



Gender Undervaluation Priority Award Review

Position Paper – response to provisional views

June 2025

A Joint Submission by:



Community Child Care Association



Community Early Learning Australia

About Us



Community Child Care Association

From a small beginning, Community Child Care (CCC) has grown significantly, and is now the peak body in Victoria for community-owned education and care, supporting long day care, outside school hours care (OSHC), kindergarten, family day care and occasional care educators, teachers, leaders, coordinators and directors. CCC's vision and purpose are underpinned by the belief that all children deserve the best possible start in life, regardless of their circumstances. Our vision is for excellent early childhood and outside school hours education and care for all and our purpose is to lead, support and advocate for accessible high-quality opportunities for children and families.

As a trusted sector leader, CCC provides leadership and advocacy, works with governments toward improvement in the sector and supports services with membership, quality professional development and consultancies. CCC equips and supports early childhood and outside school hours care services, educators and their communities with the skills and confidence to deliver high quality inclusive education and care services.

CCC's advocacy helps to enable and strengthen the development and retention of Victoria's community-owned education and care sector.

www.cccinc.org.au



Community Early Learning Australia

Community Early Learning Australia™ (CELA) is the voice for Australia's early education and care sector. As a peak body, our vision is for all of Australia's children to have access to quality early education, regardless of economic circumstance or where they live.

CELA supports over 1,800 members employing more than 27,000 educators and teachers nationally. Our members include community-managed not-for-profit, government, and privately owned small providers, delivering preschool, long day care, outside school hours care, and family day care services.

Our Mission is to:

- Deliver effective and expert support for our members, enabling them to deliver quality early education and care for all Australia's children.
- Influence policy makers and government by amplifying the voices of community based and small providers.
- Promote the value and importance of community-based early education.

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Introduction

CCC and CELA welcome the opportunity to contribute a response to the Gender-based undervaluation – priority awards review.

Our submission is provided in accordance with directions issued by the Commission 26 May 2025 (as Amended 29 May 2025) for the Children's Services Award 2010 AM2024/23.

CCC and CELA are peak bodies, representing the views of community managed not-for-profit organisations as well as small private providers.

Our members provide services in the education and care sector across long day care, family day care, outside school hours care and preschool/ kindergarten services.

The majority of our member services in long day care, outside school hours care and Family day care are funded federally through the Child Care Subsidy (CCS). However, preschool/ kindergarten services are predominantly funded through State and territory governments.

This submission addresses the following matters from the provisional decision:

- Alignment with the Caring Skills Benchmark
- The proposed classification structure and descriptors
- Capacity to pay and government funding.

Undervaluation and caring skills benchmark

CCC and CELAs mission is to support every child's right to access high quality education and care from birth and we recognise the integral role of the workforce in delivering this.

The education and care sector has been experiencing severe workforce shortages for decades. The sector is significantly award reliant¹ and total earning in the sector have been found to be lower than employees in similar or comparable sectors².

As peak bodies for community managed and small providers in the education and care sector we have long advocated for improvements to wages and conditions for staff.

Our general position in response to the provisional views of the Commission is that the rectification of gender undervaluation under the Children's Services Award (CS Award) should not result in any reduction in hourly rate of pay for existing staff.

Additionally, we submit that consideration should be made to changes in the historical workforce arrangements and levels of responsibility since 2010, and how these should be best reflected in a new simplified classification structure.

¹ National Workforce census 2024: <https://www.education.gov.au/early-childhood/resources/2024-early-childhood-education-and-care-national-workforce-census-report-pg-19>.

² <https://www.jobsandskills.gov.au/download/19636/future-early-childhood-education-profession/2657/future-early-childhood-education-profession-summary-report/pdf> pg: 7

We support the Commission's findings in the provisional decision that the work of children's services employees (CSE) has been the subject of gender-based undervaluation. We support the findings that CSE staff have to perform a range of both visible and 'invisible' skills in the day-to-day performance of their role, and that previous award reviews have not sufficiently accounted for these responsibilities.

We recognise that the Commission confirmed that the current minimum wage rates set in the CS Award largely follow the ACT Child Care Decision³. We note that this decision was made prior to the implementation of the National Quality Framework (NQF)⁴ which provided nationally consistent regulatory minimums for staffing, qualification and quality standards, many in addition to those considered in this initial case.

With the finding that the work of CSEs involves the exercise of significant invisible skills, we support the Commission's conclusion that at the Certificate III-qualified level, an alignment with the Caring Skills benchmark rate is justified.

We agree that while there are unique contexts to the work performed in both aged care and disability support work, the skills utilised to perform high quality 'care' work in these complex and demanding sectors are comparable.

As such, we support the alignment of the certificate III Children's Services level with the Caring Skills benchmark rate.

Proposed classification structure

Incremental progression

The proposed classification structure outlined at [557] simplifies the existing structure by removing all years-based progression levels except for the new CSE level 4 (experienced educator) role.

It is proposed that employees can progress to this level where the employee "has obtained an approved Certificate III-level early childhood education and care qualification and has obtained four years' post-qualification industry experience at CSE Level 3."

The current CS Award provides that progression from one level to the next is subject to meeting the following:

"(i) competency at the existing level;

(ii) 12 months experience at that level (or in the case of employees employed for 19 hours or less per week, 24 months) and in-service training as required; and

(iii) demonstrated ability to acquire the skills necessary for advancement to the next pay point." - Schedule B, Clause 14.2

This recognises that competency at a particular level is the attainment of the qualification, in this case a certificate III. Progression through the current levels recognises the additional experience and competency gained since the attainment of the qualification.

³ Paragraph: 543 [2025] FWCFB 74

⁴ ACECQA, 2022: *The first decade of the NQF*. https://www.acecqa.gov.au/sites/default/files/2022-07/occasional_paper_8_-_desktop_published_version_6_1.pdf

We submit that for the proposed CSE level 4 and any other classifications where there is year's-based progression, that progression is calculated from the date of the attainment of the relevant qualification.

The recognition of the additional value of experience in the ECEC sector is a key factor in supporting the retention of staff. In a sector which is currently experiencing severe workforce shortages, which are projected to continue into the future, removing or reducing the incentive to stay in the sector will have negative effects. This is especially the case for retaining existing qualified staff.

If the progression is not calculated from the date of the attainment of the relevant qualification, in the case of Cert III qualified staff the improvement to wages for this class of employee will fall from 19.9% to 15.3% increase.

Qualified Co-ordinator

The Education and care sector has experienced rapid change since the creation of the CS Award in 2010 including the implementation of the National Quality Framework (NQF).

One such change is the requirement under National Regulations that 50% of staff in a long day care service must hold a diploma qualification or higher⁵.

Prior to the commencement of the NQF in 2012 there were no nationally consistent standard for education and care and states and territories set minimum requirements for the qualifications of staff.

Prior to the NQF in 2012 the predominant qualification of staff was certificate III. Generally, Diploma qualifications were only required or preferred for the role of 'room leader' or "person in charge of a group"⁶

In 2010 28.8% of all staff held a certificate III or IV and 24.6% of staff held a diploma or advanced diploma⁷.

By 2024 this ratio has flipped with Diploma now being the predominant qualification in the sector. Increasing to 34% with certificate III or IV down to 24.2%⁸.

As the role of 'Room Leader' or 'person in charge of a group' is limited in the service to the number of child groupings provided in the service. It is also by appointment. It is not therefore guaranteed that an employee with a Diploma will be able to progress to the room leader position. This shift means more diploma qualified staff are employed in the role of Children's Services Employee, currently level 3.4 under the CS Award.

Furthermore, as found in the Stage 2 report, the C5 rate was aligned with CS Award level 4.1 which included the role of room leader, not 3.4⁹.

The shift under the NQF requiring services to employ 50% or more staff holding a diploma qualification or higher, has resulted in a greater demand for these staff, however the Award has not kept up with recognition of this change.

⁵ <https://www.acecqa.gov.au/qualifications-0/qualification-requirements/qualifications-centre-based-services-children-preschool-age-or-under>

⁶ MA000120 Children's Services Award B.1.6

⁷ 2010 National Early Childhood Education and Care Workforce Census: Table 3.3.1

<https://www.education.gov.au/early-childhood/resources/2010-national-early-childhood-education-and-care-workforce-census>

⁸ Childrens census 2024, Table 6 Highest level of ECEC related qualifications of paid staff, by service type

⁹ FWC, *Stage two report: Gender pay equity research*. 4 April 2024. Para 133

<https://www.fwc.gov.au/documents/consultation/stage-2-report-gender-pay-equity-research-2024-04-04.pdf>

We are concerned that there is not currently a sufficient jump between the cert III levels (CSE level 3 and 4) and the new Diploma level (CSE 5) under the provisional classification structure. The previous jump between level 3.3 (certificate III) and level 3.4 (Diploma) was around \$60 per week. Under the new proposed classification, the jump from the highest cert III rate to the Diploma rate has been reduced to around \$50 per week.

We submit that the addition of a 4-year progression to "senior" educator would resolve this and support long term retention of diploma qualified staff.

Qualified Co-ordinator

The current proposed classification structure outlined in the provisional decision seems to omit the current role of qualified coordinator (outside school hours care).

Currently level 6 of the CS Award recognises the role of a qualified outside hours co-ordinator in Schedule B 1.10(e) as follows:

"Qualified Co-ordinator

This is also the level for a qualified Co-ordinator who co-ordinates and manages a stand alone out-of-school hours care and/or vacation care centre and has successfully completed a post-secondary course of at least two years in Early Childhood Studies or an equivalent qualification.

A Co-ordinator appointed to co-ordinate the activities of a service licensed to accommodate up to 59 children will be paid at the salary range Level 6.1 to 6.3.

A Co-ordinator appointed to co-ordinate the activities of a service licensed to accommodate 60 or more children will be paid at the salary range Level 6.4 to 6.6."

Under the proposed classification structure and descriptors, this employee would now likely translate to new CSE level 7.

This translation would result in this class of employee receiving a lower hourly rate that under the current award, as outlined below.

Current levels	No of places	Current weekly rate	Current hourly rate	New amount (week)	% difference
Level 6.1	Up to 39 places	\$ 1,466.30	\$ 38.59	\$ 1,546.70	5%
Level 6.2		\$ 1,484.60	\$ 39.07	\$ 1,546.70	4%
Level 6.3		\$ 1,502.80	\$ 39.55	\$ 1,546.70	3%
Level 6.4	40 to 59 places	\$ 1,558.90	\$ 41.02	\$ 1,546.70	-1%
Level 6.5		\$ 1,573.20	\$ 41.40	\$ 1,546.70	-2%
Level 6.6		\$ 1,592.00	\$ 41.89	\$ 1,546.70	-3%
Level 6.7	60 places or more	\$ 1,611.00	\$ 42.39	\$ 1,546.70	-4%
Level 6.8		\$ 1,629.40	\$ 42.88	\$ 1,546.70	-5%
Level 6.9		\$ 1,647.80	\$ 43.36	\$ 1,546.70	-6%

We submit that the new classification structure should maintain the qualified coordinator (outside school hours care) is maintained at the director level.

Director of large services

The role of director in education and care services is diverse and demanding and these responsibilities are impacted by the size of the service that the Director manages.

The larger the service, the greater the number of staff, children and families required to be managed. This is compounded further for community managed and small services, who do not have the benefit of professional 'head office' support for the management and operation of services.

The current CS Award recognised this through three director levels, each relating to the comparative size of a service.

"B1.10 (b) Director Level 1

A Director Level 1 is an employee appointed as the Director of a service licensed for up to 39 children or a Family Day Care service of no more than 30 family based childcare workers and is paid at the Level 6.1 to 6.3 salary range.

(c) Director Level 2

A Director Level 2 is an employee appointed as the Director of a service licensed for between 40 and 59 children or a Family Day Care service with between 31 and 60 family based childcare workers and is paid at the Level 6.4 to 6.6 salary range.

(d) Director Level 3

A Director Level 3 is an employee appointed as the Director of a service licensed for 60 or more children or a Family Day Care service with more 60 family based childcare workers and is paid at the Level 6.7 to 6.9 salary range.

The average size of centre-based care services is now 70 places (68 for OSHC)¹⁰.

The Educational Services (Teachers) Award 2020 recognises the additional responsibility that is required as a result of the size of service through the maintenance of the Directors allowance and the leadership allowance¹¹.

Both allowances provide a higher rate of remuneration depending on the size of the school. Specifically, the director's allowance includes a 60+ licensed places rate.

As such, we submit that at least one additional level described as "Director – large services) be included in the proposed classification structure. This level should be applicable to employees appointed as Director of a services licensed for 60 or more children or a Family Day Care service with more 60 family based childcare workers.

Proposed alternative classification structure and translation

CCC and CELA submit the following alterations to the proposed classification structure outlined in the Commission's decision.

The proposed classification reduces the current levels from 25 to 10 while recognising the responsibilities and qualifications of the modern education and care workforce.

¹⁰ National Workforce Census, Table 51.1 Maximum /typical capacity by service type <https://www.education.gov.au/early-childhood/about/data-and-reports/national-workforce-census/2024-national-early-childhood-education-and-care-workforce-census>

¹¹ Educational Services (Teachers) Award 2020 Clause 19.2 and 19.3

Classification	Criteria	Translation	Relatively to Level 3	\$ per week
CSE Level 1 Introductory Educator	An employee whose primary role is to work directly with children and who has less than 12 months' experience as a CSE.	Level 1.1	90%	1,142.80
CSE Level 2 Educator	An employee whose primary role is to work directly with children and who has at least 12 months' experience as a CSE.	Level 2.1 Level 2.2	95%	1,206.30
CSE Level 3 Qualified Educator	An employee whose primary role is to work directly with children and has obtained an approved Certificate III-level early childhood education and care qualification.	Level 3.1 Level 3.2 Level 3.3	100%	1,269.80
CSE Level 4 Experienced Educator	An employee whose primary role is to work directly with children, who has obtained an approved Certificate III-level early childhood education and care qualification and has obtained four years' post-qualification industry experience at CSE Level 3.	Level 3.3 (four years from date of achievement of qualification)	104%	1,320.60
CSE Level 5 Advanced Educator	An employee whose primary role is to work directly with children and who has completed a diploma-level early childhood education and care qualification or an equivalent approved qualification for out of school hours care.	Level 3.4	108%	1,371.40
CSE Level 6 Senior Educator	An employee whose primary role is to work directly with children, who has obtained an approved diploma-level early childhood education and care qualification and has obtained four years' post-qualification industry experience at CSE Level 5	Level 3.4 (four years from date of achievement of qualification)	112 %	1,422.20
CSE Level 7 Lead Educator/ Room Leader	An employee who has been appointed as a Lead Educator or Room Leader in accordance with relevant legislation or regulation.	Level 4.1 Level 4.2 Level 4.3	118 %	1,498.36
CSE Level 8 Assistant Director	An employee who is appointed as: <ul style="list-style-type: none"> • The Assistant Director of a service; • Family Day Care Co-ordinator; • Family Day Care Trainee Supervisor; or • School Age Care Co-ordinator_excluding a person who manages a stand alone out-of-school hours care and/or vacation care). and who has completed an AQF Level 5 or Level 6 Diploma in Children's Services or equivalent or is deemed by the employer or relevant legislation to hold such qualification or possess such experience as appropriate or required for the position.	Level 5.1 Level 5.2 Level 5.3 Level 5.4	122%	1,546.70
CSE Level 9 Director	An employee who is appointed as the Director of a Service with less than 60 places, and has completed a relevant degree or other	Level 6.1 Level 6.2	142%	1,803.20

	<p>qualification or is deemed by the employer or relevant legislation to hold such qualification or possess such experience as appropriate or required for the position.</p> <p>This is also the level for a School Aged Coordinator (however described) who co-ordinates and manages a stand alone out-of-school hours care and/or vacation care centre.</p>	<p>Level 6.3</p> <p>Level 6.4</p> <p>Level 6.5</p> <p>Level 6.6</p>		
<p>CSE Level 10 Director</p>	<p>An employee who is appointed as the Director of a Service with 60 or more places, and has completed a relevant degree or other qualification or is deemed by the employer or relevant legislation to hold such qualification or possess such experience as appropriate or required for the position.</p>	<p>Level 6.7</p> <p>Level 6.8</p> <p>Level 6.9</p>	150%	1,904.70

Where an employee performs any role that counts toward educator to child ratios¹², the employee must be classified as an educator for the entire shift, and paid at the appropriate level in accordance with this classification structure.

Capacity to pay – funding

The education and care sector is predominantly government funded.

This finding has been supported in two recent supported bargaining authorisations for the sector:

- *Independent Education Union of Australia, United Workers' Union PR 779518 23 September 2024* - on behalf of NSW Preschool employees; and
- *United Workers' Union, Australian Education Union and Independent Education Union of Australia PRPR766609 27 September 2023* – on behalf of long day care employees.

Funding is provided either by the Federal government through the Child Care Subsidy, or via various funding models provided by state and territory government (preschool/ kindergarten funding).

Services capacity to respond to changes to costs, including wages, is determined by their ability to set fees.

For State funded services there is variation in the ability for services to freely set fees. For example, NSW preschool services are able to set minimal fees and are generally required to maintain increases below CPI¹³, Victorian State Government funded preschools are not able to set any fees for families¹⁴.

The Commonwealth government announced the Worker Retention Grant (WRGP) which provides funding to deliver a 10% uplift on award wages from 2 December 2024 and a further 5% from 1 December 2025¹⁵.

¹² See the Education and Care Services Law Act 2010 and the Education and Care Services National Regulations 2011 and the National Quality Standard.

¹³ https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/grants-and-funded-programs/start-strong-funding/start-strong-for-community-preschools/2025-start-strong-for-community-preschools-program-guidelines#Fee_10

¹⁴ <https://www.vic.gov.au/kindergarten-funding-guide>

¹⁵ <https://www.education.gov.au/early-childhood/providers/workforce/wages>

Under the current grant program, this funding is available to employers who apply for the grant up to 30 November 2026.

For the duration of the grant employers must comply with maximum fee caps. This includes a cap of 4.4% from 8 August 2024- 7 August 2025 and 4.2% from 8 August 2025. If a service is unable to comply with these required fee caps, they are no longer eligible to receive funding.

In addition to direct funding, government controls services capacity to manage costs through the setting of detailed minimum regulations. This includes minimum staffing levels and qualifications.

Services are also impacted by the capacity of families in their area to pay higher fees. Services operating in low SES areas are unable to increase fees without impacting family and child access to services to the same extent as those operating in wealthier areas.

CCC and CELA support that consideration of existing funding arrangements and timing is a relevant consideration in the final determination of the order to rectify gender undervaluation under the Children's Services Award 2010. However, we maintain our position that it is the role of the Australian governments to sufficiently fund education and care services to implement the outcome of this review.

All Australian governments have stated their commitment to delivering a universal, affordable education and care sector¹⁶. This can only be delivered with sufficient funding to ensure gender undervaluation can be fully addressed in all services, without impact on family fees.

Conclusion

CCC and CELA have long advocated for staff in the Education and Care sector to be properly valued for their essential work.

The gender undervaluation review has found that minimum Award rates for the Children's Services Award have not fully valued the complex and skilled work of educators in the sector.

This work has only grown more complex and more diverse since the establishment of the current Award.

It is essential that this gap is rectified as soon as possible, and that the sector can attract and retain the qualified, experienced staff needed to meet urgent demand.

We reiterate that as a sector that is predominantly funded by government, sufficient funding must be provided to ensure that this historic gender-based undervaluation is addressed without impacting access of children and families to this essential service.

¹⁶ ¹⁶ <https://www.education.gov.au/early-childhood/resources/draft-national-vision-early-childhood-education-and-care>

