

9 October 2025

Ms Gabrielle Sinclair

CEO

Australian Children's Education and Care Quality Authority (ACECQA)

Level 14, 1 Oxford Street

Sydney NSW 2000

Australia

Via email: enquiries@acecqa.gov.au

Dear Ms Sinclair,

ACECQA's rapid assessment of supervision practices in the early childhood education and care sector

United Workers Union (UWU) represents thousands of early childhood educators across Australia, who are passionate about building an early childhood education and care (ECEC) sector that is high-quality, safe, and provides every child with the support they need to thrive.

Educators welcome the rapid assessment into supervision practices, and we want to thank the Australian Children's Education and Care Quality Authority (ACECQA) and Minister Walsh for meeting with UWU educators on Monday 6th October 2025. It is vital that educators' voices are heard on the issues that impact on their ability to ensure the safety of children in their care, such as the under-the-roof staffing loophole, the inadequacy of support provided through the Inclusion Support Program (ISP), and excessive documentation requirements. Under-the-roof ratios are an impediment to delivering high quality early learning and create unsafe environments for children and educators. The flaws of the Inclusion Support Program (ISP) and excessive documentation requirements on educators are also barriers to ensuring children are adequately supervised at all times. All of the above

are issues that educators have been sounding the alarm on for years. UWU believes reform is urgently required and that addressing these issues as a priority would meaningfully improve child safety.

Close the ‘under-the-roof’ ratio staffing loophole

Educators across the country are overwhelmingly in agreement that the ‘under-the-roof’ ratio loophole must be closed. In a July 2025 UWU survey of over 3,000 educators, 83% strongly agreed that the practice compromises the wellbeing and safety of children. Educators have consistently shared with UWU that the ‘under-the-roof’ loophole, while technically compliant, often results in stressful, isolating, and unsafe environments for both children and educators.

One educator from Western Australia said:

“My centre is multilevel. This means one educator can be left upstairs with 14 children, while another is counted downstairs to ‘make up the numbers’. On paper it looks compliant. In reality, it’s unsafe, isolating, and unfair. Children deserve genuine supervision and connection, not a numbers game. Educators deserve support, not impossible expectations.”

A Victorian educator told us:

“I have seen the impact this loophole has on children, families and educators. Leaving children unsupported and unsupervised for extended periods. Families twisting in the wind with injured children unable to ascertain how this was allowed to happen, contributing heavily to educator burnout resulting in lost talent, and expertise. It’s putting the workforce and children in extreme danger, all for the sake of a corporation being able to squeeze money from families and communities. This is not right, it is not in the interest of our young people and must end now!”

Systemic understaffing permitted through the ‘under-the-roof’ loophole poses one of the most significant risks to child safety in the sector. Ensuring there are always enough staff with children in the room is the best way to ensure children are safe. UWU urges ACECQA to recommend reform to mandate that services must meet ratios in every room, and to close the ‘under-the-roof’ staffing loophole.

Reform inclusion support: all children with additional needs, diagnosed or not, must receive the full support they need to thrive

The flaws in the Inclusion Support Program (ISP) are exacerbating the supervision and safety problems created by ‘under-the-roof’ ratios. In fact, the ISP could be described as ‘too little, too late’, when educators are under so much pressure and stretched so far. A fully funded and accessible ISP matters for child safety, and that is not the current reality. Centre directors and educators in CBDC have first-hand experience of the wait-times and delays in receiving funding for a child that needs additional support. Even if support is granted through the ISP, it is often insufficient. An additional educator funded through the ISP may instead be used by services to meet ratio in the room – negating the additional support that’s been provided. There are caps on wages and staffing hours for additional educators funded through the ISP, so children who require additional support may not have it for all their hours of attendance at the service. If a child does not have a diagnosis, successfully applying for support can be almost impossible. This means both children with additional needs and other children at the centre miss out on the high-level care they all deserve because there is no alternative for additional support except at the discretion of the provider. As a result, educators are stretched too thin, trying to do more without the resources they need, compounding the ongoing problems of understaffing and ‘under-the-roof’ ratios. Nearly four out of five educators in UWU’s June survey said that there are more safety incidents in their service because of a lack of support educators for children with additional needs. The supervision of all children is impeded, because there is little, if any, additional support being provided to children that require it. This creates unnecessary safety risks for children and is ultimately unfair for both the children who need additional support and for the other children at the service.

Inadequate ISP support undermines the inclusive intent of the program, and instead its flaws mean additional strain is placed on already overwhelmed teams of educators.

One educator told us of her experience working with the ISP in her service:

“[ISP] educators may be an assistant educator. They may have no training, so no knowledge of the behaviours of the child or how to support them.

In my centre, there are two [ISP] educators usually, however they start in the morning, from 9am to 3.30pm and 10am to 3pm, but the children they are there to support are still at the centre until 6.30-7pm in the evening. For educators on the closing shift, this is difficult to manage because children need the support but they, and we, don’t have that support – and I can’t be in two places at once. [ISP] educators will often cover their own lunch breaks, meaning that even within the time they are at the centre, the room may be without [ISP] educators for up to an hour. If the number of children in the room is “low”, [centre management] may send other educators out of the room [for non-contact time or to another room], meaning there is one [ISP] educator and one other educator with 14 children. Sometimes there’s just not enough staff at the service, so there is no real additional support.

A few weeks ago, two children that need additional support tackled me to the ground and sat on me for 2-3 minutes. Because an [ISP] educator wasn’t there, it was me and one other educator with 20 children. The other children were trying to help me up because we didn’t have another educator who could help me straight away.”

The case study above highlights the safety risk to all children in a room because not enough support is provided to children that need it. Educators “can’t be in two places at once”, and limited resources are stretched too far to guarantee child safety. This underscores the urgent need for reform of the ISP. UWU advocates for it to be a priority reform area for ACECQA and the Federal Government.

Reduce excessive documentation requirements

Excessive documentation takes educators' time away from children, and from their core role of providing direct supervision and delivering early learning to children. Educators are not provided with enough non-contact time to work on documentation. This means that educators may be trying to complete their paperwork whilst also trying to supervise children and deliver early learning in their 'contact time'. If two educators are in a room of 10 toddlers, and one is trying to finish documentation, that leaves one educator to effectively supervise all 10 children in the room. And in some instances, the paperwork and documentation demands are such that educators will be forced to take this work home and do it in unpaid time. Educators have reported that documentation is not only too frequent, but that sometimes it is not meaningful. Constant documenting through daily updates takes time away from educators' ability to actively supervise, engage with children and build connections. One educator said:

"Documentation is reducing quality interactions with children. We are so busy worrying about documenting the learning, that we aren't in the moment.

Documentation is being created to 'please' families rather than being used as a tool to inform ongoing practice. We need to get back to the purpose of documentation."

Another educator who has recently left the sector said:

"The legal requirements of documentation is not the issue, it's the pressure directors and management have on educators to document. Documentation is now to keep families "happy" with daily photos rather than to document the children's learning journey. Daily stories are pointless, and a waste of time."

Additionally, educators are asked to complete other administrative tasks and cleaning, which further restrict the level of supervision educators can provide in the room. Educators shouldn't be cleaning the service, because they should be engaging with the children, delivering early learning and supervising those in their care.

ACECQA has the opportunity as part of its rapid assessment of supervision practices to reduce paperwork and documentation demands, limit excessive administrative duties and cleaning tasks on educators and thereby improve child safety and supervision in CBDC.

The issues outlined above are urgent and require reform. UWU educators urge ACECQA to closely consider the matters raised in this letter as part of its rapid assessment of supervision practices. UWU urges ACECQA to take action to ensure that:

1. The 'under-the-roof' ratio loophole is closed, and services are legally required to meet minimum staffing requirements in every room.
2. Every child with additional needs, whether diagnosed or not, is fully supported through additional staffing and other required resources under a reformed inclusion support system.
3. Excessive documentation requirements are reduced for educators so that educators can effectively supervise the children in their care. Educators also shouldn't have to undertake additional duties such as cleaning the centre or be overburdened with excessive administrative tasks.

We thank you again for meeting with UWU members and delegates and look forward to the outcome of this rapid assessment.

Yours sincerely,

Carolyn Smith
Director, Early Childhood Education and Care
United Workers Union