

13 June 2025

Ms Abigail Boyd, MLC  
Chair, Portfolio Committee No. 3 - Education, NSW Parliament

Via email: [portfoliocommittee3@parliament.nsw.gov.au](mailto:portfoliocommittee3@parliament.nsw.gov.au)

Dear Chair,

I commend the Committee for establishing an inquiry into the early childhood education and care sector in New South Wales and raising awareness of issues in this sector in recent months. As the NSW Advocate for Children and Young People, I welcome this opportunity to provide my feedback. At the heart of the early childhood education and care (ECEC) sector, the safety, rights, wellbeing and dignity of our littlest learners must be our first priority. Investment in ECEC, while greatly needed, is at risk of being ineffective if we do not intentionally and holistically identify, address and resolve the systemic issues in this sector. Without meaningful reform, funding may fail to deliver on its intended outcomes.

### The role of the Advocate of Children and Young People

Established under the *Advocate for Children and Young People Act 2014*, the Advocate for Children and Young People is an independent statutory appointment overseen by the Parliamentary Joint Committee on Children and Young People. The Advocate promotes the safety, welfare and wellbeing of children and young people aged 0-24 years and their participation in decisions that affect their lives. The Act requires the Advocate to 'give priority to the interests and needs of vulnerable and disadvantaged children and young people' and to 'focus on systemic issues affecting children and young people.' Further information about the Office of the Advocate for Children and Young People's (ACYP) work can be found at: [www.acyp.nsw.gov.au](http://www.acyp.nsw.gov.au).

## Why is ECEC so important?

The first 2000 days of life are a critical window for a child's brain development, emotional growth and lifelong wellbeing.<sup>1</sup> Every child in New South Wales deserves high-quality ECEC that prioritises providing a safe, nurturing and developmentally enriching experience above all else. This first experience of formal education is a critical foundation for their lifelong learning outcomes. While positive early experiences lay strong foundations, negative experiences can have lasting impacts.

## What are the current challenges with the ECEC system?

***A weak regulatory framework and a surge in for-profit ECEC providers has resulted in concerns over quality and safety of ECEC services. This impacts vulnerable children and families the most.***

The large and increasing presence of for-profit providers in the ECEC sector needs to be carefully considered and monitored. When financial performance is prioritised, there is a risk that the quality of education and care may be compromised. There have been several investigative media reports on the ongoing child safety issues in for-profit centres. The proportion of for-profit providers who do not meet the national standards is higher than non-for-profit and government providers.<sup>2</sup> The regulatory framework allows for services to still operate even if they are rated 'Significant Improvement required' (which means they do not meet at least one of the seven national quality standards), and 'Provisional—Not yet assessed under the National Quality Framework' (which means they have not been assessed yet).<sup>3</sup>

The children and families from under-served communities, who may benefit most from high-quality ECEC, are the least likely to have access to it.<sup>4</sup> Across New South Wales, there is a notable shortage of accessible and affordable ECEC services.<sup>5</sup> Currently, a lack of competition reduces market pressure, thus disincentivising providers from improving service quality and affordability. As

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<sup>1</sup> NSW Health (2021), *First 2000 Days Implementation Strategy*, <https://www.health.nsw.gov.au/kidsfamilies/programs/Pages/first-2000-days.aspx>

<sup>2</sup> Australian Children's Education and Care Quality Authority, *NQF Snapshot Q4 2024*, p14 <https://www.acecqa.gov.au/sites/default/files/2025-02/NQF%20Snapshot%20Q4%202024%20FINAL.pdf>

<sup>3</sup> Australian Children's Education and Care Quality Authority, *Assessment and rating process* (accessed 13 June 2025), <https://www.acecqa.gov.au/assessment/assessment-and-rating-process>

<sup>4</sup> Australian Competition and Consumer Commission (2023), *Childcare Inquiry-final report*, <https://www.accc.gov.au/system/files/ACCC%20Childcare%20Inquiry-final%20report%20December%202023.pdf?ref=0&download=y#page=24&zoom=100.0.0>

<sup>5</sup> Independent Pricing and Regulatory Tribunal (2023) *Review of early childhood education and care Final Report*, [https://www.ipart.nsw.gov.au/sites/default/files/cm9\\_documents/Final-Report-Review-of-early-childhood-education-and-care-December-2023.PDF](https://www.ipart.nsw.gov.au/sites/default/files/cm9_documents/Final-Report-Review-of-early-childhood-education-and-care-December-2023.PDF)

such, families who may have limited or no alternative options may have to continue using an ECEC service, even when concerns about service quality and safety arise. This is unacceptable.

Over time, a lack of access to quality ECEC services can contribute to ongoing disparities in educational and developmental outcomes.

### What have young parents identified as key challenge in accessing ECEC?

As part of the research for the report: ["It should be easier to just exist": How children and young people are impacted by and responding to the rising cost of living in NSW](#), ACYP facilitated consultations with young parents across New South Wales with key findings highlighted below.

#### ***Unaffordable ECEC is a key barrier for re-entering the workforce.***

Even when ECEC options are available, parents often face significant challenges in managing the associated costs and assessing service quality. For many families, using ECEC services is not a choice but a necessity. As a result, families may take on the financial burden of ECEC, even when it strains their budgets. This is because the alternative, which may include losing one household income, would lead to even greater economic hardship. Focus groups held in Western Sydney and Albury revealed that the young parents who participated in the consultations struggled to re-enter the workforce after having children. While each parent's journey was shaped by unique personal challenges and achievements, a common thread emerged: the unavailability or unaffordability of ECEC were the among the most significant obstacles.

#### ***Young parents expressed a distrust in the safety of care by teachers and educators.***

Young parents, who participated in consultations, also expressed a general distrust in the ability of early childhood teachers and educators to provide safe and nurturing care. This mistrust disincentivised them from returning to work, even when they were motivated to do so (p. 49).

### How can the NSW Government improve the safety, quality and access of services?

***Recommendation 1: The NSW Government needs to ensure that safe and quality ECEC services are available for all children across the State. This may require additional funding of publicly delivered ECEC where services are unavailable or are currently unable to meet national standards.***

The current ECEC system has not been successful in guaranteeing safety and quality ECEC for all children. As attention on New South Wales's ECEC sector grows, there is increasing recognition that

government must play a central role, not only as a funder and regulator, but also as a direct provider of services.

Our state could lead the way in building a universal, publicly delivered ECEC system that supports children's development, enables workforce participation and reflects our values. A publicly led model, similar to the public school system, could provide the safety, quality, availability and inclusiveness. This model of ECEC could shift the system away from being profit-driven to a system that is children centred, and outcomes focused.

Additionally, service gaps need to be addressed for children in vulnerable areas. The NSW Government should work with the Australian Government to ensure the funding model is appropriate for delivering services to children in more isolated areas such as rural or regional New South Wales where the cost of delivery may be high.

***Recommendation 2: NSW Government needs to ensure that the regulatory framework protects children from ECEC services that do not meet the national quality standards.***

As identified through consultation, young parents have a general mistrust for ECEC services. The regulatory framework needs to uphold a standard of care across all ECEC services. All centres across the State should be assessed by regulators at regular intervals. Centres that do not meet the national quality standards should not be in operation. The regulatory framework should also ensure necessary information is provided to parents to support decision making for families.

***Recommendation 3: There is a need for an independent review focused on the experiences of children in early childhood settings. This would be best led by my Office.***

Any changes to the system should consider the voices and perspectives of our littlest learners in their own words. As the independent statutory body with experience engaging children as young as four in consultations, my Office is well positioned to lead a review focused on the experiences of children across New South Wales. There are a range of age and developmentally appropriate methods for engaging with our youngest citizens. For example, my Office facilitated the *Postcards to the Advocate*<sup>6</sup> project, which provided children with the opportunity to express their aspirations through both words and drawings. *Attachment 1* displays a collection of postcards from this project

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<sup>6</sup> NSW Advocate for Children and Young People (2024), *Postcards to the Advocate Report*, <https://522228.fs1.hubspotusercontent-na1.net/hubfs/522228/Postcards%20to%20the%20Advocate%20-%20The%20Report%20FINAL%202024%20Accessible%20version.pdf>

that children from an early learning centre aged four and five crafted. This creative project allowed the children's voices to be expressed in a way was self-directed, authentic, accessible and reflective of their lived experiences and aspirations.

My Office is also currently working with the NSW Department of Education and NSW Health on a Brighter Beginnings project, to hear from children who have completed their four year-old health and development checks through an ECEC service. Through consultations with children, this project sought to understand their experience of having health and development checks and gather ideas for adjustments or improvements that could be made to make the process more comfortable. This project enabled children to express themselves through their words and drawings. It is our responsibility to support children to communicate in the best way possible for them, and this project demonstrated best practice in consulting with young children.

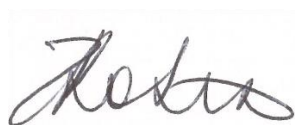
As noted earlier, increasing investment in ECEC is not sufficient without first understanding the current landscape and identifying areas for meaningful change. Ensuring quality is essential. It is vital that immediate action is taken to identify persistent quality issues and support continuous improvement across the sector, through both child protection and pedagogical lenses.

Thank you for the opportunity to provide feedback in relation to this inquiry. ACYP would be happy to work with the committee to explore this further, and trust that this information has been of some assistance.

Should you wish to discuss these matters, please do not hesitate to contact my office via:

[acyp@acyp.nsw.gov.au](mailto:acyp@acyp.nsw.gov.au) or ph: (02) 9248 0970.

Yours Sincerely,



**Zoë Robinson**

Advocate for Children and Young People

Office of the Advocate for Children and Young People