

Acknowledgement

THRYVE NSW Acknowledges the Traditional Custodians of Country across all nations, and their historical and continuing connection with the lands, waterways, skies, and all living things. We Acknowledge the infinite connection to culture. In NSW, whose Country we travel across, providing backbone support to our Aboriginal community controlled early years services, their communities, and their children. We pay our respects and honour our Elders past, present and emerging. We honour and commit to building a culturally strong future for our little ones through the work we do, as they are our leaders of tomorrow. We Acknowledge that sovereignty was never ceded, and that this was, and always will be Aboriginal land.

About THRYVE NSW

THRYVE NSW is a division of SNAICC National Voice for our Children, the national non-government peak body for Aboriginal and Torres Strait Islander children, representing a core membership of Aboriginal and Torres Strait Islander community-controlled organisations that provide child and family welfare and early childhood education and care services.

In June 2020, THRYVE NSW was established through a co-design process with 10 NSW Aboriginal early years services, an identified the operating model for an Aboriginal backbone organisation was established. THRYVE NSW is the first of its kind, a community-controlled intermediary model to represent and support Aboriginal and Torres Strait Islander early years services (EYS) in NSW to deliver high quality, high impact, responsive, accessible and culturally strong supports for our children, families and communities.

THRYVE NSW provides tailored and direct supports, professional services, and facilitates collective voice for NSW early years ACCO services to strengthen service leadership, quality, and access for children and families across the state to 17 Aboriginal Child & Family Centres (ACFCs), and Multifunctional Aboriginal Childrens Service's (MACS). THRYVE NSW will be expanding support to 36 additional ACCO community preschools across the state, under the NSW Department of Education Sector Strengthening for ACCO ECEC providers.

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Contents

Acknowledgement	1
About THRYVE NSW	1
Introduction	3
Context.....	3
Early development outcomes for First Nations children	3
Aboriginal Community-Controlled ECEC	5
Workforce issues.....	8
Inadequate funding.....	10
Quality and accessibility.....	13
Timely Access	16
Aboriginal and Torres Strait Islander children with disability.....	19
References	22

Introduction

THRYVE NSW welcomes this opportunity to provide a submission to the Independent Pricing and Regulatory Tribunal inquiry into Early Childhood Education and Care (ECEC) affordability, accessibility and consumer choice. Our history of trusted relationships with the NSW Aboriginal Community Controlled ECEC sector and broader sector stakeholders provides us with a deep understanding of the needs of Aboriginal and Torres Strait Islander families and early years services across the state and enables us to provide evidence-based recommendations to this inquiry. In accordance with THRYVE NSW's vision, our submission focuses on the terms of reference pertaining to supporting access to affordable and culturally safe quality ECEC for all First Nations children. Our hope is that this will enable IPART to make recommendations that will support the outcomes and implement the priority reforms set in the National Agreement on Closing the Gap, thereby fostering equitable outcomes for all First Nations children across their lifetime, not only children in NSW.

Context

Early development outcomes for First Nations children

Aboriginal and Torres Strait Islander parents have robust cultural practices in family life and child rearing and know how to keep their children safe and to raise them to be active contributors to family and community life (Lohoar et al., 2014). However, many Aboriginal and Torres Strait Islander families have experienced pervasive violence, loss of land, displacement, punitive social and legal policies, and child removal practices, resulting in complex traumas and enduring disadvantage (Reid et al., 2022).

According to the Australian Early Development Census (AEDC) national findings, **42%** of Aboriginal and Torres Strait Islander children in Australia are developmentally vulnerable on one or more domains in their first year of school (AEDC, 2021). Alarming, in NSW this proportion is greater, with 59.5% of First Nations children developmentally vulnerable in at least one domain by the time they begin school. There is a significant correlation between the level of socioeconomic disadvantage and geographic remoteness and rates of developmental vulnerability, with rates rising steadily with increasing remoteness and/or socioeconomic disadvantage (AEDC, 2021).

This is important because Aboriginal and Torres Strait Islander children are more likely than their non-Indigenous peers to reside in areas with a greater concentration of persistent poverty and socioeconomic disadvantage (Arefadib & Moore, 2017), and are more likely to live in remote and very remote areas (17%) than all Australian children (2.4%) (Australian Institute of Health and Welfare, 2022). Because Aboriginal and Torres Strait Islander children are more likely to have concurrent disadvantages than their non-Indigenous peers, they are more likely to have poorer developmental outcomes.

As observed by the AEDC (2021), this disadvantage is further exacerbated by an alarming trend toward a widening gap in the **quality** of ECEC services between NSW's most advantaged and disadvantaged communities. Evidence shows that disadvantaged children benefit most from attending high quality ECE programs but **gain nothing and may even be harmed by attending low quality programs** (Moore & Arefadib, 2022). In practice, this means that Aboriginal and Torres Strait

Islander children who live in Australia's most disadvantaged communities, and who stand to gain the most from quality ECEC, are less likely to have access to it.

It is also important to note that there are still many First Nations in NSW who, despite being eligible, are not enrolled in any ECEC program: according to the 2022-2024 NSW Implementation Plan for Closing the Gap, 8% of eligible Aboriginal children across NSW are not attending an Early Childhood service. Consequently, the percentage of Aboriginal children that may present as developmentally vulnerable, could be significantly higher (Peak, 2022).

Aboriginal Community-Controlled ECEC

Recommendation 1: ACCO ECEC services are provided with adequate, long-term and flexible funding which will allow them to continue their important work.

Recommendation 2: That the NSW government to commit to priority and increased funding toward ACCOs that provide integrated, holistic and culturally appropriate early years and family support hubs, including Aboriginal Children and Family Centres (ACFCs) and Multifunctional Aboriginal Children's Services (MACS)

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.

Closing the Gap Priority Reform 1: Formal Partnership and Shared Decision Making.

Closing the Gap Priority Reform 2: Building the Community-Controlled Sector.

National Aboriginal and Torres Strait Islander Early Childhood Strategy:

Goal 2: Aboriginal and Torres Strait Islander Children are Supported to Thrive in Their Early Years.

Goal 3: Aboriginal and Torres Strait Islander Children are Supported to Establish and Maintain Strong Connection to Culture, Country, and Language.

Aboriginal Community Controlled Organisations (ACCO) are governed by, and entirely accountable to, the local Aboriginal and Torres Strait communities they serve (Mazel, 2016), making them a best practice example of the implementation of the right to self-determination. *The National Agreement on Closing the Gap* acknowledges the significance of meaningful partnerships with ACCOs and has committed Australian governments at all levels to build “a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector delivering high quality services to meet the needs of Aboriginal and Torres Strait Islander people across the country.”¹

¹ <https://www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap/3-objective-and-outcomes>

ACCOs provide a broad range of education, family and early intervention services ranging from community-based playgroups to fully integrated early education and family support hubs which provide holistic wraparound services to families. These services have a significant impact on supporting children and families, preventing child protection intervention, support self-determination and work to ensure children are connected to their families, communities, cultures and Country. Holistic and culturally safe support services offer compassionate support, provide opportunities to develop parenting skills, reduce isolation and offer holistic healing approaches (Austin & Arabena, 2021). SNAICC members consistently highlight that ACCOs must be resourced to partner with a range of health, disability, and education services to provide effective support for Aboriginal and Torres Strait Islander children and families. In many cases, ACCOs delivering early childhood services provide a level of service integration and coordination in a broadly fragmented service system. One example of an ACCO led ECEC service is the Walanbaa Dhurrali Aboriginal Child and Family Centre, located in Lightning Ridge NSW.

Walanbaa Dhurrali Aboriginal Child and Family Centre's overarching aim is to foster a strong sense of identity and self-determination for Aboriginal children and families. They provide wrap-around services for families and children who may require additional supports due to the impact of trauma, social challenges and developmental delay. These include, other social support, family assistance and prevention, mental health support, child protection, advocacy and support.

At the heart of the service is its commitment to providing services that are culturally safe, trauma informed, and importantly, recognise the strengths of the children and families who attend the centre.

The foundation of local cultures upon which ACCOs are built, ensure that culture is at the centre of not only what is provided, but also how services are delivered, and community members are supported. This is significant in light of the robust body of evidence demonstrating that maintaining connection to Country and culture enhances wellbeing outcomes and is a strong protective factor for Aboriginal and Torres Strait Islander children and families (Dockery & Colquhoun, 2012; Dockery, 2020; Lohoar et al., 2014; Salmon et al., 2019). Similarly, research shows that connection to culture improves the effectiveness of programs for Aboriginal and Torres Strait Islander parents and caregiver and improved early childhood development outcomes (McCalman et al., 2017). Recent economic analysis commissioned by the Victorian Aboriginal Community Controlled Health Organisation (2023) has also highlighted the significant social return on investment for ACCO led services that promote culture and kinship, returning \$8.29 in social value of for every dollar invested. However, despite the evidence on the social value for investment, ACCOS are significantly under resourced, but remain responsive to community needs with what little funding they have. The interconnectedness of cultural worldviews guides the holistic response that ACCOS provide, and before funding models were established for integrative Early Learning responses, ACCOS were implementing these practices for the last 40 years without Government support.

ACCO led early years services are trusted by families and the communities in which they operate, making them uniquely positioned to promote and strengthen children and caregivers' connection to culture beyond mainstream early learning services. ACCO led ECEC services' committed to hiring Aboriginal staff makes Aboriginal and Torres Strait Islander families feel connected to the service and

know that it is a culturally safe setting for their children, and that their children are learning in the context of culture, family and community (SNAICC, 2019). In fact, not only is the local Aboriginal staffing of ACCO ECEC services essential to their capacity to provide culturally safe care, but it also acknowledges the value and validity of Aboriginal and Torres Strait Islander ways of knowing, doing and being, to all those involved in the service.

Significant evidence supports the premise that misrepresentation of First Nations knowledge occurs regularly when viewed from a non-First Nations perspective, resulting in at most superficial First Nations content (Locke, 2022). The most effective solution is to ensure that Aboriginal and Torres Strait Islander peoples lead the creation of ECEC curricula and services. This will ensure that Aboriginal and Torres Strait Islander narratives are articulated by members of the local community who are recognised as the experts and owners of local knowledge. In addition, the presence of Aboriginal and Torres Strait Islander educators and staff who share a cultural schema (i.e., a framework for making sense of their environment) with children encourages relatedness and promotes the development of identity and cultural pride in Aboriginal children (Webb, 2022). Aboriginal and Torres Strait Islander educators and staff must be acknowledged and employed to promote the incorporation of their expertise in Western and ACCO led ECEC (Locke, 2022). This has a cumulative effect of increasing Aboriginal and Torres Strait Islander children's resilience and cultural strength, as well as their participation in early childhood education and care services.

Workforce issues

Recommendation 3: *That the NSW government invests in local workforce attraction, retention and qualification, particularly in regional, rural and remote areas by:*

a) Taking steps to formally acknowledge and remunerate the significant cultural knowledge that Aboriginal and Torres Strait Islander staff bring to their roles.

b) Funding the co-design, with ECEC services, of education and training models which support ACCO ECECs to train local Aboriginal people on country.

c) Funding an increase in wages and conditions of early childhood educators, teachers, other staff and Elders to put them on par with their school education counterparts.

d) Expanding the number of Aboriginal community-controlled integrated early years services to address gaps in service availability.

e) Advocating for the Australian Industry and Skills Committee, as well as TAFEs and other RTOs, to amend their qualification processes to be inclusive and acknowledge the knowledge and relational way of working that Aboriginal and Torres Strait Islander people bring to the industry.

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.*

Closing the Gap Outcome 8: *Strong economic participation and development of Aboriginal and Torres Strait Islander people and communities.*

Closing the Gap Priority Reform 1: *Formal Partnership and Shared Decision Making.*

Closing the Gap Priority Reform 2: *Building the Community-Controlled Sector.*

National Aboriginal and Torres Strait Islander Early Childhood Strategy:

Goal 2: *Aboriginal and Torres Strait Islander Children are Supported to Thrive in Their Early Years.*

Goal 3: *Aboriginal and Torres Strait Islander Children are Supported to Establish and Maintain Strong Connection to Culture, Country, and Language.*

Goal 5: *Aboriginal and Torres Strait Islander Children, Families and Communities are Active Partners in Building a Better Service System.*

The Australian Children's Education and Care Quality Authority (ACECQA) highlight that families are more likely to participate in ECEC services when local Aboriginal staff are employed. This is due to a variety of factors, including Aboriginal and Torres Strait Islander staff having more empathy and a better understanding of protocols and issues in the local community, and assisting families in feeling more at ease and confident that their culture will be respected, acknowledged, and valued (Kellard & Paddon, 2016).

Recruitment and retention of Aboriginal staff is key to early childhood outcomes for our children. Continuous care prioritises the long-lasting, trusting relationships among caregiving professionals, children, and their families by ensuring consistency of carers or educators for infants and young children (McMullen, 2017). The advantages of having this continuity in early learning are far-reaching for children, including lower stress levels, more consistent developmental progress, smoother transitions into pre-school, stronger relationships, fewer behavioural concerns, and more secure attachments, all of which have a positive long-term impact on infants and young children (McMullen, 2017). Building awareness and involvement for Aboriginal and Torres Strait Islander families requires trust and long-term partnerships. Disjointed service delivery, insecure staffing, and a lack of continuity can all make it difficult for our families to receive ECEC services. This is jeopardised substantially in the current atmosphere of excessive staff turnover in the ECEC sector.

Despite this, recruiting sufficient ECEC workers to meet the demand remains an ongoing challenge. Aboriginal workers, like their non-Indigenous counterparts, face low wages, difficult working conditions, and low professional prestige. However, for a variety of reasons, hiring and maintaining Aboriginal and Torres Strait Islander workers has been noted as particularly problematic in various places, including:

- Attaining the qualifications necessary (due to factors such as high cost; time required; family commitments; lack of confidence; barriers to travel to attend TAFE; lack of cultural safety in training institutions).
- The transient nature of some communities (particularly in more remote parts of Australia).
- Stressful working conditions that are exacerbated by working with children and families with complex needs and often experiencing high levels of trauma.
- Cultural responsibilities and cultural loads that are carried by Aboriginal staff in relation to families that they work alongside with.
- Services redirecting funds to meet other community needs, with limited funding available for staffing.

THRYVE NSW acknowledges that overall, the ECEC sector faces a critical shortage of qualified staff, a problem exacerbated by poor wages (Dean, 2022). This can be addressed if the state and federal governments take steps to formally recognise the considerable cultural knowledge that Aboriginal and Torres Strait Islander employees bring to their jobs. Formal recognition can open the way for remuneration to be revised while also ensuring proper support mechanisms are in place to increase retention and minimise stress and burnout among Aboriginal and Torres Strait Islander employees (Deroy & Schütze, 2019). It should also be noted that ACCO-led ECEC serves communities where socioeconomic disadvantage is prevalent, and providers cannot pass on the cost of pay increases to families without significantly reducing children's access to care.

The need to recruit, train and retain staff from local Aboriginal and Torres Strait Islander communities is even more pressing in rural and remote areas. This is largely due to inadequate infrastructure to support skilled workers to move to the regions and childcare not being profitable to attract new operators to the sector (Federtion Univesity, 2021).

THRYVE NSW is in a unique position of currently supporting 17 Aboriginal Controlled ECEC Services across the State, with an additional 36 services to enter the THRYVE NSW portfolio in the imminent

weeks. It is through these daily interactions, that concerns have been raised around the omission of beneficial learning subjects, that are not included in Early Years Accredited Courses and are relevant to Aboriginal Educators. Additional subjects for consideration that would equip Aboriginal Educators sufficiently are, Trauma Informed Practices, and Additional Rights subjects that cover developmental delays, and strategies to support children who require tailored approaches.

There is an urgent need to commit to a national strategy on Aboriginal and Torres Strait Islander workforce development, including the development of targeted support for training. Result from THRYVE NSW recent [National Aboriginal and Torres Strait Islander Early Childhood Strategy](#) consultation clearly highlighted the need for governments to direct more funding towards expanding and strengthening the Aboriginal and Torres Strait Islander workforce (particularly in the community-controlled sector), **in line with Priority Reform Two of the National Agreement:**

“Reform in workforce and employment is critical to achieve systems change and is key to services and systems being community-led. Only a local First Nations service delivery workforce can ensure the provision of culturally safe and appropriate services and programs, delivered through the culture and language of those they are seeking to engage and support. Engaging local people as service delivery staff means they are the agents of change, and this shifts their relationship with services from one of dependence and need to one of power and self-determination. The focus should be on building a sustainable local workforce which creates empowerment” (Children’s Ground, written submission).

Whilst the NSW Early Childhood and Education Directorate’s First Step Policy 2021-2025 addressed goals for Department staff to receive cultural competence training, and a target of 3% of Aboriginal staff, there are no targets and supports to ensure that Aboriginal staffing and recruitment is prioritised in the wider NSW Early Childhood Education Sector (NSW Department of Education, 2021).

THRYVE NSW has profiled several examples of ECEC services which have developed local strategies around training programs and processes to assist the recruitment and retention of Aboriginal staff from their local community as ECEC educators.² Not only does this approach minimise the need to provide housing and other incentives to entice an external workforce to the region, it concurrently facilitates the employment of local Aboriginal and Torres Strait Islander staff who have a commitment to and connection with their local community.

Inadequate funding

Despite their huge significance, ACCOs continue to receive far less funding for these services proportionally than non-Indigenous organisations. In some cases, funding has been stripped from ACCOs. In 2014, the Abbott government cut federal funding to 38 Aboriginal and Torres Strait Islander Children and Family Centres (ACFCs), undermining efforts to ensure that Aboriginal and Torres Strait Islander children could have the best start in life by accessing ACCO led ECEC. ACFCs had been established across the country under Closing the Gap in 2009, with funding committed by Commonwealth and state governments. They provide an array of critical integrated services designed to meet locally determined priorities and needs for Aboriginal children and families. The flexible, inclusive and community-based approach of ACFCs has been successful in facilitating the

² Kimberley Development Commission (December 2022) Sector Profile # 1 Childcare in the Kimberley accessed 17/1/23 from: <https://kdc.wa.gov.au/sector-profiles/childcareinthekimberley/>

participation of Aboriginal and Torres Strait Islander children to access high-quality early childhood education programs, many for the first time. Since the removal of federal funding, ACFCs have been caught in the crossfire of State-Commonwealth politics.

In NSW, State funded Aboriginal Controlled Services face similar barriers, largely due to the socio-economic context of their communities. Preschool services have the autonomy to set their fees, and although additional top ups are provided from the Government based on the SEIFA band in each community, the gap remains. This is due to several reasons such as:

- ACCOS funding is distributed to reduce barriers and increase participation through strategies that are not funded, or are funded without consistency with operational funds. These include transport, nutrition, and cultural programs.
- In NSW Preschools are funded for children to attend at a maximum of 3 days a week. Many Aboriginal families who access ACCO Preschool programs often won't send their children elsewhere. In response to this need, ACCOS often allow children to attend 5 days if families are deemed at risk and are consequently penalised in their funding model.
- Fee structures in more affluent communities place mainstream State funded centres to surplus in budgets regularly, without having to implement engagement strategies for Aboriginal community participation.
- ACCOS generally require a higher staff ratio to support children who present with possible trauma related behaviours. Currently funding does not support this cohort of children without a paediatric diagnosis. Without culturally safe supports and access to paediatric specialists, families struggle to engage with culturally unsafe services, and will have difficulty in accessing a diagnosis. Additionally, fear of being reported to child protection service historically prevents families from accessing these supports.

We maintain that the prerequisites for the sustainability of high quality, culturally safe ACCO ECEC services include:

- I. Local Workforce development: services design enables capacity building for local Aboriginal and Torres Strait Islander community and organisations. Training and workforce development for local community members are central in ensuring a skilled, qualified, long-term and culturally appropriate workforce who understand the local culture and community.
- II. Adequate long-term funding: Planning for sustainable, long-term funding is crucial to ensure ongoing, viable service delivery, community ownership and to facilitate and foster community planning in the long-term. Funding bodies must make long-term commitments to providing secure and adequate funding for quality service delivery (and that) Government is up-front and transparent about future funding arrangements.
- III. Operational structures and systems that are determined by services and respond to service context: to be able to respond to and engage with children and families requires flexibility within funding and administrative arrangements. Flexible frameworks and service contracts to enable local service design that reflects local Aboriginal and Torres Strait Islanders priorities and aspirations and responds to children and family needs.
- IV. Ownership or long-term control of land and building: Ownership or long-term control (i.e. a minimum 50 year lease) of the land and building from which a service operates is crucial for the stability and sustainability of a service. This supports self-determination for Aboriginal and Torres Strait Islander communities and enables services to design and implement long-term program and service delivery.

To that end, ongoing sustainability of integrated ACCO led ECEC requires a funding model that supports:

- **Integrated service delivery:** ACCOs provide a range of wrap around supports for children and families with complex needs that are critical to engagement and success in early education.
- **Limited economies of scale:** ACCO service providers are typically small, and usually independent entities which must address operational resource requirements, administrative and other costs without cross subsidy or support of a parent organisation.
- **Rural and remote servicing:** ACCOs in rural and remote areas face challenges with higher service delivery costs due to geographic spread, workforce recruitment and retention challenges, and population distribution.
- **Tailored support services:** the unique needs of ACCOs are often not accounted for in models designed for broader, mainstream demographics, which means they may not adequately address the particularly high rates of socio-economic vulnerability and unique circumstances of some Aboriginal and Torres Strait Islander communities.
- **Aboriginal and Torres Strait Islander Workforce:** dedicated workforce attraction, mentoring, training and development resources that enable on the job training and support for the local Aboriginal and Torres Strait Islander workforce, reducing reliance on fly-in, fly-out or transient non-Indigenous workforce, particularly in rural and remote areas.

Realising the Closing the Gap objectives will not be possible without adequate and long-term investment in ACCOs. The Early Childhood Development and Care Policy Partnership convened to address priorities under the National Closing the Gap Agreement is funding research to inform the development of a funding model which meets the needs of ACCO ECEC and integrated services. This has been identified by government and Aboriginal and Torres Strait Islander people as a priority.

Quality and accessibility

Recommendation 4: *Develop a unique quality framework and standards which apply to Aboriginal and Torres Strait Islander ECEC services in partnership with Aboriginal and Torres Strait Islander Peaks and Community Controlled Organisations.*

Recommendation 5: *In partnership with Aboriginal and Torres Strait Islander Peaks and Community Controlled Organisations, develop a cultural competence framework which will support the implementation and assessment of the guiding principles of the National Quality Framework to ensure that Aboriginal and Torres Strait Islander cultures and ways of knowing doing and being are embedded in curriculum. This should include criteria for the assessment of mainstream ECEC services supporting Aboriginal and Torres Strait Islander children.*

Recommendation 6: *Existing policies, which largely focus on the economic benefits of ECEC, are reframed so that they place equal importance on adequately addressing the social determinants of wellbeing that impact children, including breaking the cycle of intergenerational poverty and disadvantage.*

Recommendation 7: *That the NSW government advocates for the activity test, which is a barrier to ECEC access that disproportionately affects Aboriginal and Torres Strait children, to be removed for all Aboriginal and Torres Strait Islander families.*

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.*

Closing the Gap Outcome 4: *Aboriginal and Torres Strait Islander children thrive in their early years.*

Closing the Gap Priority Reform 2: *Formal Partnerships and Shared Decision Making.*

Closing the Gap Priority Reform 3: *Transforming Government Organisations.*

National Aboriginal and Torres Strait Islander Early Childhood Strategy:

Goal 2: *Aboriginal and Torres Strait Islander Children are Supported to Thrive in Their Early Years.*

Goal 3: *Aboriginal and Torres Strait Islander Children are Supported to Establish and Maintain Strong Connection to Culture, Country, and Language.*

Goal 4: *Aboriginal and Torres Strait Islander Children Grow up in Safe Nurturing Homes, Supported by Strong Families and Communities.*

Priority Area Three of Closing the Gap can only be achieved when Aboriginal and Torres Strait Islander people's right to self-determination is honoured by the Government. In practice, this means that Aboriginal Community Controlled Services are supported to establish their own priorities, based on the unique needs and aspirations of their communities, and that mechanisms are put in place to ensure that ACCOs can meaningfully contribute to the design and evaluation of the systems and processes which govern them. In partnership with Aboriginal and Torres Strait Islander organisations and services, all levels of government must commitment to realising this critical objective. To that

end, all systems and processes designed to support the Closing the Gap priorities, including early childhood development and education outcomes, must facilitate these principles and strategies. This has explicit and clear implications for the Australian Children’s Education and Care Quality Authority (ACECQA), the National Quality Framework (NQF) and National Quality Standards (NQS).

The quality of ECEC is central to long-term beneficial effects, with effective approaches simultaneously targeting quality and accessibility. Robust evidence shows that the provision of ECEC without consideration to the quality of the service provided is simply not enough (Melhuish, 2014) and that the positive effects of ECEC are proportionate to the quality of the provided service (Centre for Centre for Education Statistics and Evaluation, 2018). For example, in a landmark review, the Organisation for Economic Cooperation and Development (OECD) reported that literacy at age 15 was strongly associated with ECEC participation in countries where a large proportion of the population attended ECEC regularly and **where there were measures to maintain the quality of ECEC**. In fact, the OECD concluded that improving access to ECEC would only improve lifelong outcomes and address socioeconomic disparities if the quality of the ECEC service provided was not compromised (OECD, 2010).

In Australia, the National Quality Framework (NQF) provides measures for evaluation of ‘mainstream’ ECEC services and overall focuses on the structural (e.g. educator-child ratios) and process domains (interactions between staff and children and between children) of quality. However, in its current form, the NQF does not effectively promote or facilitate optimal outcomes for Aboriginal and Torres Strait Islander children for three reasons:

1. **It does not support the quality requirements of many Aboriginal Community Controlled ECEC services.** Many Aboriginal Community Controlled (ACCO) ECEC services, particularly those funded by the Community Child Care Fund Restricted (CCCCF R) were deemed ‘out of scope’ of the NQF and were not assessed under its National Quality Standard (NQS) in NSW until assessment began this year. In addition, there were no Nationally consistent regulatory standards for Aboriginal and Torres Strait Islander services that did not fall within the scope of the NQF before 2023. These services are now being assessed in NSW for the first time, 12 years after mainstream services entered the assessment and rating process under the National Quality Standards. After years of low expectations from the NSW Regulatory Authority, little investment into capacity building services that served the Aboriginal Community for 40 years, and quick turnaround times for the assessment and rating processes for “out of scope” services, the current pressures for the Aboriginal Controlled Services contribute further pressures on the sector.

To address this, efforts must be made to examine the requirements of the NQF in partnership with the Aboriginal and Torres Strait Islander sector and consideration must also be given to service types and contexts, specifically those services funded under the CCCC-R, for which the NQF may not be an appropriate regulatory framework. Consideration should be given to developing a unique framework and standards which apply to Aboriginal and Torres Strait Islander ECEC services.

2. **It does not adequately promote or reflect the significance of culture to Aboriginal and Torres Strait Islander children and families.** As noted above, culture is a protective factor for

Aboriginal and Torres Strait Islander children and is intimately connected to developmental outcomes. While NQS Quality Area 5 (promoting relationships with children that promote children's sense of security and belonging) and Quality Area 6 (promoting collaborative partnerships with families and communities where the expertise, culture, values and beliefs of families are respected) highlight critical elements of quality ECEC, there are currently no specific provision in the NQF and NQS regarding how these standards will be implemented or assessed, including on cultural competence and safety. Furthermore, there is no clear requirement in the NQF for ECEC services to incorporate culture into their curriculum, raising serious concerns about the suitability, cultural safety, and inclusion of mainstream ECEC services for Aboriginal and Torres Strait Islander children and families. This is a concern because ECEC services that do not reflect the culture and knowledge of the local Aboriginal community are not perceived as culturally safe and are thus not used by families in that community (Harrison et al., 2012). Furthermore, evidence suggests that Aboriginal and Torres Strait Islander children may suffer long-term repercussions if ECEC services do not reflect their distinct cultures and needs (Sydenham, 2019).

To address these issues, THRYVE NSW recommends the development, in partnership with Aboriginal and Torres Strait Islander Peaks and ACCOs, of a cultural competence framework that will support the implementation and assessment of the guiding principles of the National Quality Framework to ensure that Aboriginal and Torres Strait Islander cultures and ways of knowing, doing, and being are integrated into the curriculum.

THRYVE NSW are supporting the development and implementation of an [Aboriginal Cultural Safety Framework for Early Childhood Education](#) (the framework) the NSW Department of Education, are currently developing as part of their commitment to the [First Steps Aboriginal Children's Early Childhood Education Strategy 2021-2025](#), as well as aligned to measures under the Commonwealth Government's Closing the Gap strategy.

The aim of the framework is to:

- support uplift within the ECEC sector by providing clear expectations, standards and guidance to support services to develop, maintain and improve cultural safety.
- encourage best provision and maintenance of culturally safe and responsive environments for Aboriginal and Torres Strait Islander children, their families and ECEC staff in every type of ECEC service.
- support an increased participation of Aboriginal and Torres Strait Islander children in ECEC services.

3. **It fails to acknowledge the significance of wrap-around family supports as a key component of quality ECEC.** For ACCO ECEC services which fall within the scope of the NQF, the current quality framework fails to acknowledge or address the unique needs and circumstances of Aboriginal and Torres Strait Islander families and does not value how the unique wrap-around family supports they provide address the social determinants of wellbeing. Providing cognitively stimulating and rich learning environments that optimise children's experiences is a key component to high quality ECEC. However, quality does not stop there. In addition to providing optimal centre-based learning environments and opportunities, quality ECEC services recognise the significant role that social determinants plays in children's development and actively work

toward supporting families by providing parents /caregivers with supports that are likely to strengthen their parenting capacity (Axford & Albers, 2019; Heckman & Mosso, 2014; Melhuish, 2014; Shuey & Kankaraš, 2018). While Australia's ECEC policies acknowledge education as a social determinant of wellbeing, they largely fail to acknowledge that when children return to caregivers experiencing distress, poverty, and inadequate housing, education loses much of its power as the great equaliser. Evidence shows that home learning environments can have up to twice the impact of early childhood programs, limiting the extent to which even high-quality ECEC can mitigate shortfalls in the child's home environment (Melhuish, 2014). Research demonstrates that the best outcomes occur when both the home environment and ECEC promote the child's development (Moore & Arefadib, 2022).

ECEC services located in NSW most disadvantaged communities are more likely to serve Aboriginal and Torres Strait Islander families who experience multiple and concurrent vulnerabilities, including poverty and family violence (Victorian Agency for Health Information, 2020). How an ECEC service responds to and supports families through such experiences is a true indicator of the quality of that service and will have a significant impact on shaping outcomes for the most vulnerable children. Consequently, there is an urgent need to a) reframe existing policies, which largely focus on the economic benefits of ECEC, so that they can respond adequately and equitably to the social determinants of wellbeing that impact children and their families; and b) ensure that ECEC policies prioritise and adequately support breaking the cycle of intergenerational poverty and disadvantage (Van Eyk et al., 2021).

Timely Access

It is important to preface this section by acknowledging that while the percentage of Aboriginal and Torres Strait Islander children enrolled in preschool has increased over time (Australian Bureau of Statistics, 2022), the fact that Aboriginal and Torres Strait Islander children continue to enter their first year of school with greater rates of developmental vulnerabilities than their non-Indigenous peers means that policies that focus primarily on increasing enrolments and not early access **and** regular attendance are largely ineffective. Enrolment rates are not necessarily indicative of actual attendance rates, which continue to be lower for Aboriginal and Torres Strait Islander children who experience concurrent vulnerabilities, including poverty, and those who reside in remote and very remote communities where barriers to accessing high-quality ECEC are greater (AEDC, 2021; Australian Government, 2020a). For highly vulnerable children and families, the long-term developmental benefit of early access to quality ECEC (starting age of 0-2 years) is well supported, including by evidence from the Abecedarian Project which showed benefits across cognitive academic and socio-emotional functioning (Molly et al., 2018). Similar findings regarding the significant benefits of early access to quality ECEC for vulnerable children have been reported by US-based studies, "The Early Head Start" program (Love et al., 2005), the "Milwaukee Project" (Garber, 1988) and "Project Care" (Wasik et al., 1990).

Several factors contribute to lower attendance rates among Aboriginal and Torres Strait Islander children, including financial constraints (cost of ECEC), geographical location (no available ECEC services, limited transportation) and cultural factors, including a lack of culturally appropriate services, language barriers, and distrust of mainstream services. Evidence also shows that children who are more vulnerable (i.e. reside in families where the main source of income is government benefits, experience housing transience or insecurity, reside in families who experience racial

discrimination) are less likely to attend ECEC (Sydenham, 2019). Further, families also experience concurrent structural and administrative barriers to accessing ECEC services, including the requirements of the activity test, which disproportionately disadvantages Aboriginal and Torres Strait Islander families in regional and remote areas.

To address these, there is a need for culturally responsive and community-led approaches to early childhood education and care that consider the needs and perspectives of Aboriginal and Torres Strait Islander families and communities. While THRYVE NSW appreciates enhanced childcare subsidies and guaranteed ECEC access of 36 hours per fortnight for Aboriginal and Islander children, we highlight that 1) this falls well short of the 30 hours ECEC per week that has been proved to improve outcomes for vulnerable children (Loeb et al., 2007); and 2) this does not entirely alleviate the activity test's imposed restrictions to ECEC. Experts agree that the dose and duration of quality ECEC should be proportionately greater for vulnerable children (Molly et al., 2018). Additionally, the activity test requirements can be difficult to manage for some families who are uncertain which activities meet the test's guidelines or who are concerned about the financial ramifications of improperly reporting their activity.

Throughout our sector consultations, THRYVE NSW consistently receives evidence from ACCOs that a high proportion of families experiencing socio-economic disadvantage are unable to access ECEC due to the activity test. This is especially problematic for families with unpredictable incomes, those with casual work and/or short-term contracts, as they are unable to take on additional work without stable childcare but are unable to secure ongoing or stable childcare without the assurance of a wage increase to pay for it. Furthermore, while 'vulnerable' families can apply for the additional childcare subsidy for their children, doing so can be stigmatising and culturally unsafe. It may also amplify the trauma created by forced child removal, as it insinuates that children residing in these families are 'at risk' and require protection and that the family may be under the scrutiny of child protective services.

This evidence is echoed by recent analysis carried out by Impact Economics and Policy (2022) who found that **as a result of the activity test, Aboriginal and Torres Strait Islander families are over five times more likely than their non-Indigenous counterparts to be limited to one day of subsidised child care per week.** Utilising data from the Department of Employment and Workplace Relations (Child Care in Australia Report September Quarter 2019-June Quarter 2021) the authors found that when the activity test was halted for all families during the Covid 19 pandemic, childcare usage amongst Aboriginal and Torres Strait Islander children increased by 12% in 9 months.

It is important to recognise that even Aboriginal and Torres Strait Islander families with higher incomes can face obstacles in overcoming intergenerational disadvantage, trauma, and discrimination, and that they should have ready access to additional early learning to support efforts to Close the Gap. In recognition of these social and economic challenges, SNAICC maintains that the activity test should be removed for all Aboriginal and Torres Strait Islander families. We note that this is also in line with recent recommendations put forth by the *Senate Inquiry into Work and Care* (Commonwealth of Australia, 2023). Specifically, ***Recommendation 29: "...the committee recommends the Australian Government consider amending the relevant social policy and family assistance laws to abolish activity tests."*** The committee note that this recommendation was made based on overwhelming evidence which showed that *"the activity tests associated with subsidised*

childcare have a disproportionate negative impact on First Nations families and parents (and holds them back from work and study)” (Commonwealth of Australia, 2023, p. 66). As a result of these findings, the committee, in both its Interim and Final Report, recommend removal of the activity tests for First Nations people to receive childcare subsidies.

Aboriginal and Torres Strait Islander children with disability

Recommendation 8: *That the NSW government supports the expansion of the definition of 'disability' to include social and emotional well-being and the experience of trauma to ensure adequate support provision.*

Recommendation 9: *That the NSW government consults with First Nations disability and ECEC peaks to inform and shape how Aboriginal and Torres Strait Islander children with a disability (as well as their families) are supported by ECEC services.*

Recommendation 10: *Ensure sufficient funding specifically allocated to ACCO-led ECEC services. This funding should consider the unique needs and challenges faced by children with disabilities and support the provision of culturally safe environments, culturally responsive curriculum, and specialised staff training, including in trauma-informed care.*

Recommendation 11: *That the NSW government commits to ensuring training on supporting Aboriginal and Torres Strait Islander children with disabilities, including strategies for inclusion, cultural sensitivity, and addressing trauma-related challenges.*

Recommendation 12: *That, in consultation with ACCOs, the NSW government develops inclusive policies and frameworks that explicitly recognise and address the unique needs of Aboriginal and Torres Strait Islander children with disabilities, including trauma.*

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.*

Closing the Gap Outcome 4: *Aboriginal and Torres Strait Islander children thrive in their early years.*

Closing the Gap Outcome 14: *Aboriginal and Torres Strait Islander people enjoy high levels of social and emotional wellbeing.*

Closing the Gap Priority Reform 2: *Formal Partnerships and Shared Decision Making.*

Closing the Gap Priority Reform 3: *Transforming Government Organisations.*

National Aboriginal and Torres Strait Islander Early Childhood Strategy:

Goal 2: *Aboriginal and Torres Strait Islander Children are Supported to Thrive in Their Early Years.*

Goal 3: *Aboriginal and Torres Strait Islander Children are Supported to Establish and Maintain Strong Connection to Culture, Country, and Language.*

Aboriginal and Torres Strait Islander people are 1.8 times more likely to experience disability, twice as likely to have a severe disability and are less likely to access support (Gilroy et al., 2016) compared

with non- Aboriginal and Torres Strait Islander Australians (Australian Institute of Health and Welfare, 2015).

It is important to acknowledge that Aboriginal and Torres Strait Islander peoples' conceptualisation of health and disability can vary greatly from those of non-Aboriginal people. Aboriginal and Torres Strait Islander people hold a more holistic view of health as encompassing not only their own health, but also cultural, communal and spiritual elements (Biddle et al., 2021). In Aboriginal and Torres Strait Islander communities, disability is often viewed as a part of the individual, as opposed to an impairment which needs to be 'fixed' (Gilroy et al., 2016). In many Australian Aboriginal language groups, there is no comparable word for 'disability' or specific disabilities (Biddle et al., 2014; Ferdinand et al., 2021) and many Aboriginal and Torres Strait Islander people living with disabilities do not self-identify as having a disability. Furthermore, given white Australia's long history of using medical diagnoses to discriminate against Aboriginal and Torres Strait Islander people, there may be fear and shame associated with the term "disability" (Gilroy et al., 2016). Differences in how Aboriginal and Torres Strait Islander people conceptualise and experience disability also contributes to some clear distinctions between the support needs identified by Aboriginal people with disability and the supports mainstream ECEC services are designed to provide (Ferdinand et al., 2021).

According to the Government's recent review of Disability Standards for Education, including ECEC, (Australian Government, 2020b) Aboriginal and Torres Strait Islander children with a disability face intersectional disadvantage and 'double discrimination' in their ability to access quality ECEC, resulting in inferior experiences and outcomes. Aboriginal and Torres Strait Islander children, especially those residing in regional and remote communities, often encounter transport, logistical and cultural barriers to their access and participation. The Review found that many Aboriginal and Torres Strait Islander families reported that educators and other mainstream service providers lacked sufficient cultural knowledge and capability to adequately support Aboriginal and Torres Strait Islander children with disabilities, which educators acknowledged. When making choices and decisions for their children, Aboriginal and Torres Strait Islander caregivers value guidance and input from their community, especially extended family members such as community aunties and uncles. Educators also said that their low cultural awareness made them reluctant to take steps to provide adequate support to Aboriginal and Torres Strait Islander students for fear of getting things wrong. Many respondents indicated that some Aboriginal and Torres Strait Islander families strongly prefer to engage with Aboriginal and Torres Strait Islander educators and organisations, citing the importance of culture and language in determining appropriate educational adaptations.

Given Aboriginal and Torres Strait Islander peoples' experience of colonisation and displacement, it is also important to consider expanding the definition of 'disability' to include social and emotional well-being and the experience of trauma. Aboriginal and Torres Strait Islander peoples have endured a history of colonisation, dispossession, forced removal of children, cultural suppression, and systemic discrimination. These experiences have led to significant intergenerational trauma, impacting the social and emotional well-being of individuals, families, and communities. Recognising the effects of historical trauma within the definition of disability acknowledges the unique challenges faced by Aboriginal and Torres Strait Islander peoples and the need for culturally sensitive support. It also recognises the multifaceted and interconnected nature of disabilities, which are not limited to physical or cognitive impairments but also include psychological, emotional, and social dimensions. Moreover, social and emotional well-being is deeply intertwined with cultural identity for Aboriginal and Torres Strait Islander peoples. Recognising the importance of social and emotional well-being within the disability framework acknowledges the vital role that cultural identity,

connection to country, spirituality, and community have in supporting overall well-being. It allows for the development of services and interventions that incorporate cultural practices, healing approaches, and community involvement.

Recognising the experience of trauma within the definition of disability for Aboriginal and Torres Strait Islander peoples also underscores the importance of providing culturally safe and trauma-informed support. Culturally safe practices involve acknowledging and addressing the historical, social, and cultural factors that impact well-being. It ensures that support services are delivered with respect, cultural understanding, and awareness of the impact of trauma, fostering healing and resilience. To that end, embedding this more holistic definition facilitates a more comprehensive and inclusive understanding of the needs and experiences of Aboriginal and Torres Strait Islander children with a disability (as well as their families), emphasising holistic support, trauma-informed care, and person-centred approaches.

This highlights an urgent need for ACCO led ECEC services to be adequately funded, supported and expanded. ACCOs are better equipped to incorporate and pass on cultural knowledge, traditions, and languages to the next generation. These providers understand the importance of cultural preservation and can create an environment that respects and promotes Aboriginal and Torres Strait Islander cultures. Adequate funding allows them to develop culturally relevant curriculum and materials, engage elders and community members as educators, and organise cultural activities and events. It also enables these providers to access resources and expertise necessary to incorporate Aboriginal and Torres Strait knowledge and perspective and will ensure that Aboriginal and Torres Strait Islander children with disability and additional support needs (and their families) are able to access much needed wrap-around ECEC services and supports. Moreover, cultural competence enhances educators' ability to provide tailored support to Aboriginal and Torres Strait Islander children with disabilities given that local staff are better equipped to identify and address the specific challenges faced by these children and their families, leading to increased engagement and ultimately better long-term outcomes. Finally, it is important to note that ACCO led ECEC services are significantly better equipped to provide therapeutic supports that are culturally appropriate and responsive to the needs of Aboriginal and Torres Strait Islander children with disabilities. They understand the importance of incorporating cultural elements into supports and therapies, such as storytelling, art, music, and connection to country. These culturally relevant approaches can enhance engagement, participation, and positive outcomes for Aboriginal and Torres Strait Islander children with a disability.

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