




Speech by

Hon. Cameron Dick

MEMBER FOR GREENSLOPES

Hansard Wednesday, 16 November 2011

EDUCATION AND CARE SERVICES NATIONAL LAW (QUEENSLAND) BILL

 **Hon. CR DICK** (Greenslopes—ALP) (Minister for Education and Industrial Relations) (6.03 pm), in reply: I begin tonight by acknowledging the Consul General and the great relationship that exists between Queensland and Japan, facilitated by the Consul General. Japan is an important trading partner of our state and nation and also a nation that is a great friend to Queensland.

In concluding the second reading debate, I begin my comments by thanking all honourable members for their contribution and, again, the committee, led by the member for Toowoomba North, for their work on the bill. The application of the education and care services national law in Queensland will support the national quality framework, which is an important reform aimed at delivering a higher standard of education and care for children in our state and in our nation. This is an important change. It is a big change but a necessary change if we are going to give children the opportunity they need for the future, particularly a future in the 21st century.

Research tells us that the first five years of a child's life shapes their future—their health, their learning and their social development—and we want to make sure that that future is bright for every Queensland child. Early childhood experts and professionals maintain that quality is critical when it comes to early childhood education and care. We must continue to raise the bar when it comes to quality. At the moment, quality standards across early childhood education and care services vary around Australia and there is often limited information available to help families choose the best service for their children. The national quality framework is focused on remedying this situation across Australia.

The national law, developed in collaboration with all Australian governments, will be the mechanism used to ensure the nationally consistent implementation and application of the national quality framework. I affirm to all honourable members again that this is a national law developed nationally. It has been developed by all Australian jurisdictions—the Commonwealth government, all state governments and the territory governments. Of course, in the second reading debate we had no acknowledgement of that by the Liberal National Party. There was no acknowledgement of the contribution that Liberal and National Party governments around Australia have made to not only the development of the national law but also its implementation. The New South Wales parliament, of course, with a new Liberal National Party government, passed this national law and is applying it in New South Wales. Of course, there was no acknowledgement of that.

I am reminded of the comments by the member for Bulimba in the debate. If we had listened to the members of the Liberal National Party in this debate we would have thought that the implementation of this national law in Queensland would mean the end of child care as we know it for Queensland children and their families, that it was Armageddon, that it was the end of the road, that we would have to reopen orphanages because children would be abandoned by their parents because they could not afford child care. Most of it demonstrated a lack of any substantive analysis of the law and, what is more, the history behind the development of the law including an enormous amount of consultation with stakeholders and interested parties that has continued for a significant period.

For the first time in Australia the national quality framework will provide families with information about a service's quality. For the first time ever in our nation's history families in Queensland and around the nation will be able to assess the quality of services being provided when comparing one child-care service and one kindergarten with another. There will be more openness and transparency in how child-care services and kindergartens are assessed. That will be available to families, giving them more information and more choice. I would have thought that the former members of the Liberal Party in the Liberal National Party would have supported the idea of more choice and more information for families because, historically, choice has been a very significant aspect of Liberal Party thought and philosophy in our nation. Of course, that information will allow parents to make more informed decisions about choosing the best service for their children.

I want to now address some of the matters that were raised in the second reading debate by addressing some of the contributions made by the various members. I firstly address the proposed amendment that the member for Moggill will move in committee. Can I say how disappointed I am by this amendment? As we heard from the member for Toowoomba North, this is the first bill reported to the parliament by one of the new parliamentary committees established under the recent parliamentary committee reform process implemented in this parliament. We had a report of the committee that unanimously supported the bill and supported its passage through the parliament. Was this amendment raised and reported in the committee's report? Of course it was not! We were told this committee system was the biggest reform since 1922 and would improve public policy outcomes in Queensland and the first report—

Dr Flegg: Have you read the report?

Mr DICK: The member for Moggill has had his go. I listened to him in silence in this debate and I ask for the same courtesy from the member for Moggill. Did we see this amendment in that report? No, we did not. We saw the amendment circulated yesterday. It is an attempt to radically change the implementation framework for the national law, which has been the subject of discussion in our nation since December 2009. So at the first opportunity the opposition has pulled a political stunt for no other purpose than to try to score political points against the government, against the national process supported by Liberal and National Party governments in other states in Australia.

It does not reflect favourably on the opposition. It does not reflect favourably at all. I express my disappointment and my concern that the committee system will be used not to develop better public policy but to be a forum for more politics in the parliament. I want to express my concern if that is the way we are going to proceed. That is not the intention of those who supported a reform to the committee system and a way to better develop legislation in this state. I quote from the chair's foreword on page 2 of the committee's report, where it states—

The Committee unanimously recommends that the Bill proceed subject to the amendments it has recommended and clarifications by the Minister of points raised in this report.

I have circulated an amendment adopting the committee's recommendation and adopting that suggestion in the parliament. I have also addressed, I think quite comprehensively, in my comments at the beginning of the second reading debate those matters that the committee sought clarification for. Needless to say, the government will not be supporting the amendment circulated by the member for Moggill, and I will address the reasons why.

Firstly, the proposed amendment is contrary to the fundamental intent of the national quality framework. The framework aims to achieve nationally consistent—the same consistent standards in Queensland, in New South Wales, in Victoria and in every other state and territory in the Commonwealth—high-quality standards for all education and care services around Australia and provide assurance to families of the quality education and care their children are receiving. If this amendment were passed, it would not only see inconsistent ratios for over 1,800 Queensland long-day-care and kindergarten services compared with approximately 8,300 existing services in other states and territories but also result in inconsistent standards within Queensland, with existing services held to a lower standard than new services.

This is analogous to the concept put forward by the member for Moggill that we should implement the implementation of year 7 into high school on a staged basis over five years—a very poorly thought out policy proposal that would put schools and our schooling system into chaos and disarray. Similarly, this amendment would create inconsistency and would be unfair to Queensland families but more importantly to Queensland children.

Secondly, the proposed amendment would create a contradiction with the national law. Section 301 of the national law establishes national regulations to apply staffing standards for all services. The regulations prescribe ratios for all centre based services and transitional provisions which continue the majority of Queensland's current educator-child ratios until 2016, with some services able to continue

Queensland's current ratio of one is to five until 2018—transitional arrangements argued for by Queensland and implemented nationally. Provisions in both parts of the regulations would need to be disallowed in order to enact the member for Moggill's proposed amendment. Under regulation 304(4), this disallowance would not have effect unless disallowed in the majority of jurisdictions. So, again, this has not been clearly thought through.

Thirdly, the national agreement in December 2009 set the new ratios and timing for introduction based on extensive consultation with the sector. All governments are committed, I am advised, around Australia to balancing cost impacts with improved quality. This intent was reflected in the national agreement. Consultation considered multiple options for timing for the commencement of the ratio requirements. In the final agreement, Queensland negotiated a delay to the commencement of the national ratios to 2016, with a special arrangement until 2018, which was supported, I am advised, by the child-care sector.

A review of the preparedness of the workforce for the new staffing standards is planned for 2013, followed by full reviews of the national agreement in 2014 and 2019. So the participating jurisdictions will not stand by. We will continue to monitor the implementation of the staffing standards. Those reviews, of course, provide an opportunity for governments to consider whether the staffing standards and planned timing for introduction are too ambitious and should be delayed. So there will be an opportunity to continue to monitor this and review it as necessary and change it as necessary.

Also, additional extensive consultation occurred during December 2010 to May 2011 on draft national regulations including the new ratio requirements and transitional arrangements for existing Queensland services. So for almost a year we have been out there in the community, firstly, with the draft regulations, talking to the sector—to child-care centres, to child-care operators, to licence holders—about the new regulations and to help them get ready, and since the final regulations were issued in October we have been out there talking to them as well.

Bills to adopt the national law have been passed by Victoria in October 2010, by the Australian Capital Territory in October 2011 and by New South Wales in November 2011—the parliament of New South Wales being controlled by the Liberal and National parties—without amendment to the ratios. So it would appear that the New South Wales colleagues of the member for Moggill and other members opposite do not have the same concerns as him and his colleagues. Bills have also been introduced to the South Australian and the Tasmanian parliaments and passed through the Tasmanian upper house in November 2011 without such amendments. I understand that South Australia and Tasmania are on the path to passage. I understand that there are some drafting issues in the way that they draft in Western Australia, but drafting is continuing for implementation in Western Australia at some stage in 2012.

I have touched on the regulatory burden and how we have been out there engaging with the community. The national partnership was agreed in December and was accessible and outlined in substantial detail and available for the world to see. We have worked with the sector on what that national partnership agreement means. The law has been public and available to services since being passed in Victoria in October 2010, and the regulations, as I said, have been out and consulted on since December 2010. We have been working all year to inform services of the detail including summary information on our website tailored to specific service types. So that information has been out there. The regulation of course is more significant than previously because it is national legislation applying to all Australian jurisdictions.

I want to address some of the issues that were raised about cost impacts during the debate. The estimated average cost of \$5.99 per day is before the child-care benefit and child-care rebate are provided to families. So not only on the advice ministers have received nationally will the average cost be limited, but there will be support through the child-care benefit and the child-care rebate. Frankly, we heard the concerns. The government listened to the services and looked further at individual centres with a case study approach, and the average of \$5.99 is a fair assessment and is appropriate. In fact, for some child-care services, I am advised, we expect a nil impact, while for others who are less prepared for implementation there may be a cost impact. There is nothing to indicate, I am advised, that the estimate of \$13 to \$15 per day, based on a report by Urban Economics commissioned by Childcare Queensland, would necessarily apply. Ratios, I am advised, are calculated across a service and the size of the room is not really a factor. I am advised that services will have greater flexibility around how they group children. So there will be no need for structural changes to child-care centres or kindergartens.

Access Economics research indicates that, in terms of relative elasticity—that is, relating to participation and attendance in child-care centres—it is not immediately impacted by small price changes. These impacts and the costs and benefits of the reforms were considered by governments in forming the original agreement, and Access Economics assessed that the cost impacts would be affordable, relatively small and would not adversely affect participation. If services are already operating at a high standard with high qualifications, I am advised there should be limited impact on costs, but it was something that was of

concern to the Queensland government—something we advocated for and argued for, and we got some changes implemented at a national level.

I want briefly to touch on the direct support the Queensland government is providing for the first time ever to help make kindy fees cheaper. Firstly, our latest initiative will result in cheaper kindy fees for holders of healthcare cards. All families with a healthcare card can now claim a Queensland government subsidy from their service provider to reduce their kindy fees. This is a real and significant financial benefit to Queensland families as it directly reduces their out-of-pocket expenses and helps some of those vulnerable groups in our Queensland community who may historically live in Queensland communities that do not have a history or a culture of kindy. It will encourage them to send their children to kindy. One of the things we as a government are trying to do is build that kindy culture; build the idea in the community that it is important for children to participate in a kindy program so they can start a learning pathway as soon as possible and get the benefit of a kindy program.

The healthcare card subsidy is worth up to \$1,179 per year to families accessing a kindergarten service. For families accessing a kindergarten program at a long-day-care service, the subsidy is worth \$402 a year as these services are also subsidised by the Australian government. The subsidy will be indexed annually in July to help keep pace with inflation. The extension of the healthcare card subsidy will help Queensland's most disadvantaged children to enjoy the lifelong benefits that a kindergarten program provides.

I will touch on issues raised by the member for Maroochydore. The member for Maroochydore raised a question about the difference between the Queensland child-care regulatory approach and the national quality framework. The current approach is prescriptive, and we are seeking to move forward to an outcomes based approach to regulation. There are gradual changes to improve qualifications and ratios over time combined with increased flexibility as a result of the outcomes based approach. We think that will help mitigate impacts. Teachers in kindergarten currently fulfil a role of director in these services, and the responsibilities of nominated supervisors under the national quality framework is comparable—another issue raised by the member for Maroochydore. All services are affiliated with one of the five central governing bodies funded and designed to support such services to meet their management responsibilities. Disadvantaged families receive substantial support to participate in early childhood education and care in kindergarten.

The member for Gregory raised some issues. I acknowledge his advocacy for remote communities. I will respond to one of the issues he raised, which is there is no intention by the Queensland government to reduce access to distance education in Queensland through our schools of distance education. I have visited the member for Gregory's electorate. I have been to the School of Distance Education in Longreach. I have spoken to families who were online, and I have no intention of moving to close those down. In fact, we are looking at how we can better deliver distance education as part of the transition of year 7 into high school from 2015.

In relation to relief for rural services raised by the member for Gregory, the government is offering further support to 44 part-time kindergarten services located in rural and regional areas in recognition of the unique difficulties faced by those centres. The government recognises there are operational challenges for those in remote and disadvantaged locations, particularly rural services with lower enrolments. Although they operate part time, they have similar expenses to full-time services such as rates and staffing but find it harder to complement government funding with parent fees and fundraising because of their community's small population. These centres will have an increased funding certainty with a share in a \$179,000 annual top-up to the Queensland government's real funding guarantee helping them to provide their valuable community service. With this top-up to the real funding guarantee, the government is supporting the viability of small, part-time services by ensuring they receive a higher minimum level of funding than they received under the previous scheme. With enrolments fluctuating annually, this increase to the minimum funding entitlement gives small, part-time services funding certainty, helping them provide a quality kindergarten program, and it is something that we will continue to monitor.

I want to say a little bit about the supply of early childhood teachers and the concern that there is a lack of supply. That was raised by a number of members in the debate. In addition to the ability to apply for waivers, during 2014 to 2016 an individual working towards an early childhood teacher qualification will also be counted as part of the assessment of where we are tracking in Queensland. There are many teachers who will graduate from university this year, there are those who have graduated in immediate past years and there are those who will graduate in future years from 2012 onwards. The fact is that universities are producing more graduates than we can find employment for in Queensland either in the state education system, in the non-state system or in the early childhood sector. For those graduates coming through university, the reform process in relation to early childhood education and care presents a real opportunity to develop a career in early childhood education. Some of the things we are doing include supporting those teachers and supporting workforce demand through a \$76 million workforce action plan which I launched a few months ago to help upskill the sector, including substantial investment in

scholarships for early childhood training that will continue to be offered as they have been offered since 2009.

The Queensland government is providing an opportunity to employees in long-day-care and kindergarten services who hold advanced diploma qualifications to apply for an early childhood teacher scholarship. Eligible employees with an advanced diploma qualification will be able to upgrade their qualifications at university so they can teach an approved kindergarten program. Scholarship recipients are provided with a range of support directly related to their studies including payment of up to 50 per cent of course fees, a study allowance of \$250 per semester up to a maximum of \$2,000 during the scholarship period, and eligibility for teacher registration in Queensland on successful completion of the study program.

Employers are able to seek reimbursement of up to 50 per cent of the scholarship recipient's usual gross salary which has been paid by the employer during the period that the recipient participates in the approved professional experience. Some 235 early childhood staff have already been offered government funded scholarships since their commencement in 2010 to upgrade their qualifications. As I announced a few short weeks ago, we are now offering a further 100 scholarships for early childhood staff holding an advanced diploma to upgrade their qualifications. Applications closed on 11 November for studies commencing on 1 September 2012. A free fee-bridging course is also available for primary school teachers to transition to the early childhood sector. So we are looking at a whole range of activities to get more teachers into early childhood education and care. We acknowledge this is a challenge, but we are seeking to address it head-on.

There was some comment in the debate about community kindergartens not being specifically referenced in the national law. Can I say nor are they currently referred to in the current Child Care Act that applies in Queensland, nor are long-day-care services mentioned. So the intent is to move forward into more contemporary language about how we describe early childhood education and care. That phrase itself 'early childhood education and care' represents the transition that we are moving through when it comes to description and the language we use.

The member for Gladstone raised a question relating to the application of standards for services delivered by the state in comparison to the requirements placed on services delivered by private providers. I am pleased to announce that for the first time the national quality framework requires that state delivered pre-prep programs are required to meet the same legislative standards as other early childhood education and care services delivering services to the same age cohort.

The department delivers and funds pre-prep programs across 35 Indigenous communities around the state to children in the year before prep, and these services will be required to meet the same standards including the same educator-child ratios as community kindergartens and long-day-care centres. That is only fair to those children in Indigenous communities.

In conclusion, I thank the staff who have been working on this program in the Department of Education and Training, particularly Therese Ryan, Amanda Dulvarie, Lisa Love, Ben Gordon, Anne Reddell, Rhonda Livingstone, Sarah Swain and Lisa McCoy, and Donna O'Donoghue from my office for their very considerable work in preparing this bill. I have great pleasure in commending this bill to the House—a very significant national reform that Queensland will now be a part of.