

**IN THE FAIR WORK COMMISSION**

**Matter No.:** B2023/538  
**Re Application by:** Application by UWU, AEU and IEUA re Early Childhood Education and Care Sector for a Supported Bargaining Authorisation

**STATEMENT OF Lynette Connolly**

I, Lynette Connolly of 39-41 Augustus Street, Merrylands NSW 2160 state that this statement is true and correct to the best of my knowledge and belief:

**Background**

1. I have operated in the Early Childhood Education and Care Sector (**ECEC**) as an owner of long day care centres for 46 years.

**Australian Childcare Alliance**

2. I am the President of the Australian Childcare Alliance NSW and a former ACANSW representative on the Australian Childcare Alliance (National) Committee

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### About my Centre

3. The details for the centre I own and operate are set out in the Table 1 below:

*Table 1*

Employer	Centre Name	Centre Address	Number of licensed placements in the centre	Number of rooms in the centre	Age profile of children in centre	Employee Numbers
Clovel Childcare & Early Learning Centre Granville Pty Ltd	Clovel Childcare, Early Learning & OOSH Services	39-41 Augustus Street, Merrylands NSW 2160	40	1	2 to 5 years	Nominated Supervisor Educational Leader Teacher Educators x 2

4. As far as I am aware none of the employees in Table 1 are members of a trade union.
5. The centre in Table 1 does not operate with an enterprise agreement. We pay a combination of award wages and bonuses. In more recent times we have not been attracted to pursuing an enterprise agreement as it would not have been funded by the Commonwealth, thus leaving the families to pay extra in fees to cover the increased wages. The attraction of pursuing an enterprise agreement through the supported bargaining stream is that I understand the Commonwealth will participate in the process and will fund the outcome.
6. Our aim is to empower our team of educators to provide a high quality developmentally focused early childhood education program for the children while at the same time caring for and nurturing them in preparation for their school life and beyond.
7. Fees for families are calculated and set to ensure the ongoing viability of the centre and the high-quality service we offer to the children and their families while also reflecting the demographics and the geographical location of the centre.
8. The centre in Table 1 is funded through the Commonwealth Childcare Subsidy.
9. The Childcare Subsidy is based upon:
- (a) household income that will determine the percentage of the subsidy our families are eligible for; and
  - (b) an activity test (according to the workforce participation) that determines the number of hours of subsidised care a child receives in each fortnight.
10. The Childcare Subsidy is paid directly to our centre to offset a family's fees. The family then pays any gap fee to the centre.
11. The centre in Table 1 is regulated by the Education and Care Services National Law Act 2010 (**National Law**) and Education and Care Services National Regulations 2011 (**National Regulations**). The centre is also subject to State regulatory authorities and the Australian Children's Education and Quality Care Authority (**ACECQA**).

12. I have been provided with a copy of the application in this matter and understand that the application is proposed to cover employers and employees covered by the following description:
1. This application seeks that the Fair Work Commission make a supported bargaining authorisation in respect of a proposed agreement to cover:
    - a. the employers outlined in Schedule 1; and
    - b. the employees of the employers outlined in Schedule 1 who perform the following types of work in the early education and care (ECEC) sector:
      - a. Work covered by the *Childrens Services Award 2010* occurring in a long day care setting, but not including the following types of work or work performed in the following settings:
        - i. Adjunct care;
        - ii. A stand alone preschool or a kindergarten;
        - iii. Occasional care;
        - iv. Out of school hours care;
        - v. Vacation care;
        - vi. Mobile centres;
        - vii. Early childhood intervention programs; and
        - viii. Work covered by an enterprise agreement that has not reached its nominal expiry date, including:
          1. *Bermagui Pre-School Co-Operative Society Ltd. Teachers' Agreement 2020 (AE509492)*
          2. *Gowrie Victoria Early Childhood Teachers Enterprise Agreement 2022*
          3. *Victorian Early Childhood Teachers and Educators Agreement 2020*
          4. *Victorian Early Educators Agreement 2020*
          5. *Victorian Early Childhood Agreement 2021*
      - b. Work covered by the *Educational Services (Teachers) Award 2020* in a long day care setting, but not including the types of work or work performed in the settings outlined in 1(a)(i) – (viii) above; and
      - c. Work performed in the ECEC sector in a long day care setting including that of a qualified chef or cook.
13. The centre referred to in Table 1 above fits this definition because it:
- (a) operates in the early childhood education and care space;
  - (b) is a long day care centre offering early childhood education and regulated under the National Quality Framework;
  - (c) its educators are covered by the *Children Services Award 2010*;
  - (d) its teacher is covered by the *Educational Services (Teachers) Award 2020*;
  - (e) as a long day care centre it is funded by the Commonwealth government through the Child Care Subsidy.
14. In the centres referred to in Table 1 the employees typically perform the work set out in **Annexure A**.
15. I along with the other members of the Australian Child Care Alliance have participated in a series meetings and communications sessions concerning being named in this application and I am aware that the application is seeking an authorisation to allow my company and others to negotiate for an enterprise agreement.
16. In this knowledge I have agreed to participate in this application and support the making of

the authorisation to allow negotiations to occur.

17. Mr Nigel Ward and Mr Paul Mondo have been appointed as our bargaining representatives with other employers who are members of a state Australian Childcare Alliance body affiliated with the Australian Childcare Alliance subject to the application.

Lynette Connolly ..



Date.....

*19th July 2023*

## Annexure A

Nominated Supervisor	Educational Leader	Room Leader	Teachers	Educators		Cook
<p>The Nominated Supervisor is responsible for the day to day management of the centre to ensure that the service policies and procedures are implemented.</p> <p>As well as:</p> <p>Educational Programs based on and in accordance with the EYLF and based on the developmental needs, interests and experiences of each child and designed to take into account the individual differences of each child; Supervision and safety of children; Food and beverages; Entry and exit of premises; administration of medication; Prescription and non-prescription drugs and alcohol of staff</p> <p>Excursions; Sleep and rest; Staffing; Notification of change; Requirement to display details about the service’s nominated supervisor.</p>	<p>The role of the education leader is primarily to: collaborate with educators and provide curriculum direction and guidance, support educators to effectively implement the cycle of planning to enhance programs and practices, lead the development and implementation of an effective educational program in the service.</p> <p>The educational leader is also responsible for assessing the professional development needs of our educators and teacher.</p>	<p>As it is a one room centre the Nominated Supervisor leads the room in all areas of the education and care of the children using his experience and competency to ensure positive outcomes for the children via the planning, setup and implementation of and educational program that meets the age and needs of all children in the centre, the observations and documentation of children’s learning in relation to the Early Years Learning Framework, and a safe and positive environment for our educators while being an engaged educator himself.</p>	<p>Our qualified teacher ensures our educational program is delivered to all children while also focussing on the three and four year old children as they are preparing for and or transitioning to school. Our teacher also brings a valuable depth of pedagogical competence to our centre and is a great role model for our educators as she works as part of our team.</p>	<p>Our educators establish respectful and caring relationships with children and families, they can work together to make curriculum and learning experiences relevant to children in their local context. These experiences gradually expand children’s knowledge and understanding of their world. Our educators facilitate and extend each child’s learning and development. They are deliberate, purposeful, and thoughtful in their decisions and actions. Our educators respond to our children’s ideas and play and extend their learning through open-ended questions, interactions, and feedback. Ensuring the health and safety of the children is also all educators responsibility.</p>		<p>We do not have a cook</p>