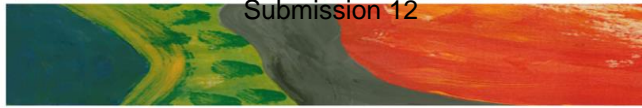




FITZROY WOMEN'S RESOURCE CENTRE
ABORIGINAL CORPORATION

Submission

Inquiry into the Family Assistance Legislation Amendment (Jobs for Families Child Care Package) Bill 2016 and the Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Bill 2016



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Summary

Marninwarntikura Fitzroy Women's Resource Centre operates the Baya Gawiy Early Childhood Learning Unit which is a licensed early childhood education and care centre located in Fitzroy Crossing, in the remote Kimberley region of Western Australia.

We acknowledge the change to the name of Additional Child Care Subsidy 'At Risk' payment to 'Child Wellbeing' and are reassured by this decision. However, there have been no changes of substance to address Marninwarntikura's grave concerns about the detail of the Jobs for Families Child Care Package; In particular, its focus on workforce participation at the expense of early childhood education. This threatens to exclude families currently accessing the Baya Gawiy Early Childhood Learning Unit as the access tests privileged families with both parents working full-time. All but one of the families attending Baya Gawiy are working families. Under the Package, their children will have their access cut as many have at least one parent working part-time.

We argue that any package must address both workforce participation and early childhood education for all Australian children.

The funding model has been designed to benefit urban centres which do not have the cost premiums or workforce constraints that affect remote Australia.

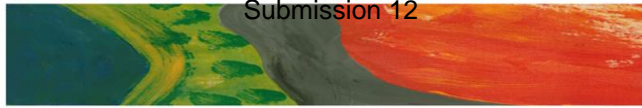
In summary, the current design of the Package discriminates against children who have to overcome many obstacles to access the same standards of education and care as other Australians. All children no matter their location and circumstance have the right to equal access and quality of education.

Background

The National Partnership Agreement on Indigenous Early Childhood Development (the Agreement) provided \$547.2m over six years of which \$292.62 was for the establishment of 38 Children and Family Centres (CFCs). The CFCs were built in the most disadvantaged Aboriginal and Torres Strait Islander communities.

Five CFCs were built in Western Australia. Marninwarntikura Fitzroy Women's Resource Centre (Aboriginal Corporation) was successful in bidding to operate the CFC in Fitzroy Crossing which was built at a cost of \$6.375 million. Operational funding of \$950,000 per annum was provided to Marninwarntikura for this Centre which is known as the Baya Gawiy Buga yani Jandu yani u Centre (Baya Gawiy).

The Agreement ceased on 30 June 2014.



In Western Australia, the state government did not step in to support the licensed long day care element of the five CFCs which has threatened the integrated service model. In the case of Baya Gawiy, the licensed centre based care component (the Early Childhood Learning Unit) continues to operate through a precarious combination of funding sources. These sources comprise the Indigenous Advancement Strategy (which is at levels of half of the Early Childhood Learning Unit's funding and which is due to cease on 31 December 2016), unspent funds for which we have approval to roll over, philanthropy and parent fees (in order of most to least funding). We have also developed a partnership with Goodstart Early Learning who provide significant 'in kind' support.

The funding for the Early Childhood Learning Unit remains precarious, uncertain and the medium and longer term outlook is bleak. Further details on the funding situation are included in the Funding Issues section which forms part of this paper. While we had hoped that the new package would resolve systemic issues with Child Care Benefit/Rebate and enable us to access mainstream funding, it is becoming increasingly clear that the new package will have a devastating impact on the families of Fitzroy Crossing who rely on the Baya Gawiy Early Childhood Learning Unit for quality early childhood education and care.

The importance of culturally secure, trauma informed early childhood services

Baya Gawiy Early Childhood Learning Unit is a culturally secure, healing informed, therapeutic centre for the children and families of the Fitzroy Valley.

The Centre's early childhood education and care model is one in a suite of early childhood programs administered by Marninwarntikura Fitzroy Women's Resource Centre; a community controlled organisation embedded in the local community and dedicated to servicing local women, children and families. Marninwarntikura is committed to improving the lives of families in the Fitzroy Valley, focusing on their strengths, empowerment and self-determination.

Marninwarntikura is steadfast in ensuring that services provided to families in the Fitzroy Valley commit to breaking the cycle of and address the adverse effects of intergenerational trauma, poverty, alcohol misuse, family violence and the high rates of suicide of our young people. Children in the Fitzroy Valley are exposed to one or all of the above either directly or indirectly necessitating trauma-informed and healing-aware practice.



Baya Gawiy is a licensed, centre based Early Childhood Education and Care facility. It received 'meeting standards' under the National Quality Framework. It is the only centre based service for 256km, the nearest being Derby. It is licensed for 50 children aged 0 – 4 years, however due to funding shortfalls, the current staffing levels only enable it to cater for a maximum of 28 children at any one time, 75% of whom are Aboriginal. There are currently 15 children on our waiting list. The service is staffed by qualified Early Childhood Educators and local Aboriginal Educators who are pursuing Early Childhood Qualifications and provide cultural guidance in delivering a 'two way' approach to knowing and doing.

The Centre provides Early Childhood Education and Care to children of working families and therapeutic programs that benefit all children, in particular children who are assessed as being vulnerable due to family circumstance.

Baya Gawiy's skilled educators are committed to providing an Education and Care program that addresses disadvantage. Within a safe environment, families are welcomed and children supported as they develop dispositions and skills to build the foundations for school readiness and lifelong learning.

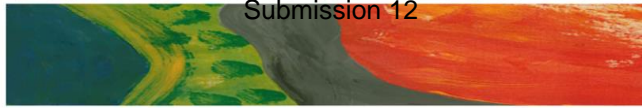
The Baya Gawiy Early Childhood Learning Unit provides a culturally rich and safe environment where children have a sense of belonging, gain knowledge of their own identity and are strong in knowing who they are and how they are connected.

Through a strengths-based lens and informal conversations, families share their children's experiences. Building trusting relationships within this partnership and acknowledging the family as the child's first teacher brings together 'two ways' of parenting that best serves families and children, empowering families to confidently engage in their child's lifelong learning.

Baya Gawiy's model is a leading example of what is needed in Indigenous communities. The following testimonial has been provided by one of the visiting paediatricians whose team has been responsible for the establishment of a team care approach to infant and child health in Fitzroy Valley.

Baya Gawiy is an incredible example of a community-led service that combines evidence based early learning practice with Aboriginal ways of knowing and doing. The unique architecture of the building, combined with the natural materials used throughout and high proportion of local Aboriginal staff, make the facility inviting to local families and the broader community. The efficiency and professionalism with which Baya Gawiy is managed gives health and other service providers a reliable hub through which to deliver programs that are accessible and acceptable to community members. I cannot speak highly enough of Baya Gawiy, and believe it represents a model for early childhood service delivery and coordination that should be replicated in other sites."

Dr James Fitzpatrick, Consultant Paediatrician



Marninwarntikura looks towards contemporary evidence in developing programs that address the needs of children and families in the Fitzroy Valley.

Prime Minister, Malcolm Turnbull in his statement addressing the ‘Closing the Gap’ outcomes (February 2016) acknowledged “We do face very real and difficult challenges, particularly in isolated communities. We must be honest about the catastrophe and violence created by drug and alcohol misuse and confront, and respond, to the cries of help, particularly from women and children.”

This statement is supported by evidence that acknowledges Aboriginal and Torres Strait Islander people, particularly in remote locations, are more likely to experience adverse social effects such a poverty, alcohol misuse or violence.

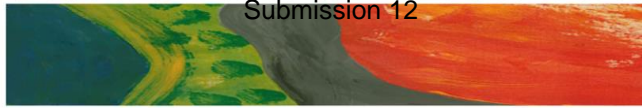
A growing body of evidence reveals that what happens to children in the early years has a profound effect on their life chances and health as adults. The circumstances in which a child grows up are paramount to determining their life chances.

The first 1,000 days of a child’s life from conception to 2 years is the most critical time when brain development is at its most active. What occurs to a child during this time weighs heavily on a child’s ability to succeed or not, it affects the trajectory of a person’s health and wellbeing throughout their life span. Esteemed Epidemiologist, Prof Sir Michael Marmot in his Boyer Lecture, 10 September 2016, argued that a child’s life chances are conditional on the quality of care received from parents and others, which in turn is influenced by the social and economic circumstances in which parenting takes place. ‘Social conditions in which parents are raising their children affect their ability to be good parents.... People are not responsible for the social forces on their lives.’ (Marmot, 2016). Worldwide research, such as the Adverse Childhood Experiences (ACE Study), reveals the more social and economic deficiency that exists within families and communities the poorer the early childhood development and later health and wellbeing outcomes.

Marninwarntikura believes that Australian children should not be disadvantaged due to the social or economic situation of their families or location where their family resides. We believe that every child has the right to the best start in life.

Marninwarntikura seeks a meaningful partnership with Government

The Australian Human Rights Commission Inquiry into Childcare and Early Childhood Learning (2014) acknowledges the positive impacts good quality early childhood education and care has on children in these early formative years, by laying the foundations that are more difficult to develop later in life. They suggest that a comprehensive early childcare model requires accessibility, affordability, flexibility and quality. The Commission’s report noted that



Aboriginal and Torres Strait Islander Children were more likely to experience a range of barriers to access quality early childhood education and care including cost, lack of care options, inflexibility and lack of cultural safety.

Marninwarntikura is providing flexible, affordable and culturally safe programs that address the developmental needs of children in Early Childhood. We are supporting families in workforce participation and providing families with facilities and services for the care of their children.

We cannot do this alone. Marninwarntikura is committed to establishing innovative solutions to meet the needs of its community. We seek assistance by reaching out to the broader community, rigorously pursuing philanthropic support and developing partnerships. We have partnered with Goodstart Early Learning in an Australian-first secondment program. These secondments support the Baya Gawiy Early Childhood Learning Unit by providing additional qualified staff for our children and families. Through living and working in a remote Aboriginal community the Goodstart Educators have the opportunity to gain some invaluable understandings about modern Aboriginal Australia, some of which they are able to take back to build on Goodstart Early Learning's cultural knowledge. Further to this, the last financial year saw us successfully secure \$100 000 from philanthropic organisations to assist with our operating costs.

We are asking the government to partner with us in addressing the challenges we face, to collaborate with us toward innovative workable funding solutions, so that we may move forward, confident that we have continuous, reliable funding.

This will guarantee that our most vulnerable children will have equity in accessing Early Childhood Education and Care services and ensure that they become one of the ninety- five percent of four year old Aboriginal and Torres Strait Islander children the Government is committed to accessing preschool programs by 2025.

We welcome Mr Turnbull's assurance that the Coalition government is committed to 'provide an environment that enables Indigenous leaders to develop local solutions' (Closing the Gap Statement, 2016).

And so we ask the government to honour this commitment and listen to our local leaders when we tell you 'what is working and what needs to change'.

Funding issues

Parents whose children attend Baya Gawiy's Early Childhood Learning Unit are charged fees based on their household income. The Early Childhood Learning Unit does not offer Child Care Benefit / Child Care Rebate (CCB/CCR). The reasons are primarily:

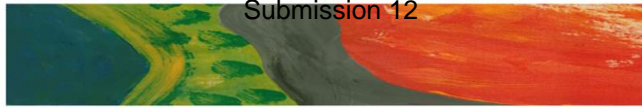


- The 42 Day Rule of allowable absences which would affect every child enrolled due to leave provisions (a minimum of 7 weeks in remote communities), cultural and family obligations and access arrangements with parents outside of Fitzroy Crossing.
- The complexity of the paperwork and ongoing complex compliance requirements that fail to appreciate that for most families English is their second or even third language and that families in remote settings do not always have access to technology to report changes in circumstances. Added to this, Baya Gawiy Early Childhood Learning Unit lacks the capacity to provide the ongoing administrative resources and high level support for families to ensure that compliance measures are met.
- Baya Gawiy's operating hours which are less than those required and reflect the needs of the community.

The policy framework underpinning mainstream funding (both CCB/CCR and the Jobs for Families Childcare package) does not account for the financial realities of operating in a remote, Aboriginal community, in particular:

- Employment of qualified early childhood educators (not just those with a Certificate III in Children's Services) who are necessary to be able to address the high levels of early life trauma and additional needs including Fetal Alcohol Spectrum Disorders (FASD),
- Significantly above award wages which are necessary to attract and retain staff. Further compounding the challenges of attraction and retention, teachers employed at the local schools with the same qualifications as the Early Childhood Learning Unit staff have access to highly attractive employment packages including salaries almost double that of the staff at Baya Gawiy, free, high quality housing and substantial leave entitlements,
- Provision of housing in a town which has no private rental market and where the going-rate for a government owned house is between \$850 and \$1,200 a week,
- The additional cost of travel for professional development and meetings, etc, as the Centre is located 2,600km from Perth, and
- Purchasing and maintaining vehicles.

Under the now defunct Children and Family Centre (CFC) funding, Baya Gawiy was previously allocated operational funding of \$950,000 per annum. Marninwarntikura applied through the Indigenous Advancement Strategy for funding to replace the defunct CFC funding and was allocated \$500,000 per year over 2.5 years towards the costs of the Early Childhood Learning Unit (ECLU) which ends on 31 December 2016. Marninwarntikura Women's Resource Centre is currently in discussions and negotiations with the Department of Prime Minister and Cabinet in relation to the significant funding gaps for the operating costs of the Baya Gawiy Early Childhood Learning Unit going forward. While these discussions are being



held in a collaborative and constructive manner, the outcomes are indeterminate.

The funding outlook is clouded and confused due to the differences in approach and reluctance for acceptance of responsibilities between Commonwealth and State Governments and between departments within and across those Governments. There are also conflicts around which components of the Early Childhood Learning Centre operating costs can or should be funded by Government.

Consideration of the funding outlook is further complicated by the proposed changes through The Jobs for Families' Childcare Package which is to apply from 1 July 2018. These changes are the subject of ongoing consultation, analysis and research instigated by Government and being carried out by Price Waterhouse Coopers Indigenous Consultancy, and for which the research outcomes and recommendations are unknown. All stakeholders await those findings to shape decision making and strategies for the medium and longer future of the Early Childhood Education and Care programs, and in particular the application of those findings for centres located in remote Indigenous communities.

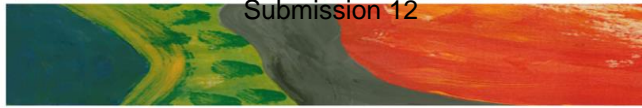
In these circumstances, we think it would be premature for Government to finalise any firm policy positions.

The new package will undermine access by Indigenous families in remote settings

While initially we had high hopes that the shortcomings of the previous package would be addressed, it is highly likely that Indigenous families will be forced out of the system.

The reason for this is two-fold.

- Firstly, the new package fails to appreciate that centres like Baya Gawiy cannot be viable in the community's current socio-economic circumstance. The assumption that centres operating in remote locations could be made financially viable by means of short-term viability assistance is fundamentally flawed. These centres are in localities where the market cannot, and is highly unlikely to ever, operate in respect to centre based care. Those services with the highest operational costs and the most challenging social conditions are subjected to time limited, competitive grants under the Community Child Care Fund. Short-term, competitive grants cannot resolve systemic economic realities. This decision impedes our ability to operate successful support services which enable local Aboriginal people to receive training, qualifications and employment.
- Secondly, the focus on workforce participation with access tests will ensure most families enrolled at the Baya Gawiy Early Childhood Learning Unit would either have their hours cut or their fees significantly increased. We are awaiting a report commissioned by the Department of Education and Training by Price Waterhouse Coopers Indigenous Consulting, modelling the expected impact of the Jobs for



Families Child Care package on our service. However, in saying this, preliminary calculations are indicating the cost to parents earning under \$65000 per annum, especially those who have more than one child, will negatively affect their ability to pay the fees and impact their children's access to our services.

The design of this package will potentially have a direct bearing on the ability of working families to remain in the workforce.

Marninwarntikura Women's Resource Centre (Aboriginal Corporation) stands with the Secretariat of National Aboriginal and Islander Childcare (SNAICC)

SNAICC recommends the following legislative amendments and policy commitments to ensure that Aboriginal and Torres Strait Islander children are not pushed deeper into an entrenched cycle of inter-generational disadvantage:

1. An amendment to the Bill to secure a recognition and commitment to the rights of Aboriginal and Torres Strait Islander children.
2. An Aboriginal and Torres Strait Islander specific program within the Child Care Safety Net.
3. Provision of at least two full days (20 hours) of subsidised quality early learning to all children to support their development, regardless of their parents' activities.
4. The Australian Government guarantee that Playgroups, mobiles and other unique services supported within the BBF program, such as youth programs, continue to be funded either through the Community Child Care Fund or another program.
5. A commitment to increase places for Aboriginal and Torres Strait Islander children by 5,000 over the first three years of the package to redress the current 15,000 place early learning gap.
6. The Senate Committee require the Australian Government Department of Education and Training disclose full information provided under the tenders detailed below.

(SNAICC submission to Inquiry into the Family Assistance Legislation Amendment (Jobs for Families Child Care Package) Bill 2016 and the Social Services Legislation Amendment (Family Payments Structural Reform and Participation Measures) Bill 2016



Case Study, Fitzroy Crossing, Western Australia.

(Names have been changed and pronouns interchanged to protect privacy.)

Cheryl is a young local Aboriginal woman who has a disability that occurred when she was in a car accident at the age of eight. Her physical disability is severe, confining her to a wheelchair, while her cognitive disability is mild. Living in a remote community, Cheryl has limited access to personal carers and she relies on her family, particularly her mother, to assist her.

Cheryl has three young children under the age four. All three children have attended Baya Gawiy Early Childhood Learning Unit since they were babies. Last year she was living with her partner who became reliant on drug misuse and domestic violence ensued. With the support of family and community Cheryl managed to remove her children and herself from this situation and moving forward, has secured a part time job.

Cheryl's mother has several children, and is grandmother to 7 grandchildren.

Cheryl's mother works full time for an essential government service in Fitzroy Crossing. It is imperative that a local Aboriginal woman be appointed to this role. There are not many local women who would be able to fulfil the position requirements. Cheryl's mother is respected in the community for building trusting relationships and providing consistent service provision to vulnerable families.

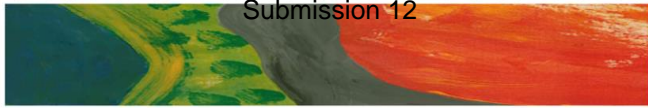
Cheryl's oldest child is one of the small percentage of Aboriginal children, aged four, accessing a preschool program. Her attendance is regular, rarely missing a day. He attends Baya Gawiy Early Childhood Learning Unit the other two days of the week. She is described by her teachers as being a very bright, busy child who has a wonderful imagination. The family are very proud of his school achievements and have great hopes for him.

Under the existing Childcare Benefit or the Jobs for families childcare package Cheryl would not be able to afford care for her children on a full time basis as potentially the children's hours of attendance would be directly linked to her workforce participation. If she was exempt from this, Cheryl would not be able to afford the costs of having three children attend the Early Childhood Learning Unit.

Ultimately she would have to give up her part time job to help care for the children. As she does not have access to consistent and reliable personal carers, her mother would have to give up her job to assist Cheryl in caring for the three children.

The Jobs for Families Childcare Package would potentially have the following unintended consequences.

- 1. Render two local women welfare dependent or worse still force Cheryl and her children back into a violent relationship for economic security and practical help.*
- 2. Exclude her children from accessing quality early childhood education that is trauma informed and ensures their successful transition to school.*
- 3. Effects the Fitzroy Valley community by leaving a gap in essential service provision.*



Mr Turnbull in his statement addressing the Closing the Gap outcomes (2016) sincerely expressed admiration for the resilience and tenacity of Aboriginal and Torres Strait Islander peoples to overcome the adverse effects of past policy decision making and their ability to look forward to the future with optimism and a determination to succeed.

While it is not difficult to find a multitude of stories that highlight the adverse effects of this legislation, we draw your attention to the case study above, putting the human element to the facts, figures and research outlined. We ask you to honour Mr Turnbull's sentiments and give this family and the many others like them a place in society, in our community, and an alternative pathway where they can thrive.