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NSW Upper House inquiry – Union calls for changes to child safety bill

The union representing teachers in early childhood education and care in NSW and the ACT will today call for changes to a bill introduced by the NSW Government to improve child safety in early learning services.

“The union welcomes reforms to rebuild confidence in the sector and establish a strong child safety culture,” said Independent Education Union of Australia NSW/ACT Branch Secretary Carol Matthews. “However, the state government’s bill fails to address the crucial and urgent need for staffing reform.”

Matthews today (Friday 26 September) will give evidence at a hearing of the NSW Upper House inquiry into the Children (Education and Care Services National Law Application) Amendment Bill 2025, alongside IEU organiser Lisa James.

The IEU’s submission to the inquiry highlights the importance of adequate staffing ratios to effectively protect the safety and best interests of young children attending early learning centres.

This is an issue within the control of the operators of centres, yet staff-to-child ratios are not addressed in the bill.

“The union considers staff-to-child ratios should be reviewed; for example, to ensure that one adult is never left alone with a group of children,” Matthews said. “If one staff member leaves a group of 20 children to assist one child in the bathroom, that leaves one adult alone with 19 children.”

The union strongly supports measures to address child safety – for example, protecting whistleblowers and training requirements, but does not support the bill in its current form.

“We are concerned the bill may have adverse impacts on teachers and educators who will face heavy penalties under strict liability provisions,” Matthews said.

Under the existing law, a teacher or educator appointed as nominated supervisor is liable for a safety breach even if they are not present (including if they are on leave).

Under the bill, the penalties have been increased and the range of offences expanded.

“We request the NSW government review penalties imposed on employees to ensure they are not unfair and that procedures used to impose penalties are transparent and protect the rights of employees.”

Contacts

Carol Matthews, IEUA NSW/ACT Branch Secretary, 0418 272 902

Media: Andrew Taylor, 0477 902 040, andrew@ieu.asn.au

The IEUA NSW/ACT Branch represents 32,000 teachers, principals and support staff in Catholic and independent schools, early childhood centres and post-secondary colleges.

Authorised by Carol Matthews, IEUA NSW/ACT Branch Secretary