



22 November 2005

Mr Gary Banks  
Chairman, Productivity Commission  
Regulation Taskforce

By email: [info@regulationtaskforce.gov.au](mailto:info@regulationtaskforce.gov.au)

Dear Mr Banks

**RE: SUBMISSION ON CHILDCARE REGULATION**

The National Family Day Care Council of Australia (NFDCCA) is the peak industry association for Family Day Care in Australia.

We represent approximately 13,500 Family Day Care Carers, predominantly self employed workers who run childcare services from their own home with the assistance of coordination units. The coordination units, sponsored usually by local government or community organisations, recruit and train Carers, advertise their services and provide quality assurance.

Some 100,000 children are looked after by Family Day Care Carers and we estimate this as 14% of the total number of children in formal childcare.

Attached is a short submission setting out our concerns at overlapping childcare regulation.

You will be aware that there is currently a major review of National Standards in childcare. However, NFDCCA believes that no Commonwealth or State review has looked at childcare regulation from a business perspective, how to deliver the same child protection and quality outcomes without

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detering would-be Carers because of complexity delay or unnecessary expense.

We would welcome the Productivity Commission examining Childcare regulation

Yours Sincerely

**Linda Latham**  
**Chief Executive Officer**  
National Family Day Care Council of Australia

*This submission has been copied to Childcare Australia for their information*

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## BUSINESS REGULATION AND THE CHILDCARE SECTOR

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### NFDCCA SUBMISSION

- In Western Australia where individual Carers are licensed by the State, it commonly takes six months for a prospective Carer to go through the process of police checks, first aid certificate and clearance of her house and car for safety. NFDCCA cannot see why some of these procedures cannot be done in parallel rather than in series as is required by State regulation, to shorten the time before a Carer can earn income.
- Queensland regulates the number of hours a coordination unit must work. The Commonwealth which provides large subsidies for the work of coordination units does not interfere with how long they work or how they allocate their time.

The above two examples, from many our members could provide, show that there is a need to run a business efficiency test for much State regulation. Essentially State and Territories which regulate Family Day Care have no financial stake in the result of their regulation. In the sphere of children, regulators will naturally tend to a very heavy risk prevention approved without any counterbalance of efficiency.

There are also fundamentally different regulatory approaches between jurisdictions. Some are modern outcomes based and others are highly prescriptive. For example some require the fences at a Carers home be 'adequately fenced' (QLD) and others set the height of the fence (WA). This inflexibility in the latter case can have important effects in deterring otherwise suitable carers, especially those working in rented homes.

NFDCCA would expect the review of the National Standards to go some way towards ironing out basic philosophical divergences but believe the intervention of the Productivity Commission would add impetus to this process.

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