

6 February 2023

The Hon Sarah Mitchell MLC
NSW Minister for Early Childhood Education
Parliament of New South Wales
52 Martin Place
SYDNEY NSW 2000

Dear Minister Mitchell,

**Re: Urgent and immediate flexibilities needed for
NSW's early childhood education and care services without compromising quality**

The Australian Childcare Alliance (ACA) NSW is the largest peak body representing the privately-owned early childhood education and care sector serving over 1,600 services primarily across New South Wales. Our members collectively employ over 25,000 staff and support over 125,000 families.

As you know, I wrote to [NSW Premier the Hon Dominic Perrottet MP](#) and [NSW Opposition Leader Chris Minns MP](#) on 28 September 2022, asking for their assistance with addressing the dire consequences of severe labour shortages across NSW's early childhood education and care services.

Your response on Premier Perrottet's behalf was received via regular mail on [17 January 2023](#).

ACA NSW does acknowledge that the NSW Government has begun implementing its \$15.9b of announcements (for 2022 to 2030) which hopefully will include a true fit-for-purpose regulatory framework.

However, without urgent and immediate flexibilities, the existing NSW regulatory framework and operational burdens since 1 January 2012 will have continue to have negative consequences in the short to medium term, especially **operational availabilities for children and parents**. Already, we are seeing services reduce their number of places offered day-to-day due to the unavailability of educators and teachers as well as worsening labour shortages.

Despite the original intentions of national consistency, the reality is that the NSW version of the national law and national regulations are different from all other Australian states, especially when it comes to the qualifications required of all NSW-based educators and teachers.

Hence, the NSW Productivity Commissioner's [three publications](#) and NSW Small Business Commissioner's [report](#) exposing significant operational burdens makes the NSW regulatory framework not only more expensive but also question the outcomes the NSW Government is seeking to achieve by their regulatory imposition.

And given the NSW Department of Education and the Federal Minister for Education have both expressed their public concerns (in [September 2022](#) and [October 2022](#) respectively) about children's developmental readiness upon starting school (using data [from 2009 to 2021](#)), then shouldn't NSW urgently and immediately address such concerns while also solving services' operational viabilities for the benefit of children and parents?

With 47 days left before the NSW State Election on 25 March 2023, ACA NSW again asks for urgent and immediate flexibilities that are measured, appropriate, sensible, perhaps even temporary, without sacrificing quality.

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Otherwise, with inadequate skilled labour supply, early childhood education and care services in NSW will be under far more pressure than in any other Australian jurisdiction, compelling them to maximise and therefore prioritise access to as many children as possible over some other children and thus their parents and families.

Following the robust and lively strategic planning discussion held on 3 February 2023 by the NSW Department of Education and with fellow NSW sector stakeholders, it was with some comfort that ACA NSW was not alone with the abovementioned concerns.

We look forward to the NSW Coalition Government's immediate and short-term solutions.

Thanking you in anticipation of your consideration.

Yours sincerely,



Chiang Lim
CEO

cc 1. The Hon Dr Anne Aly MP, Federal Minister for Early Childhood Education
 2. Angie Bell MP, Federal Shadow Minister for Early Childhood Education
 2. Prue Car MP, NSW Shadow Minister for Education and Early Childhood Learning
 3. Gillian White, Deputy Secretary, NSW Department of Education