



Government of **Western Australia**  
Department of **Communities**

# Review of Western Australia's regulatory approach to child safety in Early Childhood Education Care settings

Report by the Department of Communities.



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## Terms of Reference

The Minister for Early Childhood requested the Department of Communities (Communities) Education and Care Regulatory Unit (ECRU) review opportunities to strengthen the regulatory approach for the education and care services sector in Western Australia (WA), with a focus on information and practical ideas, including:

- any opportunities for Western Australia to strengthen the regulatory approach that is within the control of its ECRU and that are not reliant on changes to the National Law or require agreement by the Education Ministers Meeting;
- identifying strengths in other jurisdictional responses that could be adopted in WA;
- any areas being considered by the Education Ministers Meeting and the Child Safety Review of the Australian Children's Education and Care Quality Authority (ACECQA) that WA could fast track or advocate for at Education Ministers Meeting for elevation; and
- immediate opportunities to improve child safety in the Early Childhood Education and Care (ECEC) sector.

## Methodology and limitations of this review

This review was informed by a multi-faceted approach that ensured the review was grounded in evidence and available data, informed by best practice, and reflective of the unique operational context within the State. The methodology comprised the following key components:

### 1. Desktop Review

A desktop review was conducted to examine existing legislation, policy frameworks, regulatory instruments, and guidance materials relevant to the ECEC sector. This included analysis of the Education and Care Services National Law and Regulations, the National Quality Framework (NQF), and associated standards and frameworks such as the Early Years Learning Framework and the National Quality Standard (NQS).

### 2. Jurisdictional Comparison

Where possible, comparative analysis of available data was undertaken across Australian jurisdictions to identify regulatory approaches, innovations, and challenges in other states and territories. This enabled some benchmarking of WA's regulatory environment against national trends and highlighted opportunities for alignment and improvement.

### 3. Internal Expertise and Sector Knowledge

The review was further informed by the deep regulatory knowledge and operational experience within the WA Regulatory Authority. Insights were drawn from staff with direct experience in policy development, service assessment and rating, compliance monitoring, and sector engagement. This internal expertise provided

valuable context and practical understanding of how regulatory frameworks are interpreted and applied in practice, and how they impact service providers, educators, and families.

Together, these methodological elements provided a robust foundation for evaluating the effectiveness, efficiency, and responsiveness of the current regulatory environment, and for identifying strategic opportunities to enhance outcomes for children, families, and the ECEC sector in WA.

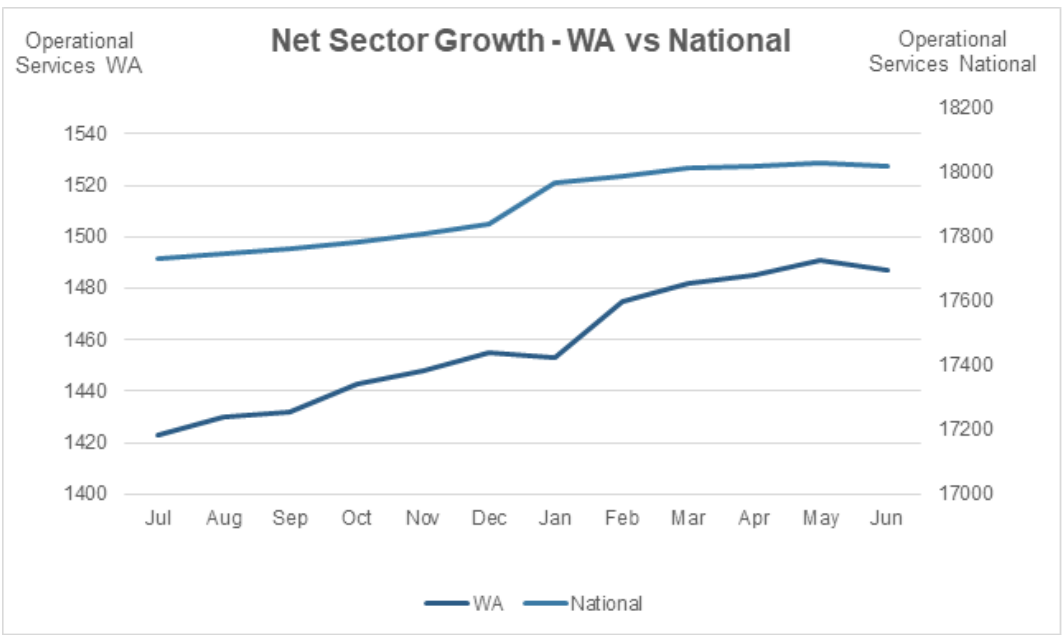
It is also important to clarify that this review was focussed on the effectiveness and capabilities of the current regulatory environment. It was undertaken by the ECRU and is not an independent review of all facets of the ECEC sector.

# Western Australian Early Childhood Education and Care Sector

Each weekday in metropolitan and regional WA some 130,000 children attend an ECEC service. Children who attend an ECEC service are aged five years or less and include infants and babies. Children who attend a ‘before and after school’ service range are primary school students ranging in age from three and a half years to 13 years.

ECEC services, mostly provided by the private for-profit and not-for-profit sector, play an important role in children’s development and education. The services are also vital to enable many WA parents to participate in paid employment, knowing that their most precious thing – their child – is in safe hands and being educated.

In WA, there has been a significant period of growth in the ECEC sector. In 2012, there were 891 approved services. As at 30 June 2025, there were 1,497 approved services operating in WA, representing an increase of 68 per cent. The table below indicates growth of the ECEC sector over 2024-25 at a national and state level.



Most providers are based in the Perth metropolitan area, consistent with population distribution. There are two main business models for providers 'for-profit' and 'not-for-profit', however, they all operate under the same regulatory framework.

There are Approved Providers who provide services in multiple jurisdictions across Australia, which highlights the need for national consistency in the approach to regulation to support high quality service provision.

Every ECEC Approved Provider is required to ensure that they will keep safe, the children entrusted to their care. Children attending an ECEC are highly vulnerable due to their young age and the nature of the services.

Regulatory laws applicable to each ECEC provider and service in WA contains a clear, direct and comprehensive statement of the duty for a provider to:

1. anticipate and mitigate the risk of harm to children; and
2. how to mitigate that risk within an ECEC service, in ECEC staffing arrangements and in ECECs premises.

## Regulation of the Early Childhood Education and Care Sector

### National

The ECEC sector is governed under a national framework of legislation and policy operating within the NQF. ACECQA support all governments and the ECEC sector to realise the benefits of the NQF. The NQF consists of the Education and Care Services National Law and National Regulations and the NQS (National harmonised laws).

The NQF is overseen by the Education Ministers from each jurisdiction, with support from the Australian Education Senior Officials Committee, the Early Childhood Policy Group and the Regulatory Practice Committee. Communities is a member on these intergovernmental committees and various other working groups.

### Western Australia

The national laws for ECEC also establish a Regulatory Authority in each jurisdiction.

In WA, the national laws are enacted by the corresponding *Education and Care Service National Law (WA) Act 2012* (the Act) and regulations made under that Act.

WA is the only jurisdiction that applies the National Law by a corresponding State Act.

Under the WA Law, the Chief Executive Officer of Communities is the Regulatory Authority for the ECEC sector in WA.

The Regulatory Authority is responsible for:

- Approvals of providers and services;

- An ongoing rolling program to periodically assess, review and rate each approved service under the NQS;
- Monitoring compliance by Approved Providers;
- Enforcement, including taking prosecutions for breaches of the WA Law; and
- Policy advice to the Minister and WA Government, including on nationally harmonised laws and multi-jurisdictional approaches to ECEC regulation.

Communities provides regulatory oversight of the ECEC sector through the ECRU and the Education and Care Legislation and Intergovernmental Relations (ECLIR) team.

The ECRU:

- assesses applications for provider approvals and service approvals;
- assesses education and care services against the [NQS](#);
- supports and promotes continuous quality improvements in education and care services;
- investigates incidents and complaints; and
- monitors and enforces compliance.

ECRU seeks to prevent harm to children; stop unlawful conduct; ensure compliance with the law; and raise awareness of legislative requirements by publishing enforcement actions and using other compliance tools. ECRU ensures that all services are informed of their compliance roles and responsibilities, while providing them with appropriate support.

The ECLIR team provide input into the ongoing development and review of the NQF for ECEC services in WA. The ECLIR team review, develop and progress legislative amendments to improve the operation of WA's legislation and provide advice on ECEC policy and legislative matters.

## **ECRU's Compliance Enforcement Framework**

As services seek to ensure compliance, a range of strategies are implemented by ECRU. These include providing support, advice, and guidance to encourage and promote compliance. ECRU aims to provide appropriate information and education to ensure all stakeholders understand their obligations and responsibilities. When compliance issues are identified, ECRU implements a strong, but flexible enforcement regime. ECRU pay particular attention to compliance issues that jeopardise children's safety, health, or wellbeing. Further details on ECRU's approach are available here: [Education and Care - Compliance Enforcement Framework](#).

## **Current compliance trends in WA**

The number of compliance issues identified in WA's ECEC services increased in 2024-25 to 5,428 up from 4,677 in 2023-24. This represents a 14 per cent increase. The increase in

compliance issues is a likely result of growth in the number of services operating, Approved Providers better understanding of reporting requirements and/or detection from ECRU's compliance visits specifically targeting child safety and reporting. The majority of breaches were of an administrative or minor nature, 58.9 per cent of services were fully compliant when visited.

## Broader child safety support in Western Australia

There are strategies outside the regulation of the ECEC sector in WA that contribute to improving child safety as recommended by the *Royal Commission into Institutional Responses to Child Sexual Abuse* (Royal Commission). All Approved Providers are required to adhere to these important child safety measures. The strategies include:

### Reportable Conduct Scheme

The Reportable Conduct Scheme in WA aims to enhance child safety by requiring relevant organisations to report and investigate allegations of child abuse and misconduct by their employees. The office of the Ombudsman WA (OWA) is responsible for the scheme which came into operation on 1 January 2023. It provides:

- independent oversight of how organisations that exercise care, supervision or authority over children handle allegations of, and convictions for, child abuse by their staff;
- supports to people to speak up about concerning behaviours, help to prevent child abuse and improve systems and processes of organisations for preventing and dealing with complaints and reports of abuse about their staff; and
- a requirement for the head of the organisation to undertake an investigation and take appropriate action, which is subject to monitoring by the Ombudsman.

ECRU has worked with the OWA to provide education sessions to the ECEC sector to increase knowledge and understanding of the operation of the scheme in WA.

### Working with Children Checks

The working with children (WWC) check is a compulsory screening strategy for people engaging in child related work in WA and is a critical strategy to increase child safety. It contributes to the range of safety strategies required to create child safe organisations in WA. The WWC check ensures that individuals in child-related roles are thoroughly assessed to ensure those persons who are identified as an unacceptable risk of harm to children are prevented from undertaking child related work.

If the WWC screening unit receives information about a person during the period where they hold a WWC card that is a change to the persons criminal history or a conduct review finding, the person's suitability to hold a WWC card may be re-assessed.

Once triggered, the WWC screening unit will conduct a reassessment of all relevant information to determine whether the person poses an unacceptable risk of harm to children.

Amendments to the *Working with Children (Screening) Act 2004* (WWC Act) which made it harder for people who have committed certain offences, or engaged in certain conduct, to obtain a WWC card came into operation in July 2023.

A second phase of legislative reforms is now underway, with a public consultation process planned for later this year.

Communities provides a number of resources that assist organisations to ensure they are compliant with the WWC Act and undertakes significant public education campaigns to further raise awareness and knowledge of the WWC check.

## Mandatory Reporting

Mandatory Reporting is another requirement that supports child safety requiring certain professionals to report instances of child sexual abuse to authorities, ensuring early intervention and protection for vulnerable children.

The [\*Children and Community Services Amendment Act 2021\*](#) was passed by Parliament on 14 October 2021 and, among other changes, introduced new mandatory reporter groups for child sexual abuse. The new groups were brought into operation in stages over three years to 2025, to ensure they received the necessary training and support to fulfil their new reporting obligations. On 1 November 2024, early childhood education and care workers were introduced as mandatory reporters.

To support the implementation of the legislative changes, online training was provided to outline obligations of mandatory reporters as well as provide support to identify child sexual abuse.

## Support to the Sector

ECRU provides proactive sector support through educative sector publications and campaigns. In doing so, various mediums are used to cover a diverse range of the population. In response to the recent national issues and media coverage, ECRU created a poster to be displayed in services, which encourages families to discuss concerns with the service and/or contact ECRU to report their concerns.

ECRU provide significant support to the sector related to the assessment and rating process, including strategies services can implement to ensure they meet the requirements across the seven quality areas assessed. ECRU delivers six live webinars to the ECEC sector annually.

ECRU's support has contributed to services with a 'working toward' the NQS rating obtaining a high rating. In 2017, 34 per cent of services had a 'working towards' rating. To date, it is currently 14 per cent. Following the sharing of information to other jurisdictions



about the WA approach in 2018, New South Wales introduced a 'fee for service' model to assist services to improve their ratings.

**FINDING: Ongoing commitment to broader child safety measures that support the ECEC regulatory landscape is strong. It is the responsibility of Approved Providers to ensure that they are compliant, however there is always more opportunity to continue to raise awareness and upskill services and educators in the application of child safety measures.**

## WA's current regulatory position

WA operates under a state law. In this context, the Education and Care Services National Law Application Bill 2025 (the Bill), currently before the WA State Parliament, will apply the education and care services national law as a law of WA and repeal WA's current corresponding Act. Applying the national law in this way will support ongoing improvements in the sector by continuing the operation in WA of the NQF in a way that is more nationally consistent and supports more timely application of future amendments.

National comparison can be difficult due to the varying jurisdictional focuses, reporting criteria and strategies. The approach to regulating compliance in WA differs from other states and territories. Each jurisdiction has its own program of works, focus and priorities at any given time which directly impacts the level of non-compliance identified and in turn reported.

Comparative to all jurisdictions, WA has 6.05 per cent of Approved Providers who operate in Australia and 8.25 per cent of the approved services delivered by all Approved Providers are located in WA. New South Wales, Victoria and Queensland hold a larger percentage of Approved Providers and services. South Australia has slightly less than WA.

Other than WA, all other jurisdictions regulatory functions are administered by their Departments of Education. Some jurisdictions also deliver ECEC services via those Departments.

The large geographical area and population distribution in WA differs to other areas of Australia. This presents challenges for the oversight of the ECEC sector and increased resourcing requirements to adequately monitor regional services.

## Assessment and Rating of Services

Nationally, 93 per cent of ECEC have a quality rating against the NQS. Of those services that have been assessed, 93 per cent are rated as 'meeting' the NQS or better. In WA, 90 per cent of services have received a rating. Of those services that have been rated in WA, 85 per cent is rated as 'meeting' the NQS or better.

Most services who have not achieved a 'meeting' the NQS may only be failing in one or a couple of the standards but have met others. ECRU works to support those centres in WA

on achieving a 'meeting' the NQS on those standards 'not meeting' through quality improvement guidance notes for those matters that need to be addressed.

WA applies the nationally agreed approach for new services to embed quality practices and to develop their quality improvement plan, before being assessed. This approach enables Approved Providers of new services to establish a demonstrated approach to matters that are to be assessed, while still being compliant with the National Law. The time allowed for services to establish their business operations for the purpose of an assessment and rating assessment accounts for the percentage of services not yet rated.

All jurisdictions apply different approaches to assessing services, including in some jurisdiction, some Approved Providers being permitted to use a self-assessment tool to self-assess against the NQS. The Regulatory Authority in those jurisdictions use these self-assessments to base their rating considerations. This has led to reduced time on sight at those services. WA does not use self-assessment tools as part of the assessment process.

WA follows the assessment guide as set out in the NQS. ECRU officers attend each service, to assesses their practices and quality, in person. These visits generally take anywhere from a half day to two full days. This significant amount of time at a service enables ECRU officers to observe human behaviours and staff interactions with children and also to complete a thorough and detailed assessment of each centres' records, policies and procedures. This commitment to in-person approach enhances ECRU's ability to focus on the safety of children as the paramount consideration.

In WA, there are 28 Family Day Care (FDC) services, who have a combined total of over 1,000 FDC educators. A co-regulatory model for FDC services, as per national decision, is in place whereby it is the responsibility of the Approved Provider of the FDC service to visit its educators regularly, as required by law to monitor compliance. There are currently national conversations around further reforms to improve child safety in FDC's.

In 2022, legislative changes relating to swimming pools, spas and water features in FDC residences were introduced in WA, in response to the drowning of a child whilst attending a FDC service in 2015. As a result of the legislative changes, Communities became responsible for regulating the additional legislative requirements in FDC residences.

In WA, there are 527 Outside School Hours Care service. It is a growing cohort with many services operating on school sites. Outside School Hours Care qualification requirements vary across jurisdictions. In WA, qualification requirements were strengthened in 2023. Some other jurisdictions do not require qualifications in Outside School Hours Care services. Outside School Hours Care services are visited at least yearly. There is currently a national review underway to review the assessment and rating approach of Outside School Hours Care services.

## Strengths of the WA Scheme

### Responsive Resource Usage to Respond to Current Trends

Communities continues its regulatory oversight of the ECEC sector using a risk-based approach and through agile use of resourcing to respond to emerging and immediate issues, with a primary focus on child safety.

ECRU monitor trends and allocates resourcing to address these accordingly. Additional resourcing would support more proactive and reactive compliance activities and the development of initiatives and policy settings that support the sector.

### Regular Presence at Services

ECRU officers visit every approved service at least once a year, and at least twice in regional areas to monitor compliance in the ECEC sector. Many of these visits are unannounced. If compliance issues are identified on these visits, ECRU officers return to the service more frequently to ensure these are addressed. For example, if ECRU receives complaints of a similar nature, or an increase in serious incidents which impact children's health and safety, the service may be subject to a compliance monitoring plan or additional enforcement actions. This includes ECRU officers visiting the service, unannounced, on a quarterly basis until such time as the service is compliant.

When undertaking assessment and rating visits, ECRU provides notice periods for attendance by the ECRU officer to the service of between 1-5 days.

This robust regulatory regime, specifically frequency of unannounced visits and short notices timeframes, reinforces the principle of observing everyday service practice.

In WA, there are some challenges with managing visits across the entire State within existing resources and so resources are allocated to respond to the areas of most need and or risk.

### Regulatory Actions

Alleged breaches of the National Law are investigated through evidence gathering, investigation visits, witness interviews and evidence-based analysis. ECRU implements proportionate compliance actions when a breach is established.

ECRU seeks strong disciplinary penalties, to act as a deterrent to operators who do not keep children safe and has successfully had two of the highest enforcement fines imposed for breaches.

ECRU adopts the approach of commencing disciplinary actions before the State Administrative Tribunal (SAT), rather than commencing criminal prosecution actions before the Magistrate Court. The SAT is considered a more appropriate forum to responding to breach allegations under the National Law in WA. This approach is being noted with interest by other jurisdictions. ECRU has taken more actions for penalty against those services who have failed to keep children safe, than the total of all other Australian states and territories combined.

ECRU also takes strong and timely actions to immediately protect the safety of children. Examples include:

- Immediate suspension of services to mitigate immediate risk;
- Prohibiting individuals if they pose an unacceptable risk;
- Cancellation of provider approvals if deemed appropriate; and
- Refusing applications for additional service approvals where an Approved Provider is subject to ongoing compliance issues in their existing services.

Some of the actions effectively close down the operations of those services until such time as the Approved Provider can demonstrate that they have put in place adequate measures to ensure the safety of children.

### **Rigorous Assessment Process**

ECRU has embedded national changes to service and provider assessments that introduced new tools and processes which increased the complexity of such assessments. This project involves collaboration with other Regulatory Authorities and the Commonwealth Government and supports consistency and information sharing.

### **Transparency**

ECRU is committed to keeping parents, the community and the ECEC sector informed about compliance action taken and the outcomes, in respect of serious offences. Publishable compliance actions are listed on the [enforcement actions section](#) of the ECRU website on the wa.gov.au platform, where permitted by law. This information is not currently publicly available in all other jurisdictions. SAT imposed penalties are also published on the [SAT website](#).

Media statements and sector communications, following SAT (or disciplinary actions permitted to be published) outcomes, are released as a key regulatory strategy in influencing the behaviours of non-compliant providers by sending a clear message of enforcement actions taken and provides confidence to individuals, industry and the community that the sector is held to account in meeting its legal obligations.

**FINDING: The current WA regulatory scheme is robust and operating well to support Approved Providers to understand their obligation to ensure the safety of children attending their service, in WA. There may be opportunities to increase activities and operations of ECRU to ensure it continues to deliver legislative and regulatory requirements.**

**There is also an opportunity to work further with industry to ensure staff and providers are equipped with appropriate knowledge and training regarding broader child safety initiatives such as mandatory reporting, reportable conduct scheme and the working with children check.**

## National Approach

Education Ministers are progressing considerations for several changes to the Education and Care Services National Regulations (commencing 1 September 2025) and the NQS (commencing 1 January 2026). Changes commencing 1 September 2025 cover new policies and procedures for the safe use of digital technologies and online environments, changes to notification timeframes for allegations or incidents of physical and sexual abuse and for services to be free from vaping substances and vaping devices.

Education Ministers are progressing further proposals, designed to expedite improvements in child safety, including:

- a significantly increasing penalties where providers are non-compliant with National Law and improving and enhancing information provided to parents;
- b strengthening regulatory responses to poor quality ECEC service delivery through increased information sharing, oversight and regulatory action, especially for providers who operate across jurisdictions; this includes through expanding joint compliance monitoring under the National Law and Family Assistance Law;
- c Increasing availability, transparency and national consistency of compliance and safety data, through publishing more information about the full suite of state and territory regulatory compliance activities. This includes more accurate information for families and the community about the most recent service visits, enforcement actions and clarifying whether serious incidents are the result of a compliance breach and whether they are not; and
- d strengthen market entry gateways to the ECEC sector to deter providers who do not have children's best interests at heart, including assessment of a provider's track record for service application approvals.

National priority actions include:

- a Nationwide trial of CCTV;
- b Increasingly penalty amounts;
- c Increasing transparency through ACECQA;
- d Mandatory child safety training; and
- e Educator register and worker screening.

Public consultation, supported by all governments, on regulatory and non-regulatory policy options to improve child safety in the education and care sector closed on 11 June 2025. The problem examined in this consultation regulation statement is that the Child Safety Review confirms that while the NQF is a robust regulatory scheme, more could be done to better support services to protect children attending an education and care service, with a focus on improving child safety.

The findings of the Child Safety Review point to scope for improvement across several dimensions to address emerging issues, close loopholes, strengthen policies and practices, support staff capabilities and improve the protection of children in the face of new online technologies to support further improvements to the regulatory scheme.

Several policy options were identified to improve child safety. Areas that include regulatory and non-regulatory approaches (such as training or education) are outlined below:

- service waivers for the design of premises to facilitate supervision of children;
- assessment of family day care residences;
- powers of entry to family day care residences;
- working with children checks;
- inappropriate conduct including by individuals;
- child safety training;
- management of devices;
- enforcement options; and
- information sharing.

Generally, it remains preferable to prioritise consistency at a national level. This remains an important objective for the effective regulation of national providers of early childhood services including for staffing and supervision arrangements.

## Opportunities to learn from other jurisdictions

Several jurisdictions have long, and short-term reviews underway/completed, and some have recently announced independent actions to enhance child safety in ECEC services. Common themes are the trial use of CCTV in services and an educator register. Jurisdictions indicate that their intent remains aligned with a national approach in the longer term, with immediate actions largely bringing forward items already discussed at a national level.

Jurisdictional approaches are outlined below:

### New South Wales

#### The Wheeler Report

The New South Wales government undertook an independent review of its Department of Education as the New South Wales Regulatory Authority for ECEC (the [Wheeler Report](#)). The report made 12 recommendations ranging from proposed amendments to the Education and Care Services National Law to structural issues within the operations of the Department of Education and the New South Wales Regulatory Authority. Immediate action includes a CCTV trial, with the regulator able to require installation of CCTV when safety concerns arise.



Some of the issues identified in the review are matters that have already been addressed in WA, such as transparency which WA achieves through the publication of enforcement outcomes on its webpage and other communications with the sector.

The recommendation to compel services to display their compliance history is worth consideration within the WA context.

Many of the regulatory recommendations are already flagged for consideration at a national level.

## Victoria

On 2 July 2025, the [Victorian Premier announced](#) the state will adopt a ban on personal devices in ECEC centres from 26 September 2025, enforced through license conditions if necessary and/or with fines of up to \$50,000 and start building a Victorian educator register as soon as possible.

This commitment is in line with work underway at a national level.

## Queensland

Queensland is conducting a [Review of System responses to child sexual abuse](#) by the Child Death Review Board. This review commenced in December 2024 and the report is due in 2025. Linked to this review, on the 9 July 2025 the [Queensland government announced](#) the state will work towards mandatory annual child safety training for all ECEC staff, developed in conjunction with the Australian Child Protection Centre. The announcement also called for a national register of childcare employees.

There is value in WA identifying opportunities to continue to equip educators with appropriate skills and knowledge in the area of child safety based on contemporary and evidence-based approaches.

## South Australia

On 3 July 2025, the [South Australia government announced](#) it is investigating bringing forward a ban on personal devices in ECEC services, which is due to be introduced nationally later this year. The South Australian Education Minister tasked the Regulatory Authority with providing urgent advice on:

- Installing CCTV in ECEC centres;
- Adopting a register of educators; and
- Strengthening the ability of the regulator to notify families when issues arise.

Much of this work is aligned with work underway at a national level. Further consideration should be given to the strengthening of the ability of the regulator to share information when issues arise within the WA context.

**FINDING: Many of the opportunities currently underway in other jurisdictions are supported by ECRU and should be considered while pursuing consistency at a national level.**

**FINDING: WA continues to actively support the efforts at a national level to increase child safety in early childhood services.**

## **Opportunities to strengthen child safety within the early childhood education and care sector in WA**

Overall, the regulation of the ECEC sector within WA should provide families with comfort that the sector is able to provide high quality services to support the needs of children in their care. There are always opportunities to continually improve the system to ensure services remain contemporary, safe and accessible for children and their families.

At a national level, WA fully supports the implementation of the proposed changes to the ECEC sector and looks forward to continuing to work across jurisdictions to create a consistent approach to quality in service provision throughout the ECEC sector.

Given that there are many Approved Providers who operate in multiple jurisdictions within Australia, it is imperative that nationally consistent approaches are prioritised.

**Recommendation 1: Urgently progress the Education and Care Services National Law Application Bill 2025, currently before the WA Parliament.**

The timely passing of the Bill will support ongoing improvement, including in child safety, in the sector. It will ensure future changes agreed at a national level apply in WA at the same time as all other jurisdiction and not delayed subject to State Act amendments being subsequently required.

**Recommendation 2: Continue to work with Commonwealth and State Governments on the progression of current national policy initiatives, to ensure consistency in National Law amendments and the consideration of recommendations made in other jurisdictional reviews.**

The National Law requires Approved Providers to ensure the safety and wellbeing of children. The quality, training in safety standards, supervision and recruitment practices of services would benefit from targeted development in some services.

Communities can play an important role in supporting Approved Providers to meet these obligations. Having access to child safe information, resources and support is important for all organisations when reflecting upon and improving their child safe practices. Given the particular vulnerability of young children in ECEC settings, it is important that training and resources are consistently shared amongst the ECEC sector.

There are a range of resources available to support people working in the sector as well as parent and families accessing services. Further consideration should be given to ongoing professional development in this area to ensure ECEC staff are equipped with contemporary knowledge.



Promotion of existing training and resources should be expedited and further engagement with industry could be undertaken to identify any further gaps to support knowledge of child safety and reporting of concerning behaviours.

**Recommendation 3: Require Approved Providers to improve their focus and approach to child safety, including child safe training, recruitment practices and safety standards and reporting within their business practices.**

**Recommendation 4: Communities to work with the ECEC sector to identify gaps in training of its staff, regarding child safety, with a particular focus on identifying and preventing child sexual abuse and supporting child safety.**

The ECRU currently allocates its resources flexibly to support its regulatory actions and respond to emerging issues, with a primary focus on Approved Providers meeting their safety and wellbeing of children obligations. Due to increasing complexity and the significant increase of sector growth within WA, additional resources for Communities would increase its capacity and enable closer engagement with the sector to support and monitor compliance actions and outcomes across a great range of activities.

A significant strength of the WA regulatory environment is the transparency in relation to sharing information regarding compliance actions taken against serious offences. Consideration should be given to further broadening public communications in this regard. Legislative amendments to the National Law will provide greater powers to influence sector behaviours, undertake compliance actions in response to child safety concerns and greater public awareness.

**Recommendation 5: Consider options that enable the Regulatory Authority (ECRU) to enhance its operational capacity and regulatory ability, including:**

- 1. additional resourcing to support greater proactive and reactive regulatory engagement with the ECEC Sector; and**
- 2. Measures which strengthen the safety of children, such as requiring Approved Providers to display certain information at their ECEC service in relation to compliance actions and Assessment and Rating changes, or for the Regulatory Authority to publish or provide information in regard to compliance actions taken against a particular centre or the sector as a whole, when in the public interest.**