



Speech by

**CHRIS CUMMINS**

**MEMBER FOR KAWANA**

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Hansard 24 October 2002

### **CHILD CARE BILL**

**Mr CUMMINS** (Kawana—ALP) (10.03 a.m.): In rising to speak to the Child Care Bill 2002, I will mention that my wife, Donna, worked in the child care industry for close to a decade. Although there have been many changes over the years, many have obviously been for the good. There are so many good childcare workers within the industry. Many love their job and the experience of interacting with children. Unfortunately, there is a very small element that we continue to weed out that do not do the right thing. When these low-lives do the wrong thing by innocent children we read about it in the press.

Childcare workers right across Queensland should be commended, because they do a marvellous job. The member for Ipswich mentioned that in her mother's day it was frowned upon to put one's children into child care, if there were any such services. My mother also never really had the opportunity to utilise child care services similar to what is on offer nowadays. I also remember that mothers were encouraged to stay at home and bring up the children. Once we had entered school, my mother went back to work. We were in North Ipswich and they needed two incomes to try to give us a good education and a good family life. That is very important to many Queenslanders, and my parents were no different. About the only child care available in those days was *Romper Room* and similar. I remember a certain little Ipswich boy who went along to *Romper Room* one day. When it was time for them to go—

**Mrs Miller:** Mr Dobee.

**Mr CUMMINS:** It was a bit after Mr Dobee; it was time to read a book. This little Ipswich boy decided it was time to come with me and gallop. He led a little bit of a mini revolt. I will not name him, but I know that he went on to a very successful career and happily lives at Kawana on the Sunshine Coast.

Many years ago, mothers were frowned upon for going back to work. I am very happy to say that nowadays it is impractical for some people not to do so. A second income is a must for many families. When I wrote this speech, I decided that I would mention that in our circle of friends I know of only one mother who has not returned to the work force. We have a three-and-a-half-year old. A lot of friends we mix with have young children. Sadly, the woman I was going to mention, Cathy Butt—I met my wife at her wedding—is seriously ill in Sydney in hospital in intensive care with meningococcal. To Cathy and Murray and the whole family I say that our thoughts and prayers are with you.

As I said, the majority of families we know need a second income to give their family the best they can. It is very positive that society no longer frowns upon mothers who decide to return to work. Even those who do not decide to return to work should not be frowned upon, because it is their decision and their right to do that, if they can. My three-and-a-half-year-old son, Daniel, is a regular patron at child care. Dawn, the lovely woman who has looked after our Daniel John, is a loving mum. Our thoughts and prayers are also with her and her family while her son goes through an upcoming bone marrow transplant. We meet many beautiful people through the child care industry. They enjoy their work and bring out the best in the children. It really is a great experience for young people.

The Child Care Bill 2002 represents more than two years of extensive consultation with the child care industry, community interests and parents. I believe it is a bill that provides the flexibility for the delivery of a quality child care system. The Beattie Labor government recognises that child care services play a critical role in the lives of many Queenslanders. We know that child care is one of the most important issues for young Queensland families who want to see the best for their children and we know that the support of families and the care of our children is critical to the future of our communities. We know also that to give our children the best start we need to ensure our childcare workers have the best skills. These people are providing care and education to the youngest Queenslanders every day. They are contributing to the development and education of tomorrow's leaders and tomorrow's parents. They are helping to improve the quality of children's lives and to build and support our communities.

Queensland needs a smart and flexible work force. To reduce unemployment, families with young children need support to take up opportunities for work, further education and training. Child care allows many people to be able to take part in community life and decision making and provides opportunities for children to come together and play and learn in safe surroundings. I believe that making life better for children is the hope of all parents and governments. How we care for and educate children is a measure of our society.

Years ago, child care was seen as something which parents needed, usually to help the mother stay in or return to paid work. Increasingly, parents now want their children to have access to good child care because of the education and development opportunities which it offers. We have noticed the change in my son Daniel from when he was staying at home with his mother. Since he has been mixing and socialising with other children the improvement has been remarkable.

Good child care can ensure that education and development begins at an early age. Good child care can ensure that we do not have five-year-olds arriving at the school gate to start their school years with social or learning disadvantages, or just being a long way behind their peers in experience and skills. Whilst saying that, mothers and fathers who stay at home and who do not enter the child care industry can also give their children a good start to their lives.

Good child care operates as a community services network, providing a range of health, welfare and counselling services. Good child care teaches parenting skills such as play and listening. It is often a non-threatening source of advice on everything affecting parents, including social security, financial management and time management. It can be a support mechanism which helps to replace the support which used to come from the extended family. Good child care can do more than provide education; it can build and strengthen the community in other ways. It creates jobs for Queenslanders and for many of the small businesses which support it.

I have been contacted by licensees of child-care centres on the Sunshine Coast regarding the proposed new legislation for child care—in particular, staffing during children's rest times. Those inquiries have been responded to. The people have been informed that the Department of Families held a number of round table meetings in August 2002 in order to work with child care peak organisations, including the Queensland Professional Child Care Centres Association and the Childcare Industry Association of Queensland. This was an attempt to solve the issue. Consensus was not able to be reached by the group in relation to how to address staffing during children's rest times in the proposed new legislation.

As a result of the meetings we now see that section 63 of the bill covers the following matters in relation to staffing during children's rest times. A licence condition for a centre based service may provide for one or more periods during a day, totalling not more than two hours during the day, to be rest periods for the service. This condition can be requested by way of an application under the act for a licence or for the amendment of a licence. In deciding whether to include a licence condition providing for a rest period and, if so, in deciding the timing and length of a rest period, the chief executive must have regard to: the ages of the children in care and the times they will ordinarily be resting, the licensed capacity of the service, how the physical layout of the child-care centre allows for the adequate supervision of the children, the staffing arrangements for the service, the information given to parents and guardians about the staffing arrangements and 'another matter prescribed under a regulation'.

Regulation will further detail staffing requirements during a rest period. These requirements include: centres are allowed to vary their staffing levels during designated rest periods to use unqualified 'floaters' to cover multiple rooms rather than having to backfill each worker, and the floater would have a position description and be expected to be actively working between the rooms; and during the period of the variation, the director or assistant director would have to be present but could still fill the position of the floater.

The regulations also state that, depending on the licensed capacity of the service, different numbers of floaters would be required. For services with a licensed capacity up to 30, one floater; over 30 and up to 75, two floaters; and over 75, three floaters. Where a group includes a child aged less than two years old no variation to staffing levels would be allowed. I believe that these provisions

recognise the staffing issues and costs associated with lunch breaks whilst ensuring that safety is maintained and risks are considered, and hopefully minimised.

The bill uses objective criteria to set appropriate requirements, including the setting of the service—home or centre based—the numbers and ages of children attending the service and the length of time in care. Whilst this means that those services do not appear in the legislation, the department will continue to recognise these services in publications, resource materials and when providing information to parents. Using objective criteria to regulate ensures that new and emerging forms of child care are included in the framework when they operate with the same characteristics as other forms of licensed care.

The bill introduces new requirements for services around the transportation of children, the operation of playgroups in family day care and improved strategies to ensure that parents are aware of group and staffing requirements in centre based care. In addition, there are new provisions designed to assist services in responding directly to the needs of parents and families. These include a provision to care for a child or sibling group in the case of a family emergency and the ability for services to accommodate the needs of shiftworkers by varying their operating conditions at particular times of the day. Through these new provisions the bill assists services in becoming more responsive to the needs of communities by allowing services to operate with specific conditions on their licence and appropriate safeguards.

Whilst the bill introduces a strengthened qualification framework, there are specific transitional provisions for staff already working within the child care industry to assist them in meeting the new requirements within a reasonable time frame. This government's \$4.2 million Child Care Statewide Training Strategy will greatly assist workers in obtaining these qualifications. At this stage, I want to mention to the minister that many of the child-care centres have applauded the assistance that the department has given to various child-care centres in the past and sincerely thank the government for that.

I sincerely believe that this Child Care Bill provides a solid framework for child care in Queensland which strengthens current requirements and ensures that services are better placed to accommodate the needs of parents. There will always be competing views within the child care sector about how stringent the legislation should be made. The regulation of child care is important in ensuring that child care services are provided in the best interests of the child and in accordance with the standards around safe and suitable care.

The school-age sector has been working towards licensing standards for some time and is ready to be accommodated within the framework. A broadening of the licensing framework provides benefits for children and families in terms of helping to ensure quality and safety. The strengthening of the qualification requirements means that the system of issuing certificates of endorsement to unqualified staff will be abolished and more staff will be required to hold qualifications or be studying towards an appropriate qualification. An increase in qualified staff will lead to higher quality child care services right across the state.

This bill is founded upon guiding principles which value the interests of the child as being paramount, encourages the involvement of parents and the community and ensures that child care services develop children's potential in a vast range of areas. The Child Care Act 1991 and subordinate legislation has been in operation since 1992. Since that time there has been a significant growth in the child care sector, including changes in the work force patterns of parents and new and emerging codes of child care. The need for legislative change has been highlighted in feedback provided in the consultation sessions, particularly in relation to the legislation being overly prescriptive and lacking the necessary flexibility to assist services to meet the specific needs of parents within their communities.

This new legislation builds on the minimum standards of the current legislation by increasing qualification requirements for childcare workers, including the licensing of school-age care services for the first time and increasing the number of offences for breaches under the legislation. I sincerely believe that this bill incorporates a range of views and sets a strong regulatory framework which aims to ensure safety for children as well as having the capacity to assist services in meeting the needs of parents.

I also make mention of the fact that I recently attended—and I encourage anyone involved with children and child care to read it—the launch of a new publication entitled *ABCs—About Baby and Children's Safety*. Whilst it was released by the Office of Fair Trading, it is obviously relevant throughout the child care industry. *ABCs* is a free publication designed to provide practical advice on buying safe nursery furniture and accessories, toys, clothing and pool safety for children under five years of age—the children who are directly affected by the child care industry. *ABCs* has been developed by the Office of Fair Trading's Product Safety Branch in consultation with key industry stakeholders including the Department of Families, the Queensland Injury Surveillance and Control Unit, the South Australian Public Health Service and Queensland Health.

In closing, I have to make mention of Kathleen Edwards, the President of the Chancellor State School P&C, Jaques Maudy and all others involved in establishing an after-school child-care centre within my electorate. They deserve to be commended. It is to be opened on Monday, 4 November at 7.30 p.m. The Maroochy Shire Council contributed substantially to the construction of this facility. It will be a well utilised after-school care facility within my electorate, because the need for it was identified. While the Maroochy council contributed to its construction, it is built on state government land. I would estimate that, at today's prices, the land would be valued at between \$250,000 to \$400,000. I commend the minister and recognise that this legislation is the result of a drawn out and difficult process after two years or more of consultation. Realising the difficult aspects of her portfolio, I also applaud the minister for the substantial budget increases to address the issues raised in the Forde inquiry. The minister has also brought before this House legislation dealing with Aboriginal communities containing major reforms. The minister, her department and all those involved in the consultation process should be commended, and I commend the bill to the House.