



Australian Government  
National Indigenous  
Australians Agency



**NIAA**



*Working with Aboriginal and Torres Strait Islander peoples*

# National Indigenous Australians Agency Submission

## Productivity Commission Inquiry into the Early Childhood Education and Care Sector

Submission lodged on 16 June 2023



# National Indigenous Australians Agency Submission to the Productivity Commission Inquiry into the Early Childhood Education and Care Sector

## Introduction

The National Indigenous Australians Agency (NIAA) welcomes the opportunity to provide a submission to the Productivity Commission inquiry into the early childhood education and care (ECEC) sector.

The NIAA works in genuine partnership to enable the self-determination and aspirations of First Nations communities. We lead and influence change across government to ensure First Nations peoples have a say in the decisions that affect them.

The NIAA works with First Nations communities, governments and service providers to support young children and their families to access quality, culturally-safe care and education services, ensuring First Nations children start school with the best chance of success. Through the Indigenous Advancement Strategy, the NIAA is investing \$43.25 million over 2022-23 in a range of early childhood development and enabling activities, such as facilitated playgroups and community and family engagement activities. This funding supplements mainstream Australian Government support in childcare, preschool, health and family support programs. Further information about the NIAA can be found on our website, [www.niaa.gov.au](http://www.niaa.gov.au).

## Key evidence and policy frameworks

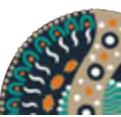
There are several policy frameworks and sources of evidence that may be of assistance to the Productivity Commission in developing recommendations that support affordable, accessible, equitable and high-quality ECEC that reduces barriers to workforce participation and supports children's learning and development in relation to First Nations children and their families.

### *National Agreement on Closing the Gap*

The National Agreement on Closing the Gap (the National Agreement) came into effect on 27 July 2020. It was developed and agreed in genuine partnership between all Australian governments and the Coalition of Aboriginal and Torres Strait Islander Peak Organisations. See the Closing the Gap website [www.closingthegap.gov.au](http://www.closingthegap.gov.au) for further information.

The National Agreement sets out ambitious [outcomes](#), [targets](#) and [priority reforms](#) that will change the way governments work to improve life outcomes experienced by Indigenous Australians, including:

- Priority Reform 1 - Formal Partnerships and Shared Decision Making (early childhood care and development is noted as a priority area)
- Priority Reform 2 - Building the Community-Controlled Sector (early childhood care and development is noted as a priority area)
- Outcome 2 - Children are born healthy and strong
- Outcome 3 - Children are engaged in high quality, culturally appropriate early childhood education in their early years
- Outcome 4 - Children thrive in their early years.



It is important the Productivity Commission consider the priority reforms, outcomes and targets in developing recommendations that support improved early years outcomes for First Nations children and families.

### ***National Aboriginal and Torres Strait Islander Early Childhood Strategy***

The NIAA, in partnership with SNAICC – National Voice for our Children (SNAICC), developed the *National Aboriginal and Torres Strait Islander Early Childhood Strategy* ([the Strategy](#)). Launched in December 2021, the Strategy recognises the first five years of a child’s life are critical for long-term health and wellbeing. It sets the vision that all First Nations children are born healthy and remain strong, nurtured by strong families and thrive in their early years. The Strategy addresses outcomes across all aspects of young children’s lives, including early learning, health, housing, disability, safety, wellbeing, care and development.

The Strategy reflects the views, aspirations and priorities of First Nations peoples, families, communities and organisations who participated in a national consultation process to inform its development. Consultation was also undertaken with key experts and academics through an Advisory Group, and across government. The Strategy is evidence based (see the [Framework to inform the development of a National Aboriginal and Torres Strait Islander Early Childhood Strategy](#)) and promotes First Nations centred practice and listening to the needs and aspirations of First Nations people in determining what is needed for their children. Cultural safety is a central theme of the Strategy, and connection to culture has been embedded throughout. This is essential for young First Nations children to thrive – to feel safe, loved, proud in their identity and able to fulfil their potential.

The Strategy identifies five key goals, building on existing Australian Government investments and commitments made under the National Agreement on Closing the Gap:

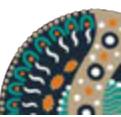
1. Aboriginal and Torres Strait Islander children are born healthy and remain strong
2. Aboriginal and Torres Strait Islander children are supported to thrive in their early years
3. Aboriginal and Torres Strait Islander children are supported to establish and maintain strong connections to culture, Country and language
4. Aboriginal and Torres Strait Islander children grow up in safe, nurturing homes, supported by strong families and communities
5. Aboriginal and Torres Strait Islander children, families and communities are active partners in building a better service system.

To assist the achievement of these goals the Strategy identifies a range of opportunities to be considered in partnership across governments, non-government organisations, community and other stakeholders. The NIAA recommends the Productivity Commission consider these opportunities in developing recommendations that improve outcomes for First Nations children and their families.

The NIAA is actively supporting implementation of the National Agreement and the Strategy to improve outcomes for First Nations children in their early years, including through the:

- [Early Childhood Care and Development Policy Partnership](#) (ECPP)
- [Sector Strengthening Plan: Early Childhood Care and Development](#) (ECCD Sector Strengthening Plan)
- development of an [Early Years Strategy](#).

The NIAA welcomes the Productivity Commission inquiry’s intention to consult with the ECPP.



### ***Wiyi Yani U Thangani (Women's Voices) Report***

The [Wiyi Yani U Thangani \(Women's Voices\) Securing Our Rights, Securing Our Future](#) Report was delivered to the Australian Government by the Aboriginal and Torres Strait Islander Social Justice Commissioner, Ms June Oscar AO, on 9 December 2020<sup>1</sup>. The Report is the first national report in 34 years where 2,300 First Nations women and girls have been heard as a collective on the issues that matter to them, and elevates their diverse and lived experiences.

The voices and aspirations of women and girls, which the Report reflects, are informing policy direction for all portfolios, at all levels of government. The Wiyi Yani U Thangani Report highlights the importance of increased access to services, including child care, and has identified cost of living as a barrier. Further detail on the findings of this Report are outlined on page 6 of this Submission.

### ***Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031***

*Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031* (Safe and Supported) sets out how all governments will work in partnership with First Nations representatives, and in close collaboration with the non-government sector to help children, young people and families in need of support, particularly those who are experiencing disadvantage or are vulnerable to abuse or neglect.

The first two Action Plans under Safe and Supported – *Safe and Supported: First Action Plan 2023-2026* and *Safe and Supported: Aboriginal and Torres Strait Islander First Action Plan 2023-2026* – were launched on 31 January 2023. To accompany the first two Action Plans, all governments are committed to developing a formal Partnership Agreement with the Aboriginal and Torres Strait Islander Leadership Group to demonstrate how parties will work in partnership and with shared decision-making to deliver Safe and Supported. The Partnership Agreement is due to be launched in mid-2023.

Safe and Supported aligns with the ECPP to achieve better outcomes for First Nations children and families. The Partnership Agreement will recognise the intersections between Safe and Supported and the ECPP, and will acknowledge that governments' responsibility for children is shared across different portfolios and jurisdictions.

Safe and Supported and its Action Plans will contribute to the development of the ECEC sector by investing in Aboriginal and Torres Strait Islander Community-Controlled Organisations (ACCOs) in the child and family sector, and building a strong Aboriginal and Torres Strait Islander workforce, including ECEC ACCOs. It is recommended the Productivity Commission note opportunities under Safe and Supported in developing recommendations that improve outcomes for First Nations children and their families.

### **Current Status of Developmental Outcomes for First Nations Children**

Australian governments, through the National Agreement, have set a target to increase the proportion of First Nations children who are on track in all five domains of the Australian Early Development Census (AEDC) to 55 per cent by 2031<sup>2</sup> [physical health and wellbeing; social competence; emotional

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<sup>1</sup> Wiyi Yani U Thangani (Women's Voices) Report (2020), Australian Human Rights Commission

<sup>2</sup> Closing the Gap Report (2023), Productivity Commission



maturity; language and cognitive skills (school-based); and communication skills and general knowledge].

From 2009 to 2018, there was a steady increase in the percentage of First Nations children on track across the five domains. For the first time in 2021, the data shows a slight reversal in this trend that reflects the same changes we see for all children nationally.<sup>3</sup> Findings from the 2021 AEDC data demonstrate the following for First Nations children:

- The gap between the percentage of First Nations children and non-Indigenous children on track across all developmental domains is now at 21.9%. This comes after a decrease (0.5%) in numbers of children on track across all domains<sup>4</sup>
- The language and cognitive skills domain was the main driver of the decline among First Nations children with numbers of children on track dropping from 62.6 % (2018) to 59.4% (2021). In 2009, this number was at 48%
- For any given AEDC domain, the majority, (about six in ten), of First Nations children are developmentally on track on each of the AEDC domains, about two in ten are developmentally vulnerable on each domain and a similar percentage are developmentally at risk.<sup>5</sup>

The [2022 Closing the Gap Annual Report](#) notes that supporting First Nations children to meet all five AEDC domains requires coordinated actions across portfolios and at all levels of government, in partnership with First Nations representatives. It highlights that increased access to preschool and childcare will support better access to early childhood education, and positively impact AEDC outcomes for all children.<sup>6</sup> The Strategy notes that children experiencing vulnerability benefit strongly from regular attendance, at an early age, in high-quality early learning, and identifies a range of opportunities to improve AEDC target outcomes.<sup>7</sup>

### **Factors affecting access to high-quality ECEC for First Nations children and families**

Feedback from families and other stakeholders to inform the development of the Strategy identified a number of barriers for First Nations children accessing high-quality ECEC services. These include affordability, service quality, cultural competency, transport and geographical location.<sup>8</sup> While the recently introduced *Family Assistance Legislation Amendment (Cheaper Child Care) Bill 2022* will assist to increase First Nations families' access to more hours of subsidised ECEC for their children, or to access it for the first time<sup>9</sup>, barriers to accessing high-quality ECEC remain for many First Nations children and their families.<sup>10</sup>

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<sup>3</sup> AEDC Executive Summary (2021), p7

<sup>4</sup> Australian Early Development Census National Report 2021, Commonwealth of Australia

<sup>5</sup> Australian Early Development Census National Report 2021, Commonwealth of Australia, p29

<sup>6</sup> Closing the Gap Annual Report (2022), p64

<sup>7</sup> National Aboriginal and Torres Strait Islander Early Childhood Strategy (2021), p16

<sup>8</sup> National Aboriginal and Torres Strait Islander Early Childhood Strategy (2021), p16

<sup>9</sup> Media Release (2022), Making childcare more accessible for Indigenous families, Australian Government.

<sup>10</sup> Social Research Centre (2016), Indigenous Participation in Early Childhood Education and Care - Qualitative Case Studies



### ***Access to culturally safe early childhood education and care***

Cultural safety empowers First Nations people and enables them to contribute and feel safe to be themselves. In a culturally safe organisation, children, young people, family and community members feel their culture and identity are respected.<sup>11</sup> The Strategy notes that of the First Nations children accessing ECEC, most participate in mainstream services. It is important these services are culturally-safe and have inclusive practices. First Nations community-controlled early years services are uniquely placed to break down barriers to access and deliver culturally-safe holistic supports to First Nations families.<sup>12</sup>

First Nations women consulted in the Wiyi Yani U Thangani (Women's Voices) Report were largely supportive of formal early childhood learning programs.<sup>13</sup> The Report calls for greater investment into early childhood services for First Nations children, especially community-controlled child and family centres.<sup>14</sup> The Report notes positive early childhood learning environments occurred when culture was a central element of young children's lives. Effective formal early childhood models were First Nations community-owned and controlled; engaged with First Nations staff to deliver the curriculum; included the whole family; and provided cultural learning.<sup>15</sup> The Report also highlights the importance of holistic early childhood education incorporating First Nations ways of learning and knowing, as well as recognising that women in the community, such as mothers, grandmothers, and aunts, play the role of first teachers to young children.<sup>16</sup>

Governments and the private sector can apply a cultural safety lens for leave and flexible working arrangement policies, and make deliberate policies to enable career advancement and satisfaction for First Nations women who are workers and carers across the ECEC sector. Consideration should be given to ensuring appropriate First Nations staffing, such as through employment targets. A strong First Nations care workforce is key to ensuring cultural safety in workplaces and in early learning environments. Particularly in remote areas, local First Nations community controlled organisations could be funded to deliver culturally appropriate early childhood education and care.

During consultations on the National Principles for Child Safe Organisations it was identified that more information on cultural safety in workplace policies and learning environments was needed for organisations working with First Nations children and families<sup>17</sup>. The Strategy identifies a range of opportunities to be considered in partnership across governments, non-government organisations, community and other stakeholders to strengthen cultural safety:<sup>18</sup>

- Strengthen support for local and traditional language protection, reawakening, revitalisation, maintenance, teaching and learning activities, particularly for early years programs as guided by the [National Indigenous Languages Report 2020](#)
- Support early childhood education and care services to build children's sense of cultural identity and pride

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<sup>11</sup> Keeping Our Kids Safe: Cultural Safety and the National Principles for Child Safe Organisations (2021), Australian Government, SNAICC, VACCA.

<sup>12</sup> National Aboriginal and Torres Strait Islander Early Childhood Strategy (2021), p16

<sup>13</sup> Wiyi Yani U Thangani (Women's Voices) Report (2020), Australian Human Rights Commission

<sup>14</sup> Wiyi Yani U Thangani (Women's Voices) Report (2020), Australian Human Rights Commission

<sup>15</sup> Wiyi Yani U Thangani (Women's Voices) Report (2020), Australian Human Rights Commission

<sup>16</sup> Wiyi Yani U Thangani (Women's Voices) Report (2020), Australian Human Rights Commission.

<sup>17</sup> Keeping Our Kids Safe: Cultural Safety and the National Principles for Child Safe Organisations (2021), Australian Government, SNAICC, VACCA

<sup>18</sup> National Aboriginal and Torres Strait Islander Early Childhood Strategy (2021)



- Strengthen cultural connection and identity in all policy, programs and initiatives that relate to First Nations children and their families across early childhood education, care and development
- Strengthen cultural identity and pride, positive connections to culture, families and Elders, and increase the wellbeing of community members
- Strengthen and promote digital literacy and culturally appropriate web-based applications for language and literacy learning in early childhood.

### **Workforce participation**

The ‘Gari Yala (Speak the Truth): Gendered Insights report’<sup>19</sup> notes First Nations people are more likely than non-Indigenous Australians to provide care to children, family and members of their community. Carer’s leave is often necessary for First Nations people to complete cultural obligations to community that extends beyond current definitions in mainstream policies and structures. Moreover, First Nations women take on significantly more of these responsibilities than men. In general, First Nations women with caring responsibilities are often at a greater disadvantage than men in terms of career progression, work performance and inclusion in the workplace. The Report highlights that First Nations women who are carers are more likely to experience this “triple jeopardy” of discrimination in the workplace.<sup>20</sup>

The Jobs and Skills Summit 2022 Outcomes Paper highlighted key themes for reform in employment across Australia, including an immediate action to put in place a Carer Friendly Workplace Framework. Areas for further work identified in the Outcomes Paper include identifying priority areas where governments can collaborate to support better outcomes across the ECEC sector, with a particular focus on workforce shortages.<sup>21</sup>

First Nations job seekers are not a homogenous group, and experience a diverse range of barriers to employment and workplace discrimination. More deliberate investment in capacity building programs (and VET/higher education attainment) to support the transition to community-controlled organisations ensures that demand can be adequately met in First Nations communities, while supporting cultural safety, self-determination and economic empowerment.<sup>22</sup>

The NIAA also notes the National Children’s Education and Workforce Strategy (2022-2031) – Shaping Our Future and the opportunities to improve First Nations ECEC workforce participation it identifies:<sup>23</sup>

- A strengths based approach
- A combination of on country, online and on campus tuition
- Local mentors and/or study groups
- Face to face lectures/trainers
- Financial support for study costs, including food, accommodation and transport
- Close involvement of academic staff specialising in First Nations education.<sup>24</sup>

<sup>19</sup> Gari Yala (Speak the Truth): Gendered Insights (2021) Australian Government

<sup>20</sup> Gari Yala (Speak the Truth): Gendered Insights (2021) Australian Government

<sup>21</sup> Jobs + Skills Summit Outcomes Paper (2022), Australian Government

<sup>22</sup> Commonwealth Closing the Gap Implementation Plan (2023), National Indigenous Australians Agency

<sup>23</sup> National Children’s Education and Workforce Strategy (2022-2031) – Shaping Our Future

<sup>24</sup> National Children’s Education and Workforce Strategy (2022-2031) – Shaping Our Future



### ***ECEC sector workforce requirements***

The ECCD Sector Strengthening Plan notes First Nations early years services consistently identify workforce attraction, retention and qualification development as major challenges. This is particularly the case for regional and remote services that are often reliant on an external workforce and see limited opportunity and support for the development of local First Nations staff who have the requisite cultural knowledge, community connections and skills, and the long-term commitment to supporting their community. The NIAA notes the commitment to strengthening and increasing the First Nations workforce, including developing cultural competency and trauma responsiveness, outlined in Actions A4 and A8 of the Plan.<sup>25</sup>

The Strategy identifies a range of opportunities to be considered in partnership across governments, non-government organisations, community and other stakeholders to strengthen ECEC workforce requirements, including:<sup>26</sup>

- Increase strategic partnerships to support First Nations students to enrol in and complete children’s education and care qualifications
- Increase the number of First Nations peoples completing relevant qualifications and being employed in early childhood education and care and development services. This includes:
  - supporting partnerships between the community-controlled sector and tertiary institutions and providers
  - increasing, attracting and retaining employment of First Nations people, particularly in areas of high need and regional and remote areas
- Improve cultural awareness, competency and safety in mainstream government agencies and service providers that support children and families, by addressing workforce capability and systemic reform
- Boost First Nations leadership and governance at all levels within the early childhood sectors.

### ***The operation and adequacy of the ECEC ACCOs market***

The ECCD Sector Strengthening Plan highlights the critical leadership and service delivery roles ECEC Aboriginal Community Controlled Organisations (ECEC ACCOs) play across Australia to support the safety, wellbeing, health and development of children in their early years. ECEC ACCOs deliver a very broad range of educational and development support programs, ranging from small community-based facilitated playgroups to fully integrated early education, development and family support hubs. Fundamental to all of these services is the application of Indigenous learning principles and values that focus on the ecosystem of the child in the context of family, community and culture.<sup>27</sup>

ECEC ACCOs consistently state that significant challenges remain to establish a viable and appropriately targeted operating model. This is particularly difficult for services that focus outside of the mainstream either geographically or demographically.<sup>28</sup> The ECPP will look at ways to support and strengthen the ACCO sector as part of its early priorities, as reported in the outcomes of ECPP meetings [one](#) and [two](#).

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<sup>25</sup> Sector Strengthening Plan: Early Childhood Care and Development (2021)

<sup>26</sup> National Aboriginal and Torres Strait Islander Early Childhood Strategy (2021)

<sup>27</sup> Sector Strengthening Plan: Early Childhood Care and Development (2021)

<sup>28</sup> Sector Strengthening Plan: Early Childhood Care and Development (2021)



The NIAA is also providing funding to SNAICC to implement the '[Intermediary Support Services Pilot - THRYVE](#)'. THRYVE has been developed to support and represent First Nations early years services in the delivery of high-quality, culturally appropriate, accessible and responsive early year supports for First Nations children and their families and communities to thrive and be on par with their peers when entering school.

The Strategy identifies a range of opportunities to be considered in partnership across governments, non-government organisations, community and other stakeholders to strengthen ECEC ACCOs services through:<sup>29</sup>

- boosting support to ECEC ACCOs and developing initiatives to support their sustainability and holistic service responses to address child, family and community needs
- reducing service gaps and establishing new ECEC ACCOs in locations of high First Nations population and high child vulnerability
- improving support to and sustainability of ECEC ACCO integrated models, particularly in geolocations with a high First Nations population and high child vulnerability
- boosting community-controlled intermediary support to services that builds capacity, and strengthens the quality of and representation for ECEC ACCO services.

### **Consultation and alignment with existing strategies**

The NIAA encourages the Productivity Commission to consult early with First Nations communities, peak bodies and organisations to ensure the evidence base for the Inquiry captures the needs and aspirations of First Nations people in determining what is needed for children and families to thrive.

The NIAA also recommends the Inquiry amplify existing Australian Government strategies across multiple portfolios, and commitments under the National Agreement on Closing the Gap. Australian Government early childhood policies and programs and their funding are delivered across a range of portfolios, and should be well connected to each other and to the early childhood supports offered by others, including by state and territory governments. Effective collaboration and well-coordinated government activities at the federal, state and local level help to create an effective early childhood system.

The Strategy identifies a range of opportunities to be considered in partnership across governments, non-government organisations, community and other stakeholders to strengthen alignment with existing strategies, including through:<sup>30</sup>

- Developing stronger partnerships between government, the early childhood care and development sectors and Aboriginal Community-Controlled Health Services to support culturally-safe and tailored health services that respond to community need
- Strengthening partnerships with the National Disability Insurance Scheme (NDIS), including through Early Childhood Partners, Local Area Coordinators, National Disability Insurance Agency staff and Remote Community Connectors, to support improved access to, and utilisation of, culturally-safe disability supports and services to First Nations children with developmental delay and disability and their families.

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<sup>29</sup> National Aboriginal and Torres Strait Islander Early Childhood Strategy (2021)

<sup>30</sup> National Aboriginal and Torres Strait Islander Early Childhood Strategy (2021)

