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The Hon. Leanne Linard MP
Chair, Health, Communities, Disability and Domestic and Family Violence Prevention
Committee
Parliament House
George Street
BRISBANE Qld 4000

Submission – Child Protection (Mandatory Reporting – Mason’s Law) Amendment Bill 2016

Thank you for your letter of 22 March 2016, seeking written submissions on this important matter.

C&K puts the safety, education, and development of children first.

C&K’s own child protection policy already prescribes mandatory reporting by all our staff, and we train *everyone* in child protection annually (including those who do not have day-to-day contact with children).

C&K sits firmly alongside our sector colleagues in strong support of improving the protection and safety of children.

Attached, to assist the Committee in examining the draft Bill, is our recent response to the Queensland Law Reform Commission (QLRC) Inquiry.

Our additional, updated comments are:

1. The child care, or Early Childhood Education and Care (ECEC), sector is unique

Early childhood education is significantly different from other current mandatory reporters - doctors, teachers, nurses and police officers. A personal, grassroots examination is relevant when designing a new legislative requirement for these workers.

Educators are very young; the most common qualification is a Certificate III/IV (with many not yet holding this minimal qualification); and their pay is quite low. (See box.)

Who are we proposing to make mandatory child protection reporters?

Key characteristics of the Early Childhood Education and Care (ECEC) sector - as cited in the 2014 *Childcare and Early Childhood Learning Productivity Commission Inquiry Report*

- There are 33,065 ECEC workers in Qld
- 60% of Qld's ECEC educators work in long day care (18,260)
- Varied operator-types – 50% the child care sector is operated by private providers and/or by single-service operators
- Young educators – 25% of long day care workers are aged under 24 years (42% of Outside School Hours Care workers are under 24 years)
- Many are not yet fully qualified – 18% of the overall workforce does not hold a related, completed qualification (however the highly-effective national push to improve quality and qualifications has vastly improved this from 30% without completed qualifications in 2010).
- Shortage – “there is a shortage of childcare workers with appropriate qualifications, particularly in long day care”
- Low pay – “Wages are relatively low and job satisfaction is mixed... with widespread concerns ... that ECEC workers are undervalued and under paid”
- Median weekly full-time earnings (of the sector as a whole) is \$730 with the average hourly rate for a Certificate III educator \$23.31 [Goodstart Early Learning Submission]
“... I can make more money working at Kmart as a night-filler than I do working with children, in an industry that I am qualified for.” [Jane, Submission to Productivity Commission]

2. Is this the right response at this time?

It was interesting to read the recent Queensland Law Reform Commission (QLRC) report's summary that the majority of respondents said expanding mandatory notifications was not, in itself, the solution. The Carmody Commission of Inquiry found similarly, “historical analysis of notification data shows that these measures have directly led to an overburdened and overwhelmed system where 80% of reports received did not meet the threshold to trigger an investigation”.

C&K's colleagues in the child protection sector advise that the potential for overload and other unintentional consequences from further mandatory reporting cannot be over-stated.

3. The solution is broader

The QLRC report, and the submissions that C&K has been able to see, highlighted the *additional strategies* that are needed to make mandatory reporting a success, for example -

- on-going professional development for those working with children;
- sufficient, appropriate support services in the community to refer families to; and
- the public dialogue and community education that comes alongside a new child protection measure

4. Significant investment needed

To ensure that any further introduction of mandatory reporting does not overwhelm the current Child Safety system, a significant increase in resources, coordination and effort would be required across multiple areas - as outlined in C&K's attached previous response (and summarised below)

- Investment in additional Child Safety investigators
- More training on child protection for the ECEC sector
- Investment to support the legal, insurance and HR implications of mandatory reporting
- More investment in early intervention services and collaborations
- More investment into ICT, evaluation, research and social policy
- A feedback system to reporters would improve the effectiveness of reporting

5. Link to role not qualification

C&K does NOT support mandatory reporting requirements being linked to "qualifications" as in the draft Bill. Potentially "qualified" staff in centres work in a range of roles such as administration, professional development, maintenance or catering - yet have no contact nor knowledge of children's wellbeing.

Should legislation be amended to include the ECEC sector, C&K recommends the requirement be linked to "educators and/or those undertaking day-to-day work with children".

6. Safety for educators

Eight percent (8%) of Queensland educators (2,516) work from their own home as Family Day Care providers.

C&K raises this important part of our sector separately because of unique concerns about Family Day Care Educators' personal and family safety. For example – would mandatory reporting be less effective in this sub-sector because of educators' concerns that perpetrator/s know their address, and their family routines.

7. Ensure vital gains in early education participation are not lost – particularly for Aboriginal and Torres Strait Islander and culturally and linguistically diverse families.

As cited in the QLRC report, C&K remain concerned that we risk alienating some groups that are currently under-represented in early education and over-represented in child protection reporting and out-of-home care, because they are known to be fearful and or distrustful of government and/or the child protection system.

We know that vulnerable children benefit most from early childhood education and care: any implementation must not place further barriers in their way.

8. Timeframes

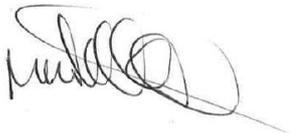
While not an issue for C&K per se, we note that numerous other Child Protection Act 1999 reforms are currently underway, alongside a raft of reforms that aim to improve the safety of children. The Royal Commission report in late 2017 will also have an impact.

From the ECEC sector's perspective, continual improvement is welcome – with our sector currently also awaiting significant changes from the Australian government's 'Jobs for Families' package, understood to mean significant implementation activity over the next 12-months in the lead up to a 1 July 2017 start date. Our sector is also currently moving into implementation for the NDIS.

C&K is very interested in this policy development and, as the largest provider in Queensland, we are keen to participate in developments at the earliest possible stage.

If you have any questions or wish to discuss this submission further, please feel free to call me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Michael Tizard', with a long horizontal flourish extending to the right.

Michael Tizard
Chief Executive Officer