded and respected:

“with over 90% of the workforce being women, early education has historically been seen as a domestic or maternal extension, not as skilled, professional work.”²⁴

She further stated that public discourse often diminished the role of educators as ““childcare” or “childminding” ignoring the planning, reflection, curriculum delivery and care [educators] provide every day’.²⁵

²¹ United Workers Union, *Submission 53*, p. 10.

²² Ibid., pp. 10–11.

²³ Australian Services Union, *Submission 97*, pp. 12–13.

²⁴ Rebecca Saville, *Submission 9*, p. 3.

²⁵ Ibid., p. 4.

FINDING 27: The early childhood education and care sector is experiencing persistent and increasing shortages of appropriately skilled and qualified early childhood teachers and educators. Research shows that current workforce levels are not sustainable to meet current and forecasted levels of demand.

FINDING 28: According to the Department of Education, from 2024–30, the demand for Victorian early childhood education and care educators is forecast to grow by 26.9% and supply is forecast to grow by 21.4%.

RECOMMENDATION 26: That the Victorian Government works with the Commonwealth Government to ensure that early childhood educators are fairly remunerated at a level that appropriately reflects the complexity and demands of their work.

5.3.2 Casualisation of the early childhood education and care workforce

One of the consequences of workforce shortages is an increasing use and reliance on casual staff. This in turn has a negative impact on the quality of childcare and the workloads of permanent staff.

Casualisation impacts the quality of work available for early childhood education and care workers as they have lower job stability and access to benefits such as leave and other penalty rates. This places additional strain on educators within the growing landscape of requirements such as additional training and professional development.

In its submission, the United Workers Union stated that ‘reducing the high turnover of staff and casualisation is imperative to improving quality and safety’. It also stated that the relationship continuity with children is impacted when casual agency staff are filling in to cover worker shortages.²⁶

It went onto stress that agency staff creates additional work for permanent staff which then ‘detracts from time that educators could be spending educating and caring for children’.²⁷

Clare Leaney, Chief Executive Officer of National Survivors Foundation told the Committee that staff shortages, high turnover, and increasing casualisation is drawing their attention towards maintaining ratio requirements and away from identifying emerging risks:

“ The sector is also operating under significant workforce pressure, with staff shortages, high turnover and increasing casualisation meaning educators are often focused on

²⁶ United Workers Union, *Submission 53*, p. 9.

²⁷ Ibid.

maintaining ratio requirements rather than necessarily having the capacity to observe their colleagues, supervise student placements or identify areas of emerging risks. Child safety cannot be delivered effectively by a fatigued and under-resourced workforce.²⁸

Martel Menz, Manager Strategic Policy at The Front Project stated that:

“Children are the safest and outcomes are strongest when they experience stable, trusting relationships with educators. However, high turnover, casualisation, reliance on agency staff and prolonged use of staffing waivers can weaken supervision. It can erode professional culture and reduce the likelihood that risks are identified early.”²⁹

Joe Stroud, Deputy Chief Executive Officer at the National Survivors Foundation told the Committee that high casualisation can cause ambiguity for casual workers on how to report an issue, and to who they should report it.³⁰

Further evidence received during the Inquiry stated that the issue with the casual workforce is not with the individuals themselves, but the operational context. Karen Douglas, Research and Policy Adviser at Australian Services Union stated that ‘most people that are in the sector are good people, but it is the operational context that can create harms that are unnecessary’.³¹

The Australian Childhood Foundation reiterated this point that casual educators’ unfamiliarity with children’s needs and service protocols can impact safety and quality.³²

5.3.3 Workforce issues in regional and rural Victoria

Evidence of workforce shortages were heard to be more pronounced in regional and rural areas, impacting service quality and equitable access to early childhood education and care.

This finding was underscored by HumanAbility’s Early Childhood Education and Care Workforce Capacity Study:

“when examined at the regional level, workforce shortages are apparent in most regions across major cities, regional and remote Australia and are forecast to persist over the next two years.”³³

²⁸ Clare Leaney, Chief Executive Officer, National Survivors Foundation, public hearing, Melbourne, 10 March 2026, *Transcript of evidence*, p. 14.

²⁹ Martel Menz, Manager, Strategic Policy, The Front Project, public hearing, East Melbourne, 11 March 2026, *Transcript of evidence*, p. 28.

³⁰ Joe Stroud, Deputy Chief Executive Officer, National Survivors Foundation, public hearing, Melbourne, 10 March 2026, *Transcript of evidence*, p. 15.

³¹ Karen Douglas, Research and Policy Adviser, Australian Services Union, public hearing, Melbourne, 10 March 2026, *Transcript of evidence*, p. 31.

³² Australian Childhood Foundation, *Submission 27*, p. 14.

³³ HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, p. 9.

The HumanAbility Workforce Plan 2025 Report stated that National Quality Standard average ratings fall the further services are from major cities. This reflects the:

- greater difficulties that services in regional, rural and remote areas experience in attracting and retaining suitably qualified workers
- higher cost of providing services in remote locations
- resulting inappropriateness of demand-side funding models in ‘persistently thin markets’.³⁴

‘Childcare deserts’ and lack of service supply in rural and regional Victoria are discussed further in Chapter 6.

Dr Ros Baxter, Chief Executive Officer at Goodstart Early Learning explained:

“a couple of those centres that we have in regional Victoria that unfortunately we have seen in that ‘working towards’ category and the strong link between that and the inability to secure appropriately qualified staff in those areas ... but what we find is that the ability to attract those people and retain them to the regional areas is the really, really difficult part. We in Goodstart do our own internal training to try to compensate for that. We also develop our own employee attraction mechanisms for regional areas to try to encourage people to not only work but also train in regional areas. But it is a very, very difficult area for us.”³⁵

Professor Jane Page OAM shared with the Committee that universities and tertiary institutions could provide placements in a service both to attract and retain staff.³⁶

Samantha Page, Chief Executive Officer, Early Childhood Australia, shared an example with the Committee where the Australian Skills Quality Authority had cancelled the qualifications of two online registered training organisations. She reported that as a result, a regional service could not open because the qualifications of its diploma-qualified staff were cancelled.³⁷

Laura Browne, Manager of Policy and Advocacy at the Victorian Aboriginal Children and Young People’s Alliance supported these views. She stated that regional workforce shortages are:

“exacerbated both in the early learning space and the other spaces that our Aboriginal Community Controlled Organisations work in in children and families and health spaces as well.”³⁸

³⁴ HumanAbility, *Workforce Plan 2025*, p. 172.

³⁵ Dr Ros Baxter, Chief Executive Officer, Goodstart Early Learning, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 33.

³⁶ Professor Jane Page, University of Melbourne, public hearing, Melbourne, 8 December 2025, *Transcript of evidence*, p. 72.

³⁷ Samantha Page, Chief Executive Officer, Early Childhood Australia, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 43.

³⁸ Laura Browne, Manager of Policy and Advocacy, Victorian Aboriginal Children and Young People’s Alliance, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, p. 32.

Mallee Family Care, a regional provider in north-west Victoria detailed how it still struggles to fill staff vacancies, despite offering incentives, such as permanent employment and professional development. It reported that in 2025:

- multiple Kindergarten Inclusion Support positions remained unfilled for extended periods
- high turnover meant constant recruitment and induction, placing additional strain on remaining staff.³⁹

FINDING 29: Families in rural and regional Victoria are disproportionately impacted by workforce shortages compared to metropolitan areas. Barriers to increasing the regional workforce include limited regional-based education provision, long commute and travel times, and housing affordability.

RECOMMENDATION 27: That the Victorian Government develops a targeted workforce strategy for regional and rural early childhood services, including scholarships, training pathways, retention incentives, and relocation support.

5.4 Pay and work conditions

“ Low pay, work intensification, minimal professional development opportunities, and insufficient staffing create harsh work and employment arrangements.

Source: Australian Services Union, *Submission 97*, p. 5.

During the Inquiry, the Committee heard that educators and teachers felt underpaid and were working under poor conditions. This created an environment where educators are over-worked and feel under-valued, and triggered high attrition rates.

HumanAbility recommended that to improve retention rates for existing workers, they need better work conditions and improved wages.⁴⁰ Notwithstanding the recent Worker Retention payment, educators' pay is still comparatively low compared to other similar occupations.

In December 2024, the Commonwealth Government introduced the Worker Retention Payment, which intended to increase early childhood education and care worker wages. This was originally a 10% wage increase which was then increased to 15% in December 2025. The payment is made through quarterly grants to services, which then pass on the funding directly to staff. In June 2026, the program was extended to 30 June 2028.

³⁹ Mallee Family Care, *Submission 44*, p. 6.

⁴⁰ HumanAbility, *Early Childhood Education and Care Workforce Capacity Study*, p. 161.

Stakeholders were very supportive of this grant and the Government's intention to extend it.⁴¹ However, some shared concerns about the program being time-bound and uncertainty once the grants end.⁴² Further, stakeholders raised gaps regarding limitations on fee increases as a condition of accepting the worker retention payment.⁴³

In its submission, The Parenthood argued that educators are increasingly expected to manage growing workloads, complex needs and higher emotional demand without sufficient support or resources. This in turn has had significant impacts on staff morale and is driving attrition.⁴⁴

In its submission, the United Workers Union shared results of a 2021 survey of over 4,000 educators. The survey found that:

- the top three reasons educators want to leave the sector were:
 - excessive workload and insufficient time to provide quality early childhood education and care (73%)
 - low pay (63%)
 - feeling undervalued (47%)
- 46% of staff thought about leaving the sector 'all the time' or 'most of the time'
- 82% of current educators felt rushed when performing key caring and educational tasks
- over 75% of educators strongly agreed that turnover negatively impacts children's learning, development and emotional wellbeing.⁴⁵

Uniting Victoria and Tasmania submitted that educators are 'leaving the early childhood education and care sector for "less stressful" or better paid industries – or [preventing] them from entering the workforce in the first place'.⁴⁶

Gabrielle Sinclair, Chief Executive Officer of the Australian Children's Education and Care Quality Authority emphasised that services with higher National Quality Standard ratings have a qualified, experienced and consistent workforce:

“quality area 7, about the leadership and the governance of a service, is the key. It sets the culture, it sets the expectations and it sets what policies, procedures, programs and training is given to staff. We know that services that do quality area 7 well do well in all the other quality standards

41 Menz, *Transcript of evidence*, p. 31; Kelly Jebb, Head of Social Policy, Goodstart Early Learning, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 26.

42 Anna Learmonth, Chief Executive Officer, Only About Children, public hearing, Melbourne, 11 March 2026, *Transcript of evidence*, p. 53.

43 Goodstart Early Learning, *Submission 55*, p. 27; Learmonth, *Transcript of evidence*, p. 55.

44 The Parenthood, *Submission 43*, p. 9.

45 United Workers Union, *Exhausted, Undervalued and Leaving: The Crisis in Early Education*, 2022, p. 3.

46 Uniting Victoria and Tasmania, *Submission 33*, p. 14.

...

What makes a very safe and high-quality service is exactly that, and we know that the workforce – the qualifications, the experience and the consistency of the workforce – is one part of that iron triangle.⁴⁷

In 2025, The Front Project published a research paper, *The hidden lever: how pay and conditions support child outcomes in low socio-economic status early childhood education and care services*. The report found an association between better workforce conditions and high-quality service delivery. The study made several key findings including:

- in the most socio-economically disadvantaged areas, not-for-profits and government-managed services make up 68% of services and 83% of all Exceeding or Excellent rated services
- of the services in the most socio-economically disadvantaged areas, 66% of the Exceeding or Excellent rated services sampled were covered by an Enterprise Bargaining Agreement
- preschools and kindergartens generally offer better workforce conditions than long day care centres due to their distinct operational model, funding structure, and history of enterprise bargaining.⁴⁸

FINDING 30: Low pay and work intensification create poor working conditions for educators, which results in burn-out, hinders child development and weakens regulatory compliance. This in turn creates poor outcomes across several metrics, including staff wellbeing and child safety.

FINDING 31: The Commonwealth Government's Worker Retention Payment for the sector has been well-received, however its 2028 end date has resulted in uncertainty.

5.4.1 Professional development

The Rapid Child Safety Review highlighted that due to the high workloads of educators, they are not afforded time to complete their professional development and training:

- “ The Review heard that one barrier to providing appropriate child safety professional development and training to staff was that the Commonwealth Government childcare subsidy is only payable on days where families pay a fee. This arrangement can operate as a disincentive to create opportunities for curriculum or professional development days for staff because doing so means that services need to ‘run at a loss’ that day, or

⁴⁷ Gabrielle Sinclair, Chief Executive Officer, Australian Children's Education and Care Quality Authority, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, pp. 4–5.

⁴⁸ The Front Project, *The hidden lever: how pay and conditions support child outcomes in low socio-economic status early childhood education and care services*, 2025, p. 6.

charge parents' fees. The Review also heard that it was not fair to expect workers to undertake training after hours, particularly after a long workday.⁴⁹

The Productivity Commission noted significant barriers include difficulty getting time off work and the cost of professional development courses.⁵⁰ It recommended that the Commonwealth, state and territory governments should provide financial support to the workforce to undertake professional development activities, including helping staff to:

- remain up to date with the latest pedagogical research and how to apply this in their teaching
- understand and apply the National Quality Standard and national approved learning frameworks.⁵¹

The Parenthood submitted that although the Victorian Government is progressing multiple initiatives for kindergarten educators, disparities are arising for educators in other service types:

“Educators in sessional kindergarten programs often have stronger access to structured learning, mentoring and time-release provisions, while those in long daycare frequently rely on their provider’s discretion, leaving many without the support they need to grow and remain in the sector.”⁵²

The Commonwealth Government also provides assistance to the workforce through the professional development subsidy. It is provided to services to help pay staff to complete national child safety training during or outside work hours.⁵³

The subsidy covers five hours per eligible staff member to complete training. It can be used to backfill staff during work hours or to pay staff to complete the training outside their work hours.

From 2026–27, the professional development subsidy will support completion of national safety training only.⁵⁴ The training was a joint action from the Education Ministers Meeting held in August 2025 and was in response to the recommendations made in the Rapid Child Safety Review.⁵⁵

The Committee heard that there are issues when finding time to complete professional development and that this puts particular pressure on small services.⁵⁶

⁴⁹ Jay Weatherill AO and Pam White PSM, *Rapid Child Safety Review*, Victorian Government, Melbourne, 2025, p. 74.

⁵⁰ Productivity Commission, *A path to universal early childhood education and care*, p. 70.

⁵¹ Ibid., p. 71.

⁵² Parenthood, *Submission 43*, p. 6.

⁵³ Department of Education, *Professional development subsidy*, 30 May 2026, <<https://www.education.gov.au/early-childhood/providers/workforce/support/professional-development-opportunities/professional-development-subsidy>> accessed 30 June 2026.

⁵⁴ Ibid.

⁵⁵ Australian Government Department of Education, *Joint action on strengthening the safety and quality of early childhood education and care across Australia*, 2026, <<https://www.education.gov.au/early-childhood/announcements/joint-action-child-safety>> accessed 30 July 2026.

⁵⁶ Early Childhood Education and Law academics, *Submission 78*, p. 9.

Stakeholders raised the correlation between professional development opportunities and leadership to support educators to embed learning. Sally Moore, Chief Executive Officer of Early Childhood Intervention Australia shared with the Committee that online training is beneficial to set a baseline understanding. However, ‘a really knowledgeable, experienced, and powerful team’ is necessary to support implementation and long-term success:

“ What has to follow after that is leadership that is actually going to support the embedding of that learning. They need to be the coach. They need to be the one who is then making sure it is still on the agenda, it is still being discussed in team meetings and it is still being discussed in supervision or coaching conversations there. I think if there was stronger support then for leadership to be able to do that, that would give us an opportunity, but then I would also be looking at how we bring our teams together.⁵⁷

FINDING 32: High-quality early childhood education and care workforce practice is linked to high-quality courses and the availability of ongoing professional development.

RECOMMENDATION 28: That the Victorian Government advocates to the Education Ministers Meeting to improve access to professional development opportunities for early childhood education and care workers, including to:

- ensure professional development opportunities are equally accessible to educators, regardless of employment status or service type
- consider increasing the value of the professional development subsidy
- provide wrap-around support for educators and centres to implement training
- explore options to support professional development days for early childhood educators, similar to the school sector.

5.5 Registered training organisations

The quality of education and training provided by registered training organisations was a significant issue raised throughout the Rapid Child Safety Review and this Inquiry.

Inquiry stakeholders expressed mixed views about the quality of registered training organisations. Although some services reported good relationships with training providers, others highlighted severe issues including:

- low-quality training organisations providing fast-tracked ‘tick and flick qualifications’
- lack of accountability from the training organisations and a pressure put on service providers to pass students and trainees.

⁵⁷ Sally Moore, Chief Executive Officer, Early Childhood Intervention Australia, public hearing, Melbourne, 10 March 2026, *Transcript of evidence*, p. 10.

In its submission, Early Learning Association Australia raised concerns from its members about the quality of training provided by certain registered training organisations. These included:

- the duration of courses
- the degree to which they cover required content
- quality of instruction
- assurance provided by assessment.

These concerns were also reiterated in other submissions.⁵⁸

Similarly, Samatha Page, Chief Executive Officer of Early Childhood Australia told the Committee she considered ‘the problems with the quality of qualifications tends to be in a lot of the online qualification providers’.⁵⁹

Madeleine Dowel, an early learning centre coordinator, detailed in her submission positive experiences with particular training organisations that provided high-quality training. She contrasted this with lower quality ‘tick and flick’ providers:

“ We have seen the typical “tick and flick” qualifications come through and it is clear that the quality, understanding, abilities, knowledge and skills are lacking in comparison. We have also had students come through doing their dip Ed, with no prior experience or knowledge of the industry with the intent to open their own service, or run a service with lack of care or understanding of the heart of our profession.⁶⁰

Similarly, EMILY’s List described the business model as ‘bums on seats’ that pass students ‘to meet funding requirements and needs to keep RTOs and TAFEs afloat’.⁶¹

Australian Childhood Alliance Victoria stated some of its member services reported concerns that training organisations:

“ Rather than working with the student to address gaps or determining that competency has not been met, some RTOs advise the service that they will simply reallocate the student to another placement host. This practice undermines the integrity of assessment, disregards professional feedback from services, and risks unsuitable candidates progressing into the workforce as qualified educators.⁶²

FINDING 33: Early childhood education and care services report that some new graduates are increasingly not receiving the appropriate level of training to confidently perform their roles as educators when they begin in the workforce.

⁵⁸ Nido Early School, *Submission 73*, p. 3; Independent Schools Victoria, *Submission 91*, p. 3.

⁵⁹ Page, *Transcript of evidence*, p. 43.

⁶⁰ Madeleine Dowel, *Submission 47*, p. 1.

⁶¹ EMILY’s List Australia, *Submission 72*, p. 16.

⁶² Australian Childcare Alliance Victoria, *Submission 76*, p. 5.

FINDING 34: Accelerated pathways to complete core early childhood education and care qualifications are beneficial in circumstances where the sector is facing supply issues. However, these should not be at the cost of child safety or increase the workloads of experienced educators already in the sector.

RECOMMENDATION 29: That the Victorian Government advocates to the Education Ministers Meeting for Commonwealth intervention for quality audits to assess the suitability of fast-tracked courses.

Chapter 6

Early childhood education and care services

Victoria's early childhood education and care sector has grown considerably over the last decade. Demand for services has increased due to workforce participation by parents and population growth.

There has also been a shift in perception of early childhood education and care from being seen as a convenience used by some parents to now considered an integral part of a child's early education development.

The lack of a coherent framework or roadmap for the sector has been the primary cause of the disparity in supply and demand for services. In some areas there is an oversupply of services, leading to lower occupancy rates at centres whilst putting pressure on workforce supply.

In other places, particularly in regional and rural Victoria, there are 'childcare deserts'. Governments need to more actively manage service location to ensure there are spaces available for Victorian families and to better reflect early childhood education and care's place in modern society.

Private, for-profit providers now dominate the sector where over time government services have vacated the space in early childhood education and care services for families. However, it is important that new services are targeted in areas that have demand rather than be guided by perceptions of profitability.

The Committee identified a range of issues relating to the predominantly for-profit run services in the Victorian early childhood education and care sector:

- For-profit providers are consistently overrepresented in lower quality ratings compared to other service types.
- Government oversight and planning for the sector has failed to keep up with the rapid expansion of privately owned services.
- Stakeholders were concerned that for-profit business models may prioritise cost savings and profits over child safety and wellbeing and workforce conditions for educators.
- Corporate structures in some cases made it difficult to determine who is in charge of a private service, which can lead to difficulty enforcing compliance.
- For-profit business models undermined the prioritisation of child safety and wellbeing.

6.1 Service demographics

Approximately 98% of early childhood services in Victoria are regulated under the National Quality Framework. These provide ongoing childcare services on a regular basis.

As at 1 July 2026, there were 5,033 early childhood education and care services operated by 1,779 approved providers.

Table 6.1 below provides a breakdown of services in Victoria.

Table 6.1 Early childhood education and care services in Victoria, Q2 2026

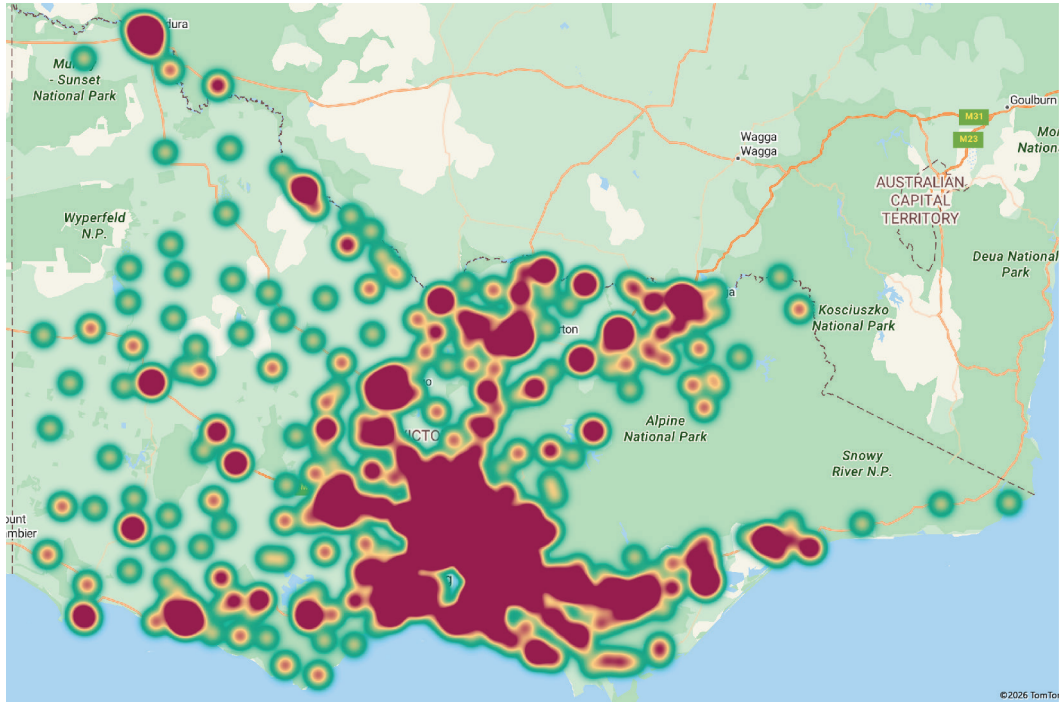
Provider type	Long day care	Kindergarten	Family day care	Outside school hours care	Other	Total
Private for-profit	1,525	5	98	1,063	0	2,691
Private not-for-profit community managed	234	790	6	75	0	1,105
Private not-for-profit other organisations	258	136	3	162	1	560
State/Territory and Local Government managed	101	214	15	9	0	339
State/Territory government schools	7	34	0	169	0	210
Independent schools	30	76	0	13	0	119
Catholic schools	0	2	0	7	0	9
Total	2,155	1,257	122	1,498	1	5,033

Source: Australian Children’s Education and Care Quality Authority, *NQF snapshot: Q2 2026*, 1 July 2026, <<https://www.acecqa.gov.au/media/48441>> accessed 6 August 2026.

The remaining 2% of services are those regulated under the *Children’s Services Act 1996*. These provide services on an occasional or non-regular basis rather than ongoing care. Each of the services above are described in detail in Section 6.2 below.

Early childhood education and care services are generally saturated in metropolitan areas. Figure 6.1 below provides a heatmap of early childhood education and care services regulated under the National Quality Framework as at 1 July 2026.

Figure 6.1 Concentration of early childhood education and care services in Victoria (Q2 2026)



Source: Australian Children's Education and Care Quality Authority, *NQF snapshot: Q2 2026*, 1 July 2026, <<https://www.acecqa.gov.au/media/4844>> accessed 6 August 2026.

6.2 Types of services

Early childhood education and care services differ depending on the length of care provided, the age of children and the setting.

There are four types of services regulated under the National Quality Framework:

- long day care
- kindergarten
- family day care
- outside school hours care.

Other services regulated under the *Children's Services Act 1996* provide care to children on an ad hoc or limited hours basis.

These services are detailed in the sections below.

6.2.1 Long day care

Long day care is primarily centre-based care provided for children aged from birth up to 6 years. It is the most common type of early childhood education and care service provided in Victoria and has experienced the largest growth in the past decade. In long day care, children are usually grouped with others of similar age.

In Victoria, long day care services are mostly provided by private, for-profit organisations. However local councils, community organisations, individuals and not-for-profit organisations also provide services.

6.2.2 Kindergarten

In Victoria, Kindergarten¹ is a structured, play-based learning program offered in the two years before a child starts school full time. Kindergarten services provided include:

- Three-year-old kinder, for up to 15 hours per week
- Four-year-old kinder, for 15 hours per week
- Pre-Prep, for 16 to 30 hours per week.

As of 2025, the Victorian Government has begun the roll-out of replacing 4-year-old kindergarten with Pre-Prep.

Kindergarten can be provided in different settings including standalone services, at centre-based day care and in association with a school.

The Victorian Government funds the Free Kinder program, which is available to all children enrolled in a participating service. Service providers may charge one-off fees for excursions or incursions.

6.2.3 Family day care

Family day care services are operated out of an educator's home or an agreed venue. These are smaller services and are flexible, providing all-day care, part-time, casual, overnight, before and after school care, and care during school holidays.

6.2.4 Outside school hours care

Outside school hours care provides care for children around normal school or preschool hours. This includes before or after school or preschool hours, but also times when a child would normally attend but the service is not operating (such as pupil free days or holidays).²

¹ Kindergarten is also referred to as preschool and prep in other jurisdictions.

² Department of Education, *Outside School Hours Care*, 11 July 2025, <<https://www.education.gov.au/early-childhood/about/service-types/oshc>> accessed 3 February 2026.

Outside school hours care services cannot provide care for a preschool child on a day they do not usually attend preschool.

The Outside School Hours Council of Australia stated that outside of school hours care is the fastest growing service type in the sector since 2020, and the largest in terms of number of sessions of care delivered.³

6.2.5 Other services

The remaining 2% of services are regulated under the *Children's Services Act 1996* and include:

- limited hours services: provide education and care to each child for no more than 3 hours per day and 6 hours per week
- occasional hours services: no limit on the number of hours that children can be educated and cared for
- mobile services
- school holiday programs operating for less than 28 days a year
- certain services that formerly received funding under the Commonwealth Government's Budget Based Funded program or Indigenous Advancement Program and were not eligible for the Child Care Subsidy.

As at July 2026, there were 14 limited hours services and 111 occasional care services approved under the Children's Services Act.⁴

6.3 Growth of private, for-profit providers

“ The stalled growth of the [not-for-profit] sector is not due to a lack of interest or capability. It is the result of policy settings in planning, approvals, and funding— and access to finance that actively favours private investment. Early education services are now marketed as a low-risk, high-return asset class, underpinned by taxpayer subsidies. As a result, decisions about where and how new centres are established are driven by developers and investors—not by community need, child outcomes, or quality.

Source: Goodstart, *Submission 51.1*, Joint not-for-profit submission to the NSW Legislative Council Inquiry into early childhood education and care, p. 20.

For-profit early childhood education and care services have led the growth of the sector and access to services over the past 20 years. However, there is consistent data to show that these services are overrepresented in lower quality ratings compared to not-for-profit services. In addition, lack of financial incentives and viability means that for-profit services are also underrepresented in rural and regional areas.

³ Outside School Hours Council of Australia, *Submission 88*, p. 5.

⁴ Victorian Early Childhood Regulatory Authority, *Children's services regulated under Victorian law*, 2026, <<https://www.vecra.vic.gov.au/childrens-services-regulated-under-victorian-law>> accessed 30 July 2026.

There have been significant changes to the sector over the past decade such as the increase in the number of centres, predominantly by for-profit providers. Corporate structures can make it difficult to find out who owns them which can lead to issues of transparency and regulatory compliance.

The Rapid Child Safety Review highlighted the tension of for-profit providers prioritising profit over child safety. This was a pivotal reason for the Panel to recommend a national ‘rethink’ of the sector and introduce the paramount consideration to create a legal obligation for services to put child safety and wellbeing above profits.

Pam White PSM, a member of the Rapid Child Safety Review Panel, spoke of how the role of private providers was considered during the review:

“ We had long discussions about ‘This is what we’ve got at the moment.’ We could have made a recommendation which said, ‘No more for-profits,’ but that is not where we are and the state government cannot say that. I mean, it can say it, but it cannot do anything about it because the funding comes to the parent, and the parent makes the decision about where the child goes.

...

If you say, ‘No more private’, that queue is just going to grow. That is the trade-off, so we did not feel we could make a recommendation which said, ‘No more privates’ because the consequences are a bit unknown. Our focus was on trying to improve what we have got and trying to put some things in place that might dissuade the private sector people who are not coming in to run a childcare centre, or who are coming in without the right intention, and make it more difficult or make it less attractive.⁵

The Committee heard from large for-profit providers including G8 Education and Affinity Education, where Joshua Brown had worked as an educator. Although these providers told the Committee that child safety was at the core of their operations, the Committee received considerable evidence to the contrary.

During the Inquiry there were also media reports on performance issues of G8 Education Centres, and in April 2026 it announced it would close 40 services (approximately 10% of centres).⁶ In addition, the Fair Work Ombudsman has taken legal action against G8 Education relating to underemployment of staff between June 2020 and July 2022.⁷

The introduction of the paramount consideration is a welcome addition to enhance child safety and wellbeing in the sector. It is imperative that families’ access to safe and

5 Pam White PSM, Rapid Child Safety Review Panel, public hearing, Melbourne, 8 December 2025, *Transcript of evidence*, p. 13.

6 ABC News, ‘Childcare group G8 to close 40 centres after child abuse scandal’, *ABC News*, 29 April 2026, <<https://www.abc.net.au/news/2026-04-29/childcare-group-g8-to-close-40-per-cent-of-centres/106620512>> accessed 30 April 2026.

7 Sam Irvine, ‘G8 Education sued by Fair Work over \$2m in unpaid wages’, *Financial Review*, 8 July 2026, <<https://www.afr.com/work-and-careers/education/g8-education-sued-by-fair-work-over-2m-in-unpaid-wages-20260708-p60dmh>> accessed 8 July 2026.

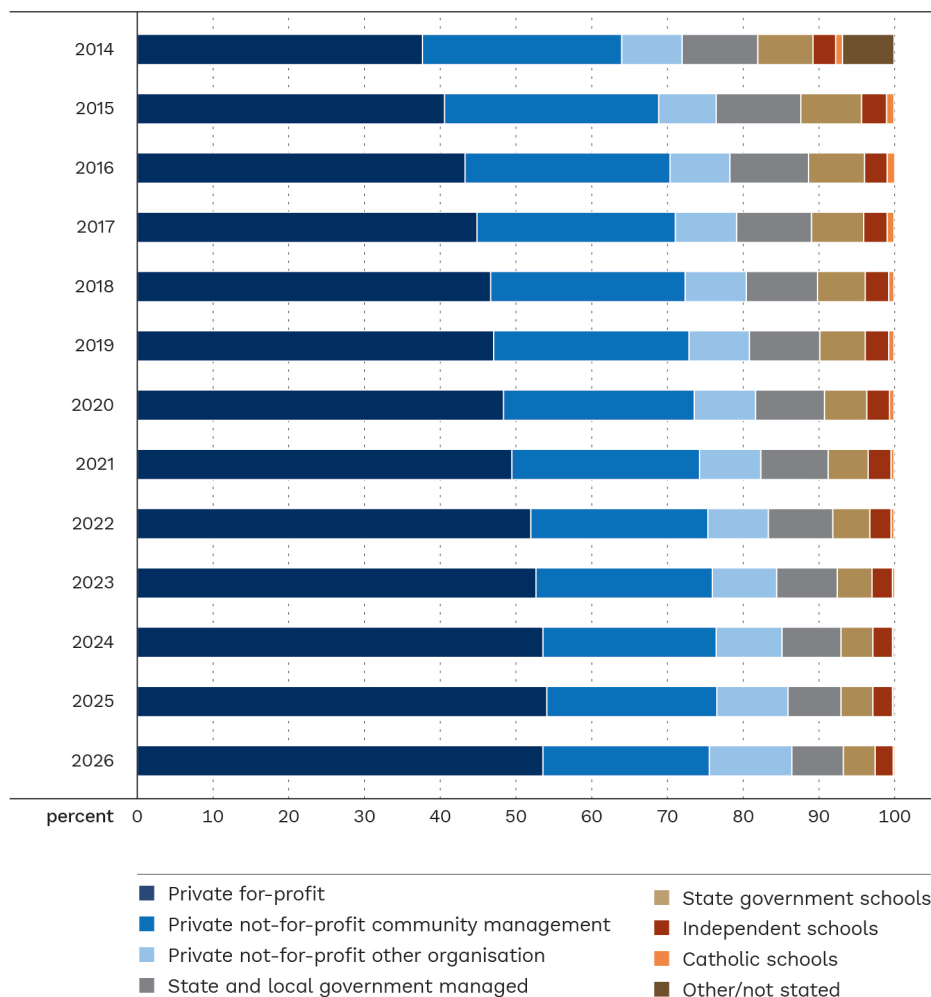
high-quality early childhood education and care is not reliant on the profitability of large corporations.

6.3.1 Demographic changes

The share of private, for-profit early childhood education and care providers has steadily increased over the past decade. In Victoria, the total number of services has increased from 1,471 in Q1, 2014 to 2,697 in Q1 2026, increasing the share in market composition from 37.7% to 53.6%.

Figure 6.2 below illustrates the composition of the Victorian early childhood education and care sector between these two periods.

Figure 6.2 Early childhood education and care services in Victoria by provider management type, Q1 2014 to Q1 2026



Source: Australian Children's Education and Care Quality Authority, *NQAITS quarterly data splits, Q3 2013 – Q1 2026*.

Long day care has experienced the biggest growth over this time, compared to other service types. The Rapid Child Safety Review found that 90% of growth in services and

80% of growth in places available for children has come from for-profit long day care services. Growth in not-for-profit long day care and standalone kindergarten services has been lower.

6.3.2 Stakeholder views on the growth of private, for-profit providers

Many Inquiry stakeholders raised concerns over the high share of long day care services being privately owned and operating for profit.

Some were concerned that some private providers had entered into the sector primarily as a property investment strategy.⁸ Pam White described how some of the recommendations of the Rapid Child Safety Review were made as disincentives for operators who were focused on making money from real estate rather than service quality:

“ I think the reality is that we were hoping that people who were entering for the absolute wrong reasons, which is just trying to flip a property – you know, you buy and it is a real estate deal, so you buy a childcare centre and then you sell it because the land value has increased so much. We are hoping that some of the things we recommend are a disincentive.⁹

Similarly, she spoke about recommendations concerning transparency of corporate structures to make it easier to determine who owns a service:

“ It is making their company structures more transparent so they are not able to hide behind a corporate veil and all of their information is known – knowing who they are, who the boards are who run these organisations; it is public. If something goes wrong, they are accountable for it; they have not got other people they are hiding behind. The odium of running a centre where something terrible has happened, at the moment a lot of people are shielded from. I mean, some people get the heat, but often the people who are making decisions are not getting the heat. So to lift that corporate veil to make them more accountable, doing child safety checks and having more unannounced visits in the centres they are running¹⁰

However other stakeholders believed the focus should be on sector and service quality, rather than the ownership and profit model of services. The Outside School Hours Council of Australia stated:

“ Providers have invested in innovative programming partnerships, enrichment activities, bespoke technology systems to support workforce managements, compliance and programming, inclusion support, and training and development in a manner that goes beyond the same in not for-profit providers; there is a place for all regardless of characterisation.¹¹

⁸ Goodstart Early Learning, *Submission 55*, p. 7.

⁹ Pam White PSM, *Transcript of evidence*, pp. 5–6.

¹⁰ Ibid.

¹¹ Outside School Hours Council of Australia, *Submission 88*, p. 15.

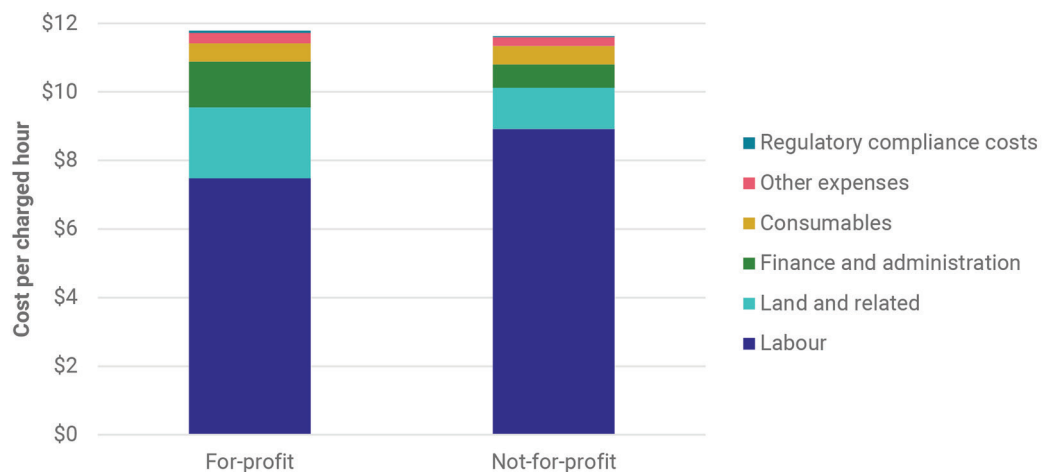
In its submission, Family Day Care Australia highlighted the distinction between ‘corporatisation’ of centre-based care and for-profit providers in family day care. It emphasised that for-profit providers in the family day care sector are almost exclusively small business operators.¹²

One submitter who operated a small private service spoke of the funding difficulties in contrast to larger services, particularly not-for-profits:

“the overwhelming majority of government funding, grants, and capital improvement opportunities are directed to not-for-profit organisations and government run centres. Many of these services still pay out large director and executive salaries, yet continue to benefit from government subsidies, grants, and targeted investment. Meanwhile, small privately owned services like ours receive little or no support. Despite providing the same regulated, high quality programs as our larger competitors, we are excluded from most funding opportunities that could help us improve our internal and external facilities or invest in professional development for staff.”¹³

In its second interim report on its Childcare Inquiry, the Australian Competition and Consumer Commission analysed costs of large early childhood education and care providers. For the year ending 2022, the Commission noted that large for-profit and not-for-profit providers incurred similar average costs in centre-based day care services. However, not-for-profits (77%) spent more on labour compared to for-profits (63%). The for-profit providers spent more on land costs (18% compared to 10%). Figure 6.3 below provides a breakdown of these costs.

Figure 6.3 Average costs for large providers of centre-based day care, 2022



Source: Australian Competition and Consumer Commission, *Childcare inquiry — September interim report*, Commonwealth of Australia, Canberra, 2023, p. 54.

¹² Family Day Care Australia, *Submission 79*.

¹³ Name withheld, *Submission 17*, p. 2.

The Commission also noted that for-profits had a significantly larger finance and administration expense, which it stated may be due to:

- payroll tax concessions available to not-for-profit providers
- greater ability for for-profit providers to secure loans and capital and acquisitions, which attract interest and depreciation expenses.¹⁴

The Commission concluded that not-for-profit providers were investing these cost advantages into labour and higher wages, which was reflected in a higher level of staff retention.¹⁵

In its submission, Early Childhood Outdoor Learning Network echoed this conclusion:

“for profit services should be looking at the community-run model as a model of safety, where staffing levels are set for high-quality programs and child and educator wellbeing, not to drive profits. Longevity of staff is one key predictor of child wellbeing and teachers/educators having ownership of their programs in a supportive environment with above-ratio staffing levels is one key way to ensure longevity. This is one key reason why retention of staff in the non-profit and community sectors is generally higher than in the for-profit sector.¹⁶

FINDING 35: Over the past 10 years, growth in the early childhood education and care sector has been primarily driven by for-profit long day care services to meet demand.

RECOMMENDATION 30: That the Victorian Government advocates to the Education Ministers Meeting to consider ways in which large for-profit providers can be required to provide parents and prospective parents with information on their ownership and financial performance, including profit and loss.

6.4 Quality of services

As stated previously, approximately 98% of early childhood education and care services are assessed and rated under the National Quality Standard. These services will receive an initial assessment and rating from the Victorian Early Childhood Regulatory Authority and subsequent re-assessments and ratings.

In Victoria private, for-profit services are more likely to be rated lower overall compared to other provider types.

¹⁴ Australian Competition and Consumer Commission, *Childcare inquiry — September interim report*, Commonwealth of Australia, Canberra, 2023, p. 54.

¹⁵ Ibid.

¹⁶ Early Childhood Outdoor Learning Network, *Submission 21*, p. 2.

In contrast, private, not-for-profit community managed services had significantly higher quality ratings than all other types of services. As at 1 April 2026, over 46% of all these services were rated as Exceeding the National Quality Standard or above, and were the only type of services with an Excellent rating. This is detailed further in Section 6.4.2.

In June 2026, the Commonwealth Government announced that services which do not meet the National Quality Standard will have funding¹⁷ cut or suspended. This requirement will come into effect in July 2027.¹⁸ The Committee welcomes this decision but cautions that this must be accompanied by an appropriate level of support from government to assist services in improving and meeting the National Quality Standard.

6.4.1 National Quality Standard ratings

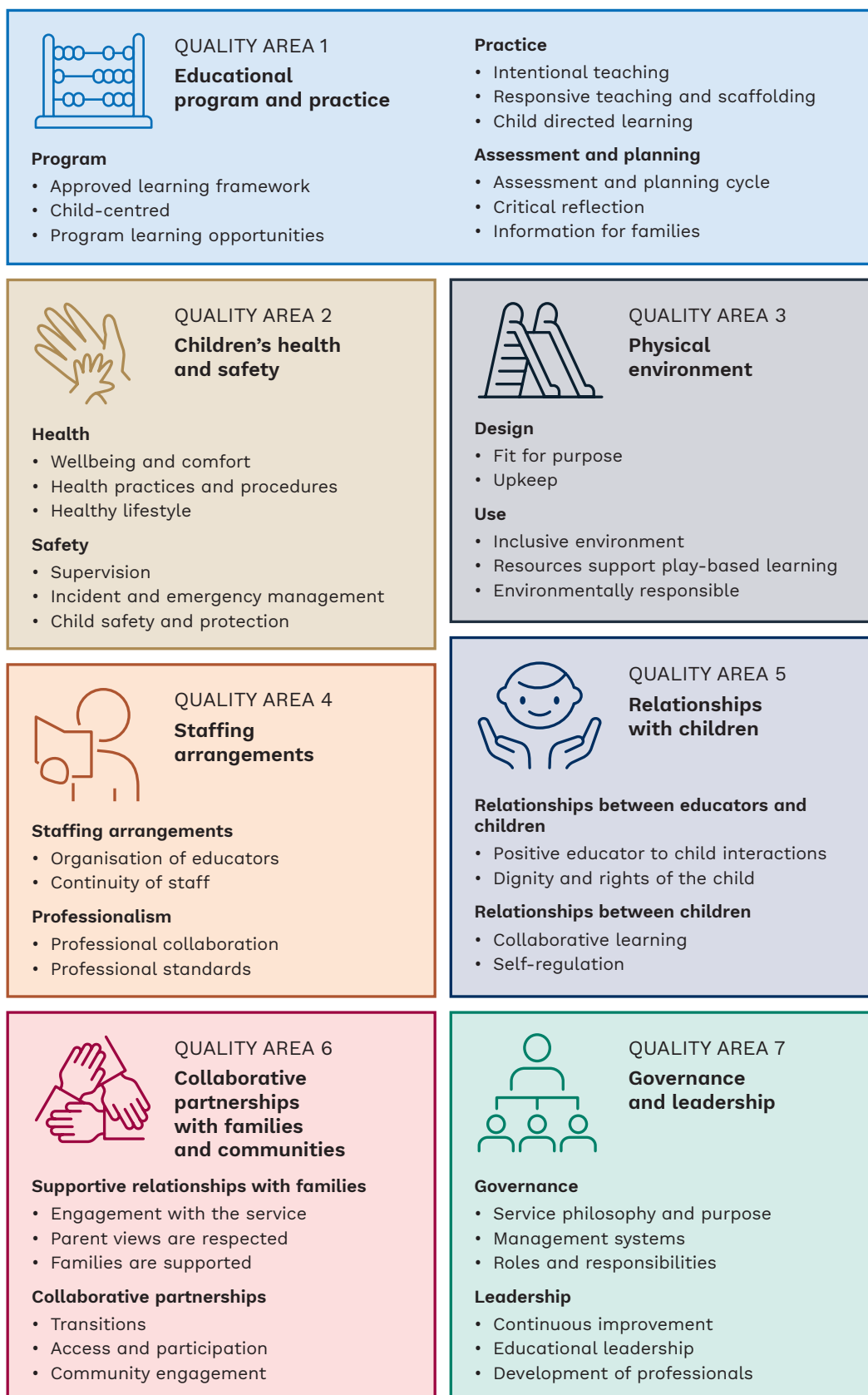
The National Quality Standard is the national benchmark for early childhood education and care services in Australia. It establishes 7 quality areas for services to be assessed against.

Figure 6.4 provides a summary of the quality areas, standards and elements.

¹⁷ Through the worker retention payment.

¹⁸ Prime Minister of Australia, *Albanese Government locks in pay rise for early educators while limiting fees for families*, 2026, <<https://www.pm.gov.au/media/albanese-government-locks-pay-rise-early-educators-while-limiting-fees-families>> accessed 31 July 2026.

Figure 6.4 National Quality Standard quality areas



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

Services are assessed and rated by the jurisdiction's regulatory authority against the Standard and given an individual rating for each of the quality areas and an overall rating based on these results. There are five ratings which are summarised in Table 6.2 below.

Table 6.2 Early childhood education and care service ratings under the National Quality Standard

Rating	Description
Excellent	
	- Services rated Exceeding National Quality Standard in all quality areas may choose to apply for this rating. Awarded by the Australian Children's Education and Care Quality Authority. - Service promotes exceptional education and care, demonstrates sector leadership and is committed to continually improving.
Exceeding National Quality Standard	
	Service goes beyond the requirements of the National Quality Standard in at least 4 of the 7 quality areas, with at least 2 of these being quality areas 1, 5, 6, or 7.
Meeting National Quality Standard	
	- Service meets the National Quality Standard. - Service provides quality education and care in all 7 quality areas.
Working Towards National Quality Standard	
	- Service provides a safe education and care program. - There are 1 or more areas identified for improvement.
Significant Improvement required	
SIGNIFICANT IMPROVEMENT REQUIRED	- Service does not meet 1 of the 7 quality areas or a section of the legislation and there is a significant risk to the safety, health and wellbeing of children. - The regulatory authority will take immediate action.

Source: StartingBlocks.gov.au, *Service quality ratings*, <<https://startingblocks.gov.au/resources/choosing-a-service/service-quality-ratings>> accessed 2 June 2026.

The Australian Children's Education and Care Quality Authority publishes resources to assist services in meeting the seven quality areas.¹⁹

¹⁹ Australian Children's Education and Care Quality Authority, *Meeting the NQS*, <<https://www.acecqa.gov.au/resources/research/meeting-nqs>> accessed 3 February 2026.

6.4.2 Quality ratings of Victorian services

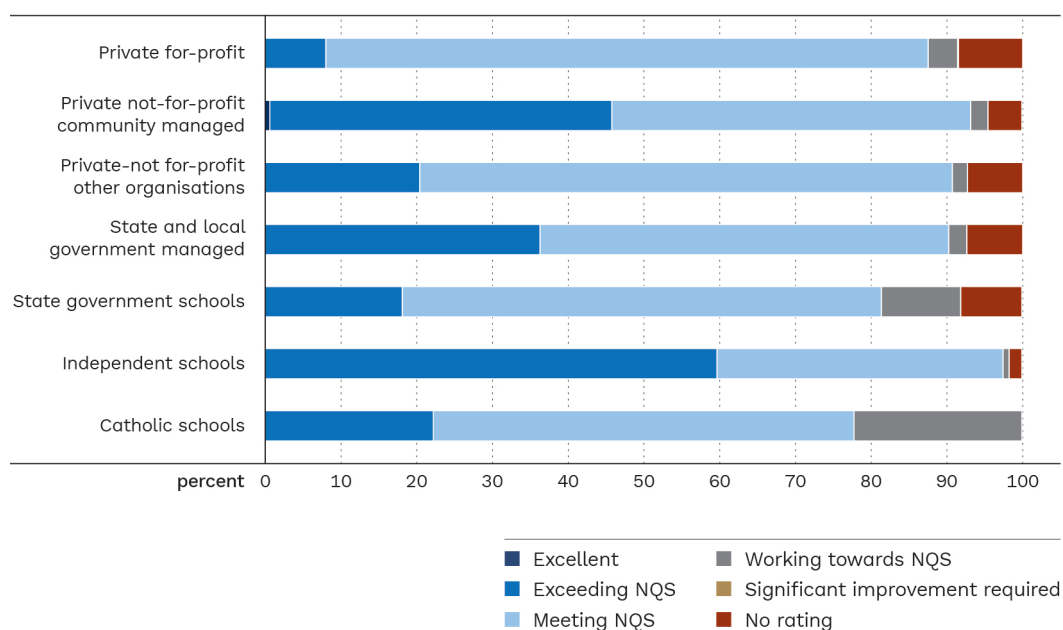
The Australian Children's Education and Care Quality Authority publishes data on quality ratings by provider type.

Table 6.3 and Figure 6.5 below provide a summary of quality ratings by service type as at 1 July 2026.

Table 6.3 Quality ratings of Victorian early childhood education and care services, Q2 2026

Provider Management Type	Excellent	Exceeding NQS	Meeting NQS	Working Towards NQS	Significant Improvement Required	No rating	Total
Private for-profit	0	214	2,142	105	2	228	2,691
Private not-for-profit community managed	7	499	524	25	0	50	1,105
Private not-for-profit other organisations	0	114	394	11	0	41	560
State and local government managed	0	123	183	8	0	25	339
State government schools	0	38	133	22	0	17	210
Independent schools	0	71	45	1	0	2	119
Catholic schools	0	2	5	2	0	0	9
Total	7	1,061	3,426	174	2	363	5,033

Figure 6.5 Quality ratings of Victorian early childhood education and care services, Q2 2026



Source: Australian Children's Education and Care Quality Authority, *NQF snapshot: Q2 2026, 1 July 2026*, <<https://www.acecqa.gov.au/resources/snapshot-and-reports/nqf-snapshots>> accessed 6 August 2026.

Nationally, Victoria has the lowest proportion of services rated Working Towards National Quality Standard or Significant Improvement Required, with less than 4% of services overall rated at these ratings.

The Committee heard that for-profit services had a lower total proportion of services rated Exceeding National Quality Standard compared to other types of services. Some stakeholders considered this showed that a for-profit management structure prioritises profit at the expense of service quality.

At public hearings, Committee members asked service providers what they attributed the disparity between for-profit and not-for-profit overall quality ratings. Their responses are provided in Box 6.1 below.

Box 6.1 What Chief Executives said when asked about disparity in quality ratings between for-profit and not-for-profit services

Dr Ros Baxter, Chief Executive Officer, Goodstart Early Learning

She attributed the disparity to service investment in ‘well-paid, consistent, and highly trained staff’. ... (noting) that there are some high-quality for-profit services run by smaller businesses with ‘one or two service operations’.²⁰ She also noted that services in regional Victoria that had a Working Towards National Quality Standard rating, and the difficulty in attracting and retaining workers in these areas.²¹

Glen Hurley, Chief Executive Officer, Affinity Education Group

He did not see his organisation’s for-profit structure as the driver for quality ratings. However, he was unable to provide a reason for the disparity.²²

Warren Bright, Chief Executive Officer, Guardian Childcare and Education

‘We know that centres that are older and have been established for longer have a significantly higher chance of being rated ‘exceeding’. Sometimes that can be up to 15 times the probability of being rated ‘exceeding’ compared to centres that have only been open for a couple of years. The vast majority of centres that have entered the sector in recent years have been for-profit centres. So is this result a function of limited not-for-profits being launched in recent years, or is it a function of for-profits being lower quality? I am not really sure. The statistics are not clear one way or the other.’²³

(Continued)

²⁰ Dr Ros Baxter, Chief Executive Officer, Goodstart Early Learning, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 28.

²¹ Ibid., p. 33.

²² Glen Hurley, Chief Executive Officer, G8 Education Limited, Public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 8.

²³ Pejman Okhovat, Chief Executive Officer and Managing Director, G8 Education Limited, Public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 66.

Box 6.1 Continued**Pejman Okhovat, Chief Executive Officer and Managing Director,
G8 Education**

'it is getting increasingly more difficult for achieving and exceeding. Again, if you look at the ACECQA data, it shows across the nation the level of exceeding across the sector has continued to decline year after year after year, particularly for the last five years. In some of those settings, as I said, it takes a very small percentage difference whether you are achieving meeting or whether you can actually achieve and exceed, which is even harder to get.'²⁴

Similarly, Tonii Tran, President of Australian Childcare Alliance Victoria, described the challenges services face in trying to exceed the National Quality Standard:

“ The gap between meeting and exceeding is huge. ‘Meeting’ means that all compliance measures have been met, and even that we believe the goalposts and the expectations are even higher. We have had meetings with the department as well about how services can achieve that, and as a peak body, that is what we do with our services so we help support them. Private, for-profit early childhood education and care services are consistently more likely to have lower National Quality Standard ratings than all other service types. In addition, private, for-profit services are consistently underrepresented in Exceeding the National Quality Standard or Excellent ratings.²⁵

Commonwealth funding through mechanisms such as the Child Care Subsidy are agnostic as to whether the service is for-profit or not-for-profit. In her supplementary statement as part of the Productivity Commission’s report *A path to universal early childhood education and care*, Professor Deborah Brennan made the case for government funding to be prioritised to the not-for-profit sector. This was in light of the demonstrated comparative success of the sector in Meeting or Exceeding the National Quality Standard when compared with the for-profit sector:

“ There is room for a variety of business models within ECEC, but regulatory and funding settings should prioritise providers that deliver high quality, affordable ECEC to families and offer fair pay, decent jobs and supportive working environments to educators.²⁶

FINDING 36: There is a correlation between services that record higher National Quality Standard ratings and the wellbeing of their staff.

²⁴ Ibid.

²⁵ Tonii Tran, President, Australian Childcare Alliance Victoria, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 53.

²⁶ Productivity Commission, *A path to universal early childhood education and care: Inquiry report volume 2 – Supporting papers*, Commonwealth of Australia, Canberra, 2024, p. 336.

FINDING 37: The quality areas that early childhood education and care services are most likely to be rated as Working Towards National Quality Standard are:

- Quality Area 2: Children's Health and Safety
- Quality Area 7: Leadership and Governance.

FINDING 38: An inability to exceed the National Quality Standard Quality Area 7: Leadership and Governance, is a key reason many services do not reach the threshold for Exceeding National Quality Standard.

FINDING 39: Victoria has the lowest proportion of services rated Working Towards National Quality Framework or Significant Improvement Required compared to all Australian states and territories, with less than 4% of total services rated at these levels.

FINDING 40: Not-for-profit services are more likely to be rated Meeting or Exceeding National Quality Standard. Conversely, for-profit services are more likely to be rated Working Towards National Quality Standard.

RECOMMENDATION 31: The Victorian Early Childhood Regulatory Authority prioritises follow-up inspections to services with Working Towards National Quality Framework ratings.

6.4.3 Stakeholder views on the National Quality Standards

In the Committee's view, it is important to maintain national consistency to ensure quality services are provided to children and their families. However, at the same time the Committee heard from stakeholders during the Inquiry of the compliance burden on providers, which detracts them from focusing on child safety and wellbeing.

The Committee notes that the Senate Education and Employment References Committee recommended an independent review of the National Quality Standard. This in turn echoed a recommendation of the Productivity Commission.²⁷ The Committee supports a review where the focus is on improving consistency, accuracy and transparency of service assessments.

The Committee also heard about the inconsistent application of the Standard between services, which leads to varied levels of service quality and child wellbeing.²⁸

²⁷ Education and Employment References Committee, *Quality and safety of Australia's early childhood education and care system*, Australian Senate, Canberra, 2026, p. 140.

²⁸ Independent Schools Victoria, *Submission 91*, pp. 1-2; Mallee Family Care, *Submission 44*, p. 7; Maribyrnong City Council, *Submission 49*, p. 4.

Family Day Care Australia identified the administrative load as a key concern of family day care operators, who are typically sole traders. It advocated for ‘regulatory proportionality’ where requirements for family day care operators were not modelled on centre-based environments.²⁹

Outside School Hours Council of Australia similarly noted distinctions in the outside school hours care operating environment:

- operating hours and duration
- inconsistent attendance by children depending on parents’ schedules
- vacation care dynamics
- activity-based programs (in contrast to a structured, educational focus)
- inconsistent care environments.³⁰

The Committee notes that the Senate Committee recommended a review into the National Quality Framework as it relates to Outside School Hours Care.

RECOMMENDATION 32: That the Victorian Government advocates to the Education Ministers Meeting to review the National Quality Standards as they relate to non-long day care services, such as family day care and outside school hours care.

6.5 Supply of services

“ At the moment we do not have any authority, any body or any regulator looking at supply and demand across the state or indeed across the country. So we do end up with each end of the spectrum: we have areas of massive growth and oversupply – centres popping up on every corner – and then we also have the opposite issue of very thin markets, childcare deserts if you will. So we need that more balanced approach to where centres are established if there is a need in the community.

Source: Martel Menz, Manager, Strategic Policy, The Front Project, public hearing, East Melbourne, 11 March 2026, *Transcript of evidence*, p. 35.

In Victoria, metropolitan areas are dominated by for-profit services. In comparison, there is a higher incidence of not-for-profits in regional and rural Victoria.

In some places there is oversupply of services, primarily in inner-city and higher income areas. When a new service opens in an area this disrupts the existing system through new centres offering sign-up bonuses for educators and enrolments. In contrast, there are supply gaps in remote, outer-regional and low-income Victorian communities. In many instances it is unviable for a for-profit centre to open in these areas.

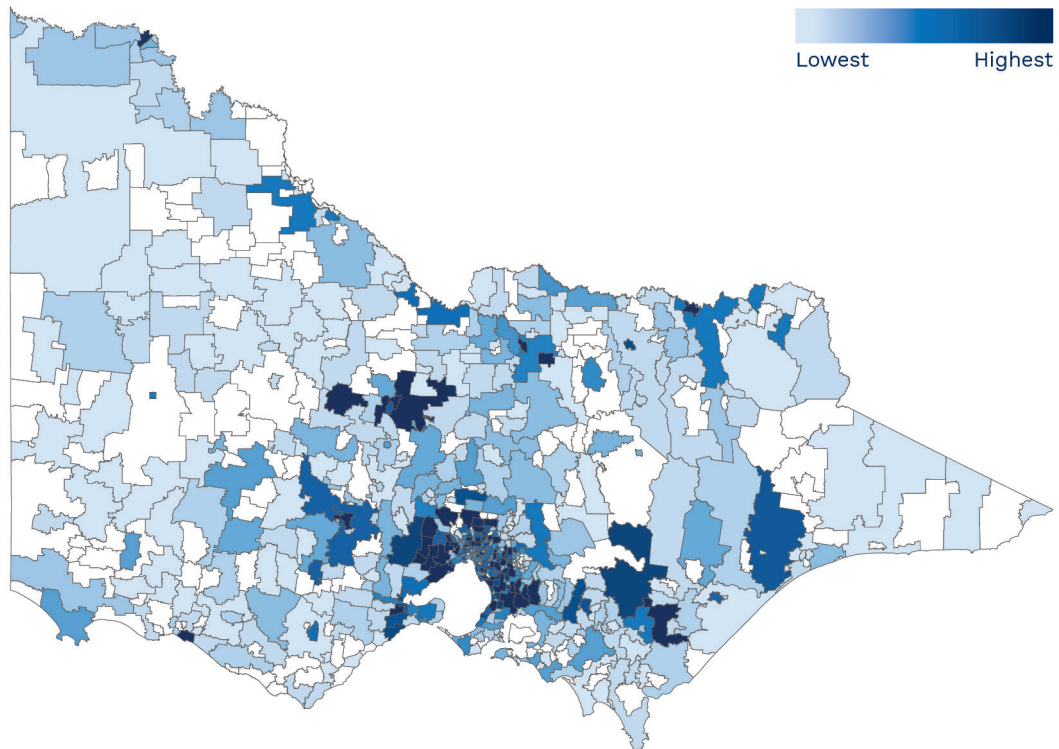
²⁹ Family Day Care Australia, *Submission 79*, p. 3.

³⁰ Outside School Hours Council of Australia, *Submission 88*, pp. 7–8.

A key driver for this is the lack of government oversight or roadmap to determine the service needs across Victoria. In absence of this, a free-market approach has led to areas of oversupply and undersupply.

Figure 6.6 below provides a breakdown of the number of services by postcode as at 1 July 2026.

Figure 6.6 Number of early childhood education and care services in Victoria by postcode (Q2 2026)



Source: Australian Children's Education and Care Quality Authority, *NQF snapshot: Q2 2026*, 1 July 2026, <<https://www.acecqa.gov.au/media/48441>> accessed 6 August 2026.

The Front Project has conducted research into supply of early childhood education and care services in Australia. It found:

- In non-urban areas 79% of providers only operate one service.
- Not-for-profit providers make up the majority of the long day care market in remote areas. This is the reverse trend to metro areas where for-profits make up the majority of services.
- In rural and regional areas 11% of for-profit and 28% of not-for-profit services are rated Exceeding or Excellent.³¹

³¹ The Front Project, *Paving the Path: Addressing market imbalances to achieve quality and affordable childcare in more places*, 2024.

During the Inquiry, large for-profit provider G8 Education announced it would close 40 ‘underperforming’ services across Australia, including 12 in Victoria. G8 Education noted its spot occupancy rate across its centres was 56.4%, and 7% lower than the previous year, which indicates an oversupply issue.³² Occupancy rates of 70% are regarded as a minimum for financial viability.³³

Tony Bates, Secretary of the Department of Education, believed there was a role for the Commonwealth Government in planning for early childhood education and care supply, particularly in regional Victoria.³⁴

Samantha Page, Chief Executive Officer of Early Childhood Australia, advocated for governments to take a greater role in determining where services were placed:

“there has been a very hands-off, free-market approach to the delivery of early childhood services in the past, so the sector has been very much driven by private equity decisions about where services will be built and operated. That might have made sense when the federal government’s contribution to the cost of the delivery of those services was a small part of the overall financing system, but now the proportion funded by the federal government through the childcare subsidy is a much higher proportion of the cost of delivery, and we think now it makes sense to move to more of a social market in which government is much more involved in the stewardship of the system in terms of deciding where services are needed and supporting services to go where they are most needed.”³⁵

Georgie Dent, Chief Executive Officer at The Parenthood, spoke about the lack of government coordination in allowing new services to open in already saturated areas. She contrasted this with regulation for pharmacies:

“it is wild that there is not, at the moment, a genuine planning provision for how early education and care is supplied and where services can open. We have got stronger regulations about where pharmacies can open and not encroach on particular suburbs if there is already provision in that area.”³⁶

She also made the point about existing large providers focusing on opening more services rather than focusing on providing high-quality service.³⁷

³² G8 Education, *ASX Announcement: Chair and CEO and MD address to shareholders*, 29 April 2026, <<https://g8education.edu.au/investor-information/asx-announcements>> accessed 3 June 2026.

³³ Early Childhood Australia, *Market Failure and the need for stewardship in early childhood Services: This is more about oversupply, than a loss of public confidence*, 1 May 2026, <<https://www.earlychildhoodaustralia.org.au/the-spoke/market-failure-and-the-need-for-stewardship-in-early-childhood-services-this-is-more-about-oversupply-than-a-loss-of-public-confidence>> accessed 3 June 2026.

³⁴ Tony Bates PSM, Secretary, Department of Education, public hearing, East Melbourne, 25 May 2026, *Transcript of evidence*, p. 23.

³⁵ Samantha Page, Chief Executive Officer, Early Childhood Australia, public hearing, Melbourne, 24 February 2026, *Transcript of evidence*, p. 41.

³⁶ Georgie Dent, Chief Executive Officer, The Parenthood, public hearing, Melbourne, 25 February 2026, *Transcript of evidence*, p. 44.

³⁷ Ibid.

Other stakeholders echoed these concerns, advocating for restrictions on underperforming providers opening additional services.

The Committee agrees that providers should not be able to open new services if their existing services are consistently rated below Meeting National Quality Standard. This reflects the intent of the paramount consideration that child safety in early childhood education and care should be put above all other interests.

6.5.1 Childcare deserts

‘Childcare deserts’ refers to areas undersupplied by early childhood education and care services. These areas are predominantly in rural and regional Victoria.

Victoria University’s Mitchell Institute has conducted research into childcare availability in Australia. Key findings from a 2024 report include:

- Victoria was behind only the Australian Capital Territory in terms of places per child and the percentage of the jurisdiction that was not considered a childcare desert
- places per child increased from 0.451 in 2020 to 0.519 in 2024, and childcare deserts fell from 23% to 14%
- the increase in childcare accessibility between 2020 and 2024 was consistent across all Australia, primarily caused by an increase³⁸ in childcare places and a lack of population growth in children under 5 years.³⁹

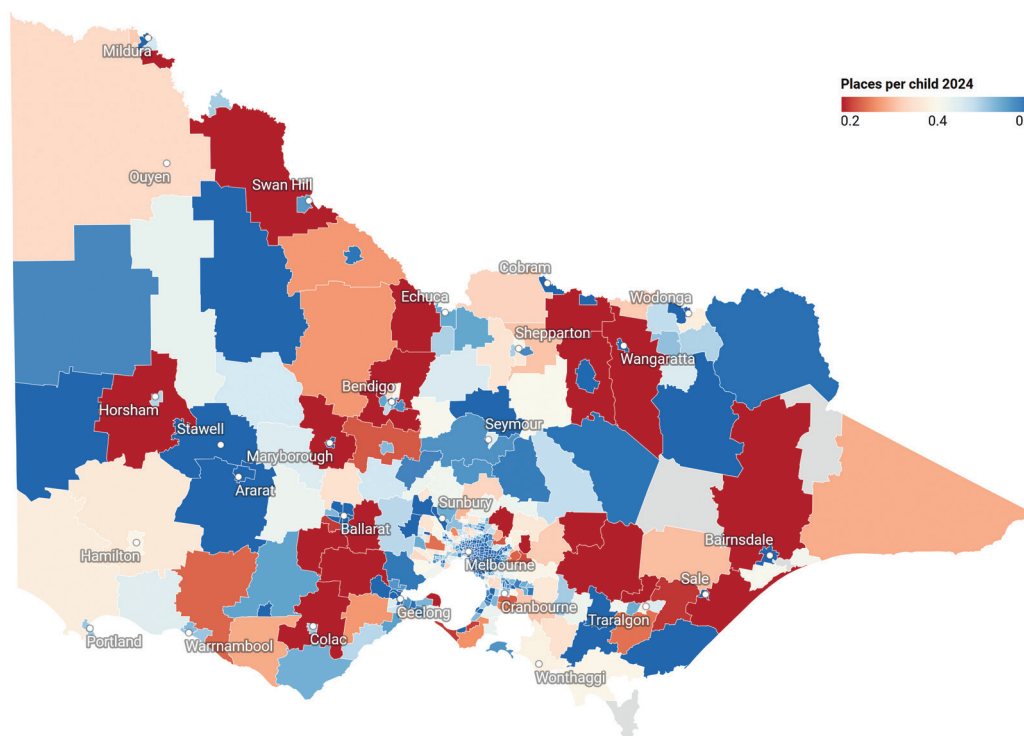
The authors indicated the top three areas of access in Victoria were in regional areas Ararat, Ballarat and Sebastopol–Redan.

Figure 6.7 below from the Mitchell Institute’s research illustrates service accessibility across Victoria in 2024.

³⁸ Approximately 10% nationwide.

³⁹ Associate Professor Peter Hurley, Dr Melissa Tham and Dr Ha Nguyen, *Mapping the childcare deserts: Childcare accessibility in Australia*, 20 August 2024, <<https://www.vu.edu.au/about-vu/news-events/news/mapping-the-childcare-deserts-childcare-accessibility-in-australia>> accessed 21 April 2026.

Figure 6.7 Childcare accessibility in Victoria, 2024



Source: Associate Professor Peter Hurley, Dr Melissa Tham and Dr Ha Nguyen, *Mapping the childcare deserts: Childcare accessibility in Australia*, 20 August 2024, <<https://www.vu.edu.au/about-vu/news-events/news/mapping-the-childcare-deserts-childcare-accessibility-in-australia>> accessed 21 April 2026.

As noted in Chapter 5, a key issue facing early childhood education and care supply in rural and regional areas is workforce supply. Rural and regional workforce supply issues are not unique to the sector, nor Victoria. However, these are essential roles and it is important that governments actively support the sector to recruit and retain a quality workforce.

FINDING 41: In Victoria, as well as across Australia, there is a higher concentration of for-profit services in more advantaged areas. In contrast, there is better access to kindergarten and non-long daycare services in less advantaged areas.

FINDING 42: There is no coordinated government policy for supply of childcare and long day care services.

FINDING 43: A market-driven approach has led to inequities in access to services including oversaturation (typically in affluent metropolitan areas) and 'childcare deserts' (typically in rural and regional areas).

RECOMMENDATION 33: That the Victorian Government advocates to the Education Ministers Meeting for a nationally coordinated approach to address supply and market failures in the early childhood education and care sector, focusing on accessibility and affordability and geographic locations.

RECOMMENDATION 34: That the Victorian Early Childhood Regulatory Authority develops approval criteria for new childcare and long day care services throughout the State. This should include criteria that considers:

- the impacts of service disruption and workforce supply for new services opening in areas that are already saturated with existing services
- a provider's past performance for their existing services when considering whether to grant approval for a new premises.

RECOMMENDATION 35: That the Victorian Government advocates to the Education Ministers Meeting to introduce regulatory requirements that prohibit early childhood education and care providers from establishing new services where:

- their existing services are not consistently rated Meeting National Quality Standard
- providers have a history of poor compliance.

RECOMMENDATION 36: That the Victorian Government provides targeted funding and support for small, rural, and regional services so that they can maintain safe minimum staffing and supervision levels.

RECOMMENDATION 37: That the Victorian Government develops targeted workforce strategies for early childhood education and care services in regional and rural areas. This should include training pathways, relocation and retention support.

**Adopted by the Select Committee on the
Early Childhood Education and Care Sector in Victoria
Parliament of Victoria, East Melbourne
20 August 2026**

Appendix A

About the Inquiry

A.1 Establishing resolution and terms of reference

On 30 July 2025, the Legislative Council agreed to a motion establishing this Select Committee to conduct an Inquiry into the early childhood education and care sector in Victoria. An extract of the establishing resolution is below:

1. That a Select Committee of six members be appointed to inquire into, consider and report on the Early Childhood Education and Care (ECEC) sector in Victoria, including but not limited to –
 - a. the adequacy of current quality and safety standards across all ECEC service types;
 - b. the quality and oversight of educator training, professional development and qualifications, including a review of the effectiveness of Working with Children Checks and of Registered Training Organisations issuing early childhood certifications;
 - c. the impacts of Victoria's predominantly privatised ECEC system, including a comparison with public, not-for-profit and cooperative models in terms of accessibility, affordability, safety and outcomes;
 - d. the impact of workforce conditions, such as pay, job security, workload and recognition on educator wellbeing, retention and service quality;
 - e. the adequacy of staff-to-child ratio regulations, including ratios being averaged across entire services rather than applied per room;
 - f. whether there is sufficient oversight of the Department of Education and the role it plays in monitoring and maintaining child safety;
 - g. any other matter in relation to the adequacy, implementation, compliance and/or enforcement of child safety standards and regulations in the ECEC sector.
2. the Committee provide an interim report by a date determined by the Committee, and a final report by 30 July 2026.

Under the establishing resolution, the Committee membership was required to comprise two members from the Government, two from the Opposition and two members from the remaining parties in the Council.

Members were appointed to the Committee on 4 August 2025. At the Committee's first meeting on 11 August 2025, Anasina Gray-Barberio MLC was elected Chair and Michael Galea MLC Deputy Chair.

On 28 July 2026, the Legislative Council agreed to an extension of the Inquiry's reporting date to 9 September 2026. The Committee sought this primarily to accommodate a final public hearing to receive evidence from Liana Buchanan in response to a media article published which contradicted evidence she had previously provided. This is discussed in detail in Chapter 3.

A.2 Submissions

The Committee accepted 102 submissions to the Inquiry, which are listed below.

1.	Mitchell Stark	28.	The Front Project
2.	Name withheld	29.	YMCA Victoria
3.	Name withheld	30.	Marlea Hutso
4.	Name withheld	31.	Per Capita Australia
5.	Mandy Blount	32.	Chelsea Heights Kindergarten
6.	Name withheld	33.	Uniting Victoria and Tasmania
7.	Name withheld	34.	Advocating for Children with Disability
8.	Elise Davis	35.	Early Learning Association Australia
9.	Rebecca Saville	36.	Kristi McVee
10.	Name withheld	37.	Allergy & Anaphylaxis Australia
11.	BubbaDesk	38.	Municipal Association of Victoria
12.	Belinda Dixon	39.	The Directors Network
13.	Sarah Briggs	40.	Moyne Shire Council
14.	Name withheld	41.	Brotherhood of St. Laurence
15.	Name withheld	42.	Reggio Emilia Australia Information Exchange
16.	Name withheld	43.	The Parenthood
17.	Name withheld	44.	Mallee Family Care
18.	Kidz R Kidz Early Learning Centre	45.	National Survivors Foundation
19.	Confidential	46.	Early Childhood Intervention Australia Victoria Tasmania
20.	National Association for Prevention of Child Abuse and Neglect	47.	Madeleine Dowel
21.	Early Childhood Outdoor Learning Network	48.	Christian Schools Australia and Adventist Education Australia
22.	Name withheld	49.	Maribyrnong City Council
23.	Centre for International Corporate Tax Accountability and Research	50.	Leongatha Children's Centre
24.	Niels Wouters	51.	G8 Education
25.	Name withheld	52.	KU Children's Services
26.	George Amos	53.	United Workers Union
27.	Australian Childhood Foundation	54.	Victorian Catholic Education Authority

55.	Goodstart Early Learning	79.	Family Day Care Australia
56.	Asylum Seeker Resource Centre	80.	Hailey Hackett
57.	Defence Families Australia	81.	Commission for Children and Young People
58.	Triple P International	82.	Victorian Government
59.	Affinity Education Group	83.	National Allergy Council
60.	Victorian Children's Council	84.	It Takes a Village
61.	Minderoo Foundation	85.	Bravehearts
62.	The Royal Children's Hospital, Department of Allergy and Immunology	86.	Latrobe City Council
63.	Confidential	87.	The Victorian Foundation for Survivors of Torture, Foundation House
64.	Name withheld	88.	Outside School Hours Council of Australia
65.	Early Childhood Management Services	89.	Secretariat of National Aboriginal and Islander Child Care
66.	Research in Effective Education in Early Childhood Centre, Faculty of Education, University of Melbourne	90.	Law Institute of Victoria
67.	Mount Evelyn Christian School Kindergarten	91.	Independent Schools Victoria
68.	Body Safety Australia	92.	Early Childhood Australia
69.	Early Learning and Care Council of Australia	93.	Victorian Aboriginal Children and Young People's Alliance
70.	Australasian Society of Clinical Immunology and Allergy	94.	Australian Education Union Victoria
71.	Neighbourhood Houses Victoria	95.	Ngaweeyan Maar-oo
72.	EMILY's List	96.	Voices for Early Years Education
73.	Nido Early School	97.	Australian Services Union
74.	Sophie Baker	98.	Tully Gordon
75.	Diamond Creek Memorial Kindergarten	99.	Australian Children's Education and Care Quality Authority
76.	Australian Childcare Alliance Victoria	100.	National Type 1 Diabetes Council
77.	Ethical Interactions	101.	Australian Paediatric Society
78.	Early childhood education and law academics	102.	National Type 1 Diabetes Council, Australian Paediatric Society and Type 1 Foundation

A.3 Public hearings

The Committee held 34 hearings over 7 days.

8 December 2025

Federation Room, Parliament House, Spring Street, East Melbourne, 3002

Witness	Position and organisation
Pam White PSM	Rapid Child Safety Review Panel
Tony Bates	Secretary, Department of Education
Bronwen FitzGerald	Deputy Secretary, Early Childhood Education, Department of Education
Helen Quiney	Executive Director, Quality Assessment and Regulation Division, Department of Education
Marlo Baragwanath	Ombudsman, Ombudsman Victoria
Andrew Adason	Deputy Ombudsman, Prevention, Ombudsman Victoria
Corey Stevens	Principal Investigator, Ombudsman Victoria
Argiri Alisandratos	Acting Principal Commissioner, Commission for Children and Young People
Meena Singh	Commissioner for Aboriginal Children and Young People, Commission for Children and Young People
Emily Sanders	Director Regulation, Commission for Children and Young People
Professor Jane Page OAM	–
Liana Buchanan	–

24 February 2026

Eragow Room, 55 St Andrews Place, East Melbourne, 3002

Witness	Position and organisation
Glen Hurley	Chief Executive Officer, Affinity Education
Nicola Page	Chief Risk and Quality Officer, Affinity Education
Dr Liz Hudson	Policy and Research Manager, Children and Young People with Disability Australia
Dr Ros Baxter	Chief Executive Officer, Goodstart Early Learning
Kelly Jebb	Head of Social Policy, Goodstart Early Learning
Samantha Page	Chief Executive Officer, Early Childhood Australia
Tonii Tran	President, ACA Victoria, Australian Childcare Alliance Victoria
Paul Mondo	President, ACA National, Australian Childcare Alliance Victoria
Brooke Eerden	Vice President, ACA Victoria, Australian Childcare Alliance Victoria
Pejman Okhovat	Chief Executive Officer and Managing Director, G8 Education
Josie King	Chief Legal Quality and Risk Officer, G8 Education

25 February 2026

Eragow Room, 55 St Andrews Place, East Melbourne, 3002

Witness	Position and organisation
Gabrielle Sinclair	Chief Executive Officer, Australian Children's Education and Care Quality Authority
Abigail Weldon-Chan	Acting General Manager, Policy and Regulatory Systems, Australian Children's Education and Care Quality Authority
John Burton	Executive Director Policy and Research, Secretariat of National Aboriginal and Islander Child Care
Miranda Edwards	Director Early Years Support, WA, Secretariat of National Aboriginal and Islander Child Care
Jason Kanoa	Chief Executive Officer, Victorian Aboriginal Children and Young People's Alliance
Karen Heap	Board Chair and Chief Executive Officer, Ballarat and District Aboriginal Co-Operative, Victorian Aboriginal Children and Young People's Alliance
Laura Browne	Manager of Policy and Advocacy, Victorian Aboriginal Children and Young People's Alliance
Georgie Dent	Chief Executive Officer, The Parenthood
Karen Bunker	United Workers Union member, United Workers Union
Nicole Skoda	United Workers Union member, United Workers Union
Ffion Evans	National Coordinator, Early Childhood Education and Care Team, United Workers Union
Justin Mullaly	President, Victorian Branch, Australian Education Union
Heidi Ratje	Deputy Vice President — Early Childhood, Victorian Branch, Australian Education Union
Justin Bowd	Research Officer, Victorian Branch, Australian Education Union
Melinda Crole	President, Outside School Hours Council of Australia

10 March 2026

Davui Room, 55 St Andrews Place, East Melbourne, 3002

Witness	Position and organisation
Sally Moore	Chief Executive Officer, Early Childhood Intervention Australia
Clare Leaney	Chief Executive Officer, National Survivors Foundation
Joe Stroud	Deputy Chief Executive Officer, National Survivors Foundation
Tamara Kube	Special Projects and Deputy of Communications, National Survivors Foundation
Karen Douglas	Research and Policy Adviser, Australian Services Union
Steph Chiron	Organiser and ECEC worker, Australian Services Union
Andrew Paterson	Chief Executive Officer, Family Day Care Australia
Michael Farrell	General Manager Advocacy and Engagement, Family Day Care Australia
Deanne Carson	Chief Executive Officer, Body Safety Australia

Witness	Position and organisation
Merrin Sulovski	Training and Development Specialist, National Association for Prevention of Child Abuse and Neglect
Taihan Rahman	National Association for Prevention of Child Abuse and Neglect Youth Advisor, National Association for Prevention of Child Abuse and Neglect
Alice Dolin	Researcher and National Association for Prevention of Child Abuse and Neglect Youth Advisor, National Association for Prevention of Child Abuse and Neglect

11 March 2026

Davui Room, 55 St Andrews Place, East Melbourne, 3002

Witness	Position and organisation
Alison Geale	Chief Executive Officer, Bravehearts
Lisa Briggs	Chief Executive Officer, Ngaweeyan Maar-oo
Lisa Thorpe	Early Childhood Care and Development Sector representative, Ngaweeyan Maar-oo
Reuben Leigh	Policy Officer, Ngaweeyan Maar-oo
Martel Menz	Strategic Policy Manager, The Front Project
Warren Bright	Chief Executive Officer, Guardian Childcare and Education
Anna Learmonth	Chief Executive Officer, Only About Children
Stefanie Veal	Chief Executive Officer, Victorian Registration and Qualifications Authority
Bree Gauci	Deputy Chief Executive Officer, Training and Skills, Victorian Registration and Qualifications Authority

25 May 2026

Davui Room, 55 St Andrews Place, East Melbourne, 3002

Witness	Position and organisation
Adam Fennessy PSM	Interim regulator, Victorian Early Childhood Regulatory Authority
Helen Quiney	Chief Executive Officer, Victorian Early Childhood Regulatory Authority
Tony Bates	Secretary, Department of Education
Bronwen FitzGerald	Deputy Secretary, Early Childhood Education, Department of Education
Justin McDonnell	Assistant Deputy Secretary, Strategy, Practice and Safeguarding, Department of Education
Hon Lizzie Blandthorn MLC	Minister for Children

3 August 2026

Davui Room, 55 St Andrews Place, East Melbourne, 3002

Witness	Position and organisation
Liana Buchanan	–

A.4 Interim Report

The Committee tabled its Interim Report on 31 March 2026.

The Report provided an update of the Committee's work to date and highlighted the changes made to the early childhood education and care legislative framework following the Rapid Child Safety Review. It also discussed recent reviews into the sector, and others that were ongoing at the time the Report was adopted.

The Report noted the range of issues that were highlighted by Inquiry stakeholders, in particular:

- quality of services
- growth of private, for-profit providers
- child safety and wellbeing
- cultural safety for Aboriginal and Torres Strait Islander people
- working conditions
- education and training of educators
- the role of government in regulating and supporting the sector
- Working with Children Check limitations.

The report is available on the Committee's website at <https://www.parliament.vic.gov.au/get-involved/inquiries/earlyeducation/reports>.

Extract of proceedings

Legislative Council Standing Order 23.20(5) requires the Committee to include in its report all divisions on a question relating to the adoption of the draft report.

All Members have a deliberative vote. In the event of an equality of votes, the Chair also has a casting vote.

The Committee divided on the following questions during consideration of this report. Questions agreed to without division are not recorded in these extracts.

Committee meeting – 20 August 2026

Chapter 1: Inquiry into the early childhood education and care sector summary

Melina Bath moved that, in section 1.1 omit ‘Child safety and service quality has not been adequately prioritised by governments that for too long regulatory settings had failed to ensure effective oversight and enforcement of services to prevent ongoing issues.’ and insert ‘Child safety and service quality were not adequately prioritised by the Victorian Government’s regulatory framework prior to 2025. Multiple warning signs including increasing complaints, declining regulatory performance and the Victorian Ombudsman’s 2022 findings were not acted upon until after the Joshua Brown matter exposed systemic failures.’.

Question — put.

The Committee divided.

Ayes 4	Noes 1
Melina Bath	Michael Galea
Georgie Crozier	
Anasina Gray-Barberio	
Sarah Mansfield	

Question agreed to.

Chapter 2: Regulatory framework and the role of regulatory authorities and government agencies

Melina Bath moved that, in section 2.3 insert ‘Recommendation X: That the Victorian Government publishes a detailed response outlining why recommendations from the Victorian Ombudsman’s 2022 Working with Children Check investigation were not implemented until after the Rapid Child Safety Review in 2025.’.

Question — put.

The Committee divided.

Ayes 4	Noes 2
Melina Bath	Jacinta Ermacora
Georgie Crozier	Michael Galea
Anasina Gray-Barberio	
Sarah Mansfield	

Question agreed to.**Chapter 3: Child safety and wellbeing**

Michael Galea moved in section 3.2.1, omit ‘When Committee members asked the Department of Education about its response to the Ombudsman’s 2022 report, the representatives of the Department could not provide a comprehensive answer.’.

Question — put.

The Committee divided.

Ayes 2	Noes 4
Jacinta Ermacora	Melina Bath
Michael Galea	Georgie Crozier
	Anasina Gray-Barberio
	Sarah Mansfield

Question negatived.**Chapter 4: Cultural safety**

Michael Galea moved that, in section 4.1:

- in Recommendation 1, after ‘Victorian Government’ insert ‘, together with Gellung Warl’
- in Recommendation 2, omit ‘work with Aboriginal Community Controlled Organisations in the co-design of’ and insert ‘work together with Gellung Warl and Aboriginal Community Controlled Organisations to co-design’.

Question — put.

The Committee divided.

Ayes 4	Noes 2
Jacinta Ermacora	Melina Bath
Michael Galea	Georgie Crozier
Anasina Gray-Barberio	
Sarah Mansfield	

Question agreed to.

Michael Galea moved that, in section 4.3, in Recommendation 5, after ‘Victorian Early Childhood Regulatory Authority’ insert ‘, Gellung Warl’.

Question — put.

The Committee divided.

Ayes 4	Noes 2
Jacinta Ermacora	Melina Bath
Michael Galea	Georgie Crozier
Anasina Gray-Barberio	
Sarah Mansfield	

Question agreed to.**Chapter 5: Early childhood educators**

Georgie Crozier moved, in section 5.6, omit ‘Similarly, EMILY’s List described the business model as “bums on seats” that pass students “to meet funding requirements and needs to keep RTOs and TAFEs afloat”.’

Question — put.

The Committee divided.

Ayes 2	Noes 4
Melina Bath	Jacinta Ermacora
Georgie Crozier	Michael Galea
	Anasina Gray-Barberio
	Sarah Mansfield

Question negated.

Chapter 6: Early childhood education and care services

Georgie Crozier moved, omit 'Recommendation 1: That the Victorian Government advocates to the Commonwealth Government to require providers to disclose financial and operational information and publicly publish the information in a clear and easy to read format'.

Michael Galea moved, as an amendment, omit 'Recommendation 1: That the Victorian Government advocates to the Commonwealth Government to require providers to disclose financial and operational information and publicly publish the information in a clear and easy to read format' and insert 'Recommendation X: That the Victorian Government advocates to the Education Ministers Meeting to consider ways in which large for-profit providers can be required to provide parents and prospective parents with information on their ownership and financial performance, including profit and loss.'

Question — put.

The Committee divided.

Ayes 4	Noes 2
Jacinta Ermacora	Melina Bath
Michael Galea	Georgie Crozier
Anasina Gray-Barberio	
Sarah Mansfield	

Question, as amended, agreed to.