

# EARLY EDITION

CHILDCARE QUEENSLAND NEWS - WINTER 2010

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# EARLY EDITION

CHILDCARE QUEENSLAND NEWS - WINTER 2010



**Childcare**  
Queensland

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## MANAGEMENT COMMITTEE

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Graham Sagar

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Jae Fraser

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Noel Davies

# MESSAGE FROM CHILDCARE QUEENSLAND PRESIDENT



Dear Members and Associates,

## The beginning of a new era at Childcare Queensland

This President's report signifies the beginning of a new era. It is my final report as my two year term as President ends on 21st June 2010 and I hand over the reins to Peter Price who has been vice president for many years. Peter has extensive knowledge of all of the issues that confront us and I wish him well as he embarks on what I found to be a rewarding journey.

We also farewell from the committee Annette Cunado (Vice President) Lyn Phillips (Treasurer) and Karen Brooks (Committee member) and I am sure that each of them will remember both the rewarding and challenging times that we have all experienced. We have been a very cohesive team, evidenced by the position that Childcare Queensland now holds within the state and the country.

Childcare Queensland has delivered Early Years Learning Framework training throughout most of Queensland during the past 6 weeks. I accompanied Pam and Brenda (trainers) on the trip to Cairns and it was refreshing to see how the educators who attended the meetings embraced the national curriculum and became more excited as the EYLF was unpacked and explained.

The information on the next group of Kindergartens to be approved in long day care centres is available and it is important that we take up the opportunity to provide this service. State Government is fast tracking the building of the next group in the 240 Kindergartens on state school sites.

Childcare Queensland will be conducting some surveys in the near future, one for licensees and one for families. The date of the Federal Election is still a mystery but we must ensure that we continue to gather data that we need to provide sound facts for influencing policy.

We have met with a wide selection of members of parliament from both parties and further meetings have been organised for 24th June. After several meetings with Dr. Sharman Stone MP (Shadow Minister) we were delighted that she has announced that the Opposition will pay the Child Care Rebate weekly. We have also met with the Greens and Senators Xenophon and Fielding who are extremely supportive of the plight of families to access affordable early learning.

The Australian Childcare Alliance has requested from the Australian Government in a letter to the Prime Minister that the process on the legislation for the National Agenda is slowed down to provide wide consultation. It is being rushed to go through the Victorian Parliament and at this stage we are unaware of the requirements that will be

included. This legislation, if passed will be adopted by all states and territories and will replace our current regulations. It is crucial that this legislation is practical for Queensland. A similar letter has been sent to Premier Bligh.

I would like to thank each of the members of Childcare Queensland for their tremendous support during the past four years and thank you for sharing the passion to provide high quality care and early learning to Australia's children. Loraye, our super efficient Office Administrator, thank you for being there and making it all so much easier.

A handwritten signature in black ink that reads "Gwynn Bridge". The signature is fluid and cursive.

Gwynn Bridge  
President

## MEMBERS MEETINGS

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The Brisbane members meeting can be accessed via WEBINAR from your own computer

Watch your email Inbox for details of the next available WEBINAR DATE



# WHAT IS A LEASE?

Prepared by: *Porta Lawyers*



## Understanding how a Lease operates

In future articles we will be examining Leases in more detail. Through this examination we hope to provide the reader with a better understanding on how a Lease operates and how to interpret the information contained within it.

### What is a Lease?

A Lease is a legal instrument provided to a Tenant by a Landlord granting them exclusive use and possession of a Premises. It is a legal interest in land protected by law subject to the terms and conditions contained in the Lease.

A Lease in registrable form will in most instances contain a Form 7 and Form 20 Schedule. The Form 7 is the first page of the Lease that contains the real property description and execution clauses. The Form 20 Schedule contains the detailed terms and conditions as agreed between the Landlord and the Tenant. In most comprehensive Leases the Form 20 Schedule will contain an Index and Details page. The latter contains precise information such as base rent, outgoings, car parks, guarantors and so on.

Another very important part of the Form 20 Schedule is the Definitions section, usually commencing on page 3 or 4 of the Lease. This part of the Lease defines words and phrases used in the terms and conditions. This will define what in particular the Landlord can charge you for outgoings, what the common areas are, core trading hours, air-conditioning equipment, appurtenances, limited proportion, option exercise period and so forth. Tenants and Landlords should make themselves very familiar with this area of the Lease to ensure they protect their interests accordingly.

### Tenant's Maintenance v Landlord's Capital Works

One definition you rarely find in a Lease is for "Capital Works". This can be problematic because it is a leading issue in disputes between Landlords and Tenants. The question is, "is it the Tenant's responsibility or the Landlord?"

If the definitions are silent in relation to determining what exactly is of a "Capital Nature" then, as a guide, a summary of Australian case law would suggest that the covenant to repair is mitigated where a Premises has an inherent defect or the need for the Tenant's repair is caused by the lack of the structural integrity in the Premises.

The ultimate question in relation to the Tenant's covenant to repair is; whether the works were rendered necessary by ordinary wear and tear? Moreover, inherent defects in a leased Premises or ongoing structural



*Giovanni Porta, Principal, Porta Lawyers*

deficiencies merely provide that the Tenant must repair. It does not impose an obligation to remove the defect. Accordingly, a tenant cannot practically repair items that are in need of replacement.

Because the above repairs can be costly and if a Landlord continues to interpret works of a capital nature to the Tenant's detriment, then an application to the Court for a determination of the Clauses should be undertaken by the Tenant.

While this may sound like a costly solution, capital repairs in some instances can end up being well over \$100,000.00 either immediately or cumulatively over many years.



**GIOVANNI PORTA**  
B.Ed. LLB (Hons)  
Principal

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# ANNUAL WAGE REVIEW

Prepared by - Gil Muir, Employer Services

## **F**air Work Australia hand down its first Minimum Wage Ruling

On 3 June 2010, the Minimum Wage Panel of Fair Work Australia (FWA) handed down its first Minimum Wage Ruling.

It awarded an increase of \$26.00 per week to adult full time weekly rates under the Modern Award system from the first pay period commencing (ppc) on or after 1 July 2010. The \$26.00 was only \$1.00 less than the \$27.00 claimed by the ACTU on behalf of the Trade Union Movement. Proportionate increases of course flow to part time and casual workers. The Federal Minimum Wage (FMW) will increase to \$569.90 per week (or \$15.00 per hour) and casual workers who remain "Award Free" will have the Casual Loading increased to a new minimum of 21% from ppc 1 July 2010.

The Panel said that its ruling would not harm employment despite strong arguments from employer groups that a high increase could damage the economy. Obviously, the Panel took into account that there was no minimum wage increase in the Federal System in 2009 while State Industrial System increases were in the order of \$16.20 per week.

The Federal Government urged FWA to grant "a considered real increase in minimum wages that, at a minimum, reflects the cost of living increases since the last minimum wage rise." The Queensland Government, for example, argued that the "real value" of wages should not be reduced.

Award Modernisation and the Transitional Arrangements to transition to either higher or lower wages, penalty rates and casual loadings beginning ppc 1 July 2010 were raised by employer groups. It was argued that this process of transitioning, together with a significant wage increase, would adversely affect Award-reliant businesses but the Panel threw "cold water" on this line of argument.

It said:

"There was no evidence of the net cost of award modernisation and the material, even on an industry basis, was not comprehensive.

Increases in wages and some conditions will be phased in in five instalments and this will moderate the effects of cost increases. We are also aware that the modern awards will bring significant benefits for many employers, including some reductions in minimum wages, penalty rates and other conditions. We accept that for some employers, particularly in award-reliant industries, there will be cost increases arising from the application of modern award wages and conditions. And this is clearly a relevant consideration for us." [para 291]

The recognition that there will be pluses and minuses for employers and workers as a result of Award Modernisation is contrary to the directive of the Deputy Prime Minister that there would be no loss to workers nor increased cost to business because of Award Modernisation.

The \$26.00 per week increase is to be paid in full IN ADDITION to any transitional increase or decrease which is due to be implemented from ppc 1 July 2010 as it itself does not transition.

NOTE: It is fundamental that the classification structure of each Modern Award be carefully examined. Each employee's duties are to be matched to the classification structure of the relevant Modern Award so as to determine the correct Modern Award level and rate of pay and thus the transitional difference (if any) between the previous instrument and Modern Award. For example, an "Old" Level 1 in a NAPSA may not always match the "New" Level 1 in the relevant Modern Award.

As always, the \$26.00 per week increase can be offset using genuine over-award payments.

### **State Awards referred into the Fair Work System**

These Awards became what is identified as a "Division 2B State Award" and became part of the Federal system from 1 January 2010. In most cases they provide for much higher wages than their Federal counterparts (e.g.

NAPSA's and Modern Awards).

These Awards are excluded from receiving the \$26.00 per week increase.

FWA ruled as follows:

"We have decided not to vary minimum wages, casual loadings or piece rates in Division 2B State awards as part of this review... Any increase afforded now would have the potential to unreasonably complicate the position. It is relevant that employees covered by Division 2B State awards have generally had the benefit of an increase in minimum wages in calendar year 2009. Our approach is also consistent with the transitional provisions in modern awards which provide for absorption of differences in pre-modern award and modern award wages into the amount awarded in this review." [para 388]

Division 2B State Awards terminate on 31 December 2010 and employers who were subject to a Division 2B State Award will become covered by the appropriate Modern Award from 1 January 2011.

### **Apprentices and Trainees**

The issuing of a Special National Minimum Wage Order for Apprentices and Trainees covered by training arrangements is deferred until the next Annual Wage Review (2010-2011).

A conference will be announced to consider the form the review will take and a timetable will be developed. This will occur some time in the latter part of this year.

### **Ombudsman's Troubling Ruling on "Offsetting or Absorption" into Over Award Payments**

In what has already caused concern amongst employers, the Fair Work Ombudsman (FWO) has issued a "Guidance Note" (7) on Transitional Arrangements in Modern Awards.

It is the Ombudsman's interpretation of how





transition will work, it is not based on determinations from Fair Work Australia or the Federal Court, but it is drawn from these sources.

Nearly all Modern Awards have the "Model" Transitional Clause which allows for the phasing-in of wages; casual/part time loadings; Saturday, Sunday, Public Holiday loadings; evening and other penalty rates and shift allowances commencing from ppc 1 July 2010.

The Model Clause refers to offsetting as follows:

"The monetary obligations imposed by this award may be absorbed into over-award payments. Nothing in this award required an employer to maintain or increase any over-award payment."

Not satisfied with this straight forward provision, the FWO prefers a highly legalistic approach stating in its Guidance Note that:

"The draft Guidance Note set out FWO's view that clause 2.2 applies in conjunction with long-standing Court authority about when employers can offset over-award payments against award entitlements. These cases include the full Federal Court decision of Poletti v Ecob (1989) 91 ALR 381, ANZ Banking Group Limited v Finance Sector Union of Australia (2001) 111 IR 227 and the decision of Goldberg J in Textile, Clothing and Footwear Union of Australia v Givoni Pty Ltd (2002) 121 IR 250. In summary, this means that where an employer and an employee have agreed that over-award payments are to be directed towards satisfying particular or all award entitlements, those over-award payments may absorb the relevant increases. However, where this is not the case an employer would need to seek the employee's agreement to treat the over-award payments in this way."

Employers are urged to consider the implications of the FWO's views which are likely to be challenged before Fair Work Australia very soon.

Again, the directive that employers were not to face increased costs because of Modern Awards is disregarded by FWO and it runs counter to how the private sector operated (particularly small business) with over award payments.

#### **Paid Parental Scheme from 1 January 2011**

Legislation paving the way for the Federal Government's paid parental leave scheme passed through the House of Representatives on 2 June 2010, and the Opposition is not expected to block it in the Senate. The Government is urging the Senate to pass the legislation in the winter sitting of Parliament.

If the bill is passed in this sitting of Parliament, the first claims for parental leave can be lodged with the Family Assistance Office from 1 October 2010.

The Government's scheme will provide up to 18 weeks of government-funded parental leave pay at the national minimum wage (which will be \$569.90 per week until mid-2011) for eligible parents of children born or adopted on or after 1 January 2011.

A representative of the ACTU was reported saying Australian families

will be relieved by Opposition Leader Tony Abbott's decision to drop his long-held opposition to a universal paid parental leave scheme.

Under the Government's scheme, casual and part-time workers, contractors, and the self-employed will be eligible for paid parental leave, many for the first time.

To help employers prepare for the scheme, the role of the employer in providing government-funded parental leave pay will be phased in over the first six months of the new scheme, to align with the new financial year.

The Government will establish an implementation group to help finalise the details of Australia's first national paid parental leave scheme. Under the scheme, leave can be taken in addition to existing employer-funded entitlements either at the same time or consecutively.



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# THE TRUE COST OF CHEAP INSURANCE

Prepared by - The Guild Group



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Other insurance policies provide cover limited to a pre-determined value, the 'sums insured' or "limit of liability", for building and contents. While every effort can be made to determine your 'sums insured' and set "limits" correctly, rising building costs and other factors often cause the value of your centre to increase. Limiting your insurance cover to a set figure leaves you at risk of underinsurance.

It is our experience that underinsurance is often an issue in major incidents and can expose businesses to out-of-pocket expenses for hundreds of thousands of dollars.

Additionally, other insurance policies often contain 'underinsurance' or 'average' provisions, which mean that even for partial damage to your centre, the insurer can assess the total value of your centre and if they find that you are underinsured, they can reduce your final payout. Guild on the other hand will always pay you out to the replacement cost of the damages.

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Consider the case of Rainbow Cottage Child Care Centre, who after insuring with a competitor for many years, switched their insurance policy to Guild. The previous business insurance 'sum insured' cover for the centre's buildings and contents was \$350,000.

Six months later, the centre was completely destroyed in a fire. Costs for rebuilding and refitting the centre rose to \$683,000. If Rainbow Cottage had still been insured with the competitor they likely would have had to pay the gap of more than \$333,000 between the 'sums insured' and the true cost of replacement out of their own pocket. Thankfully the Guild policy insured both the centre building & contents for the full replacement cost and the centre received the full payout.

### Who's got your back?

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# SCHOLARSHIPS FOR EARLY CHILDHOOD TEACHING

Prepared by - Office for Early Childhood Education and Care



## Strengthening Queensland's early childhood education and care

The Queensland Government's partnership with the early childhood education and care sector is delivering outcomes that will help educate future generations of Queenslanders.

In order to deliver our commitment to make kindergarten accessible for every Queensland child by 2014, we are now providing funding to assist long day care services to deliver kindergarten programs.

Late last year 141 long day care centres across Queensland were approved to participate in the 2010 kindergarten pilot program. Feedback from the pilot will shape the ongoing roll-out of the kindergarten program in long day care services across the state. Further opportunities for centres to deliver kindergarten programs, with the support of the State Government, will be announced in the near future.

A core requirement of the kindergarten initiative is that kindergarten programs are delivered by four year qualified early childhood teachers or registered teachers with early childhood qualifications.

To strengthen Queensland's early childhood workforce and to meet the demand for qualified kindergarten teaching staff, the Queensland Government has recently established the Early Childhood Teaching Scholarships program.

The value of the skills and experience of educators working in early childhood education and care cannot be underestimated. The Early Childhood Teaching Scholarships program is designed to build on the existing expertise in the industry and support staff currently working in early childhood education and care to upgrade their qualifications so they can be registered as teachers in Queensland and teach a kindergarten program.

The Office for Early Childhood Education and Care worked with Queensland universities and the Queensland College of Teachers to develop the scholarship program and identify courses that meet legislative requirements as well as recognise the experience of early childhood education and care workers.

Under the program approximately 50 scholarships, each valued upwards of \$12,000, will be provided every year for at least the next two years. The scholarships will help meet the costs of course fees and provide a study allowance each semester to cover the added cost of study, such as text books, internet access and resource materials.

Additionally, if scholarship recipients are required to complete a professional experience/practicum placement as part of their study program, 50 per cent of their gross salary costs for the placement period will be provided to their employer to assist their release.

The first scholarship recipients under the Early Childhood Teaching Scholarship program will commence their new studies in Semester 2, 2010. Further rounds of the scholarship program will be announced in the near future and consideration is being given to broadening the program to include staff with other qualifications.

Supporting the existing early childhood education and care sector to deliver kindergarten, through initiatives such as the scholarships program and the kindergarten funding scheme is essential for making kindergarten available to all eligible children.

Building extra kindergarten services in areas where they are needed most is also vital. To date, the State Government has announced 34 extra services to open between 2010 and 2012. The locations of a further 34 extra kindergarten services to be established on



state and non-state school sites in 2012 will be announced in the near future bringing the government's total commitment to 68 extra services across the state by 2012.

The locations for these extra services are identified through a rigorous process to identify the areas of greatest need across the state. This process was developed in consultation with key industry stakeholders, including Childcare Queensland, and assessed by an independent probity auditor and found to be robust. Need is primarily assessed by identifying areas where the population of kindergarten-aged children exceeds the number of kindergarten places that could potentially be offered by both existing long day care and kindergarten services.

The success of the formula is evident in Stretton where local families are benefiting from a new kindergarten service, established at Stretton State College, as well as the introduction of a kindergarten program at the Stretton Early Learning Centre, a long day care provider.

By having kindergarten delivered by both the new service and the existing long day care service, families in the area can be assured of an option that best meets their needs.

For more information on the Queensland Government's kindergarten initiative please visit the Office for Early Childhood Education and Care website on [www.education.qld.gov.au/earlychildhood](http://www.education.qld.gov.au/earlychildhood)



# MAGNETS - A DEADLY THREAT



Toys that have small parts carry warning labels aimed at reducing the choking and ingestion risks for children under 3 years. However, the average age of children swallowing these magnets is 4 years.

Prepared by - Kidsafe QLD Inc and reproduced with permission

## **S**trengthening Queensland's early childhood education and care

Common magnets, such as those found in toys, on fridge decorations and jewellery, are causing severe internal damage and even death in children.

While a single tiny magnet represents a choking hazard for a child, two or more small magnets swallowed by a toddler or child create a deadly combination because, once swallowed, the force of magnetic attraction will pull them toward each other, even through the walls of the human body's digestive system.

The result can be perforation of the bowel, infection and even death.

In Brisbane, three children aged 4 to 11 suffered multiple bowel perforations after swallowing a number of magnets. The children arrived at hospital with abdominal pain and vomiting, and were first treated for gastroenteritis. However, X-rays showed that the children

had swallowed magnets from magnetic toy construction sets. The ingested magnets gravitated together in the bowel, causing multiple perforations.

The magnets, small but strong, can be found in many toys, jewellery (including fake body piercings), magnetic beads, fridge magnets and photo displays.

Kidsafe Queensland urges all parents of children under eight to check their children's toys and homes for items which incorporate small magnets. However, even careless teenagers using body jewellery that includes magnets have suffered serious injury through accidental ingestion.

More detailed information about injuries in children due to magnets please read the research from the Queensland Injury Surveillance Unit.



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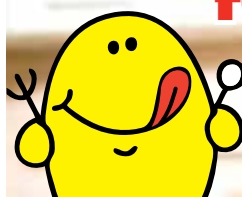
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# EARLY YEARS LEARNING FRAMEWORK



Brenda Abbey, Childcare by Design

Prepared by – Brenda Abbey, Childcare by Design



## Putting the EYLF into practice in our centres

We have seen many articles, books and workshops on the Early Years Learning Framework (EYLF) which have informed us, amongst other things, that the EYLF is Australia's first national learning framework for all early childhood services for children from birth to 5 years and for transition to school, and that it will be incorporated into Licensing and Accreditation requirements by 2012.

Our problem is that very few, if any, have given us any ideas how to put it into practice. We are left wondering about the changes we need to make to meet the requirements of the 47 page EYLF document.

The purpose of this article is to suggest a seamless way to go about it by focusing on what is different about the EYLF and how the differences will affect what we do in our centres every day. In other words, what we might need to change about: what we say; what we do and, our documentation. Of course, the changes will vary between educators and between centres.

### Difference 1: Terminology

The EYLF uses some very interesting words, 31 of them in fact - 34 if you count Belonging, Being and Becoming.

Fortunately, learning to use the new terminology will not be difficult, and familiarity with this 'child-speak' will bring advantages. For a start, the EYLF confirms us as 'educators'. We have always known that we are educators, but it is nice to be formally recognised as such. When we are all regular users of its other terms, such as 'pedagogy', 'agency', 'co-construct' and 'reflexivity', our communication will be more concise and precise.

Recently, another consultant and I conducted a state-wide series of workshops on the EYLF for Childcare Queensland and compiled a list of ideas to introduce these words to educators and parents. You can access this list on [www.childcareqld.org.au](http://www.childcareqld.org.au)

### Difference 2: Emphasis on the link between our beliefs/values and our practices

The EYLF requires us to clearly link our beliefs

and values (about the way children grow and learn) with our practices. In other words, our work with children should reflect what we believe and value and should align with the EYLF's principles.

We already value these five principles. However, the EYLF strongly emphasises Partnerships with families. It also stresses Respect for Diversity, especially in relation to Indigenous and Torres Strait Islander cultures, to be expected given that the EYLF is an Australian framework. In addition, the EYLF requires us to think of 'culture' in much broader terms than ethnicity, and to consider such matters as how children and their families function together. The way children live affects the way children learn.

### Difference 3: Educators' roles

Under the EYLF we are expected to be more knowledgeable, skilled, intentional and reflective than ever before.

While our programs already include child- and educator-initiated learning experiences, the EYLF is asking us to be more thoughtful, deliberate and purposeful about: what we are going to do; why we are going to do it; when and where we are going to do it; and how we are going to do it

...the how is what the EYLF calls 'intentional teaching' strategies. You would be using some intentional teaching strategies already but it asks us to use a wider range and to use them more often and more skilfully. The list of these strategies and their definitions is included in the workshop materials on [www.childcareqld.org.au](http://www.childcareqld.org.au)

Another difference in the EYLF is its strong emphasis on reflective practice. The list of the reflective questions from the workshops, together with the questions contributed by participants, can also be accessed on [www.childcareqld.org.au](http://www.childcareqld.org.au)

### Difference 4: Including natural elements in the environment

The EYLF asks us to look closely at our indoor and outdoor learning environments from

the perspective of supporting a play-based curriculum. These environments need to optimise children's ability to initiate and lead their learning experiences, access the required materials, and support educators' involvement and use of intentional teaching strategies.

The EYLF stresses the inclusion of more natural elements and objects in both indoor and outdoor learning environments. It is not asking us to make immediate and costly changes, (e.g. replace synthetic with natural grass). Rather, it asks us to prioritise the inclusion of natural items when adding to or replacing worn resources and when renovating learning spaces.

### Difference 5: Documentation

An effective and efficient way to identify changes the EYLF might require us to make to our programming and documentation is to ask ourselves a series of questions about the information our programs and their documentation will need to meet the requirements of the EYLF. The answers to these questions will dictate any changes we need to make. The list of questions used in the EYLF workshops can be accessed on [www.childcareqld.org.au](http://www.childcareqld.org.au)

Given that our current ways of programming and documentation must have already met accreditation and licensing requirements, the EYLF is unlikely to require us to completely change our current ways of programming and documenting or to adopt a one-size-fits-all format.

### Summary:

Now that you have touched upon the differences in the EYLF, you probably feel reassured that you currently do much of what it requires. Your task, now, is to build upon the skills and knowledge you already have to make the changes you have identified in order to meet all the requirements of the EYLF.

*Brenda Abbey is a childcare consultant. She is the author of Managing compliance in childcare services: The essential guide for Queensland practitioners. Details of the DVD titled EYLF: Putting it into practice are available on her website [www.childcarebydesign.com.au](http://www.childcarebydesign.com.au)*

# EQUAL SUPERANNUATION

Prepared by – The Guild Group

## Women have less super than men

Recent research<sup>1</sup> has found that the average superannuation payout for Australian women is less than half the amount for men, with the average superannuation payout for women currently only \$72,330.

As the vast majority of workers in the child care industry are female, these studies raise concerns that people in the child care industry may not have adequate savings for retirement, which could affect their standard of living. As a guide, most people need around 60% of their pre-retirement income per year of retirement. Given this, the average account balance isn't going to last long for most people, even factoring in some access to Government benefits.

All child care workers are encouraged to use our *Retirement Planner* and *Budget Planner* calculators on the *Members Online Access* section of [childcaresuper.com.au](http://childcaresuper.com.au), to get an idea of how much money they might need in retirement.

The Australian Child Care Super Fund has taken its own initiative to help address women's superannuation, by waiving member fees for up to 12 months if a member of the fund is on maternity or paternity leave.

Women need to take action now to ensure their financial freedom later in life. There are a range of ways that women can boost their retirement savings and take advantage of potential tax savings through personal contributions to their super accounts.

**Spouse contributions** – This can particularly help women taking time off work to raise children. Spouses can contribute to your super fund if you are earning less than \$13,800 in a financial year and you may be eligible for a tax offset of up to 18 percent. The super contributions that your spouse puts into your fund will also be tax-free when you withdraw them at retirement.

**Co-contribution** – A smart way to top up your super for lower income earners. Currently, you can make a personal super contribution of up to \$1000 and for every dollar you put into your super fund, the government will match your contribution, if you are earning less than \$31,920. Those earning up to \$61,920 are eligible for some level of super co-contribution.

For an example of how this works, consider child care worker 30-year-old child care worker Mandy who earns \$30,000 a year. If she decided to add just \$20 a week to her super account, because she is eligible for co-contributions, she would be almost a quarter of a million dollars better off, by the time she reached retirement.\*

**Salary Sacrifice** – Sacrifice up to \$25,000 of your salary as savings into your super account and at a low tax rate of 15%. It's a tax-effective way to boost your retirement savings.

For more information about how you can contribute to your superannuation contact our Customer Service Team on 1800 060 215 or go to [www.childcaresuper.com.au](http://www.childcaresuper.com.au)



Child care employers looking for easier ways to process their employees' superannuation contributions can also take advantage of the *Super PaySmart Solutions Service* offered by the Australian Child Care Super Fund.

To find out how to set up the Australian Child Care Super Fund as your default fund call **1800 060 215** or go to [www.childcaresuper.com.au](http://www.childcaresuper.com.au)

<sup>1</sup> Research from the Queensland University of Technology.

\*Calculations based on an investment return of 6% per annum (net of all fees, expenses and taxes) and compounded over 35 years (not including inflation on salary, with a four year career break between age 34 and 37 in which no super contributions will be paid). Salary has not been indexed. The temporary reduction in the co-contribution between 2009/10 and 2013/14 has been taken into account.

This document contains information of a general nature only. It is not intended to constitute the provision of advice. Before acting on any information you should consider its appropriateness having regard to your objectives, financial situation and needs. Prior to making a decision in relation to any financial product, you should consider the relevant Product Disclosure Statement (PDS) in deciding whether to acquire, or continue to hold the product. You can obtain PDSs by contacting Guild Trustee Services. Guild Trustee Services Pty Limited ABN 84 068 826 728 AFS Licence No. 233815, RSE Licence No L0000611, as Trustee for the Australian Child Care Super Fund. Fund Registration No R1001617. ABN 19 022 138 786. The ACCSF Clearing House Solution is provided through MercerSpectrum. MercerSpectrum is a product issued by Mercer Investment Nominees Limited (MINL) ABN 79 004 717 538. AFSL No. 235906.



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# A NEW ERA HAS BEGUN

Prepared by - Gary England, Weyman Jones Business Brokers and Valuers



## Childcare Centre Market - Then and Now

Having been involved in the sales and acquisitions of child care centres for over 12 years, it is interesting to reflect on what the market was like 'way back then' compared to the present era. Like all markets, the child care industry has had its fair share of ups and downs over the years. As a whole, albeit with a few casualties along the way, the privately owned child care sector has prospered and continues to demonstrate strong capital growth and investment returns for its participants. We believe the long day care industry is now more widely regarded as an important provider of educational programmes for young children, rather than a 'baby sitting service' for working mums and dads. The latter was a common perception in the 1990's.

### What Were Centres Worth Over A Decade Ago?

We remember handling the sale of a 75 place centre on the Sunshine Coast in the late 90's. It was purpose built and state of the art for its day, enjoyed high occupancy rates and was located in one of the highest residential growth areas on the coast. Fees were around \$28 per day (this is not a misprint!) The centre sold for \$780,000, representing \$500,000 for the freehold property and \$280,000 for the business. The buyers of that centre still own it today. Given that its current market value would be in excess of \$2million, the capital growth is evident. Perhaps more importantly, their current annual rate of return on their original investment would be over 50%!

### Who Were The Buyers Then?

When we first became involved in the child care industry, general business buyers were largely unaware of what was involved in buying and running a child care centre. In fact, some of our first sales were to people who would never have entertained the thought of owning a centre until it was explained to them that anyone with good business and people skills was capable of running this type of business.

Many buyers were under the impression that a centre owner would need teaching or similar qualifications in order for them to obtain a licence. A common fear was the threat of litigation if a child was injured at the centre. Another was 'what happens if we have a change of government, and they cease funding child care?' Even financiers would trot the last one out from time to time.

Our typical buyers then were mostly husband and wife teams that looked to have an active interest in their chosen centre e.g. the wife helping with administration and the husband being the 'maintenance man'. It might seem a bit outdated these days, with a wide range of management and support services now available to owners, but we think this 'hands on' team system worked quite well. Remember at that time the likes of Peppercorn and ABC hadn't really started their 'acquisition stampede' and the industry was still very much a family affair.

### Valuing Centres - Then And Now

The fundamental methodology for valuation of child care centres really hasn't changed over the years. What does change, depending on market conditions, is the components of that methodology. These are normally expected return on investment, rental rates and values per licenced place. (See Simon Fox's article Summer 2009 Edition). Interest rate changes, building and land costs, perceived future threats and general investor confidence can all contribute to fluctuations in these components. The trick is to stay in touch with what the market is doing now, not what it was doing 1 or 2 years ago.

### Are Parents Getting Older?

A recent report (unrelated to child care) by IBIS World set out their predictions as to which Australian industries would grow or contract in 2010. One of the areas of predicted growth was 'baby products'.

The report quoted "Over the past five years, there has been strong growth in high-end



Gary England, Weyman Jones Business Brokers and Valuers

baby products, as first-time parents in their late 30s and early 40s buy up big for their newborns. This trend will aid industry growth which is forecast to grow by 3.3% to \$4.17billion in 2010 ..... Rising birth rates to older parents and a focus on buying quality items only, has given rise to huge growth in businesses churning out high-end baby products ....."

We wonder whether centre owners are seeing a similar trend in the demographics of parents in their areas? Perhaps there will be a market for the odd 'non CCB' high quality service provider in the more affluent areas in the future.

### Governments And Regulations

Since the early '90s governments, both federal and state, have had an ever increasing role in the regulating of child care, quite often to the chagrin of centre owners. Remember the changes to the regulations in 2000 and the more recent transition to CCMS? The latest proposed change is the introduction of the National Quality Agenda to be phased in over the next few years. Much has been written and debated about this subject, and at the time of writing it was still unclear how much the powers that be were taking on board as regards increased costs that will inevitably be a result of these reforms. We can only hope that common sense prevails and a workable compromise is reached. The fact is that it is not going to go away and the industry needs to deal with it as best it can. It's not the first time that changes to regulations have disrupted the industry and it almost certainly won't be the last.

Will the reforms have a detrimental effect on the value of centres, at least in the short term? Possibly. Will the child care industry survive? Definitely.



Prepared by - Department of Education, Employment and Workplace Relations

## The Australian Government spends around \$3.6 billion on Child Care each year

The introduction of the Child Care Management System provides much greater transparency and timeliness of information about child care service usage.

You will see from the information that follows that the Department of Education, Employment and Workplace Relations has substantially increased compliance activity resulting from the improved currency of usage data.

You will need to ensure that you respond to issues raised by the Department with regard to compliance or your service will run the risk of receiving fines through Infringement Notices or in extreme cases your service may be sanctioned and the approval to pass on Child Care Benefit may be withdrawn.

### Compliance Under CCMS

The Department monitors child care usage data trends and adherence to legislative obligations and through CCMS it is further able to dissect and analyse transactional data to identify areas of non-compliance. As a result the Department can also now quickly establish compliance target areas, test the veracity of tip-offs, and schedule review activity in direct response to genuine non-compliance.

The aim of the compliance activity is to provide assurance to the Government on the Child Care payments, identify fraud and minimise any incorrect payments due to errors. Child care services may be selected for compliance activity based on any of the following:

- data matching child care usage against some pre-determined rules;
- Tip-off information from members of the public or other government agencies;
- Local knowledge or feedback to state compliance units;
- Program management utilisation claims compared to CCMS data;
- Previous history of non-compliance; and
- Never been subject to a compliance review.

The compliance program has multiple facets and involves the analysis of CCB claims data, having authorised compliance officers examine records to check the correctness of a service's child care benefit claims and educating services about their obligations under the law.

Reviews of child care services may be announced or unannounced, or may be conducted off-site from your service, by requiring you to provide records to the Department.

As a result of the reviews, compliance officers provide written feedback to services and advise them of any non-compliance and inform them of any corrective action.

It is worth noting that at this point the number of major non-compliance cases has reduced since the introduction of CCMS.

In conjunction with the finalisation of the implementation of CCMS the Department has increased the number of compliance site visits. They have nearly doubled in the 2009-10 financial year. Additional to the increase in compliance site visits, the Department has broadened the activity through writing to or calling services to verify particular targeted areas.

The Department also undertakes investigations into suspected fraud. A number of these investigations in recent times have resulted in prosecutions and sentences to jail terms for those found guilty.

### Infringement Notices

Infringements and civil penalties came into effect from July 2008 and are currently being integrated into compliance processes. They provide the Department with a method of taking immediate action on specific types of non-compliance and provide a more reasonable response to systemic or habitual non-compliance rather than removing CCB Approval. To date Infringement Notices have been used where there has been substantial evidence of non-compliance or ongoing failure to address issues raised by the Department.

### Tip-off Line

The Government and the Department encourages parents and members of the public to notify the Department through the Child Care Tip-off Line if they believe their service is engaging in suspect practices. Calls are often engaged from parents not receiving CCB or CCR fee reductions from their service, or from disgruntled former employees. Calls can also be referred to the Tip-off Line from the Family Assistance Office.

### Targeted Compliance Activity

Recent compliance mailouts and campaigns include:

- Occasional Child Care centres operating for more than the 9 hours maximum allowed under the legislation.
- Child Care centres with sessions exceeding the 12 hour sessions limit.
- Children with high numbers of absences.
- Random outbound calls to verify children's attendance with parents.
- Attendance claimed during normal closure times.

The Department will soon be undertaking a compliance campaign aimed at those child care services operating less than the required days per week or weeks per year.

The Department will continue to target compliance activity where trends emerge or information comes to the Department's attention.

### More Information on Compliance

The Child Care Services Handbook

The MyChild.gov.au website, follow the link below:

<http://www.deewr.gov.au/EarlyChildhood/Programs/ChildCareforServices/Operation/Pages/OperatingaChildCareService.aspx>



# WORKING TO KEEP QUALITY A PRIORITY



Prepared by - National Childcare Accreditation Council (NCAC)



## Council of Australian Government (COAG) announced news about the National Quality Agenda

On 7 December 2009, the Council of Australian Governments (COAG) announced news about the National Quality Agenda. Since that time child care services have contacted NCAC asking whether they should continue progressing through Child Care Quality Assurance (CCQA). Services have also questioned whether they should continue reflecting on and evaluating their practices against the standards in the Quality Practices Guides.

We appreciate that this is a difficult time for everyone. NCAC is in the process of planning the transition from the CCQA systems to the National Quality Agenda, and will advise services as soon as decisions have been made. In the interim, unless advised by NCAC or the Department of Education, Employment or Workplace Relations (DEEWR):

- Services should continue to maintain quality standards in accordance with the relevant Quality Practices Guide.
- All services must continue to submit their Self-study Reports to NCAC by the due date.
- NCAC will continue to assess services against the current CCQA standards through Validation Visits and Spot Checks.

NCAC will promptly advise services of any changes via the Putting Children First magazine, the NCAC website and through direct correspondence.

### NCAC's commitment to services and families

In 2010, NCAC will continue to conduct Spot Checks and Validation Visits in family day care, long day care and outside school hours care services. We remain committed to ensuring that services and child care professionals receive the most up to date and current information about CCQA and quality child care practice. This includes providing families with resources when choosing and using quality child care.

We will continue to provide child care professionals and families with support, guidance and information through our:

- Website ([www.ncac.gov.au](http://www.ncac.gov.au)) – developed for services and families to find the most up to date information about choosing quality child care and CCQA, and download and print a wide range of NCAC's resources including Service Factsheets, Family Factsheets, Quality Companions and Policy Templates. Many of our resources on the website have been translated into 24 community languages.
- National magazine, Putting Children First – published quarterly with current information about CCQA and quality child care practices.

- Factsheets for services and families – produced to assist services to deliver quality child care and progress through CCQA or help families understand quality child care practice. The factsheets provide practical examples, explanations about quality child care practice and issues to consider.

### Where to go for more information and support

NCAC encourages services to regularly visit the DEEWR website ([www.deewr.gov.au](http://www.deewr.gov.au)) and NCAC's website ([www.ncac.gov.au](http://www.ncac.gov.au)) for information about the National Quality Agenda and the transition process.

Services and families are also encouraged to contact NCAC's Child Care Advisers by telephoning 1300 136 554 or emailing ([qualitycare@ncac.gov.au](mailto:qualitycare@ncac.gov.au)) for additional support and guidance when progressing through CCQA.

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# ASSOCIATE MEMBERS DIRECTORY

Associate Members may offer CQ members special rates, discounts or incentives for utilising their products/ service. CQ recommends that members contact each Associate Member first before making your decision. Ensure you state that you are a current CQ member.

Company	Contact	Location	Contact No	Website address
<b>ARCHITECTS/ENGINEERS</b>				
Jardine Architects	Greg Jardine	Brisbane	07 3229 9322	
<b>LEGAL SERVICES</b>				
Porta Lawyers	Daniel Armfield	Geebung	07 3265 3888	<a href="http://www.portalawyers.com.au">www.portalawyers.com.au</a>
<b>BANKING SERVICES</b>				
ANZ Bank	Lyn Lange	Queensland	07 3228 3157	<a href="http://www.anz.com">www.anz.com</a>
Bankwest	Paul Barbagallo	Queensland	07 3623 5002	<a href="http://www.bankwest.com.au">www.bankwest.com.au</a>
<b>CHILD CARE SOFTWARE / IT SUPPORT</b>				
Numeropro	Peta Hagger	Robina	07 5585 5900	<a href="http://www.numeropro.com">www.numeropro.com</a>
SDC International (Heartbeat 4 Kids)	David Denham	Mudgeeraba	07 5559 0160	<a href="http://www.heartbeat4kidz.com">www.heartbeat4kidz.com</a>
Childcare IT	Rodney Hoare	Gold Coast	0417 776 197	<a href="http://www.childcareit.com.au">www.childcareit.com.au</a>
QK Technologies (Qikkids)	Michael Hovey	Brisbane	07 3907 1500	<a href="http://www.qikkids.com.au">www.qikkids.com.au</a>
<b>INSURANCE SERVICES</b>				
Altiora	Marian Sheffield	Brisbane	07 3237 8666	<a href="http://www.altiorachildcare.com.au">www.altiorachildcare.com.au</a>
The Guild Group	Peter Jarrett	Spring Hill	07 3230 8500	<a href="http://www.guildgroup.com.au">www.guildgroup.com.au</a>
<b>VALUERS</b>				
GD Trivett & Associates Pty Ltd	Darren Trivett	Fortitude Valley	07 3216 1011	<a href="http://www.trivett.net.au">www.trivett.net.au</a>
Herron Todd White	Simon Fox	Brisbane	07 3002 0900	<a href="http://www.htw.com.au">www.htw.com.au</a>
<b>CONSULTANCY SERVICES/MANAGEMENT</b>				
Child's Play Consultancy Services	Pam Maclean	Queensland	0412 525 426	<a href="http://www.childsplayconsultancy.com.au">www.childsplayconsultancy.com.au</a>
Childcare By Design	Brenda Abbey	Queensland	07 5444 5660	<a href="http://www.childcarebydesign.com.au">www.childcarebydesign.com.au</a>
Kids and Adults Learning	Annette Cunado	Northgate	1300 783 880	<a href="http://www.kal.net.au">www.kal.net.au</a>
Tailored Childcare Management	Vicki Ward	Forest Lake	07 3723 7722	<a href="http://www.atcm.com.au">www.atcm.com.au</a>
Impressions Childcare Management	Jeanine Scull	Carindale	07 3393 9185	<a href="http://www.icmanagement.com.au">www.icmanagement.com.au</a>
Maximise Childcare Consultancy	Conny Schmidt	Bardon	07 3368 3790	<a href="http://www.maximiseconsult.com.au">www.maximiseconsult.com.au</a>
Giggletree Pty Ltd	Samantha Ahearn	Brisbane	07 3204 7767	<a href="http://www.giggletree.com.au">www.giggletree.com.au</a>
<b>TRAINING PROVIDERS</b>				
Australian Child Care Career Options	Narelle Cossettini	Queensland	07 3257 1972	<a href="http://www.accco.com.au">www.accco.com.au</a>
<b>FOOD &amp; NUTRITION</b>				
Little Tummy Tucker	Dinah Pherous	Red Hill	07 3217 6649	<a href="http://www.littletummytucker.com.au">www.littletummytucker.com.au</a>

Company	Contact	Location	Contact No	Website address
<b>SURFACING</b>				
Reclaim Industries	Barry Healey	Yeerongpilly	07 3392 9899	<a href="http://www.reclaim.com.au">www.reclaim.com.au</a>
<b>PAYMENT SOLUTIONS</b>				
Fetch My Debt Pty Ltd	Sarah Anderson	Mitchelton	07 3354 4676	<a href="http://www.fetchmydebt.com.au">www.fetchmydebt.com.au</a>
Ezidebit Pty Ltd	Jeffrey Jones	Milton	07 3124 5500	<a href="http://www.ezidebit.com.au">www.ezidebit.com.au</a>
<b>BROKERS</b>				
Benchmark	Lincoln Bridge	Gold Coast	07 5562 2711	<a href="http://www.childcare4sale.com.au">www.childcare4sale.com.au</a>
Weyman Jones Business Brokers & Valuers	Gary England	Noosa Heads	07 5447 2788	<a href="http://www.wjbusinessbrokers.com.au">www.wjbusinessbrokers.com.au</a>
Harcourts Surfers Paradise	Graeme Pettit	Surfers Paradise	07 5539 0066	<a href="http://www.harcourts.com.au">www.harcourts.com.au</a>
<b>STAFF RECRUITMENT</b>				
Expect A Star Education Services	Ryan Meldrum	North Sydney	1300 669 653	<a href="http://www.expectastar.com.au">www.expectastar.com.au</a>
Randstad Education	Matt Hodges	Sydney	02 8238 0210	<a href="http://www.randstad.com.au">www.randstad.com.au</a>
<b>SUPERANNUATION</b>				
Australian Child Care Super Fund	Ross Rosenberg	Brisbane	0418 880 724	<a href="http://www.childcaresuper.com.au">www.childcaresuper.com.au</a>
QIEC Super	Rita Svensson	Brisbane	07 3238 1207	<a href="http://www.qiec.com.au">www.qiec.com.au</a>
Hesta Super Fund	Michael Scanlon	Brisbane	07 3112 2332	<a href="http://www.hesta.com.au">www.hesta.com.au</a>
<b>TOYS &amp; RESOURCES</b>				
Funtastic Limited	Terry Horner	Rosebury	02 9557 5144	<a href="http://www.funtastic.com.au">www.funtastic.com.au</a>
Educational Experience	Mary McCafferty	Queensland	0407 693 391	<a href="http://www.edex.com.au">www.edex.com.au</a>
<b>OTHER</b>				
Gold Coast Inclusion Support Agency	Jo Goodwin	Gold Coast	07 5595 8999	<a href="http://www.lccq.org.au">www.lccq.org.au</a>
MPPG (Education Resource Posters)	Gerry Mifsud	Brisbane	0414 611 960	
Food Hygiene Australia (Auditing Service)	Peter Landrigan	Victoria	03 9578 4661	<a href="http://www.foodhygieneaustralia.com.au">www.foodhygieneaustralia.com.au</a>
Linique (Linen & Accessories)	Erika Bax	Brisbane	07 3245 4209	<a href="http://www.linique.com.au">www.linique.com.au</a>

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