



February 2026

Office of the Children's Guardian
NSW Government
Cleveland St, Redfern
NSW 2016
Email: legreform@ocg.nsw.gov.au

Dear Office of the Children's Guardian,

Re Review of the Working with Children Check

Goodstart Early Learning (Goodstart) and Big Fat Smile are two of Australia's high quality, not-for-profit early childhood education and care providers, united in our commitment to delivering safe, quality and inclusive early learning environments for every child. Together, Goodstart and Big Fat Smile operate more than 160 centres across New South Wales, supporting over 15,000 children and 12,000 families in New South Wales each year.

Goodstart is Australia's largest national provider of early learning, with over 670 centres across Australia, providing unique insights into approaches to Working with Children Checks in every state and territory. Big Fat Smile has delivered early education, care, recreation, cultural and inclusion services across New South Wales and the ACT for more than 44 years.

As child-safe organisations, we maintain an unwavering commitment to safeguarding children from abuse, neglect and harm. With a deep commitment to continuous improvement, we welcome reform that strengthens the Working with Children Check (WWCC) system and enhances child safety and appreciate the opportunity to provide feedback on the NSW WWCC system. In this submission, we outline four key recommendations aimed at strengthening the current system and improving protection for Australia's children. While the Discussion Paper provided by the Office of the Children's Guardian raises a wide range of important issues, our recommendations reflect issues that are of particular relevance to the early learning sector and if implemented, would have a clear and direct improvement in children's safety.

Recommendation 1: Establish a National Working with Children Check. The Royal Commission into Institutional Responses to Child Sexual Abuse called for a 'standardised and nationalised' WWCC system more than a decade ago, yet little progress has been made towards this. Recent commitments by the Standing Council of Attorneys-General to harmonise standards and deliver mutual recognition are not sufficient, particularly given there will still be jurisdictional inconsistencies and the three-year timeframe proposed for the National Continuous Checking Capability. Instead, a National WWCC is needed; one that adopts higher thresholds than the current, inadequate systems across jurisdictions, and includes immediate consequences in response to reports and allegations (while they are being investigated). The sector looks to NSW to provide leadership on this issue.

Recommendation 2: Expand the requirement to hold a WWCC to all people working in child-related work. NSW excludes many roles that require a WWCC in other jurisdictions, such as maintenance workers, cleaners, and contractors working in settings with children, including early learning services and schools. Differences in exemptions create avoidable risks. NSW remains one of the only jurisdictions that prevents under-18s from applying for a WWCC, despite other states requiring young people in paid or structured placement roles to be screened. Holding a WWCC is not a panacea to children's safety, but it is a crucial part of a safeguarding system and all people



working or volunteering in places where children learn and play should be required to hold one. We therefore recommend that NSW expands the scope of their WWCC scheme to require persons working in early childhood education and care who are under 18 and those working in ancillary roles to obtain a WWCC.

Recommendation 3: Establish an employer oversight system that provides real-time monitoring and notifications. Employers need access to information relevant to an individual's WWCC status in order to make operational decisions to keep children safe. Unlike Queensland, South Australia and Tasmania, NSW provides no employer-side portal which means that organisations like early learning providers cannot receive automatic notifications if a workers clearance is suspended, barred or expired and cannot maintain a live register of linked workers. Such a system should be national noting that cross-jurisdictional inconsistencies also extend to assessment and re-application rules, where jurisdictions apply different exclusion criteria, interim bar processes and cooling-off periods before re-application. Addressing these issues would have immediate and profound benefits for children and employers, and would increase community confidence in the WWCC system.

Recommendation 4: Uplift safeguarding capability by introducing mandatory child abuse prevention training as a condition of WWCC approval. A WWCC is only one component of a robust child-safeguarding system. It must be paired with a knowledgeable workforce that can recognise risk and respond appropriately. To strengthen the preventive intent of the WWCC, a mandatory online learning module (up to one hour in length) should be introduced as a condition of WWCC approval. This training should provide foundational knowledge on what constitutes child abuse, neglect and harm; how to identify early indicators and warning signs, including grooming behaviours; how to respond appropriately to a disclosure; and where to seek additional support, guidance, or sector-specific information. To avoid duplication of effort, the training requirement should recognise existing mandatory training obligations within sectors that already have comprehensive requirements, such as early childhood education and care workers who must complete the National Child Safety Training.

We look forward to hearing the outcomes of this review and further reforms to the WWCC system in NSW and nationally.

If you would like any further information, please contact Kelly Jebb, Head of Social Policy, at kjebb@goodstart.org.au or on 0409 576 847.

Kind regards,

A handwritten signature in black ink, appearing to read 'Kim Bertino'.

Kim Bertino
CEO
Big Fat Smile

A handwritten signature in black ink, appearing to read 'Myra Geddes'.

Myra Geddes
Chief Impact Officer
Goodstart Early Learning