



The Hon. Clare O'Neil MP
Review of Australia's Migration System
Australian Government Department of Home Affairs

14 December 2022

Thank you for the opportunity to provide a submission to the Department of Home Affairs *Review of Australia's Migration System*.

ACECQA is the independent national authority established under the Education and Care Services National Law to guide the implementation and administration of the [National Quality Framework](#) (NQF), the national system for regulating children's education and care services, including long day care, preschool/kindergartens, outside school hours care services and family day care.

The children's education and care sector is large and diverse, with just over 7,000 education and care service providers approved to operate more than 17,000 services under the NQF (more than 8,000 long day care services and more than 3,000 preschools/kindergartens). Around 1.5 million children attend these services across Australia, with individual children attending anywhere from a few irregular hours to more than 50 hours every week.

Research shows quality education and care early in life leads to better long-term health, education and employment outcomes for children and supports broader social and economic goals and productivity growth for the community.

Globally, the components of high-quality early childhood education and care services include highly qualified educators and teachers and consistent relationships established with children and families attending the service. However, there are persistent and increasingly pressing shortages of appropriately qualified educators and teachers, exacerbated by recent declines in domestic enrolments in education and care qualifications and the pressures of the Covid-19 pandemic. Around three-in-five (59 per cent) services report they are unable to accommodate additional places for children to attend¹, indicating they are operating at full capacity with no resources or capability to meet increased demand. Additionally, the proportion of services requiring a staffing waiver, a typically short-term regulatory exemption for services unable to meet operational staffing requirements, has more than doubled over the past five years with almost one-in-ten (9 per cent) of services operating with a staffing waiver².

¹ Australian Government Department of Education and Training, 2021 Early Childhood Education and Care National Workforce Census, published August 2022.

² Australian Children's Education and Care, NQF Online Snapshot as at 1 October 2022.

Acknowledging the complexity of the workforce challenges faced by the sector, Australian governments and national sector stakeholders have collaborated to develop [Shaping Our Future](#), a ten-year strategy (2022–31) to ensure a sustainable, high-quality children’s education and care workforce. The strategy supports efforts by governments to develop a long-term vision for children’s education and care to better support parents’ workforce participation and deliver improved early learning and child development outcomes across the system.

However, the strategy also acknowledges that there are few ‘quick wins’ to immediately solve workforce challenges. While migration is not the only policy lever available to governments, it is one of the few levers available to address immediate skills shortages. Therefore, it is important to ensure that the migration system is operating efficiently and effectively to meet the demands of the current workforce shortages experienced by the children’s education and care sector.

Complex assessment and approval processes

Overseas trained educators and teachers often need to negotiate complex assessment and approval processes before they can commence work in Australia. For example, an overseas trained early childhood teacher may well be required to undergo three separate assessment and approval processes before they are able to be employed in a school or early childhood service, adding cost and time to the recruitment process. While the relevant bodies have made progress in more closely aligning their respective qualification assessment processes, differences often remain between the requirements for skilled migration, professional registration and regulatory approval to work.

The system is also complex for employers, particularly small business owners, to navigate. Of the 7,000 education and care service providers operating in Australia, 80 per cent operate a single service³. Unlike larger providers, single service providers typically do not have sophisticated recruitment processes and procedures in place, nor are they easily able to navigate the complexities of different visa programs or achieve administrative efficiencies through employer sponsored visa programs and individually negotiated labour agreements.

Workforce data gaps

Another barrier to informed policy making and strategic planning is the disparate workforce data available at a national level. For example, the National Skills Commission⁴ forecasts that the children’s education and care sector will require approximately 21,800 additional workers by November 2026, representing an 11 per cent increase for the workforce over five years. However, this forecast likely underrepresents the growth required as it is difficult to forecast the impact of national initiatives to increase participation in early education, such as the upcoming changes to the Child Care Subsidy, the four-year Preschool Reform Agreement and significant forward investment by states and territories to improve access to early learning for three-year old children. Operational data about the skilled migration process is typically not publicly available. The data gaps make it difficult for governments and researchers to assess current workforce supply and demand and identify meaningful solutions at the sector level.

³ Australian Children’s Education and Care, NQF Online Snapshot as at 1 October 2022.

⁴ National Skills Commission, Employment Projections to 2026, published November 2021.

Outdated occupation classifications

While the current [Skills Priority List](#) goes some way to identifying high-demand occupations for migration purposes, the Labour Market Ratings identified for children's education and care occupations often fall short of the shortages identified through NQF data analysis and stakeholder feedback. Part of the challenge stems from the Australian and New Zealand Standard Classification of Occupations (ANZSCO) which have not kept pace with reforms in the sector or the goals of the national system. The description of skills do not reflect the current skills and knowledge or professional language associated with the five 'six-digit' occupations that relate directly to the NQF.

Early childhood teachers fall within the category of 'Unit Group 2411 Early Childhood (Pre-Primary School) Teachers'. This unit group is a sub-set of schoolteachers and includes teachers in the early years of primary school. As such, this data likely over-represents estimates for the number of early childhood teachers working in NQF settings.

Similarly, preschool education is grouped in 'Division P Education and Training', while long day care is grouped separately in 'Division Q Health Care and Social Assistance'. As such, industry level data analysis, such as that used for determination of the Skills Priority List, can misrepresent the size of the sector by excluding kindergarten and pre-school programs delivered by NQF approved providers or conversely including social assistance services that do not form part of the regulated children's education and care sector.

The skill level requirement for the skilled migration program also presents a barrier for several high-demand occupations within the children's education and care sector. For example, the '421111 Child Care Worker' occupation is considered a 'skill level 3' and often ineligible for skilled migration pathways, despite a regulatory requirement for at least half of all educators employed in relevant services to hold, or be actively working towards, an approved diploma level (or higher) qualification, equivalent to a 'skill level 2'.

Opportunities

The *Review of Australia's Migration System* presents several opportunities to review and streamline existing migration processes for overseas trained entrants to the children's education and care sector. This includes considering the existing skills assessment processes to ensure quality, reduce duplication and streamline the process for recognition of overseas qualifications, as well as the range of skilled migration visa options, and how they can be best accessed by the employers who need them. Consideration should also be given to how migration can support career pathways in the children's education and care sector, through a joined-up approach with higher education and vocational education and training.

There may also be opportunities to negotiate multi-employer or sectoral agreements, in collaboration with national peak associations, similar to the newly reviewed multi-employer bargaining arrangements for enterprise agreements. This has the potential to reduce administrative burden and cost for the parts of the sector most affected by workforce shortages.

There is also a need to review how workforce data can be better collected, stored and shared across all governments and sector stakeholders in order to maximise the benefits of a robust,

comprehensive evidence base. Consideration should also be given to the need for multiple workforce data collections to be undertaken by governments, with the associated burden and duplication this can create, and the overall benefits and savings that could be gained by pooling resources and streamlining efforts. For example, better understanding employment destinations of successful skilled migrants will help governments evaluate the efficacy and limitations of the current skilled migration program.

One way to support this would be through a partnership approach to migration policy making, informed by sector stakeholders and confirmed through public consultation. This partnership approach would ideally be supported by a broader national data strategy to better coordinate and share data across government departments and key national stakeholders, and leverage workforce actions already being progressed via the implementation of [Shaping Our Future](#). Success will require ongoing collaboration and partnerships between governments, service providers, education and training providers, peak associations, regulatory bodies, and educators and teachers and their representative bodies.

I trust that this information is of assistance in informing this important review. If you would like to discuss our response, or would like further information please contact me (gabrielle.sinclair@acecqa.gov.au) or Michael Petrie, General Manager, Workforce, Engagement and Research (michael.petrie@acecqa.gov.au).

Yours sincerely



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