

LEGISLATIVE COUNCIL

EARLY CHILDHOOD LEGISLATION AMENDMENT (CHILD SAFETY) BILL
2025

(Amendments to be proposed in Committee by ANASINA GRAY-BARBERIO)

1. Clause 110, page 118, lines 32 to 34 and page 119, lines 1 to 23 omit all words and expressions on these lines and insert—
 - "(5) The Regulatory Authority must publish on the Regulatory Authority's Internet site the following information relating to an education and care service—
 - (a) the name and address of the service;
 - (b) the name of the approved provider of the service;
 - (c) details of the following actions (*enforcement actions*) taken in relation to the approved provider, a nominated supervisor of the service or a staff member of, or a volunteer at, the service—
 - (i) any amendment of the approved provider's provider approval or service approval for enforcement purposes;
 - (ii) any suspension or cancellation of the approved provider's provider approval or service approval;
 - (iii) any direction under section 171 to exclude persons from the education and care services premises of the service;
 - (iv) any compliance direction given to the approved provider;
 - (v) any compliance notice given to the approved provider;
 - (vi) any suspension direction given to the approved provider;
 - (vii) any emergency action notice given to the approved provider;
 - (viii) any enforceable undertaking given by the approved provider, the nominated supervisor, the staff member or the volunteer;
 - (ix) any prohibition notice given to—
 - (A) the approved provider; or
 - (B) the nominated supervisor; or
 - (C) the staff member; or
 - (D) the volunteer; or
 - (E) any other person who is in any way involved in, or has been involved in, the service;

- (x) any emergency removal of children being educated and cared for by the service under Division 4 of Part 7;
 - (xi) any prosecutions for offences against this Law committed or alleged to have been committed by the approved provider, the nominated supervisor, the staff member or the volunteer;
 - (xii) an infringement notice served on the approved provider, the nominated supervisor, the staff member or the volunteer.
- (5A) The Regulatory Authority must publish details of any enforcement actions set out in subsection (5) as follows—
- (a) for enforcement actions taken before the commencement of Division 1 of Part 5 of the **Early Childhood Legislation Amendment (Child Safety) Act 2025**—as soon as possible after that commencement but no later than 14 days after that commencement;
 - (b) for enforcement actions taken on or after the commencement of Division 1 of Part 5 of the **Early Childhood Legislation Amendment (Child Safety) Act 2025**—as soon as possible after that action is taken but no later than 14 days after that action is taken.
- (5B) The Regulatory Authority must take reasonable steps to ensure any information published on the Regulatory Authority's Internet site under subsection (5) is accurate."
2. Clause 110, page 119, line 25, omit "may" and insert "must".
 3. Clause 110, page 120, lines 1 to 3, omit all words and expressions on these lines and insert—
 - "(b) the role in which a person in relation to whom enforcement action has been taken is or has been employed, engaged or appointed in or as part of an education and care service;"
 4. Clause 110, page 120, line 10, omit "may" and insert "must".
 5. Clause 110, page 120, line 14, omit 'child.'" and insert 'child.'.
 6. Clause 110, page 120, after line 14 insert—
 - '(8) This section does not take effect until 27 April 2026.'".
 7. Clause 120, page 148, lines 11 to 33 and page 149, lines 1 to 12 omit all words and expressions on these lines and insert—
 - "(1) In section 16Q of the **Education and Care Services National Law Act 2010**, after subsection (5A) of section 270 of the Education and Care Services National Law (Victoria) **insert**—
 - '(5AB) Without limiting subsection (5), the Regulatory Authority must also publish on the Regulatory Authority's Internet site the following enforcement actions taken in relation to an approved provider of an

education and care service, a nominated supervisor of the service or any staff member of, or any volunteer at, the service—

- (a) any suspension direction given to the nominated supervisor, the staff member or the volunteer;
- (b) any supervision direction given to the approved provider;
- (c) any training direction given to the nominated supervisor, the staff member, or the volunteer;
- (d) any disciplinary action taken against the approved provider, a person with management or control of the service, the nominated supervisor or a family day care educator engaged by or registered with the service under Division 3A of Part 7;
- (e) the making of any orders by the relevant tribunal or court under section 188F in relation to the approved provider, a person with management or control of the service, the nominated supervisor or a family day care educator engaged by or registered with the service.

(5AC) The Regulatory Authority must publish details of any enforcement actions set out in subsection (5AB) taken as soon as possible after that action is taken but no later than 14 days after that action is taken.

- (2) In section 16Q of the **Education and Care Services National Law Act 2010**, in subsections (5B), (6) and (7) of section 270 of the Education and Care Services National Law (Victoria), for '(5)' **substitute** '(5) or (5AB)'.!."