ACD

Submission: Child Safety Review

June 2025

Background

ACD is the Victorian advocacy service for children with disability and their families. We are a not-for-profit organisation led by, and for, families of children with disability.

Our vision is an inclusive community where children with disability and their families thrive.

Through our work we reach thousands of Victorian families raising children with disability each year. Their experiences inform our systemic advocacy.

ACD thank the Department of Education for the opportunity to contribute the National Child Safety Review in education and care services.

This submission responds to the Review's investigation of child safety training. It highlights the experiences of children with disability and their families in early childhood education and care (ECEC), the limitations of current approaches to safeguarding, and calls for reform in building workforce capability to promote the safety, inclusion, and wellbeing of children with disability.

For more information contact

Karen Dimmock CEO

karend@acd.org.au

0448 912 786

Executive summary

While the benefits of quality early learning are well-established, children with disability continue to face exclusion, unsafe environments, and inconsistent support.

Children with disability are at greater risk of experiencing physical, emotional, and sexual harm and are more likely to be subjected to restrictive practices. Despite existing legal protections, families report widespread gatekeeping, inadequate reasonable adjustments, and being required to take on additional costs and advocacy roles to ensure their child's participation.

Current workforce training on disability rights, inclusive practice, and child safety is limited, inconsistent, and largely non-mandatory. Reform is needed to strengthen the sector's understanding of disability and to create safe, inclusive environments that protect the wellbeing of children with disability.

ACD recommends embedding disability rights, inclusion, and safety into training and qualifications for new ECEC professionals, alongside the introduction of mandatory, nationally consistent child safety training for the existing workforce.

Recommendations

1. Develop nationally consistent resource and training guidance materials on the inclusion and safety of children with disability to provide to Registered Training Organisations and Higher Education institutions to insert into courses

2. Introduce mandatory, nationally consistent child safety training, with required periodic refreshers, that focuses on creating a child-safe culture for children with disability

The current state

The social, emotional, and developmental benefits of quality early childhood education and care (ECEC) are well-established and widely recognised by experts and government alike. Childcare, including outside-school-hours care (OSHC), is also a vital enabler of workforce participation, particularly for women, and contributes to broader family wellbeing.

However, many families of children with disability report that ECEC settings do not consistently provide safe and inclusive environments. Significant gaps remain in how services understand, include, and safeguard children with disability.

Increased exposure to harm

Children with disability are at greater risk of experiencing physical, emotional, and sexual harm than their peers without disability. They are also more likely to be subjected to restrictive practices, such as seclusion or physical restraint, particularly in environments where staff lack adequate training or where inclusive practices are not embedded.

Children who are non-verbal are particularly vulnerable, as they may be unable to alert others to mistreatment.

Persistent gatekeeping practices

Children with disability are frequently denied or discouraged from accessing early education and care. This form of gatekeeping is unlawful but remains prevent. Families report a range of exclusionary tactics, including being told their child is not welcome, that the service cannot meet their child's needs, that there is insufficient funding to support them, or that their child can only attend for limited hours. These practices not only contravene children's rights, but also undermine access to early learning and social development opportunities.

"The teacher came up to us and said, 'Now I wouldn't want your child coming here and being disruptive without inclusion funding. So, if they come here, you'll have to make sure they have full inclusion funding.'"[1]

"I've tried to get my daughter registered at her mainstream [school's] outside-school-hours program, but it keeps getting put in the 'too hard basket' by the company who runs it."

Lack of inclusive practice

Families commonly report that services fail to make reasonable adjustments or implement individualised supports that enable their child's full participation in learning, activities and play. In many cases, families are left to advocate for their child's inclusion and, at times, shoulder financial or time burdens to facilitate their child's attendance. For example, families may be asked to privately fund a support worker to accompany their child to OSHC, or to train staff themselves on how to meet their child's needs.

[1] Quotes in this submission are from families of children with disability who participated in recent ACD community consultations

"Staff should realise that [even] small adjustments can have a large impact for the better."

Limited training on disability rights and inclusion

While existing instruments such as the Disability Discrimination Act, National Child Safe Standards, and the National Quality Framework are designed to protect children with disability across all jurisdictions, their intent can only be fully realised if the ECEC workforce:

- Understands the rights of children with disability
- Is aware of their professional and legal obligations
- Is supported with time, training, and practical resources to deliver safe and inclusive environments

Currently, there is no mandatory or consistent national approach to upskilling pre-service educators or the existing ECEC workforce in the safety, rights, and support needs of children with disability.

"Better training for staff on disability awareness and accommodations [is needed]. Staff that can lead families in inclusion, not be trained by families."

The Inclusion Support Program is the main mechanism for supporting inclusion in childcare services, primarily through funding additional staffing. However, its own evaluation found that it does not adequately build workforce capability in working with children with additional needs and that a more strategic and systemic approach is needed to strengthen inclusive practice across the sector.

ACD welcomes the Inclusive Capability Project, currently in development and funded by the Department of Education. However, it remains unclear whether adoption of the final framework will be mandated or supported through robust monitoring and implementation measures.

Reform to build workforce capability

Recommendations

1. Develop nationally consistent resource and training guidance materials on the inclusion and safety of children with disability to provide to Registered Training Organisations and Higher Education institutions to insert into courses

2. Introduce mandatory, nationally consistent child safety training, with required periodic refreshers, that focuses on creating a child-safe culture for children with disability

Efforts to safeguard the safety, health, and wellbeing of children with disability across the ECEC sector are currently inconsistent and insufficient. Both regulatory and non-regulatory reform is needed.

All educators, teachers, and staff entering the ECEC workforce should receive consistent, high-quality child safety training that includes:

- Children's rights, including under the Disability Standards for Education
- Understanding complex behaviour and diverse communication needs

- Practical strategies for making reasonable adjustments and creating safe and supporting learning environments

Training must be strengths-based and designed to promote high expectations for children with disability.

ACD also recommends the introduction of mandatory, nationally consistent child safety training, with required periodic refreshers. This training should include a focus on:

- Creating a child-safe culture for children with additional needs
- Recognising varied presentations of behaviour and communication
- Building skills in de-escalation responses