



UNITED
WORKERS UNION



UWU Submission to the IPART Early Childhood Education and Care Review



17 November 2023

Independent Pricing and Regulatory Tribunal
2-24 Rawson Place
Sydney NSW 2000

To the Proper Officer,

UWU Submission to the IPART Early Childhood Education and Care Review

Acknowledgement of Country

We acknowledge and respect the continuing spirit, culture, and contribution of Traditional Custodians on the lands where we work, and pay respects to Elders, past and present. We extend our respects to Traditional Custodians of all the places that United Workers Union members live and work around the country.

About United Workers Union

United Workers Union (UWU) is a powerful union with 150,000 workers across the country from more than 45 industries and all walks of life, standing together to make a difference. Our work reaches millions of people every single day of their lives. We feed you, educate you, provide care for you, keep your communities safe and get you the goods you need. Without us, everything stops. We are proud of the work we do – our paramedic members work around the clock to save lives; early childhood educators are shaping the future of the nation one child at a time; supermarket logistics members pack food for your local supermarket and farms workers put food on Australian dinner tables; hospitality members serve you a drink on your night off; aged care members provide quality care for our elderly and cleaning and security members ensure the spaces you work, travel and educate yourself in are safe and clean.

Executive Summary

“As a centre director, it worries me that experienced, qualified staff are constantly leaving the sector for better paid positions. This lack of consistency is not good for children and families, and it is not good for centre morale.”

Early educators work every day in a system which is complicated, expensive and puts profits above the wellbeing of children, educators, and families. At the centre of this failing system is an escalating and unsustainable workforce crisis. Early educators have been holding together this messy and expensive system for years, but they have reached the end of their tether. Research shows that 30-48% of educators leave the sector each year.¹ For too long, workforce has been a secondary thought in ECEC policy change, and this has led to a workforce crisis.

UWU members have been saying it for years: low wages, increasing responsibilities and unpaid training are leading to educator burnout and high turnover. Families and the sector have long known it, and the data is clear: the relationship between educators, children and families is central to quality, and fixing the workforce crisis is critical in improving quality and access across the sector.² Yet the workforce crisis is only getting worse. In August 2023, UWU members launched a Crisis

Tracker to map the impact of the ongoing staffing crisis on educators, families, and children. Close to 1000 centres from across the country provided eye-opening and often shocking details about staff vacancies, workloads, and pressures on staff, wait times for families and the lengths that services are being forced to go to in the face of the worst staffing crisis the sector has ever seen. In NSW, a shocking 93% of centres had staff leaving the centre in the past 12 months – and of those almost 70% have had 3 or more staff leave the centre. In addition, over 80% have current staff vacancies and of those almost 50% have 3 or more current vacancies. Worryingly, almost 70% of respondents agree that staff shortages in the past 12 months have impacted the wellbeing or safety of children and over 80% agree that staff shortages in the past 12 months have impacted educational outcomes. Further results from the Crisis Tracker survey can be found below.

The IPART Report is yet another confirmation that the current system is failing vulnerable children too, coming so close after the ACCC made similar findings in their September Interim Report.³ IPART finds there are multiple barriers to accessing ECEC for families with vulnerable children, including availability and cost. The workforce crisis also impacts ECEC accessibility in ways that are critical but not always obvious to outsiders. Educators play a key role in facilitating ECEC attendance by building relationships and communicating with families in their community. Educators having access to ongoing professional development and cultural competency training also has a positive impact on accessibility, especially for vulnerable children.⁴ High turnover of educators means these community connections are broken or never have a chance to get established.

Finally, the IPART Report, just like the ACCC Report, reinforces that the system is failing families too, with low-income Australian families paying more than the 7% international affordability benchmark on early childhood services in 2021-22.⁵ Low-income families are paying more out-of-pocket fees as a share of their income than anyone else, a perverse outcome of the Childcare Subsidy (CCS) activity test.⁶ Women bear the brunt of this inequitable system: they make up 92% of the ECEC workforce, historically undervalued for the work they perform, as well as 68% of the part-time workforce – often to manage unpaid care work.⁷

If the current model of ECEC doesn't work for children, educators, and families, who does it work for? It works for big business. The sector turns over \$15 billion per year.⁸ The current market of ECEC has only led to an increasingly inaccessible and inequitable system, despite billions of dollars in government subsidies. Traditionally, private ownership in the sector was characterised by family and small to medium-sized businesses. Increasingly however, large financial interests are being lured to the sector by strong growth prospects underpinned by generous government subsidies. Stock market investors, private equity and foreign investment funds are now key players in the Australian education system. CEOs pocket eye-watering salaries and owners enjoy large profits as companies change hands regularly. Several of the largest for-profits, who also happen to be amongst the top five long day care (LDC) operators in the country, are either foreign owned or run by private equity. For example, Affinity, Guardian, and Busy Bees generated an estimated \$1.1 billion in revenue just last year.⁹

The ECEC sector is being gamed by big business and this comes at the cost of quality early learning for Australian children and an underpaid and undervalued workforce of educators. Private-for-profit providers have prioritised profit over investing in their workforce,¹⁰ are more likely than other types of providers to be operating with a staffing waiver,¹¹ and overall deliver lower quality ECEC *as well as* being overrepresented in safety breaches and enforcement actions.¹² They spend less on education in comparison to not-for-profit providers – whilst richly rewarding shareholders and executives.¹³

Both Guardian, owned by Swiss-based private equity Partners Group, and Affinity, owned by Quadrant Private Equity, were put up for sale this year, with a potential increase in government funding for the sector a selling point.¹⁴ Though reportedly Affinity's sale is on pause for now,¹⁵ this is yet further evidence of big business gaming the sector.

NSW is lagging far behind best practice ECEC. ACECQA data from October 2023 shows that 19.5% of LDC services in NSW are operating with a staffing waiver, compared to the national average of 17.4%.¹⁶ Victoria, which has specific policy incentives to attract educators, only has 2.7% of LDC services operating with a waiver.¹⁷ Over the last 5 years, the number of LDC services operating with a staffing waiver in NSW has more than doubled, an unacceptable trend in the wrong direction.¹⁸ Quality is lagging in NSW too, with only 19.7% of services exceeding the NQS as compared to the national average of 23.5%.¹⁹ The ACT, SA and Victoria lead the way, with 43.5% of services rated as exceeding the NQS in the ACT, 38.5% in SA and 27.4% in Victoria. Part of why NSW is so far behind is the high rate of private for-profit ownership here as compared to other states (58%) and, by extension, one of the lowest rates of public ownership. According to recent ACECQA data, just 7% of centre-based services in NSW are in government hands, almost half that of the proportion in Victoria (13%). The other reason why NSW lags so far behind is the failure of successive NSW Governments to invest in the local workforce, unlike Victoria, which provides wage subsidies to attract and retain educators, as part of an almost \$370 million workforce retention initiative.²⁰

This is a time to reimagine ECEC and to aim high. National Cabinet is working on developing a long-term vision for ECEC. The Productivity Commission and the ACCC are currently undertaking reviews and the SA Royal Commission into ECEC recently completed one. There is huge momentum across the sector, with educators, unions, employers, and employer peaks coming together at the bargaining table, unanimous in their desire to see the sector improve in quality and for the workforce crisis to be addressed through professional pay for educators. IPART should be urging the NSW Government to lead the change, to aim to be the best place to work in ECEC in Australia, and to aim to have the highest quality centres.

Yet despite the escalating workforce crisis and the associated risks to supply, quality and affordability of ECEC, IPART's draft recommendations fall far short of addressing the real issues in the sector. A workforce strategy will not work without a wage increase. Inclusive education can't be achieved when there aren't enough educators available to provide the additional support children need. Increasing supply and affordability can't happen when services are already placing caps on the number of children in a room due to the workforce crisis. High quality, inclusive early learning won't become the standard until the sector ceases to be a playground for private equity. Not only do IPART's recommendations fail to address the real issues in ECEC, but recommendation 32 on expanding waivers also seriously risks the sector going backwards by over a decade.

UWU educators want real change. We want what's best for children, educators, and families. We want every child in NSW to have access to a world-class, high-quality public and universal early learning education system – regardless of how much their parents earn, how many hours their parents work, or where they live. We want a public early learning sector in NSW in which educators are respected, employed directly, and professionally paid.

Only through public provision can the government ultimately ensure that every child's right to a high-quality early childhood education, provided by professionally paid and highly skilled educators, is realised.

We also draw the Tribunal’s attention to the final recommendations of the Women’s Economic Equality Taskforce which call for provision of universal ECEC for families alongside a Federal Government funded pay rise for educators. It is sensible policy to adopt universal, *public* ECEC that encourages women to engage as fully as they want in the workforce, whilst also ensuring women can equitably contribute to, and benefit from, the economy without suffering from the gender wage gap.

The move towards public provision is already starting to happen. The Victorian Government has committed to opening 50 new early learning centres that directly employ educators to ensure higher quality early learning and better educational outcomes for children. Now is the time for the NSW Government to step up and take part in the reimagining of the ECEC sector, to become a state leader in the provision of high quality public ECEC.

We make the following recommendations.

Recommendations:

1. **The NSW Government should call on the Federal Government, as the primary funder, to take immediate action to improve educator wages and stop the flow of workers out of the sector.** The NSW Government should support calls for the Federal Government to come to the bargaining table fully prepared to fund a much needed 25% wage rise for all educators.
2. **The NSW Government should, as a matter of priority, establish a wage supplement to retain and attract educators.** This supplement should be available in any area that is experiencing a workforce crisis.
3. **The NSW Government, other states and territories, and the Federal Government should establish universal public early childhood education and care as the primary objective of ECEC policy.** Early learning should be the very first stage of the public education system in NSW.
4. **The NSW Government should advocate for the Federal Government to abolish the activity test as a matter of priority.**
5. **The NSW Government, other states and territories, and the Federal Government must develop and trial publicly run, fit-for-purpose long day care (LDC) centres that directly employ educators as part of the shift towards public early learning provision.** Where possible, these centres should be co-located with schools, and initially targeted in low socio-economic areas. The NSW Government has committed to establishing 100 preschools. We call on the Government to instead establish 100 public LDCs that directly employ educators and pay professional wages. LDCs have longer service hours and increased flexibility, while secure jobs for educators mean less turnover, and therefore stronger quality of relationships with children and families – all factors that can improve access for low-income households.

For more information on this submission, please contact [REDACTED]
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Kind regards,

[REDACTED]

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Centres reveal crisis in early learning in NSW

In August 2023, UWU members launched a Crisis Tracker to map how the ongoing staffing crisis in the sector is affecting educators, families, and children.

The results of the Crisis Tracker show that, in spite of millions of dollars in additional Federal Government subsidies to make early education more affordable for families, the crisis has only deepened. Educators continue to leave the sector because they simply can't afford to stay due to low wages, horrific workloads and a genuine concern that the well-being and safety of children is at risk due to the conditions in the sector.

These results from NSW centres are shocking:

- 93% have had staff leaving the centre in the past 12 months – and of those 69% have had 3 or more staff leave the centre.
- 84% have current staff vacancies and of those 47% have 3 or more current vacancies.
- 39% currently have caps on specific rooms due to staffing constraints.
- 58% say that have had to use agency staff to meet ratio for the past 12 months, with 34% needing to use it daily and a further 8% on a weekly basis.
- 86% have waitlists for children already enrolled to pick up extra days – and of those 51% say that wait list is 12 months or more.
- 82% have waitlists for siblings of existing enrolments to get a place - and of those 54% the wait list is 12 months or more.
- 94% have waitlists for new families - and of those 59% the wait list is 12 months or more.
- 68% agree that staff shortages in the past 12 months have impacted the wellbeing or safety of children.
- 81% agree that staff shortages in the past 12 months have impacted educational outcomes.
- 92% agree that staff shortages in the past 12 months have impacted the wellbeing or safety of educators.

An NSW educator and UWU member, with over 20 years' experience, makes a passionate plea for change: *“Early Education provides the foundation for our children’s learning. Our children are our future. We need to support that! Our whole community relies on ECEC to function. Doctors, nurses, corporates, teachers, shop assistants.... where would our community stand without ECEC? Our Educators simply cannot survive on minimum wage. We see good, invested Educators leaving the sector every day and we are expecting more to follow. Educators that do EVERYTHING THEY CAN to support our children, their families and the community, but we can only give so much! It’s often to the detriment of our own families and that’s not ok. The expectations right now exceed the benefits, and this is not sustainable. Our sector is in CRISIS! I’ve been in ECEC for 23yrs and it’s the worst I’ve ever seen it. Educators are burnt out and something needs to change!”*

Response to IPART draft recommendations

Objectives of ECEC policy

"[I wouldn't recommend ECEC as a career] because of the way the sector is going, it is being privatised and people are getting to make money and a profit at the expense of children. I have witnessed children go without resources and intervention and support to save the owner's money."

UWU members share a vision of universal public ECEC – a system in which every child, regardless of how much their parents earn, or how many hours their parents work, or where they live – has access to a world-class early learning education system. Like the public school system, every family should have confidence that their local early learning centre is high-quality, and that educators are respected, employed directly, and professionally paid.

There is a growing body of research demonstrating the positive effects of universal ECEC participation.²¹ Despite this, a significant proportion of children miss out and these children are disproportionately from low socio-economic backgrounds.²² It is clear that market provision doesn't work for the children who stand to benefit the most from access to ECEC. Government data shows that the number of children accessing preschool through LDC is growing whereas attendance through standalone preschool is declining,²³ an indication that LDC offers better flexibility for parents in operational hours than preschool. However, there are fewer LDC services in more disadvantaged areas, and in regional and remote parts of the state.²⁴ IPART has drawn different conclusions from the ACCC in its analysis into accessibility of services, however it is still consistent with other reviews in finding that for-profit services often choose to operate in areas with greater economic resources, while not-for-profit services often serve socioeconomically disadvantaged areas. As the Mitchell Institute found: *"providers are not only establishing services where there are greater levels of demand, but where they are likely to make greater profits."*²⁵

Very recent data from the South Australian Royal Commission re-affirms these depressing findings. In the most disadvantaged areas in South Australia (SEIFA quintile 1), for-profit providers make up 60% of services assessed as working towards the NQS yet make up 46% of total services. In SEIFA quintile 2 areas (noting that the most advantaged areas are SEIFA quintile 5 areas), for-profit services make up 70% of services working towards the NQS, whilst comprising 55% of total services.²⁶ And although fees are more expensive in affluent areas, residents in Playford in Adelaide's north may have been paying \$10 on average in fees per hour (where there are 4 children for every place in LDC), compared to more affluent areas in the Adelaide Hills or Holdfast Bay, where prices are comparable (\$10.50 average fee per hour), but there are 2-3 children per place in LDC.²⁷

Even when disadvantaged families do get access to services, they are likely to be lower quality, more likely to have staffing waivers and broadly a more casualised and lower paid educator workforce. The ACCC's recent report confirmed that the market is not working for vulnerable children, and that market forces alone are unlikely to ensure equitable educational or developmental outcomes across all children and households.²⁸

In **draft recommendation 1**, IPART recommends that Australian state, territory, and Commonwealth governments should work together to develop an integrated funding approach to early childhood

education and care, including to clarify the objectives of the funding approach and to prioritise improving affordability and accessibility. **We recommend that the NSW Government, other states and territories, and the Federal Government should establish universal public early childhood education and care as the primary objective of ECEC policy.**

The IPART Report makes numerous recommendations that seek to improve the system at the edges. But we now have an opportunity to fundamentally re-imagine the sector and we can do better. Many of the problems identified in the report could be addressed through investment in public early learning. This would be a truly universal, publicly funded and run system seeing greater return on government investment, whilst also ensuring the education and care provided was high-quality.

In **draft recommendations 4, 15 and 34**, IPART recommends that preschool services' operational hours reflect the needs of their communities, that wrap-around services for children should be readily available, flexible, and integrated into the system, and that early education services be co-located with schools in rural and regional areas. Universal, publicly funded and run services are the solution to these current issues of inaccessibility in the system. Public services offer greater flexibility, integration, and accessibility. As highlighted earlier in this submission, private providers place quality second to profit, and despite billions in federal funding provided to private providers through the CCS, this has not created an equitable system, nor has a market model provided incentive for for-profit providers to expand into less advantaged suburbs and regions where they are desperately needed.

The South Australian Royal Commission found that many wrap-around services are often already provided by not-for-profit and government-run LDC, but that it had not been the focus of specific state or federal funding or policy. Not-for-profit and government LDC were more likely to offer (rather than facilitate) specific activities to engage or support migrants, refugee families, First Nations families, as well as direct access to social work and child and family practitioners, referral pathways to family supports, run home literacy programs and hold community events.²⁹ If this were a focus of ECEC policy adopted by states and territories and the Federal Government through a commitment to a publicly funded and run system, there are already networks in place in communities across NSW to hasten the transition (as identified in the Interim Report). UWU educators also welcome recognition in the Interim Report that the current workforce crisis is a barrier to access and inclusion for children attending ECEC, and that there needs to be a focus on the training and retention of the workforce to build these wrap-around networks and facilitate accessibility. Job security is critically important; the casualisation of the workforce erodes the child and educator relationship (a key indicator of high-quality ECEC). Public, universal ECEC is a holistic approach to the systemic issues facing the sector; facilitating access for all families but also meaningfully tackling the workforce crisis.

IPART recognises that pre-school hours are a bar to accessibility and that the NSW Government should consider extended hours of operation. This concern could be addressed by the NSW Government opening and investing in LDC. Creating a disjointed system that separates 3- and 4-year-olds in preschools from younger children in LDCs is not a solution that prioritises evidence, accessibility, affordability, or the continuation of the relationship between educator and child. Indeed, as the 2016 Mitchell Institute Report on 3-year-old preschool found: "If there was a substantial reduction in the number of 3-year-olds in LDC because families chose to access a preschool program in other settings, there may be implications for affordability and financial viability. This would not achieve optimal outcomes for children."³⁰ Targeted services also run the risk of creating a steeper gradient of catch-up for children who are disadvantaged and are not captured by those services.³¹ Many children living across more affluent areas also experience disadvantage, and

by funding LDC in a wide range of areas it would create equitable access for children with disability, First Nations children, and children already known to child protection services, and would also be a step towards changing societal perceptions of ECEC.³² Broad-reaching acceptance of ECEC would improve respect for educators and the work they do and build towards a professional identity. It would also improve the attendance of children that already have access but would otherwise not attend because families do not understand the benefits. LDC is a key component of the mix of ECEC services in NSW and the NSW Government should be investing in public LDC to create equitable services for NSW children.

In **draft recommendations 18 and 19** IPART recommends enhancing the National Quality Standards to highlight expertise and excellence in inclusion, and for assessment and ratings outcomes to be reported by services. UWU educators believe parents should be confident that their local LDC centre provides high-quality early education, as a publicly funded service. Yet in SA4 geographical areas³³ such as the Riverina, New England and the North West, and the Hunter Valley (excluding Newcastle), at the beginning of 2023, 27-28% of LDC services were operating with staffing waivers.³⁴ This is higher than almost anywhere else in the state, but these areas are also proportionately more disadvantaged.³⁵ Less than 12 months later, in the latest waiver data published by ACECQA, now up to 35% of LDC services are operating with a waiver in these regional areas.³⁶ For-profit LDC services are still over-represented in total LDC services with staffing waivers, with 81% of for-profit services operating with a waiver in place yet making up 69% of LDC services.³⁷ Promoting choice in a market model does not align with the objective of universal, world-class ECEC. Only public provision will provide direct, secure jobs for educators and ensure that early education is truly universal, affordable, and available to the children who need it most. We refer IPART to Recommendation 1 and 2 of this submission.

Publicly run centres are higher quality,³⁸ make up a greater proportion of centres ‘exceeding’ ACECQA national standards and invest more in the quality of ECEC delivered as well as into the workforce.³⁹ Investment in publicly run LDC will improve outcomes and mean high quality early learning for children.

Publicly run ECEC services that are not subject to maximising dividends for shareholders or excessive CEO salaries are a way to ensure taxpayer money is being spent as intended – on children’s education and care. UWU’s report ‘Spitting off Cash’ highlighted just how much taxpayer money provided through the CCS is transferred offshore, rather than providing quality care.⁴⁰

Taxpayer money (both State and Federal) is better spent providing services that are publicly run and are fit-for-purpose with modern Australian family life. Indeed, funding high quality ECEC is calculated to return \$2 for every \$1 spent – not only improving outcomes for children in the long-term, but also reducing spending across other Departments in welfare and crime.⁴¹ As the Victorian Government has committed to, publicly run LDC centres are a way to create better return on expenditure for governments and create world class, best practice workplaces for educators and high quality ECEC for children. This also allows easier evaluation of ECEC, which, as the SA Royal Commission’s literature review pointed out, is needed to fill research gaps in overall ECEC delivery.⁴² It would mean the implementation of any findings on quality, dosage, accessibility or other research gaps would be state-wide, and not left to individual providers. This would go a long way to ensuring every child had access to high-quality ECEC.

The NSW Government has a real opportunity to be part of the reimagining of the sector and show educators and families how committed the state is to quality early learning. As a step towards public early learning, the NSW Government, alongside other states and territories, and the Federal

Government, should develop and trial publicly run, fit-for-purpose long day care (LDC) centres that directly employ educators. Where possible, these centres should be co-located with schools, and initially targeted in low socio-economic areas. **The NSW Government has committed to establishing 100 preschools. We call on the Government to instead establish 100 public LDCs that directly employ educators and pay professional wages. LDCs have longer service hours and increased flexibility, while secure jobs for educators mean less turnover, and therefore stronger quality of relationships with children and families – all factors that can improve access for low-income households.**

The Childcare Subsidy (CCS)

Further in **draft recommendation 1**, IPART recommends that the activity test for receipt of Childcare Subsidy (CCS) should be reviewed as a priority. The activity test is a barrier to vulnerable children accessing care. **IPART should urge the NSW Government to advocate to the Federal Government to abolish the activity test as a matter of priority. The NSW Government should support the Federal Government to take the two most immediate steps to improve access – increasing wages and abolishing the activity test.**

UWU Educator speaks out: We are failing vulnerable children

Tamika Hicks is an early childhood educator with over 20 years' experience in the sector. She is currently working as an educator and an early intervention therapy assistant on the Gold Coast. Previously, she owned and operated long day care centres for 12 years.

Tamika is deeply concerned about how the current ECEC system is failing some vulnerable and disadvantaged children who need it the most. She says, *“The activity test and the administrative requirements to get additional CCS are one of the main barriers to vulnerable and disadvantaged children for entering the sector. There is so much red tape. When you have children who are in the care of child protective services, or in foster care, it’s extremely hard for a service to access CCS or additional CCS for these children. There’s a high turnover of child protection officers and foster families – which means it’s hard for a service to contact anyone to get the information needed in order to submit the application. Then there’s the added cost of possible extra staffing. What often ends up happening is that the service is financially left with the bill, which is more often than not full fee, and administratively it’s such a burden that many services will just say they don’t have the room.”*

Tamika also holds serious concerns about the lack of support for children with additional needs. On this, she says, *“To get inclusion funding is extremely difficult and it’s not guaranteed to be approved in a timely manner. Even when it is approved it isn’t backdated to the start of enrolment when additional support is needed. When funding is set for renewal annually, there are often delays, and services are left with paying for the gap in funding costs until the application gets renewed. The alternative is to reduce the staffing support, which then places added stress on educators and children. The Inclusion Support portal is archaic and inefficient, and this adds stress for administrators and educators. They are already so stressed out and burnt out, this adds to their workload.”*

Tamika goes on to explain that *“Families don’t know what their rights are. Some of the parents are recent migrants, they don’t know who to speak to if their child is rejected by services for enrolment, they may not even know that funding is available. There’s not enough advocacy for children in this space. With funding being privatised under the NDIS, there’s no advocacy body for children or parents who are struggling to find places and support. We know early intervention is key. The system might*

be there on paper, but getting it implemented – it’s so difficult. Services end up turning families away.”

Tamika explains that the lack of access to early intervention has flow on effects on educators and other children. She says, *“When children don’t get the early intervention they need, educators are trying to do more without the resources they need. Educators end up stressed and burnt out, and then other children aren’t getting the attention they need either because the educators are stretched so thin. Sometimes parents might even be asked to pull their child with additional needs out of the service. We know that intervention at an early age leads to better outcomes and is more cost effective than intervention at a later stage. But current measures for supporting children with additional needs are completely inadequate.”*

The IPART Interim Report makes numerous draft recommendations about improving access to inclusion services for vulnerable children. We broadly support these recommendations, however without addressing the workforce crisis, none of these measures will work. UWU members in our August 2023 Crisis Tracker survey reported that the workforce crisis is having a detrimental impact on inclusion support services for children. Members told us that with current pressures on staff due to so many educators leaving the sector, inclusion support educators who are meant to work one-on-one with specific children who have additional needs are very often moved to different rooms or required to work across larger groups to maintain legal minimum staffing ratios. As one UWU educator says, *“We have several children that need inclusion support, but we don't have the staff for ISS which mean the support these children need for behaviour barriers and disabilities is not available and more incidents are happening daily that involve physical aggression.”* This is yet another example of how the workforce crisis is affecting the quality of early learning services.

Workforce

“Relationships are central to everything. The children rely on educator continuity and when it is not possible it leads to poorer learning opportunities, behavioural issues, separation anxiety and parental stress (which also impacts on children).”

Research shows that “while there is no single way to define and measure the concept of quality in ECEC settings, its essence lies in the quality of interaction between adults and children... Of particular importance should be elements such as staff/child ratio, staff qualifications and continuous professional training.”⁴³ A large provider in the ACCC’s research stated, “Families want consistent, stable, quality educators above all else.” We cannot have high-quality interactions when 30-48% of educators leave the sector each year.⁴⁴ The average tenure of an ECEC worker is only 3.6 years.⁴⁵ Every time an educator leaves their position or the sector altogether, the impact is felt by dozens of children.⁴⁶ And educators are leaving because of their pay.

An UWU survey of over 3,800 educators in 2021 revealed almost three-quarters (71%) of those educators planned to leave the sector in the next three years. The top three reasons educators were choosing to leave the sector were:

1. Low pay – I can’t afford to stay.
2. Excessive workload and insufficient time to provide quality ECEC; and
3. Feeling undervalued.⁴⁷

Educators can often earn more in retail jobs, or other jobs where qualifications aren’t required. Now they can earn significantly more in the aged care sector. Low pay in ECEC reinforces educators feeling undervalued and leads to “their work being viewed not as a long-term career path but as a temporary employment solution.”⁴⁸ Pay is at the centre of a cycle that increases turnover rates, placing further stress on educators remaining in the sector. Educators live what the researchers have found too: over 75% of educators strongly agreed that turnover negatively impacts how children learn and develop, as well as their emotional wellbeing. Almost half of those workers surveyed would not recommend ECEC as a career and 97% of total respondents were concerned about the high turnover in ECEC.

The workforce crisis has only gotten worse. As the above results of our August 2023 Crisis Tracker survey show, educators continue to leave the sector because they simply can’t afford to stay due to low wages, horrific workloads, and a genuine concern that the well-being and safety of children is at risk due to the conditions in the sector. A NSW educator told us that at her centre, *“Around 9 or 10 staff have resigned or dropped their permanent role to become casual in an attempt to manage the stress, educators [are] working unpaid overtime, taking work home, coming in on weekends to do extra jobs, no support available to be given as everyone is burnt out and struggling to keep up with everything, [I’m] personally very close to needing to resign or take an extended mental health break.”* Another NSW educator says that at her centre, *“Children have been more visibly upset coming to care as their educators have left.”*

There is a high personal cost to working in a female-dominated industry. Women in industries that are almost entirely female-dominated have been found in some instances to earn 32 per cent less than women with identical characteristics working in almost entirely male-dominated industries.⁴⁹ In ECEC, low wages in the workforce are associated with significant levels of financial hardship, economic dependence on parents and partners, stress and mental health impacts, and housing insecurity.⁵⁰ High levels of gender segregation in Australian industries and occupations negatively

affect women's economic security throughout their lives, culminating in particularly impoverished economic circumstances for single women in retirement.⁵¹

Despite regulatory standards that mandate a high level of skill in early childhood education and care work, ECEC remains labour that is economically and socially undervalued because of its historical association with unpaid 'women's work.' Everyone in the sector knows that the work of early childhood educators is physically and emotionally demanding and relies on a deep knowledge of childhood developmental stages and the appropriate pedagogies to assist children throughout those stages. Yet misapprehensions about the level of skill involved in this work are widespread in Australian society and continue to contribute to inaction on improving pay in the sector. This is why an immediate increase to the wages of educators was recommended by the Women's Economic Equality Taskforce ahead of the 2023 federal budget.⁵²

The low pay in the sector is not only a result of the historical undervaluation of care work but also because enterprise bargaining is difficult and largely ineffective in ECEC. Services are primarily government funded, but for decades there has been no ability to bring government to the bargaining table to fund any improved wage outcomes. Most centres do not have high levels of profit and pitting educators against families whose fees also subsidise the sector doesn't work. Educators always lose out. The sector includes highly fragmented workplaces where single enterprise bargaining does not work. Research has shown that larger enterprises are more likely to have a collectively bargained agreement over an award and ECEC is a highly fragmented sector.⁵³ There are over 17,000 individual centres, over 7200 providers and 80% of the sector is operated by single centre providers. This means educators are far more award-reliant than most industries and sectors.

There is clear data on the difference targeted policies on wages and conditions make to the workforce crisis. The crisis is becoming more acute across the country – except at a much lesser extent in Victoria, where there exists state government policy to supplement educator wages and improve attraction and retention of the workforce. NSW performs worse than the national average; across all ECEC services, 11.5% of NSW services have a staffing waiver in place, compared to 10% nationally.⁵⁴ LDC, however, is the locus of the workforce crisis, with the national average of LDC services with a staffing waiver at 17.4%, and 19.5% of NSW LDC services. Of Victoria's LDC services, only 2.7% have a staffing waiver in place.⁵⁵ Low pay is a driver of the workforce crisis, and there are immediate steps the NSW Government could take towards remedying this national issue at a state level. The Victorian Government offers wage supplements to both educators and teachers as part of an almost \$370 million initiative.⁵⁶ It is clear that in contrast, the NSW Government is not investing enough in the workforce. **Like the Victorian Government, the NSW Government should, as a matter of priority, establish a wage supplement to retain and attract educators. To address the high rate of staffing waivers in NSW, this supplement should be available in any area that is experiencing a workforce crisis.**

The supported bargaining stream of the new federal multi-employer bargaining laws, which came into operation in June 2023, is the best available mechanism through which the Federal Government can swiftly fund a pay-rise for educators. These new laws provide a pathway for bargaining with multiple employers at once to set a new standard around pay and conditions. Indeed, the Federal Government has already acknowledged that supported bargaining can be used to "allow enterprise bargaining to be a more effective driver of wages and conditions in care and support systems."⁵⁷ It is also recognised that the new laws will address the gender pay gap in Australia both broadly and in female-dominated occupations.⁵⁸ Academics also agree: multi-employer agreements will address educator shortages and lift wages and conditions.⁵⁹

The sector has heard the call from government to collaborate. Since late 2022, there have been a series of historic meetings of unions, employers, educators, and peak bodies from across the sector, initially co-ordinated by Early Childhood Australia (ECA) and the United Workers Union, to prepare for multi-employer bargaining. Representatives from every part of the sector unanimously agreed that low wages are a major contributor to the current workforce crisis and that it is long past time for action. Bargaining is now underway, with the Fair Work Commission (FWC) making a supported bargaining authorisation in September 2023. Unions, employers, educators, and peak bodies are now having weekly meetings. The sense of urgency across the sector is clear – unions, employers, educators, and peak bodies all agree – we need to address the workforce crisis now, before yet another worker exodus.

Without a clear public commitment from the Federal Government to fund a 25% wage increase through supported bargaining, more educators will leave the sector. Even with the successful work value pay correction for aged care workers, there is a strong likelihood that workers in that sector will pursue the new bargaining laws to set better working conditions and pay. Educators cannot wait any longer. Award reviews, work value or equal remuneration cases are not an option when multi-employer bargaining offers a much faster, simpler solution.⁶⁰ Migration is also not a solution, without a pay rise. It is only being pursued in aged care because there has already been a legislated 15% pay increase and government funding to match.⁶¹ The Federal Government has noted migration is not a panacea to the workforce crisis in the care economy in its latest Draft National Care and Support Economy Strategy.⁶² Until pay and improved professional pathways are addressed in early learning, migration would be an insufficient band-aid fix – particularly when increased wages for educators could immediately improve retention and attract staff back to the sector.

IPART recognises the impact that workforce shortages are having on the sector, acknowledging that attraction and retention of workers is a persistent and pressing issue across the ECEC sector that affects supply.⁶³ IPART knows that workforce shortages are causing problems such as child enrolments being capped at below a centre’s licensed capacity, that rooms are being closed for months at a time, and that parents are being asked to not bring their children to the service on a particular day,⁶⁴ issues that impact both on children’s quality of care as well as the workforce participation of their parents and carers.

Despite this, IPART’s recommendation, in **draft recommendation 2**, falls far short of what is needed to stop the flow of workers out of the sector. IPART recommends that the NSW Government should develop an early childhood education and care workforce strategy including mentoring initiatives, professional development and training, and investment in local workforce recruitment.

Without a pay rise, no workforce strategy will fundamentally fix the real issue which is a workforce crisis caused by low wages. IPART fails to make the most critical recommendation: that the NSW Government should call for an immediate wage rise for educators. As a UWU educator told us in our Crisis Tracker survey, *“We appreciate the push for renewed workforce through training initiatives, however retention is a huge issue. Until we solve the problem of poor wages and conditions, we will have exceptional educators leave the profession in order to find work that better supports their families, which I have seen time and time again. We drastically need better funded wages for existing educators!”*

We urge IPART to strengthen draft recommendation 2, and to urge the NSW Government to call on the Federal Government to take immediate action to improve educator wages and stop the flow of workers out of the sector. Without this immediate intervention to address the staffing crisis, none of the other measures recommended by IPART or being discussed in the sector at the moment can

succeed in improving access and quality outcomes for children, or affordability for families. The NSW Government should support calls for the Federal Government to come to the bargaining table fully prepared to fund a much needed 25% wage rise for all educators.

To ensure the money goes directly to educators, funding must be by way of a discrete measure, such as a wage subsidy, and it must be tied to a negotiated and enforceable industrial instrument. We know from experience that wage increases need to be tied to an enforceable industrial instrument. During the Covid-19 pandemic, the Federal Government put millions into ECEC, initially through Jobkeeper, a wage subsidy that went directly to workers. However, in July 2020, far earlier than in any other sector, Jobkeeper was cut, and the Federal Government instead gave additional funding to providers via a "transition payment." There were conditions attached to the payment, to try and ensure that the money went into retaining educators, but some providers stopped giving educators work anyway.⁶⁵ There was no way for those educators to make the providers use the funds as intended. The Department simply told them to call a "tip-off" phone line, but this did nothing to help these educators pay their bills. Wage increases for educators must be tied to a negotiated and enforceable industrial instrument so that educators and unions are empowered to address wage theft and recover wages in full.

IPART's **draft recommendation 32** states that the NSW Regulatory Authority (within the Department of Education) should develop a short-term educator relief policy regarding educator qualifications, to assist services that are finding it difficult to maintain current services due to temporary staffing issues, such as illness or unexpected leave.

UWU strongly rejects this recommendation, and we urge IPART to remove this recommendation from the final report. As discussed earlier, staffing waivers are already being accessed in NSW at a concerning rate, with almost 20% of services using a waiver, which is higher than the national average and over 7 times the rate in Victoria.⁶⁶ Expanding the ability of services to get a waiver would be a significant step backwards for the sector.

IPART's suggestion that services would be able to use volunteers instead of educators is appalling and UWU educators reject this in the strongest possible terms. It is astounding that this must be said in 2023, but the care and education of children is skilled work. Educators plan, organise, and conduct activities and experiences for infants and pre-school-aged children to develop their language, early literacy and numeracy, motor, and social and emotional skills. Educators develop relationships and provides care, assistance, and supervision to ensure the physical and emotional wellbeing of children. This is highly skilled work – it is not work that can just be undertaken by a volunteer.

Having ECEC provided by a rotating circle of volunteers is also counter to everything we know about secure attachment for children and will erode the trust that educators work so carefully to build with families. Similarly, the suggestion that qualification requirements in ECEC be watered down devalues the work of educators and the devaluation of the work of educators is a significant part of what is driving the workforce crisis. As one NSW educator says in our recent Crisis Tracker survey, *"[We need] recognition and appreciation for providing early education. We are more than just babysitters. We are worth more!"* Another NSW educator invites decision makers to *"Come see the paperwork that educators need to do. See their responsibility. See if that aligns. See why people don't want to work in this field anymore. See why they are leaving it."* It is a vicious cycle – by making it easier for services to obtain qualification waivers to deal with workforce shortages, the more undervalued educators will feel, meaning more educators will leave the sector, thus exacerbating the workforce crisis.

For IPART to make this draft recommendation reveals a concerning lack of understanding of the work of educators, the sector, and the causes of the workforce crisis. This recommendation is also inconsistent with IPART's own words in recommendation 30, which call for "reframing the narrative around early childhood education and care from 'childcare' to early education to enhance understanding of the value of the work being undertaken." We call on IPART to remove recommendation 32 from the final report, and to instead call for the NSW Government to take immediate action that will genuinely address the workforce crisis, as stated in our recommendations 1 and 2.

The benchmark price

IPART was directed to estimate benchmark prices that can be used as a standard to measure and compare early childhood service fees, reflecting costs of providing quality services for different children and family groups, geographies, service types, provider types. Two models have been used to estimate benchmark prices. UWU notes that neither model has accounted for decent wages for workers, and as such, the benchmark price estimates cannot be said to accurately reflect the costs of providing quality services. The relationship between educators, children and families is central to quality, and quality service provision cannot occur when educators are leaving the sector in droves due to low wages.

Conclusion:

For too long, any policy action, let alone real reform, to tackle the undervaluation and disrespect of early childhood educators has been put in the too-hard basket. Likewise, any policy moves to 'unscramble' the mixed market of ECEC and what should be the first step in the public Australian education system have been ignored. This neglect has resulted in the current crisis in which educators are leaving the sector at record rates, outcomes for children are at risk and so many families are unable to access the services they need. The NSW Government now has an opportunity to be part of pivotal reform in Australia's education system and, at the same time, play a part in righting the wrongs of the gendered undervaluation of care work that has played such a central role in the low pay of early childhood educators for decades. Educators across the country don't want to be consulted by yet another inquiry in 2033 – educators want government action to fund a wage increase now, both because they deserve it, but also because it is a necessary pre-condition to any attempts to tackle the other issues facing Australia's early learning and care sector.

We ask IPART to consider the following recommendations for their final report.

Recommendations:

1. **The NSW Government should call on the Federal Government, as the primary funder, to take immediate action to improve educator wages and stop the flow of workers out of the sector.** The NSW Government should support calls for the Federal Government to come to the bargaining table fully prepared to fund a much needed 25% wage rise for all educators.
2. **The NSW Government should, as a matter of priority, establish a wage supplement to retain and attract educators.** This supplement should be available in any area that is experiencing a workforce crisis.
3. **The NSW Government, other states and territories, and the Federal Government should establish universal public early childhood education and care as the primary objective of ECEC policy.** Early learning should be the very first stage of the public education system in NSW.

4. **The NSW Government should advocate for the Federal Government to abolish the activity test as a matter of priority.**
5. **The NSW Government, other states and territories, and the Federal Government must develop and trial publicly run, fit-for-purpose long day care (LDC) centres that directly employ educators as part of the shift towards public early learning provision.** Where possible, these centres should be co-located with schools, and initially targeted in low socio-economic areas. The NSW Government has committed to establishing 100 preschools. We call on the Government to instead establish 100 public LDCs that directly employ educators and pay professional wages. LDCs have longer service hours and increased flexibility, while secure jobs for educators mean less turnover, and therefore stronger quality of relationships with children and families – all factors that can improve access for low-income households.

- ¹ Thorpe, K, Jansen, E, Sullivan, V, Irvine, S, and P McDonald (2020), 'Identifying predictors of retention and professional wellbeing of the early childhood education workforce in a time of change', *Journal of Educational Change* vol. 21, pg. 639.
- ² ACCC Childcare Inquiry, September 2023 Interim Report, pg. 12.
- ³ IPART ECEC Review, Interim Report, pg. 36.
- ⁴ Howells, S. Lam, B., Marrone R., Brinkman S.A. (2022). Rapid review of the literature and results of an academic pulse survey to determine the evidence behind pre-school for 3-year-old children. Commissioned report for the Royal Commission into Early Childhood Education and Care, South Australia. P.30.
- ⁵ IPART ECEC Review, Interim Report, pg. 102.
- ⁶ ACCC Interim Report, pg. 182.
- ⁷ 2021 Early Childhood Education and Care National Workforce Census (2022). The Social Research Centre for the Australian Government Department of Education; Workplace Gender Equality Agency (2022). Gender equality workplace statistics at a glance 2022, found at: <https://www.wgea.gov.au/publications/gender-equality-workplace-statistics-at-a-glance-2022>
- ⁸ IBISWorld (2023). Childcare Services in Australia: Market Research Report. Industry research reports, Australia.
- ⁹ Conservative profit and revenue estimate is calculated from most recent publicly available data: Macdonald, A., Thompson, S. and K. Sood (2022). "Partners Group mulls mid-2023 exit for Guardian Childcare, RFP out", *AFR* 15 Nov. 2022; Macdonald, A., Thompson, S. and K. Sood (2023). "Quadrant PE readies Affinity graduation, invites banks for pitches", *AFR* 8 Mar. 2023; Roberts, J. (2023); 2021 financial reports from Think Childcare and Busy Bees prior to latter's takeover.
- ¹⁰ Big Steps Report (2021). Spitting off Cash: Where does all the money go in Australia's early learning sector? Found at: <https://bigsteps.org.au/wp-content/uploads/2022/08/spitting-off-cash-uwu-report.pdf> pg. 9.
- ¹¹ ACECQA (2023). NQF Snapshot: Waivers data as at 1 October 2023. Found at: <https://snapshots.acecqa.gov.au/Snapshot/waivers.html>
- ¹² Big Steps Report (2021). Unsafe and Non-compliant: Profits above safety in Australia's early learning sector. Found at: <https://bigsteps.org.au/wp-content/uploads/2022/08/unsafe-and-non-compliant-uwu-report.pdf> pg. 5.
- ¹³ Big Steps (2021). Spitting off Cash. pg. 11-12, 14.; Big Steps (2021). Unsafe and Non-compliant: Profits above safety in Australia's early learning sector. Found at: <https://bigsteps.org.au/wp-content/uploads/2022/08/unsafe-and-non-compliant-uwu-report.pdf>
- ¹⁴ Private equiteers asking top dollar - DATA ROOM. (2023, Sep 20). *The Australian* <http://ezproxy.sl.nsw.gov.au/login?url=https://www.proquest.com/newspapers/private-equiteers-asking-top-dollar-data-room/docview/2866161705/se-2>
- ¹⁵ <https://www.afr.com/street-talk/quadrant-pe-pauses-affinity-education-sale-cites-accq-childcare-report-20231013-p5ec4h>
- ¹⁶ ACECQA (2023). NQF Snapshot, graph W9.
- ¹⁷ As above.
- ¹⁸ As above, graph W12.
- ¹⁹ As above, graph OR2.
- ²⁰ <https://www.vic.gov.au/financial-support-study-and-work-early-childhood>
<https://www.vic.gov.au/kinder-workforce-investment>
- ²¹ Beatson R, Molloy C, Fehlberg Z, Perini N, Harrop C, Goldfeld S. Early Childhood Education Participation: A Mixed-Methods Study of Parent and Provider Perceived Barriers and Facilitators. *J Child Fam Stud*. 2022;31(11):2929-2946. doi: 10.1007/s10826-022-02274-5.
- ²² As above.
- ²³ Productivity Commission (2022). Report on Government Services, Early Childhood Education and Care. Found at: <https://www.pc.gov.au/ongoing/report-on-government-services/2023/child-care-education-and-training/early-childhood-education-and-care>
- ²⁴ IPART (2023). Interim Report P. 121-122, 126.
- ²⁵ Hurley, P., Matthews, H. and S. Pennicuik (2022). Deserts and oases: How accessible is childcare? Mitchell Institute, Victoria University. pg. 8.

- ²⁶ SEIFA quintile and provider management type data requested from the South Australian Royal Commission into ECEC, provided 29 May 2023.
- ²⁷ Ting, I., Palmer, A. and K. Shatoba “Mapping Australia’s childcare blackspots”, *ABC News Online* 22 Mar. 2022. Found at: <https://www.abc.net.au/news/2022-03-22/mapping-australia-s-childcare-blackspots/100894808>
- ²⁸ ACCC Interim Report, pg. 17.
- ²⁹ Number of LDCs offering and facilitating support services by provider management type data requested from the South Australian Royal Commission into ECEC, provided 29 May 2023.
- ³⁰ Fox, S., Geddes, M. (2016). *Preschool – Two Years are Better Than One*. The Mitchell Institute, P. 62.
- ³¹ Fox, S., Geddes, M. (2016). P. 62.
- ³² Fox, S., Geddes, M. (2016). P. 62.
- ³³ Sourced from the ABS: SA4s are geographic areas used to represent labour markets and functional areas of capital cities. Most areas have a population above 100,000 to inform labour force estimates. For example, in cities, SA4s would have populations of approximately 300,000-500,000 people. The size is intended to incorporate both where people live and where they work. They are designed to represent the labour market of larger regional cities such as Wollongong, Bendigo or Townsville. SA4s do not align with electorates.
- ³⁴ Data provided by ACECQA from waiver data as at 1 January 2023, analysed with SEIFA decile by SA1 region.
- ³⁵ As above.
- ³⁶ ACECQA (2023). National Quality Framework Snapshot waiver data.
- ³⁷ As above.
- ³⁸ Howells, S. Lam, B., Marrone R., Brinkman S.A. (2022). Rapid review of the literature and results of an academic pulse survey to determine the evidence behind pre-school for 3-year-old children. Commissioned report for the Royal Commission into Early Childhood Education and Care, South Australia. pg. 20.
- ³⁹ ACECQA (2023). NQF Snapshot: Waivers data as at 1 January 2023. Found at: <https://snapshots.acecqa.gov.au/Snapshot/waivers.html>; Big Steps Report (2021). *Spitting off Cash*. pg. 9.
- ⁴⁰ Big Steps Report (2021). *Spitting off Cash: Where does all the money go in Australia’s early learning sector?* Found at: <https://bigsteps.org.au/wp-content/uploads/2022/08/spitting-off-cash-uwu-report.pdf> pg. 12.
- ⁴¹ The Front Project (2019). *A Smart Investment for a Smarter Australia: Economic analysis of universal early childhood education in the year before school in Australia*. PwC for The Front Project. pg. 6.
- ⁴² Howells, S. et al (2022), pg. 54.
- ⁴³ European Commission (2022). Proposal for a COUNCIL RECOMMENDATION on the Revision of the Barcelona Targets on early childhood education and care. pg. 18.
- ⁴⁴ Thorpe, K, Jansen, E, Sullivan, V, Irvine, S, and P McDonald (2020), ‘Identifying predictors of retention and professional wellbeing of the early childhood education workforce in a time of change’, *Journal of Educational Change* vol. 21, pg. 639.
- ⁴⁵ 2021 Early Childhood Education and Care National Workforce Census (2022). The Social Research Centre for the Australian Government Department of Education, pg. 23.
- ⁴⁶ Whitebook, M., D. Phillips and C. Howes (2014), *Worthy Work, STILL Unlivable Wages: The Early Childhood Workforce 25 Years after the National Child Care Staffing Study*. Centre for the Study of Child Care Employment, University of California, Berkeley, pg. 6.
- ⁴⁷ Big Steps Report (2021). ‘Exhausted, Undervalued and Leaving: The crisis in early education’, found at: <https://bigsteps.org.au/wp-content/uploads/2022/08/the-crisis-in-early-education-uwu-report.pdf> pg. 3
- ⁴⁸ McDonald, P., Thorpe., K., and S. Irvine (2018). Low pay but still we stay: retention in early childhood education and care. *Journal of Industrial Relations* vol. 60, no. 5, pg. 648
<https://doi.org/10.1177/0022185618800351>
- ⁴⁹ Pocock, B. and M. Alexander (1999) ‘The Price of Feminised Jobs: New Evidence on the Gender Pay Gap in Australia’, *Labour & Industry*, 10:2, pg. 84.
- ⁵⁰ McDonald, P., Thorpe., K., and S. Irvine (2018). Low pay but still we stay: retention in early childhood education and care. *Journal of Industrial Relations* vol. 60, no. 5, pg. 648
<https://doi.org/10.1177/0022185618800351>
- ⁵¹ Senate Economics References Committee (2016) ‘*A husband is not a retirement plan*’ *Achieving economic security for women in retirement*, The Commonwealth of Australia, April 2016, Canberra; United Voice (2015) *Submission to the Senate Standing Committee on Economics Inquiry into Economic Security for Women in Retirement*, 6 November 2015.

⁵² WEET (2023). Recommendation 6.

⁵³ Yuen, K., Rozenbes, D. and S. Farmakis-Gamboni (2015), 'Award reliance and business size: a data profile using the Australian Workplace Relations Study'. Research Report 1/2015, Fair Work Commission pg. 7.

⁵⁴ ACECQA (2023). NQF Snapshot waiver data.

⁵⁵ As above.

⁵⁶ <https://www.vic.gov.au/kinder-workforce-investment>

⁵⁷ Department of the Prime Minister and Cabinet. Draft National Care and Support Economy Strategy 2023. Report for the Care and Support Economy Taskforce. pg. 31.

⁵⁸ As above.

⁵⁹ School of Early Childhood and Inclusive Education (2023). Submission to the Productivity Commission Inquiry into Early Childhood and Care, Queensland University of Technology, pg. 8. Found at:

https://www.pc.gov.au/_data/assets/pdf_file/0015/360006/sub052-childhood.pdf

⁶⁰ UWU lodged an Equal Remuneration Order in 2013 on behalf of educators. The case was ultimately dismissed because during the case, the Fair Work Commission (FWC) moved the goal posts for equal pay cases and demanded a male comparator. The pre-requisite of a comparison to male dominated work fails to consider the historical, institutional and cultural undervaluation of feminised work and how industrial standards and benchmarks have been set in Australia. It is an almost impossible task because the comparison of work has always been in reference to work performed largely by men in male dominated industries, and the whole industrial relations systems has been premised on formal gendered discrimination. Minimum wages were set around a male breadwinner model.⁶⁰ Whilst some reforms to equal pay legislation will happen in June, equal pay cases will still be hard and expensive to run. Aged Care workers have just won a 15% 'wage correction' in a work value case in the FWC and this was only possible because the Federal Government agreed to fund it. However, due to the problematic equal pay laws at the time, this was run as a work value case. There is no similar funding commitment from the Federal Government to fund an ECEC pay correction.

⁶¹ The increasing demand for the aged care workforce due to improved care minutes, a crucial and welcomed reform, is also set to be legislated on 31 July. Unlike early learning, where there are mandated ratios; a national system of quality ratings; regulation and a qualification structure, workforce shortages in aged care can lead to chronic failures as shown by the Royal Commission into the sector. Policy levers have also been put in place to ensure that these migrant workers have pathways to permanent residency; are aware of their rights as workers; and that insecure work does not become the preferred model of employment. Aged Care Industry Labour Agreement, found at: <https://immi.homeaffairs.gov.au/what-we-do/skilled-migration-program/recent-changes/new-aged-care-industry-labour-agreement>

⁶² PM and C (2023). p. 21.

⁶³ IPART Interim Report, pg.131.

⁶⁴ As above, pg. 128.

⁶⁵ <https://www.abc.net.au/news/2020-09-11/childcare-workers-not-getting-coronavirus-payment/12650558>

⁶⁶ ACECQA (2023). NQF Snapshot waiver data, graph W9.