

A child wearing an orange sweater is sitting on a wooden floor, playing with a yellow and orange dinosaur toy. The child's hands are visible, holding the toy. In the background, there are wooden blocks and other toys. The image is overlaid with a semi-transparent red shape on the left side.

Y AUSTRALIA

**Submission to Senate
Inquiry on the Quality and
Safety of Australia's Early
Childhood Education and
Care (ECEC) System**

Acknowledgment

We acknowledge and pay our respects to Aboriginal and Torres Strait Islander peoples throughout Australia, including Elders past and present. We celebrate their important contribution and connection to the lands, seas and communities in which we work. We are committed to understanding and engaging with Aboriginal and Torres Strait Islander history, living culture and traditions, to contribute to Australia's reconciliation journey.

Executive Summary

Australia must rebuild public trust in early childhood education and care (ECEC), so every family is confident their child is safe and learning well. Safety and quality cannot depend on postcode, ownership model, or time of day. National consistency, strong enforcement and sustainable funding are fundamental to putting children's safety first

Governments have taken welcome steps (e.g., a National Educator Register, stronger Working with Children Checks, and child safety training). These reforms are necessary, but we can and should go further. The Senate's Inquiry is a timely opportunity to consider further measures to prevent harm and lift quality everywhere. This submission highlights five recommended reforms that can build on recent announcements and rebuild quality and public confidence.

Five recommended reforms

- **Two educators in every room, at all times** - A simple, high-impact safeguard that reduces risk and improves supervision.
- **Stronger, more consistent regulators** - Ensure fair, firm and consistent NQF enforcement nationwide, underpinned by long-term, sustainable funding for ACECQA and state regulators to build capacity and capability.
- **Mandated safeguarding leads in large providers** - Clear accountability for child safety, with board-level oversight and transparent reporting.
- **Mandatory, recurring child safety training** - Annual refreshers for all staff and volunteers to embed best child safety culture and practice.
- **Stronger child safety standards for ECEC temp staffing and labour-hire agencies** – reform the requirements for agencies to meet child-safety obligations to the same level as providers.

Who we are

The Y is a not-for-profit ECEC provider operating 420+ services across 660 Australian communities, supporting 70,000+ children and 40,000 families each year. Our 4,900 staff deliver early learning, kindergarten, and outside school hours care with a single mission: to empower children, young people and communities.

What success looks like

- Fewer incidents and stronger safeguarding culture across all settings.
- Consistent national practice and transparent oversight.
- A confident workforce with clear responsibilities and ongoing training.
- Families who trust the system and can rely on high-quality care, everywhere.

We urge the Committee to adopt these recommendations as further steps to ensure the ECEC system is worthy of every child's trust.

Recommended Reforms as per the Inquiry Terms of Reference

Recent months have seen substantial commitments from the Commonwealth and the states and territories across key areas relevant to this Inquiry.

Support for stronger child-safety measures is bipartisan and broad. Child safety is not a partisan issue, it is a shared responsibility of governments, providers, families and communities.

The task now is to entrench that principle through consistent, enforceable reforms that restore public confidence in early childhood education and care.

This table outlines the five key reforms recommended by the Y, as well as a number of other opportunities identified by our services that will lift child safety.

Summary of our Recommendations against the Terms of Reference

Terms of Reference	Our Recommendations
(a) The health and safety of children in childcare services across the country	<ul style="list-style-type: none"> ● Two educators in every room, at all times ● Mandated safeguarding leads in large providers ● Mandatory, recurring child safety training – for all staff and volunteers ● Establish a unified national framework for background checks and reportable conduct
(b) The effectiveness of Australia’s childcare regulatory system, including the performance and resourcing of state and territory regulators and the Australian Children’s Education and Care Quality Authority, in maintaining and improving quality	<ul style="list-style-type: none"> ● Strengthen regulator consistency and capacity ● Ensure regulators apply and enforce the National Quality Framework (NQF) and audit standards fairly, firmly, and consistently across all jurisdictions. ● Guarantee long-term, sustainable funding for ACECQA and state regulators to improve capacity and capability. ● Standardise educator-to-child ratios and qualification recognition nationally. ● Legislate a national compliance framework making child-safe principles enforceable rules.

<p>(d) The impact of childcare providers' employment practices on quality and safety</p>	<ul style="list-style-type: none"> • Legislate rigorous recruitment and probation processes, including screening, onboarding, and monitored reviews.
<p>(f) The role of private for-profit incentives and their impact on childcare quality and safety</p>	<ul style="list-style-type: none"> • Recognise and support the contribution of not-for-profits in ensuring access to quality care in under-served and vulnerable communities.
<p>(i) The choice of care options available to parents and families</p>	<ul style="list-style-type: none"> • Make Outside School Hours Care (OSHC) a core part of universal access to ECEC
<p>(j) Other related Matters</p>	<ul style="list-style-type: none"> • Stronger child safety standards for ECEC staffing and labour-hire agencies

The Health and Safety of Children in Childcare Services Across the Country

Child safety must be embedded in every layer of early learning, from governance through to daily practice. Yet protections remain inconsistent across jurisdictions and providers. Clear, enforceable national obligations are needed to ensure children are safe wherever they attend care. We recommend these reforms to help deliver that change.

Require two educators to be present in every room at all times

Children's safety depends on reliable, vigilant supervision. Current ratio regulations allow situations where only one adult may be present in a room or outdoor area, particularly during breaks, transitions, or at opening and closing times. This exposes children to risk.

Y Australia recommends reforms to:

- Require at least two qualified educators in every room or group whenever children are present.
- Apply this requirement during all operating hours, including breaks and low-attendance periods.
- Provide funding to ensure services can meet this obligation without passing costs to families.

This reform will close a critical gap in supervision, ensuring children are never left in the care of a single adult. **The Y believes this is the single most effective reform that could be taken to guarantee the safety of Australian children in the care of ECEC services.**

Legislate a safeguarding lead role in all large ECEC providers

Y Australia recommends all large ECEC providers (25+ services) should appoint a dedicated safeguarding lead at a senior level. We believe this should be considered for smaller providers too at an appropriate scale.

While all staff carry responsibility for child safety, a defined leadership role ensures safeguarding is treated as a core organisational priority, not an operational afterthought. For multi-site providers, such a role provides consistency, accountability, and expertise.

This mirrors international best practice. In the United Kingdom, every early year's setting is required under the Early Years Foundation Stage statutory framework to appoint a Designated Safeguarding Lead with responsibility for coordinating child protection.

The safeguarding lead would be responsible for:

- Overseeing compliance with child safe standards.
- Coordinating induction and ongoing training for all staff and volunteers.
- Monitoring and reporting on safety incidents and emerging risks.
- Acting as the central point of contact with regulators, families, and staff.

There are a number of Australian ECEC providers that already follow this practice. Within our own organisation, Y Safeguarding was established as part of our response to the Royal Commission into Institutional Responses to Child Sexual Abuse. Y Safeguarding drives our collective approach to safeguarding children and young people across all of our services including ECEC.

This reform would extend best practice in the sector and give families confidence that safety is led from the top.

Mandate child safety training for all staff and volunteers, refreshed every two years

Y Australia strongly supports the recent announcements to mandate child safety training for ECEC workers, but we believe this should be extended to every adult working or volunteering in ECEC. This includes educators, auxiliary staff (such as cooks and cleaners) head office or corporate staff and volunteers, recognising that all adults in a service play a role in protecting children and a child safe culture.

Although compulsory training has been announced for 2026, it is not yet law. Key details remain unresolved including which roles will be included, how training will be accredited and monitored and the required frequency of refreshers. Without legislation, implementation risks being inconsistent and incomplete.

A robust national framework should guarantee:

- Universal coverage - all staff and volunteers included, regardless of role.
- Regular renewal - refresher training at least every two years.
- Embedded practice - safeguarding content integrated into qualifications, induction, supervision, and professional development.

Legislating universal, recurring training will ensure safeguarding is embedded in practice and not a one-off exercise.

Establish a unified national framework for background checks and reportable conduct

Despite progress on mutual recognition of Working with Children Checks, Australia still lacks a fully unified framework for background screening and reportable conduct. Each jurisdiction operates its own system, creating gaps and inconsistencies.

Current weaknesses include:

- Varying definitions of reportable conduct, with some jurisdictions excluding emotional abuse or grooming.
- Auxiliary staff and volunteers not consistently subject to the same requirements as educators.
- Differences in enforcement mechanisms and thresholds for action.

Y Australia calls for national legislation that delivers:

- Uniform definitions of reportable conduct, including non-physical harms.

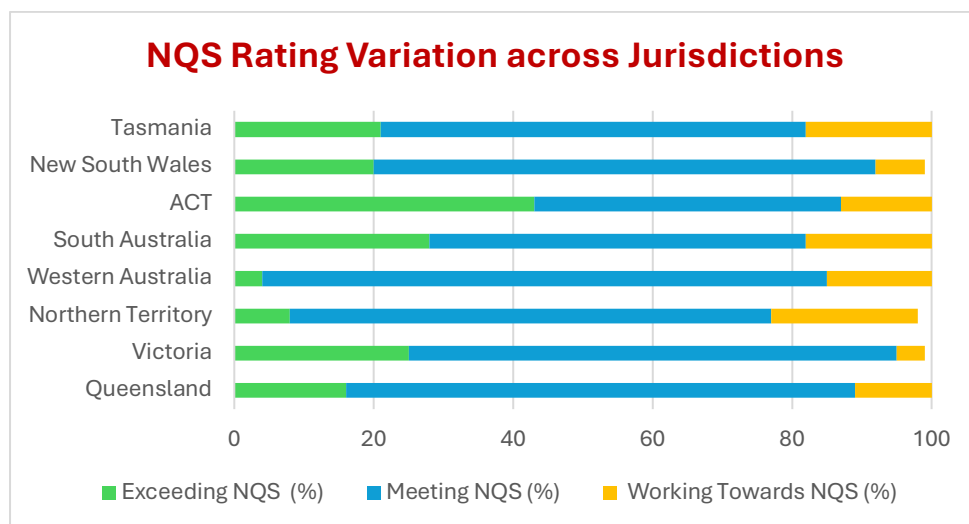
- Mandatory coverage of all staff and volunteers.
- Real-time data sharing and consistent enforcement across jurisdictions.

A unified national system will close dangerous loopholes and guarantee the same safeguards in every service.

The Effectiveness of Australia’s Childcare Regulatory System, Including the Performance and Resourcing of State and Territory Regulators and the Australian Children’s Education and Care Quality Authority, in Maintaining and Improving Quality

The National Quality Framework (NQF) has significantly strengthened early education, but its effectiveness is limited by inconsistent enforcement, uneven resourcing, and outdated systems. Children’s safety and quality of care should not depend on where a service is located. To deliver a truly national system, reforms must ensure consistent regulation, real-time workforce oversight, and sustainable investment in regulatory capacity.

This table utilises data from the August 2025 NQF snapshot from ACECQA and highlights the significant variation in NQS ratings in different states and territories.



Ensure regulators apply and enforce the National Quality Framework (NQF) and audit standards fairly, firmly, and consistently across all jurisdictions

The NQF was designed to provide a nationally consistent framework, but variations in regulatory practice across jurisdictions continue to create challenges. Data on service ratings shows significant variation in NQS ratings between states and territories. There may be some

regional factors at driving the differences (e.g. regional workforce shortages) but from our experience, regulatory interpretation and enforcement are not applied uniformly.

For example, in the most recent NQS snapshot 43% of services in the ACT were rated Exceeding NQS, compared with just 4% in Western Australia. Similarly, in the Working Towards category, 18% of services in South Australia fell below the NQS standard, compared with only 4% in Victoria. Such variation is unlikely to reflect genuine differences in quality; it highlights inconsistent interpretation and enforcement of standards.

Greater consistency in enforcement and compliance will give providers clarity and ensure children are afforded the same protections wherever they live.

Y Australia recommends:

- Nationally agreed enforcement standards – clear thresholds for action, proportionate penalties, and transparent remediation processes.
- Fair opportunities for improvement – providers given structured pathways to meet standards before penalties are applied, except in cases of serious or deliberate breaches.
- Predictable compliance – eliminating state-based differences in regulatory interpretation.

A consistent national approach will give families confidence and ensure all children are protected by the same high standards.

Ensure ongoing, sustainable funding for ACECQA and state regulators

Regulators cannot uphold safety and quality standards without sufficient resources. While the recent announcements for \$93 million towards spot checks and compliance and \$130 million to increase resources for regulators are welcomed, it is unclear whether this is a step towards a real increase in ongoing funding or whether it is sufficient to address the problems identified.

Y Australia recommends reforms that will provide:

- Stable, long-term funding for regulatory staff in all jurisdictions.
- Permanent alignment of ACECQA's funding with its full mandate for coordination, enforcement, and quality improvement.
- Investment in regulator capability and systems to ensure timely, transparent and nationally consistent decision-making.

Without secure, long-term investment, regulators cannot protect children or maintain community confidence in the system.

Legislate a national compliance framework making child-safe principles enforceable rules.

While the National Quality Framework has strengthened standards, child-safe principles remain largely aspirational. The Royal Commission into Institutional Responses to Child

Sexual Abuse recommended embedding enforceable child-safe standards across all child-facing sectors.

Y Australia recommends:

- National legislation that converts child-safe principles into clear, enforceable legal obligations.
- Specific expectations covering staff conduct, supervision, hygiene, digital safety, and program delivery.
- Consistent enforcement mechanisms across states and territories to eliminate variability in compliance.

Nationally consistent and enforceable rules will guarantee that every child, in every service, is protected by the same high standards.

Standardise educator-to-child ratios and qualifications nationally

Despite the intent of the NQF, to drive continuous improvement and consistency, states and territories continue to apply different ratio calculations and qualification requirements, creating confusion for providers and uneven quality for families.

For example, staff to children ratios in OSHC services vary from 1:10 to 1:15 depending on the location of the service. There are no national qualification requirements for OSHC educators. With the exception of NSW (which has no specific qualification requirements), all jurisdictions set their own minimum qualification standards and these vary considerably. These inconsistencies are particularly challenging for multi-state providers and undermine confidence in the comparability of NQF ratings.

Y Australia recommends:

- Uniform educator to child ratios across all jurisdictions.
- National consistency in qualification requirements.

The Impact of Childcare Providers' Employment Practices on Quality and Safety

Legislate a real-time, mandatory national workforce register covering all staff and volunteers

Y Australia strongly supports the recent announcement to introduce a National Educator Register to ensure only qualified and vetted individuals can work in ECEC. However, its success depends on legislative detail that has not yet been finalised.

Key requirements include:

- Comprehensive coverage – including all educators, auxiliary staff, and volunteers.
- Real-time updates – automatic alerts when staff are disqualified, investigated, or sanctioned.
- Cross-agency integration – seamless links with police, child protection, and interstate databases.
- Strong but balanced privacy protections – ensuring information is accurate, role-based, and appropriately shared.

Legislation must guarantee a real-time, comprehensive register so that unsuitable individuals cannot move undetected between services.

Legislate rigorous recruitment, including screening, onboarding, and monitored reviews

Effective safeguarding begins with robust recruitment. Yet current practices vary widely, and unsuitable individuals can still move between services undetected. In the United Kingdom, the updated *Early Years Foundation Stage (EYFS)* statutory framework (September 2025) has strengthened requirements around references and staff suitability, including new obligations on employment references and welfare checks. This demonstrates international recognition that rigorous recruitment and onboarding are non-negotiable for child safety.

While recent reforms are acknowledged as important steps, Y Australia recommends a comprehensive approach including:

- Mandatory pre-employment screening for **all** staff – including valid Working with Children Checks, police checks, and verified professional references.
- Structured onboarding – with induction that embeds safeguarding expectations from day one.
- Cross-jurisdictional alerts – ensuring employers are notified if a staff member is barred, under investigation, or sanctioned.

We believe these reforms will make an important contribution to ensuring unsuitable individuals cannot slip through the system.

The Role of Private For-profit Incentives and Their Impact on Childcare Quality and Safety

Recognise and support the contribution of not-for-profits in providing quality care in under-served and vulnerable communities

The ECEC sector is majority private for-profit, comprising 54 per cent of providers. While this has expanded overall supply, it has also created issues. As the ACCC Childcare Inquiry highlighted:

- For-profit centre-based and OSHC providers charge higher hourly fees on average than not-for-profit providers.
- Fee increases are higher in for-profit services than in not-for-profit equivalents.
- Large not-for-profit providers are more likely to pay staff above award wages, supporting workforce stability.
- Not-for-profits are disproportionately represented in remote, very remote, and outer regional communities, where services are otherwise unviable.

This evidence demonstrates that not-for-profits consistently reinvest in staff, quality, and equity but the current market settings limit their ability to expand. However, not-for-profits face significant barriers in accessing capital and managing commercial risk. These include:

- Rising operational costs: local governments that once supported community provision with peppercorn rents are increasingly charging commercial rates.
- Planning risks: new approvals can destabilise existing community services, leaving multiple providers operating below capacity in thin markets.

For example, one Y service opened in an underserved township where others would not operate due to perceived low profitability. Despite strong community demand, subsequent local approvals for additional centres created oversupply, leaving all providers financially vulnerable. This highlights the risk of treating ECEC as an open commercial market without strong government stewardship.

The role not-for-profits play in ensuring children and families can access childcare, regardless of postcode, is critical.

Y Australia recommends

- An independent review of ECEC funding and policy settings to strengthen not-for-profit services, reduce fees and improve quality and equity.
- The review should examine operating and capital support, thin-market loadings, transparency, workforce alignment to NQF, and public-land access.

The Choice of Care Options Available to Parents and Families

Recent reviews by the ACCC and the Productivity Commission have highlighted that access to OSHC is not universal and varies significantly by geography and socio-economic status. Currently, only about half of Australian public schools offer OSHC, with significant gaps in low socio-economic and regional areas. In many schools, particularly in regional, remote and low-income communities, OSHC services are limited or non-existent.

Make Outside School Hours Care (OSHC) a core part of universal access to ECEC

Universal access must mean every child, in every community, can rely on safe, high-quality education and care not only in the early years but throughout their primary schooling. Yet too many families still face a “non-choice”: either limiting workforce participation or relying on ad hoc arrangements because their local school does not provide OSHC.

In addition, the current system of Licence fees (fees paid by the OSHC provider to the school to secure a contract) are creating distortions in the system. Licence fees of up to \$120,000 per year are now common, which is the equivalent of funding a full-time educator dedicated to inclusion support or safeguarding. While we recognise many schools use this system to fill gaps in funding their operations, the licence fee is ultimately paid through the CCS which is intended to support the ECEC system, not fill gaps in school funding. This practice also skews the system toward providers with significant capital reserves, while driving out organisations that are not in a similar position.

Y Australia recommends:

- Expanding OSHC availability in schools nationwide by setting a national target to increase the proportion of schools with OSHC services, prioritising areas of unmet demand.
- Investing in underserved communities by providing targeted support for OSHC in regional, remote, and low-income areas where services are least viable but most needed.
- Embedding inclusion by designing OSHC expansion strategies that respond to the needs of children with disability.
- Addressing the issue of unregulated licence fees present in the current system.

Embedding OSHC in universal access to ECEC will give families genuine choice and strengthen inclusion.

Other related matters

Stronger child safety standards for ECEC temp staffing and labour-hire agencies

The growing reliance on agency staff exposes a gap: services carry full child-safety obligations under the National Law, while agencies are regulated mainly for workplace law compliance. The ACCC 2024 Inquiry noted that providers, facing acute workforce shortages, are increasingly turning to casual and contract staff to fill gaps. This shift creates inconsistent accountability and increases the risk of unsuitable staff entering services.

Y Australia calls for reform to:

- Extend child-safety, qualification, and training obligations to staffing agencies.
- Accredite and monitor agencies, making them legally responsible for screening, induction, and compliance.
- Allow regulators to share prohibition and safety information with agencies.
- Require agencies to meet the National Principles for Child Safe Organisations and state/territory child safe standards.
- Monitor and prevent over-reliance on agency staff to protect continuity of care.

Conclusion

Australia has made significant strides in building a high-quality early childhood education and care system. Recent reform announcements continue those improvements, but we cannot pause efforts to ensure every child is safe. We can and should do more to guarantee children's safety, strengthen public confidence, and ensure every family has access to the care they need.

While this submission makes a number of recommendations, we believe that a requirement for at least two qualified educators to be present in every room or group is the single most effective measure we can make to guarantee the safety of Australian children in ECEC services.

Child safety is not negotiable and cannot be contingent on postcode, or time of day. It is a universal right that Parliament has the power and responsibility to enshrine. This Inquiry has an important opportunity to contribute to a stronger national system, one that is safe for every child.

The Y stands ready to work with government, parliament, regulators, and the sector to deliver this vision. Together, we can ensure Australia's early childhood education and care system is one where safety is guaranteed, quality is consistent, and every child has the safe foundation they deserve.

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