

**Submission to the Senate Standing Committee on Education, Employment
and Workplace Relations, Inquiry into the Provision of Childcare
by Dr Michael Lyons , School of Management,
University of Western Sydney, January 2009.**

Preliminary

1. This submission is does not necessarily reflect the views and opinions of the staff and management in the School of Management or the University of Western Sydney. My research activities embrace industrial relations and labour market issues associated with the children's services industry, and include a co-authored study funded by the New South Wales government (Sumsion, J., Lyons, M. and Quinn, A. 'An Investigation of the Gender Imbalance in the Children's Services Workforce in New South Wales', research report submitted to the NSW Dept of Community Services, July 2004).

Introduction

2. I welcome the Committee inquiry, as it is an opportunity to revisit some the issues raised by the predecessor Senate Committee's 1996 report into early childhood education (*Childhood Matters*, Senate Employment, Education and Training References Committee, Parliament House, Canberra, 1996). Hence, this submission does not address all the inquiry terms of reference. Rather, its scope is limited to items "c(v)" – the collection, evaluation and publishing of reliable, up-to-date data, and "e" – other related matters.
3. In the last decade the commercial long day care sector has seen the rise of "corporate" day care. The most obvious corporate provider of children's services was (till 2008) ABC Learning Centres Limited, and its wholly owned subsidiary ABC Developmental Learning Centres Pty Ltd. Other notable corporate providers were Hutchison's Childcare Services, Peppercorn Management Group, Kids Campus Childcare Group, and Childcare Centres Australia. Many of the key personnel and/or investors in these corporate entities had direct links to the Liberal and National parties (Bachelard, M. 'Coalition MP fails to declare interest in ABC', *The Sunday Age*, 23 November 2008, p. 15). Under the Howard (Liberal-National parties) federal Coalition government of 1996-2007 the growth of corporate "child care" was encouraged. Indeed, Claire Kimball, an adviser to the (then) federal Minister for Children and Youth Affairs, Larry Anthony, said in 2003:

"There is no regulation of ownership and there is no reason to believe there should be... We want to provide choice, we don't have a problem with people making money out of child care". (Kirby, J. 'Millions milked', *Business Review Weekly*, 25 (44), 17 November 2003)
4. Larry Anthony was later to become a director of ABC Learning (Brown, T. 'Organising learning: Informal workplace learning in a trade union child-care campaign', *Journal of Workplace Learning*, 20 (7/8), 2008). Consequently,

the “corporates” were to vigorously oppose trade union efforts to improve the award pay and working conditions of long day care workers in industrial arbitration proceedings (e.g. AIRC, *Australian Liquor, Hospitality and Miscellaneous Workers Union: Re Child Care Industry (Australian Capital Territory) Award 1998 and Children's Services (Victoria) Award 1998 - PR954938* [2005] AIRC 28 (13 January 2005); IRC of NSW, *Re Miscellaneous Workers Kindergartens and Child Care Centres (State) Award* [2006] NSWIRComm 64 (IRC No. 5757 of 2004), 150 Industrial Reports 290; QIRC, *Child Care Industry Award - State 2003* [2006] QIRComm 72 (27 June 2006), 182 Queensland Government Industrial Gazette 318). The Howard government, therefore, had an ideological objection to state subsidisation of labour in the not-for-profit long day care sector by abolishing annual operating grants, yet embraced state subsidisation of capital in the commercial and corporate sector.

Labels and status

5. Occupational status can be identified by a range of factors and thus define workers' position within the hierarchy of the division of labour generally, and in society, including:
 - the title – this conveys a particular meaning and identity to the labour performed and the job occupant, and how the work relates to similar activities;
 - job content and tasks – can this be undertaken by merely anybody or does it require a certain type of worker with specialist skills?;
 - the workplace – is the occupation restricted to a particular type of workplace or can it be performed at a range of workplaces?

The occupational title “child care worker” denotes that the activities of long day care are simply “child-minding”, notwithstanding the formal training and educational qualifications of the staff.

6. Furthermore, the ability of non-qualified staff to gain employment in children's services, despite some degree of state regulation over the potential children's services labour market, only adds to the uncertainty regarding the necessity of formal credentials for high quality outcomes (however, this feature of long day care employment has recently been addressed in Queensland, as a qualification for all positions is now mandatory under the Child Care Act and regulations).
7. Consequently, the labels “child care” and “child care worker” convey an implication about the work in long day care that it is similar to, if not a replication of, child-rearing conducted in the family home; thus it can be deduced that the job content and tasks of long day care staff can be performed by anybody, or more particularly any woman. To that end, the workplace to perform these tasks becomes less important; a factor assisted by a common understanding that family day care conducted by “carers” in a family home and centre based long day care largely supply the same

service, the same level of early childhood development and education, and at the same quality.

8. Some commercial for-profit children's services employers have enthusiastically boasted their employees are "professionals", and vigorously publicised the training and qualifications of staff, when it suited their marketing and business requirements (e.g. ABC Learning Centres Ltd, Annual Report 2006, p. 7). Yet, when it came to industrial recognition of staff as professionals, the same employers diminished the importance of training, qualifications, skill and practitioner autonomy. For example, in a recent submission one national employer association questioned the importance of formal qualifications, child-to-staff ratios, and state government regulation of service providers (Australian Childcare Centres Association, Submission to the Australian Fair Pay Commission, 28 July 2006, p. 21).
9. The "disingenuous" nature of these employers' contradictory claims have been noted in industrial arbitration proceedings in Queensland, where they sought to simultaneously "downplay" the skill levels of long day care workers employed by them, yet emphasised that their centres provided quality long day care services delivered by professional staff. Here, the tribunal remarked: "We are at a loss to understand how quality services can be delivered by professional staff if their skill levels, especially with respect to programming, are at the level described by these [employer] witnesses". (QIRC, *Child Care Industry Award - State 2003* [2006] QIRComm 72, 27 June 2006, p. 20)

Recommendation #1

10. The Australian Government and its agencies, and State governments and their agencies, should refrain from using the expression "child care" to label the industry and government programs (e.g. the Australian Government's fee relief scheme, the tax rebate etc), and use the expression "children's services".

Collection, evaluation and publication of reliable, up-to-date data

11. The latest published survey of children's services in Australia, the 2006 *Census of Child Care Services* (Office of Early Childhood Education and Care, Department of Education, Employment and Workplace Relations, Canberra, 2008), does not differentiate the service type of centres on a not-for-profit/community-based or commercial for-profit/private basis (e.g. Tables 4.1.1-4.4.5). Prior to the 2006 Census report, long day care provider, staff and child data was reported separately for each service type in the 1997, 1999, 2002 and 2004 Census tables.
12. This is unfortunate, as it denies parents, researchers, and the community reliable data on the provision of long day care services. For instance, a 2006 report of The Australia Institute noted measured long day care quality varied depending on the type of service:

“The survey confirmed that, in the view of child care staff, the quality of care provided around Australia is generally quite high. However, for all the aspects of quality care investigated, results show that community-based long day care centres offer the highest quality care. Independent private centres offer a quality of care that is usually similar to the high quality offered by community-based centres. Corporate chains offer the lowest quality of care on all aspects of quality surveyed, and in some cases it is markedly lower than that provided by community-based long day care centres.” (Rush, E. *Child Care Quality in Australia*, Discussion Paper Number 84, The Australia Institute, Canberra, 2006, p. ix)

Recommendation #2

13. The Australian Government’s periodic census of children’s services revert to the previous practice of reporting (and collecting) data by service type.
14. The children’s services workforce, both in Australia and internationally, remains one of the most gender skewed of all occupations/professions. The reasons for the continuing gender imbalance are complex and interrelated. A greater presence of men has the potential to increase the diversity of the children’s services workforce, enabling it to be more representative of gender diversity within the community, and of families using children’s services.
15. The Australian Government either directly or indirectly supplies about half of the funds (turnover) generated by children’s services. However, the data gathered by the Census does not collect information on the gender composition of the workforces in the separate “industry sectors”. If the data collected by the Census also included staff data on a gender basis, it would be a more precise measurement of the gender make-up of the workforce than is currently collected under the ABS’s ANZSIC and ASCO classifications (which do not differentiate by services type or qualifications). The benefits of this information are that it would permit governments to develop evidenced based policies informed by more accurate data, and it would allow children’s services employers to design workplace strategies to reduce labour costs (e.g. appropriate recruitment plans), which in turn would limit fee increases and hence the fee relief paid by the Australian Government (and the tax rebate).
16. The Australian Institute of Health and Welfare has recommended staff data collection include an item to identify “the sex of the paid contact worker/caregiver in the children’s service” (*Final Report on the Development of the Children’s Services National Minimum Data Set: The Children’s Services Data Working Group of the National Community Services Information Management Group*, February 2007, AIHW cat. no. CFS 6).

Recommendation #3

17. The periodic Census conducted by the Australia Government include additional questions on gender when collecting the staff related data, and report this information as “open access” data.
