

**Submission to the
Parliamentary Select
Committee on the
Early Childhood Education
and Care Sector in Victoria**



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By: Early Childhood Management Services (ECMS)

Introduction

This Inquiry presents an important opportunity to urgently address the serious and specific safety concerns in early childhood education and care settings. It also offers an opportunity to look beyond these immediate issues and consider the systemic factors that have contributed to them. Lasting change will require responsive action as well as a deeper examination of the structural, process and cultural conditions that have allowed such challenges to persist.

We welcome the opportunity to contribute to the Inquiry through this submission and by providing further evidence at a public hearing.

ECMS is a for-purpose provider of kindergarten and early childhood services that has been fostering lifelong learning for 30 years. With a reach of nearly 7,000 children at ECMS across 75 services, including both early learning centres and sessional kindergartens, we are committed to ensuring all children can fully participate in early learning, free from prejudice and systemic barriers.

Early learning access needs to grow in the areas of greatest need – at ECMS, we grow through the lens of social justice, in the corridors of greatest need, with a balanced portfolio that puts the needs of vulnerable children first, not profit. We submit this evidence to the Inquiry to advocate for system reforms that include clearer regulation, stronger oversight, and an explicit pedagogical commitment to child safeguarding practices informed by contemporary early childhood pedagogy and required to protect children in all ECEC settings.

When we talk about safeguarding children, we often start with policies, procedures, and compliance frameworks. Safeguarding also begins with relationships. Safeguarding children begins at the foundation of wellbeing, children's physical and emotional safety. Safety is felt in the relationships that happen every day between educators and children. In the moment of trust between a child and an educator.

We cannot talk about safeguarding children without also talking about safeguarding educators, ensuring they have the stability, recognition, and support to do the relational work that keeps children safe. At ECMS, we argue that safeguarding children and safeguarding educators are not two goals; they are one and the same.

Executive summary

The National Quality Standard (NQS) Quality Area 5 (Relationships with children) is the logical regulatory point to mandate and resource trauma-informed, relational safeguarding practice. Still, it needs explicit strengthening, accompanied by operational guidance.

We know from neuroscience and decades of developmental research that small, stable groups are not a luxury; they are a biological requirement. Victoria's approach to educator-to-child ratios (calculated across a service rather than per room) creates supervisory gaps in practice and poses risks; the Inquiry must consider whether averaging ratios is compatible with child safety in all contexts, particularly for the most vulnerable children and children aged birth to two years. We call for a minimum ratio of 1:3 to better support infant and toddler practice.

Working With Children Checks (WWCC), Registered Training Organisation quality and transparency around for-profit ownership materially affect safety and quality - reforms must improve intelligence-sharing, RTO oversight and performance transparency.

For services located in the highest levels of AEDC vulnerability, a funding model should additionally support differentiated ratios of support based on the number of children with additional needs and/or complex medical conditions – for example, a 1:8 ratio for kindergarten-aged children 3-5 years. This funding should be accompanied by operational guidance and monitoring to demonstrate compliance with the adjusted ratios.

ECMS response and position

(a) The adequacy of current quality and safety standards across service types

Structural and process elements of quality should be transparently embedded as explicit competencies within the National Quality Standard. Approved Providers need clear guidance on how these are supported through governance, leadership, and everyday practice.

Structural elements are foundational system conditions that enable high-quality pedagogy and safe interactions, such as staff-to-child ratios and group size; lower ratios support individualised attention and vigilant supervision; and educator qualifications and training.

The reforms to date have focused on the critical structural elements of quality that safeguard children, with emphasis on individual services' responsibilities. At ECMS, we call for equal focus on the process elements of quality.

Process elements represent the everyday interactions that children experience and are the strongest protective factor against harm. These include responsive adult-child interactions and warm, attuned, emotionally regulated engagement.

Along with family partnerships, two-way communication, and relational trust, these dimensions must be embedded in regulatory expectations and assessed through the NQS, ensuring the Approved Provider demonstrates how governance, leadership, and workforce systems support their consistent enactment.

The NQS provides a strong base (especially QA5 on relationships) but does not explicitly require trauma-informed frameworks or system-wide safeguarding pedagogies to be taught, assessed, and resourced. ECMS recommends embedding trauma-informed practice in QA5 to ensure relationships and interactions are assessed through a child-safety lens.

ECMS supports the further strengthening of QA7 to ensure that it functions as an organisational governance standard for Approved Providers with multiple services, rather than being managed as a service-by-service requirement. In mature safety systems, safeguarding is an organisational capability: accountability runs from the Board and executive through to service leaders and educators and is supported by clear lead and lag indicators of harm and safety. The regulatory expectation could focus on providers demonstrating clear governance arrangements for child safeguarding (board oversight, executive accountability, provider-level indicators across all services), with flexibility in how organisations structure roles to deliver that.

b) The quality and oversight of educator training, professional development and qualifications

ECMS calls for a change to the national training package. Pre-service training must include child safeguarding and trauma-informed pedagogies as core competencies for early childhood qualifications. ECMS recommends that Approved Provider obligations explicitly require evidence of aligned professional learning plans and assessment of safeguarding competencies. Any change to the training package should include units on child safety, cultural safety, and trauma-informed practice for all pre-service courses. This should be incorporated now for future graduates and included as compulsory professional development for all those currently working in the sector.

Nationally consistent, ongoing training must empower educators to identify and address unsafe practices early. This training should primarily be preventive, offering clear guidance on the conditions that keep children safe. It must be embedded across initial teacher education and professional development, and informed by research and the voices of children, families and educators. The training should also reflect real-world settings and be adaptable to diverse early learning environments.

ECMS recognises that consistency among qualification providers, across both vocational and higher education, is essential to upholding quality and safety in early childhood education. When training is aligned, nationally consistent and informed by current research and practice, it strengthens educator capability and supports consistent approaches to child safety and wellbeing. Clear standards across all providers also help ensure graduates enter the workforce ready to meet the complex demands of early education, with a shared understanding of the pedagogical, relational and regulatory requirements of the sector.

Currently, it is up to individual Approved Providers to ensure standards are met, and ECMS's position is that the sector would benefit from elements such as consistency in PRT certification to ensure rigour.

ECMS also supports the National Workforce Register and visibility across jurisdictions.

c) The impacts of Victoria's predominantly privatised ECEC system, including a comparison with public, not-for-profit and cooperative models in terms of accessibility, affordability, safety and outcomes

Victoria's early childhood education and care (ECEC) landscape is shaped by a significant private market presence, with for-profit providers making up the majority of long day care services. This structure has important consequences for accessibility, affordability, safety and outcomes, and warrants careful examination. ECMS acknowledges that the Free Kinder initiative is strongly focused on accessibility for three- and four-year-old children, and that the Best Start, Best Life reform agenda is strongly committed to access in areas of greatest and growing need.

Outside this, the market-based nature of much of the ECEC sector (ELCs) means that service provision is often driven by commercial viability, rather than purely by community need. For example, growth in the number of long day care services in Victoria has been substantial, with a large proportion of new places operated by for-profit providers. In contrast, public and not-for-profit models are often more oriented to filling gaps in underserved communities (including regional, remote or low socio-economic areas), because their motivation is less narrowly profit-driven and more community-oriented.

Data from Victoria shows that long day care services operated by for-profit providers are more likely to be rated "Working Towards" the National Quality Standard (NQS) than not-for-profit providers (5.3 % vs 2.9 %) and less likely to "Exceed" the NQS (14.6 % vs 38.7 %). The regulatory environment must be strong, proactive and well-resourced to monitor and enforce standards across the system equally, not assuming that market incentives alone will deliver access, quality and safety. The current attention has also highlighted that providers aren't assessed as a whole, so system failures pass unaddressed.

As a not-for-profit provider, ECMS's for purpose nature enables us to develop and implement a model of investment, and reinvestment, for impact. This also means we make decisions to cross-subsidise services to ensure that all communities have access to early learning opportunities. If child development, safety, learning, and equity are at the heart of the ECEC system (rather than simply parental workforce participation or commercial return), then the system's design, including ownership and funding models, should reflect that.

d) Workforce conditions and their impact on wellbeing, retention and service quality

We know from both our experience in the sector and across other care-based sectors that workforce conditions, including pay, impact on wellbeing, retention and service quality.

Recognising this, ECMS's approach includes workforce supports such as above-award service and educational leader non-contact time (minimum 10 x the VECTEA allowance of 1 hour per week), and above-ratio FTE support to reduce ratios in services where children present with both diagnosed and undiagnosed additional needs. These are decisions we make as a not-for-profit provider – to reinvest our surplus into our team and the conditions that provide safer workplaces for our team and safer learning environments for children.

There is an opportunity to boost educator retention by recognising that safeguarding children also means safeguarding the educators who support them. This means ensuring teams have the right conditions to deliver high-quality interactions and tailored support for the children who need it most. At ECMS, a focus on these conditions has contributed to strong retention outcomes, in contrast to the sector-wide trend of low educator retention. Our current turnover across both Sessional Kinder and Early Learning Centres stands at <10%.

ECMS believes that the quality of the workforce has a greater impact on child safety than a pure compliance lens or installing CCTV in children's changerooms and bathrooms. Supporting educators' professional identities through workforce conditions, professional development opportunities, and communities of practice is key to retention and wellbeing.

e) The adequacy of staff-to-child ratio regulations, including ratios being averaged across entire services rather than applied per room

Victoria calculates ratios across the whole service, not by room. While one lens on this is that it provides flexibility, it can create moments where a room is understaffed in practice; for example, during arrivals, transitions, or when children with higher needs are grouped together.

The Inquiry should consider whether regulatory change is needed to require minimum per-room staffing, or to provide clearer operational guidance and enforcement on how averaging should be applied to protect children in everyday practice.

Additionally, in instances where there is a high need for strong, complex inclusion supports, the Inquiry should consider the levels of extra support and funding required beyond standard ratio regulations.

For example, in one ECMS service, 17 of 22 children in a group have additional needs. In this scenario, ratios are not a universal solution. ECMS's position is that consideration should be given to a place-based response that may see the ratio shift for kinder-aged children from 1:11 to 1:8. The current KIS arrangement, while contributing to children's access and for which we remain grateful, is not far-reaching enough. ECMS also supports appropriate funding at the provider level to improve access beyond the inclusion of potentially under- or unqualified staff in a complex environment.

f) Sufficient oversight of the Department of Education and the role it plays in monitoring and maintaining child safety

To further enhance child safety, there is a need for strong, transparent oversight that can independently review decisions, monitor enforcement actions and identify system-wide improvements. Consolidating regulatory intelligence, such as Working with Children Checks, reportable conduct, and child safe standards, within a national regulator would support a consistent approach to maintaining child safety.

Recent reforms are encouraging, and we support the Inquiry's recommendation of a clear implementation timeline, regular public reporting, and appropriate statutory powers to sustain momentum and accountability.

Additionally, ECMS also supports a system that monitors safety and quality over time, not just through periodic Assessment and Rating. Other sectors have implemented provider-level indicators of safety so boards and communities know where safety and risk are increasing or decreasing over time, for example, Incident Severity Rating models in health.

g) Other matters: enforcement, transparency and cultural safety

With the progression of Treaty in Victoria, ECMS supports systemic changes that elevate the First Nations' voice and presence in pedagogy and service representation.

Core recommendations

1. Embed trauma-informed, relational safeguarding into the NQS

Strengthening Quality Area 5 (Relationships with Children) to explicitly mandate trauma-informed practice would ensure all services apply a child-safety lens to their daily interactions. This approach positions safeguarding as relational and embedded in pedagogy, not just compliance.

2. Reform educator-to-child ratios for infants and toddlers

ECMS calls for a minimum 1:3 ratio for children aged birth to two years. Victoria's current method of averaging ratios across a whole service creates supervision gaps, particularly for vulnerable children. This recommendation has the potential to improve safety and learning outcomes immediately and structurally.

3. Enhance educator training to include safeguarding competencies

The national training package should be revised to include child safety, trauma-informed practice, and cultural safety as core competencies in pre-service and ongoing professional development. This reform ensures all educators are equipped to provide safe, responsive care from the outset.

4. Improve oversight of for-profit providers and training organisations

The submission highlights disparities in quality ratings between not-for-profit and for-profit providers. It recommends improved transparency, governance requirements, and intelligence-sharing, especially in high-risk or high-need communities, to ensure consistent safety and quality standards.

5. Link workforce conditions to child safety and retention

ECMS argues that safeguarding educators through improved working conditions (such as above-award pay and non-contact time) directly improves child safety and service quality. Retention rates of under 10% across their services underline this approach's success.

These recommendations target both immediate operational improvements and systemic change to enhance safety, quality, and educator wellbeing in Victoria's early childhood sector.

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