



**INDEPENDENT EDUCATION UNION OF AUSTRALIA -
QUEENSLAND AND NORTHERN TERRITORY BRANCH**

SUBMISSION

in response to the

EDUCATION AND CARE SERVICES NATIONAL LAW (QLD)BILL 2011

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1. INTRODUCTION

- 1.1 The Independent Education Union Australia - Queensland and Northern Territory Branch (IEUA-QNT) welcomes the opportunity to provide feedback to the Industry, Education, Training and Industrial Relations Committee about the Inquiry into the Education and Care Services National Law (Queensland) Bill 2011 (the Bill).
- 1.2 IEUA-QNT represents teachers, support staff and ancillary staff in non-government education institutions in Queensland, including employees in the kindergartens and pre-schools. The Queensland Sub Branch currently has a membership of approximately 16,000.
- 1.3 IEUA-QNT notes that the Bill intends to establish a new National Quality Framework as part of “nationalisation” of regulation of early childhood education and child care. While the Bill places obligations on the proprietors of kindergarten and pre-Prep centres (as well as long day care centres, after school care and family day care), there are a number of matters of concern to IEUA-QNT members.

2. RECOMMENDATIONS

- 2.1 IEUA-QNT notes that the National Regulations establish a regime of regulatory offences. Among these are a large number of offences directed at the “nominated supervisor”. The nominated supervisor may be the centre’s director or even a registered teacher at the centre. The range of penalty for breach is \$1,000 - \$2,000. Offences include matters such as: failing to ensure children have “nutritious, varied and adequate” food; that children must not be separated from other children in their class and that children must have adequate sleep.
- 2.2 IEUA-QNT acknowledges the need for penalties for such breaches, however, in our view the penalty should be borne by the proprietors of the centres and not their employees. In an industry that is already facing a challenge to attract appropriately qualified staff, it is counter productive to be imposing a financial disincentive. Employers of centres should bear the financial burden and have in place appropriate monitoring processes to ensure that such breaches do not occur.**
- 2.3 IEUA-QNT endorses the higher staff to child ratios, and the requirement for higher qualifications for staff. However, as mentioned above, there is already concern about the capacity to attract sufficient qualified staff to this sector.
- 2.4 To prevent the making redundant of qualified and registered teachers who have been working in the sector for a number of years, IEUA-QNT proposes that they be enabled to continue their work in the sector. A process of natural attrition will see them depart from the sector in due course. These people may be primary trained, but have successfully worked in the early childhood sector for many years and engaged in professional development appropriate to the early childhood sector in the**

course of their duties. IEUA-QNT suggests that the loss of these people to the sector would be counter productive to the intention to see all children in this age group have access to quality education and care experiences.

3. CONCLUDING STATEMENT

- 3.1 IEUA-QNT would like to express our thanks for the opportunity to present this submission.
- 3.2 As we speak for our 16,000 members in the non-government education sector who are keenly concerned to ensure the best possible education and care for Queensland's children, we are pleased to contribute our considered advice and comment.