



Government Information (Public Access) Act 2009 - Access Application

Applicant details

Before you fill in this form please read the department's agency information guide at <https://education.nsw.gov.au/aboutus/rights-and-accountability/information-access> and look to see whether the information you want is already available on our website. If in doubt, contact Right to Access and ask them if the information is already available or can be made available without a formal access application under the GIPA Act.

Title

Mr

Applicant Name

Chiang

Applicant Surname

Lim

Street Address 1

19 Fennell Street

Street Address 2

Australian Childcare Alliance NSW

City

Parramatta

State

NSW

Postcode

2150

Contact Information

Email Address *

chiang.lim@childcarealliance.org.au

Mobile Phone

0427277299

Day time phone

1300556330

☐ I agree to the release of my/my client's/my child's name to any third parties the department may need to consult as part of my application. I understand that not agreeing could affect the outcome of my application.

Requesting Information

Have you made an application for the same or similar information from another agency?

☐ Yes ☒ No

Are you applying on behalf of *

☒ yourself ☐ your client ☐ your son ☐ your daughter ☐ the claimant ☐ other

What records are you applying for: *

☐ own records ☐ child's records ☐ client's records ☐ third party records ☒ other records

Information sought

Please be as specific as possible in your description of the information you seek. The department has limited resources to carry out the important work mandated by the GIPA Act. As a result, a broad or generic request may be considered a significant diversion of the department's resources, and your request may be refused.

Please provide me with the following information: *

ACA NSW REFERENCE: GIPA-2026-02#01

Payway receipt number: 4318962431

Dear sir/madam,

BACKGROUND: I am seeking the release of relevant NSW Early Learning Commission and NSW Department of Education information that relates to the following announcement as reported in the Education Ministers Meeting's Communique dated 20 February 2026 (<https://www.education.gov.au/education-ministers-meeting/resources/education-ministers-meeting-communique-february-2026>):

"NSW and Victoria will increase annual service fees by up to 10-fold for services owned by large for-profit providers, 5-fold for small for-profit providers and 3-fold for not-for-profit providers; to reflect increases in the volume, risk and complexity of regulatory activities."

REQUEST:

Please provide us with a copy of all documents held between 1 January 2025 and 21 February 2026 by the NSW Early Learning Commission and the NSW Department of Education that:

(a) relates to these increases in annual service fees as referred to above in the Education Ministers Meeting's Communique dated 20 February 2026;

(b) were used by the NSW Department of Education (prior to the NSW Early Learning Commission) to calibrate the future increases of annual service fees by 10-fold for services owned by large for-profit providers, 5-fold for small for-profit providers and 3-fold for not-for-profit providers;

(c) were used by the NSW Early Learning Commission to calibrate the future increases of annual service fees by 10-fold for services owned by large for-profit providers, 5-fold for small for-profit providers and 3-fold for not-for-profit providers;

(d) were produced by the NSW Early Learning Commission that outlines what the additional revenue generated by these increases in annual service fees will be used for; and

(e) outline the consequential benefits to all of NSW's early childhood education and care services and to these services' children under their care.

Please provide the copies of documents requested above electronically.

Please let me know if you need any further information/clarification on the above request.

Thanking you in anticipation.

Yours sincerely,

Chiang Lim, Australian Childcare Alliance NSW

www.nsw.childcarealliance.org.au

Date from:

1 January 2025

Date to:

21 February 2026

Reason for making this application (*optional)

Payment

Applications must be accompanied by a \$30 application fee (s41(1)(c) GIPA Act)

Payment can be made by following the instructions on the NSW Department of Education Right to Access web page.

Please enter your Payway receipt number:

4318962431

Documents

Cover letter (optional)

Browse

Identification documents

You can upload multiple documents in this field.

Other attached files: EMM Communique - February 2026.pdf

Payment confirmation

Other attached files: Your Receipt _ Westpac PayWay - 26 Feb 2026.pdf

Declaration

Signature *



☒ I declare that the information I have provided on this form is true and correct. *

Privacy Notice

The information provided on this application form is being obtained for the purpose of processing your GIPA application. Providing this information is required by law. It will be stored securely. If you do not provide all or any of this information it could prevent or delay the processing of your GIPA application.

Chiang Lim
Australian Childcare Alliance (ACA) NSW

By email: chiang.lim@childcarealliance.org.au

Dear Mr Lim

NOTICE OF DECISION

I refer to your access application under the Government Information (Public Access) Act 2009 ('GIPA Act') received by the Department of Education ('the department') on 26 February 2026.

Your original application was split into GIPA-26-0366 – applicable to records held by the department – and GIPA-26-1006 – applicable to records held by the NSW Early Learning Commission ('the Commission').

I have today decided to provide you access, in part, to the information you seek under GIPA-26-1006. The following pages explain in detail the reasons for my decision.

If you are not satisfied with my decision, you may seek review under Part 5 of the GIPA Act. Please refer to the enclosed leaflet: 'Your review rights under the GIPA Act'.

If you have any queries about this notice or require further information on your rights of review, please contact Jessica Guignouard, Manager, Right to Access or Shelley Napper Relieving Manager, Right to Access by telephone on 7814 3525 or via email: GIPA@det.nsw.edu.au

Yours sincerely



Kristian Holz
Deputy Commissioner, Strategy and Integrity
NSW Early Learning Commission

Date: 21 August 2026

Encl: Reasons for Decision;
Schedule of records not provided;
Electronic copy of released records; and
'Your review rights under the GIPA Act'

REASONS FOR DECISION

Your access application

You sought access to the following information:

BACKGROUND: I am seeking the release of relevant NSW Early Learning Commission and NSW Department of Education information that relates to the following announcement as reported in the Education Ministers Meeting's Communique dated 20 February 2026 (<https://www.education.gov.au/education-ministers-meeting/resources/education-ministers-meeting-communiqu-february-2026>):

"NSW and Victoria will increase annual service fees by up to 10-fold for services owned by large for-profit providers, 5-fold for small for-profit providers and 3-fold for not-for-profit providers; to reflect increases in the volume, risk and complexity of regulatory activities."

REQUEST:

Please provide us with a copy of all documents held between 1 January 2025 and 21 February 2026 by the NSW Early Learning Commission and the NSW Department of Education that:

- (a) relates to these increases in annual service fees as referred to above in the Education Ministers Meeting's Communique dated 20 February 2026;
- (b) were used by the NSW Department of Education (prior to the NSW Early Learning Commission) to calibrate the future increases of annual service fees by 10-fold for services owned by large for-profit providers, 5-fold for small for-profit providers and 3-fold for not-for-profit providers;
- (c) were used by the NSW Early Learning Commission to calibrate the future increases of annual service fees by 10-fold for services owned by large for-profit providers, 5-fold for small for-profit providers and 3-fold for not-for-profit providers;
- (d) were produced by the NSW Early Learning Commission that outlines what the additional revenue generated by these increases in annual service fees will be used for; and
- (e) outline the consequential benefits to all of NSW's early childhood education and care services and to these services' children under their care.

You kindly agreed to multiple extensions of the decision due date and I thank you for your consideration and patience.

Further information

On 25 May 2026, via email, Right to Access wrote to you to advise that records relevant to your application had been received from both NSW Early Learning Commission (**Commission**) and Early Childhood Outcomes (**ECO**).

However, as the Commission is now a separate government agency, you were also advised that your GIPA application was required to be split into two applications (one for

ECO to decide and one for the Commission to decide). The application fee for the split was waived, and the relevant GIPA references are as follows:

GIPA-26-0366 – Records held by ECO

GIPA-26-1006 – Records held by the Commission

This decision only addresses records held by the Commission and does not include Commission or ECO records already considered under the decision with reference GIPA-26-0366. This is to avoid duplication of records.

Search for records

Under section 53 of the GIPA Act the department/Commission must undertake reasonable searches as may be necessary to find any of the government information applied for that was held by the agency when the application was received, using the most efficient means reasonably available to the department/Commission.

The department/Commission keeps records electronically (in shared drives and an Electronic Documents Management System), in physical files (hard copy) and in individuals' email accounts. The following systems were searched by the relevant area:

- Emails

I consider that reasonable searches have been undertaken in response to your application in accordance with section 53 of the GIPA Act. Based on the information available to me, I am satisfied that all records that exist relevant to your request have been identified and provided to me for consideration.

Relevant information

A total of 46 pages have been received from the Commission and identified as relevant to your access application.

Decision

I am authorised by the principal officer of the Commission to decide your access application, under section 9(3) of the GIPA Act.

I have decided:

- to provide access to part of the information (section 58(1)(a)); and
- to refuse access to part of the information because there is, on balance, an overriding public interest against its disclosure (section 58(1)(d)).

In making this decision I have applied the public interest test under sections 12 to 15 of the GIPA Act by balancing the public interest considerations.

A schedule of records not provided ('the schedule') is enclosed with this decision.

Consultation

Section 54 of the GIPA Act provides for the department/Commission to consult with third parties to obtain their views before releasing their information where it is reasonably practicable to do so, especially if it appears the person may reasonably be expected to have concerns about the disclosure of the information. I have taken into consideration

the Information Commissioner's Guideline 4 on personal information and Guideline 5 on consultation.

The Victorian Early Childhood Regulatory Authority, Victorian Department of Education, and Education Ministers Meeting were contacted in order to obtain their views about releasing the information to you. This involved undertaking and coordinating consultation across a number of jurisdictions (SA, TAS, QLD, NT, WA, ACT, AG and of course NSW).

The outcome of the consultation was that each jurisdiction agreed with the department's/Commission's redactions in relation to their information. In addition, Right to Access received additional objections to disclosure listing various considerations as to why full access to the records should not be provided. Some of these considerations are very persuasive and place significant weight against release. In summary, a number of objections rested on the basis that disclosure could likely have the effect of prejudicing relations with, or obtaining of confidential information from, another government agency.

To reveal further details of the issues raised and reasons for objection given by the third parties would disclose information for which, on balance, there is an overriding public interest against disclosure. In accordance with section 126(1)(e) of the GIPA Act, I therefore decline to elaborate further about the third parties' objections.

Responsible and effective government

I have decided that pages as identified in the schedule contain information that I consider to be confidential and could reasonably be expected to prejudice the functions of the department and Commission or relations with another government agency. I have today decided not to provide you with access to such information. In making this decision, I have applied the public interest test as follows:

Public interest consideration in favour of disclosure:

- there is a general public interest in favour of disclosure (section 12(1) of the GIPA Act);
- disclosure of the information could help you understand the policies, procedures and processes of the department/Commission;
- disclosure of the information could inform you about a department/Commission decision;
- disclosure of the information could promote open discussion of public affairs, enhancing government accountability or contributing to positive and informed debate on issues of public importance; and
- disclosure of the information could otherwise assist you.

Public interest considerations against disclosure as contained in the section 14 Table of the GIPA Act: disclosing the information could reasonably be expected to have one or more of the following effects:

- prejudice relations with, or the obtaining of confidential information from, another government (Item 1(c));
- prejudice the future supply of confidential information that facilitates the effective exercise of the department's/Commission's functions (Item 1(d)); and
- prejudice the effective exercise of the department's/Commission's functions (Item 1(f)).

The information referred to includes confidential information created by the department/Commission or provided to the department/Commission by third parties such

as other government agencies and internal departmental information that is not publicly available. This includes documents created for the dominant purpose of facilitating internal approvals, discussing processes, and clarifying positions.

These documents form part of the department's and Commission's internal deliberative and decision-making processes related to policy development and operational management. Disclosure of these records would be reasonably likely to prejudice these processes by revealing internal analyses, decision-making processes and policy considerations developed to support informed and candid discussions among department and Commission staff and executives.

Maintaining the confidentiality of such material is necessary to preserve the integrity of governmental deliberations and to ensure that advice, recommendations, and approvals can be exchanged in a frank and orderly manner. This confidentiality underpins effective decision-making regarding programs, resource allocation, and policy implementation.

The primary function of the department is to provide educational services to students in government schools. This includes ensuring all children make a strong start in life and learning and make a successful transition to school and to support more children to access quality early learning across the state. The primary function of the Commission is to regulate early childhood education and care services across NSW to ensure they meet stringent standards of safety, quality, and compliance. As such, managing these functions requires analysis and understanding of national policies on early childhood education and care, as well as identifying and developing strategies to support positive educational changes.

In the exercise of these functions the department's and Commission's executives must be able to freely, and confidentially, discuss how best to manage and resolve sensitive issues affecting operations, structures, process improvements, and the implementation of program or policy changes. These discussions often take place over email and form an indispensable part of the decision-making chain.

If internal email communications are released in full, the department's/Commission's capacity to conduct thorough and confidential deliberations may be seriously compromised. In addition, disclosure would risk damaging trust between colleagues and between the department, the Commission and external stakeholders, thus impairing any future collaboration and consultation processes.

Releasing confidential correspondence would also discourage individuals, within the department/Commission and among external stakeholders, from sharing sensitive information openly in the future. This would have a detrimental effect on the department's/Commission's ability to obtain timely and accurate input essential for sound policy and operational decisions.

The department and Commission benefit greatly from individuals supplying information. If this confidential process is set aside under the GIPA process by releasing the information to you in full, it is reasonably likely to prejudice the supply to the department/Commission of confidential information in future from these individuals and other people and prejudice the integrity of effective public administration. This would have a serious adverse effect on the department's and Commission's functions on many levels.

Therefore, releasing internal email communications seeking approvals and discussing processes or positions in full would likely prejudice internal governance and decision-making frameworks, undermining the development of robust and well-informed policies

and processes. This would adversely affect the department's and Commission's functions at multiple levels, including their ability to make decisions in the best interests of the education system, children, and its stakeholders.

Conclusion on public interest test – Responsible and effective government

In applying the public interest test, I find that maintaining confidentiality of internal email correspondence and deliberations related to approvals and processes is necessary for the department/Commission to perform their functions effectively. The department's/Commission's ability to share, obtain and discuss confidential information including preliminary proposals, draft position, and approvals confidentially enables constructive engagement within the department/Commission. Maintaining the confidentiality over documents obtained from other jurisdictions is also essential to managing intergovernmental relationships and risks. If the protection of confidentiality is set aside in response to a request under the GIPA Act, the department/Commission would be perceived as being incapable of properly handling sensitive information.

If this confidentiality is compromised, it would inhibit open dialogue, reduce candid discussions, and impair the department's and Commission's capacity to manage sensitive issues and internal governance effectively. Ensuring a protected space for these internal communications supports better decision-making and strengthens operational integrity. Without a protected space, relations would be prejudiced and confidential information would not be obtained.

I recognise the information is of interest to you, and the GIPA Act generally favours disclosure. Accordingly, the weight of the public interest considerations in favour of disclosure in this matter is not trivial. I have released some information which does not harm the department's/Commission's functions or breach confidentiality.

However, after considering the potential negative impact of disclosure on the department's/Commission's functions and balancing the public interest, I conclude there is a strong overriding public interest against releasing the confidential information.

Therefore, I have decided, on balance, to delete the confidential information that is reasonably likely to prejudice relations with another government, the supply of confidential information, internal approvals, deliberative processes, thereby affecting the department's and Commission's functions and provide you with access to the remainder of the pages which do not compromise these interests.

Cabinet information

I have decided that 8 documents, identified as relevant to the scope of your application, contain information that I consider Cabinet information. Schedule 1, Clause 2 of the GIPA Act, states:

2 Cabinet information

- (1) It is to be conclusively presumed that there is an overriding public interest against disclosure of information (referred to in this Act as Cabinet information) contained in any of the following documents:
 - (a) a document that contains an official record of Cabinet,

- (b) a document prepared for the dominant purpose of its being submitted to Cabinet for Cabinet's consideration (whether or not the document is actually submitted to Cabinet),
 - (c) a document prepared for the purpose of its being submitted to Cabinet for Cabinet's approval for the document to be used for the dominant purpose for which it was prepared (whether or not the document is actually submitted to Cabinet and whether or not the approval is actually given),
 - (d) a document prepared after Cabinet's deliberation or decision on a matter that would reveal or tend to reveal information concerning any of those deliberations or decisions,
 - (e) a document prepared before or after Cabinet's deliberation, or decision on a matter that reveals or tends to reveal the position that a particular Minister has taken, is taking, will take, is considering taking, or has been recommended to take, on the matter in Cabinet,
 - (f) a document that is a preliminary draft of, or a copy of or part of, or contains an extract from, a document referred to in paragraphs (a)-(e).
- (2) Information contained in a document is not Cabinet information if:
- (a) public disclosure of the document has been approved by the premier or Cabinet, or
 - (b) 10 years have passed since the end of the calendar year in which the document came into existence.
- (3) Information is not Cabinet information merely because it is contained in a document attached to a document referred to in subclause (1).
- (4) Information is not Cabinet information to the extent that it consists solely of factual material unless the information would:
- (a) reveal or tend to reveal information concerning any Cabinet decision or determination, or
 - (b) reveal or tend to reveal the position that a particular Minister has taken, is taking or will take on a matter in Cabinet.
- (5) In this clause, Cabinet includes a committee of Cabinet and a subcommittee of a committee of Cabinet.

The information in question was prepared by the department/Commission. Various options were reported on over time and the information relevant to your application contains speaking points, advice and correspondence prepared for submission to Cabinet.

The Department of Premier and Cabinet has on its website a publication titled "Cabinet conventions: NSW Practice" which covers information about Cabinet in confidence material. This publication mentions, in part, that the secrecy or confidentiality of Cabinet proceedings is essential, not gratuitous. Ministers must be sure that what is said and done in Cabinet is not subject to the full glare of publicity. If it were, Cabinet would cease to be an institution for robust debate and canvassing of the widest range of policy options. Section 130(4)(f) of the Evidence Act 1995 also supports the view that information should not be released if it could prejudice the proper functioning of the government.

Absolute confidentiality is expected of Ministers of Parliament in respect of information discussed in Cabinet including decisions about regulatory fee increases, such as those contained in the above-mentioned records. I am satisfied that the Cabinet in confidence provisions apply to these records, as they contain information that would fall within clauses 2(1)(b), 2(1)(c), 2(1)(e) and 2(1)(f) of Schedule 1 of the GIPA Act.

In order for information to be Cabinet in confidence, I must consider whether clauses 2(2), 2(3) and 2(4) of Schedule 1 of the GIPA Act apply. It is my understanding that there has been no public disclosure of the information, and the information was not attached to records submitted to Cabinet. Although some of the information is factual, to release it would still disclose details of a Cabinet decision.

Therefore, it is conclusively presumed that there is an overriding public interest against disclosure of the information, according to Schedule 1, Clause 2 of the GIPA Act. The information is therefore deleted.

Information not relevant

You may notice that certain information has been redacted and marked 'Section 74 - not relevant'. Such information, on pages identified in the schedule, is not relevant to the scope of your application. Instead, it relates to third parties whose authority is not held, other events or is information about things not covered at all by your request.

Section 74 of the GIPA Act allows me to delete information that I consider to be irrelevant to the current application. I have decided that the above-mentioned information is not relevant to the purpose and scope of your application. As such, the information is deleted before releasing the remainder of the records to you.

Disclosure log

You were previously advised in the acknowledgement letter of your rights to object to information concerning your personal, business, commercial, professional, financial, or research information being included on the department's/Commission's disclosure log. You have not raised any objections to the released information being included on the department's/Commission's 'disclosure log'.

I have decided the information released to you may not be of interest to other members of the public. Accordingly, a description of the information will not be included on the department's/Commission's 'disclosure log'.

Information released

I have examined all the records, deleted information only where it is not relevant or there is an overriding public interest against disclosure, as discussed above. The deleted material is marked with the relevant provisions of the GIPA Act, for 'Items 1(c), 1(d), 1(f)', 'Schedule 1 Clause 2' and 'Section 74 - not relevant'.

The information is provided to you in electronic format.

Processing charges

The application fee for this matter was waived as a result of the application split (GIPA-26-0366 and GIPA-26-1006).

The total time taken to process your application was approximately 20 hours. However, I have decided to waive any applicable processing charges in this instance, under section 127 of the GIPA Act.

Review rights

If you are not satisfied with this decision, you have three options for review:

- internal review by a senior officer of the department/Commission,
- external review by the Information Commissioner or
- external review by the NSW Civil and Administrative Tribunal (NCAT).

Please see enclosed leaflet “Your review rights under the GIPA Act” for more details.

Please note that the time for seeking an internal review is 20 working days, or 40 working days for external review, after the date you were notified of this decision. Further information about your rights under the GIPA Act is available by contacting the Information and Privacy Commission on freecall 1800 472 679 or at their website: www.ipc.nsw.gov.au.

GIPA-26-1006

Schedule of records not provided - deleted material

Page no.	Deletion type - box/page	Overriding public interest against disclosure section	Reason information not released
1	Box	Section 74 - not relevant	Other matters, not within the scope of your application.
3-13	Pages	Items 1(d), 1(f), 1(c)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions. Prejudice relations with, or the obtaining of confidential information from, another government.
14	Box	Section 74 - not relevant	Other matters, not within the scope of your application.
18-21	Boxes	Section 74 - not relevant	Other matters, not within the scope of your application.
22-24	Pages	Items 1(d), 1(f), 1(c)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions. Prejudice relations with, or the obtaining of confidential information from, another government.
25	Page	Items 1(d), 1(f)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions.
26-29	Pages	Items 1(d), 1(f), 1(c)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions. Prejudice relations with, or the obtaining of confidential information from, another government.
30-31	Pages	Items 1(d), 1(f)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions.
32-33	Pages	Items 1(d), 1(f), 1(c)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions. Prejudice relations with, or the obtaining of confidential information from, another government.

Page no.	Deletion type - box/page	Overriding public interest against disclosure section	Reason information not released
34	Page	Items 1(d),1(f)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions.
35-43	Pages	Items 1(d), 1(f)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions.
45	Boxes	Item 1(c)	Prejudice relations with, or the obtaining of confidential information from, another government.
45	Boxes	Items 1(d), 1(f), 1(c)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions. Prejudice relations with, or the obtaining of confidential information from, another government.
45	Box	Section 74 - not relevant	Other matters, not within the scope of your application.
45	Boxes	Items 1(d), 1(c)	Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions.
45	Box	Items 1(c)	Prejudice relations with, or the obtaining of confidential information from, another government.
45-46	Boxes	Items 1(d), 1(f)	Information affecting the functions of the department. Prejudice the supply to an agency of confidential information that facilitates the effective exercise of that agency's functions.
46	Box	Item 1(f)	Information affecting the functions of the department.

From: Helen Quiney <Helen.Quiney@education.vic.gov.au>
Sent: Friday, 20 February 2026 11:14 AM
To: Nicholas Backo; Kristian Holz
Cc: Christopher Piper
Subject: FW: Media content for the regulator fees proposal
Attachments: Fees narrative.docx

[External Email] This email was sent from outside the NSW Department of Education. Be cautious, particularly with links and attachments.

Hi Nick and Kristian

For your information, please see **attached** proposed media material related to the recommendations to EMM to increase regulator fees that has been developed by Vic DE with input from VECRA. Included are:

- Copy for a direct send email
- Q&As
- Further background.

DE are currently planning to send this to some of the key stakeholders and affected large providers, and include in the next EC Update in early March.

Helen

Helen Quiney
Chief Executive Officer
Victorian Early Childhood Regulatory Authority (VECRA)

Level 1, 200 Victoria Parade, East Melbourne VIC

T: 03 7022 0912

M: Section 74 - not relevant

E: helen.quiney@education.vic.gov.au

W: vic.gov.au/vecra

VECRA respectfully acknowledges the Traditional Custodians of Country throughout Victoria and pays respect to the ongoing living cultures of First Peoples.



[Find out more](#)

This email (including any attachments) may contain advice that is subject to legal professional privilege. This email may also contain personal information, health information and other sensitive information. For all of these reasons, this email should be kept confidential.

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Pages 3 through 13 redacted for the following reasons:

Items 1(d), 1(f), 1(c)

From: Mark Barraket (Mark Barraket)
Sent: Saturday, 21 February 2026 12:03 PM
To: Matthew McLean; Natasa Mitic; Amy Birungi; Clare Stapley; Daryl Currie; Kristian Holz
Subject: FW: EMM Communique
Attachments: EMM Communique - February 2026.pdf
Categories: ACTION - LORENA

Colleagues

EMM communique attached.

Mark Barraket
Deputy Secretary | Early Childhood Outcomes
NSW Department of Education
E mark.barraket@det.nsw.edu.au | **W** www.education.nsw.gov.au

My Executive Assistant is Adrienne Severi (Adrienne.Severi2@det.nsw.edu.au)

Section 74 - not relevant



I acknowledge the homelands of all Aboriginal people and pay my respect to Aboriginal Elders past, present and emerging.

Confidentiality: This email is from the NSW Department of Education. The contents are confidential and may be protected by legal professional privilege. The contents are intended only for the named recipient of this email. If the reader of this email is not the intended recipient you are hereby notified that any use, reproduction, disclosure or distribution of the information contained in the email is prohibited. If you have received this email in error, please reply to us immediately and delete the document.



20 February 2026

Communiqué

Education Ministers met at Warriappendi Secondary School in South Australia on 20 February 2026.

Addressing Antisemitism

Ministers were briefed on the work of the Antisemitism Education Taskforce by the chair David Gonski AC and Australia's Special Envoy to Combat Antisemitism Jillian Segal AO. Ministers were updated on the Australian Government's response to the Special Envoy's Plan to Combat Antisemitism.

Ministers agreed to task the Australian Curriculum, Assessment and Reporting Authority (ACARA) to conduct a focused review of the Australian Curriculum to identify opportunities to strengthen its capacity to support: an understanding and rejection of all forms of antisemitic thought and antisemitic actions, a deep understanding of Jewish Australians' history and culture, and an understanding of Australian values.

Ministers also supported the development of a Social Cohesion Hub, to be developed by Education Services Australia (ESA). The Social Cohesion Hub will provide free resources to teachers, school leaders, and parents and carers to help students develop an understanding of antisemitism and strengthen understanding, inclusion and safety for all students. ESA have advised Ministers that the hub is planned to be operational by mid-2026.

Early Childhood Education and Care Safety

Education Ministers were briefed on progress on the Australian Government's \$189 million investment in child safety and confirmed that key safety reforms agreed in August 2025 are on track. These reforms include the rollout of mandatory child safety training for all early childhood education and care (ECEC) staff, the introduction of the National Early Childhood Worker Register, the national CCTV assessment, and commencement of tougher penalties under the revised National Regulations.

Ministers received the Australian Children's Education and Care Quality Authority's (ACECQA) Rapid Assessment of Child Safe Practices and agreed to release it shortly.

NSW and Victoria will increase annual service fees by up to 10-fold for services owned by large for-profit providers, 5-fold for small for-profit providers and 3-fold for not-for-profit providers; to reflect increases in the volume, risk and complexity of regulatory activities. Ministers agreed to increase annual service fees in all other jurisdictions (other than Queensland, Western Australia and the Northern Territory) by 10 per cent on top of annual indexation from 1 July 2026. In New South Wales, Victoria, South Australia and Tasmania it is intended that revenue from fee increases will be paid to the relevant Regulatory Authority to support effective regulation of quality, safety and compliance in ECEC.

Ministers reviewed progress on the Child Safety Review recommendations and agreed that a biannual status report will be published on ACECQA's website.

Coronial Inquest into the death of Ebony Thompson

Education Ministers acknowledged the tragic events in the Northern Territory that resulted in the death of Ebony Thompson. Ministers expressed their deepest condolences to Ebony Thompson's family. Ministers noted the recommendations from Coronial Inquest and the actions taken by the Northern Territory in response. Ministers reaffirmed their commitment to further reforms to supervision practices and fencing safety, informed by the recommendations of the Inquest.

Next Steps to Address Bullying in Schools

Ministers agreed to the 'National Framework for Addressing Bullying in Australian Schools'. Ministers agreed to scope out the development of the anti-bullying resource hub, by their next meeting. Ministers also agreed to work on opportunities to strengthen anti-bullying efforts through initial teacher education.

All government and non-government schools will embed the expectations of the National Framework (or an equivalent, contemporary jurisdiction-specific framework) in their policies and procedures by Term 1 2027, and all schools will make their anti-bullying policies publicly available.

The [Implementation Plan](#) details the staging and timeline for actions to deliver on Ministers shared commitment to ensure that every Australian school is a safe, inclusive, and respectful learning environment. The plan will be periodically reviewed and updated as implementation progresses.

Thriving Kids

The Hon Mark Butler MP, Minister for Health and Ageing and Minister for Disability and the National Disability Insurance Scheme, briefed Ministers on Thriving Kids - the national system of supports for children aged 8 and under with developmental delay and/or autism with low to moderate support needs, and their families, carers and kin. Thriving Kids supports will be available in settings where children live, learn and play. Jurisdictions are planning what supports will be available in each state and territory, mindful of the need to ensure supports do not take time away from children's learning.

Australian Curriculum reform: Foundation to Year 2 Mathematics

Ministers agreed to task ACARA to commence the iterative review of the Foundation to Year 2 mathematics curriculum.

The review will strengthen the curriculum through targeted refinements and clarifications. The updated curriculum will provide teachers greater support and clarity about what students need to learn at each year level, specific content prioritisation and sequencing, and include explicit content on foundation consumer and financial literacy.

ACARA will provide the outcome of the review, including advice on strengthening the curriculum, to Ministers in the third quarter of 2026.

A new Teaching and Learning Commission

Education Ministers reaffirmed their in-principle agreement to bring together and build upon the existing functions of ACARA, AITSL, AERO and ESA into a Teaching and Learning Commission.

Ministers agreed to embed equity as a foundational consideration in the establishment of the Teaching and Learning Commission. Ministers were briefed on the work of the Commission Working Group and agreed final advice would be presented at the next meeting of Education Ministers.

Education Ministers agreed the Working Group will be extended until the end of 2026.

Education Ministers thanked the staff of ACARA, AITSL, AERO and ESA for their professionalism and commitment to Australian schooling and acknowledged the importance of maintaining focus on the agencies' workplans and functions.

First Nations Teacher and School Leader Strategy

Ministers received an update on the development of the First Nations Teacher and School Leader Strategy (the Strategy), being undertaken through the National Teacher Workforce Action Plan. The Strategy is being developed in consultation with First Nations stakeholders and in partnership with the National Aboriginal and Torres Strait Islander Education Corporation (NATSIEC) and the National Aboriginal and Torres Strait Islander Principals Association (NATSIPA).

Ministers will consider the Strategy at their next meeting.

Progress on National Reform

Education Ministers recognised the strong progress made nationally to implement reforms under the Better and Fairer Schools Agreements and discussed the outlook for further reforms in 2026.

Education Ministers were briefed on educational equity issues in schooling and considered national approaches to respond. Ministers agreed that a shared understanding of educational equity and its relationship to concentration of disadvantage is required to provide a common foundation for national reform design. Ministers also agreed to embed equity as a consideration in current and future national reform commitments, resourcing and accountability settings.

Ministers thanked Warriappendi Secondary School for hosting EMM.

Enquiries: emmsupport@education.gov.au

From: Office of the NSW Early Learning Commissioner
Sent: Thursday, 19 February 2026 3:46 PM
To: Daryl Currie; Kristian Holz
Cc: Office of the NSW Early Learning Commissioner
Subject: FW: FOR URGENT DEP SEC / COMMISSIONER APPROVAL BY 3.30PM | Blue item, alternate resolution - EMM item 5a
Attachments: Item 5a - QLD - Blue.docx
Importance: High

Hi Daryl and Kristian

For review and approval please – approval requested as priority.

Documents

Alternative resolution from Queensland for Education Ministers Meeting 20 Feb – Item 5a – attached.

Updated Annotated Agenda

 [Blue - Item Item 5a National Law - Updated AA.docx](#)

Lisa Karam

Acting Executive Coordinator
Office of the Commissioner

NSW Early Learning Commission

Lisa.Karam@earlylearningcommission.nsw.gov.au

M Section 74 - not relevant

<https://education.nsw.gov.au/early-childhood-education/regulation-and-compliance>



Early Learning
Commission

Putting children first



I acknowledge the traditional custodians of the land and pay respects to Elders past and present.
I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Confidentiality: This email is from the NSW Early Learning Commission. The contents are confidential and may be protected by legal professional privilege. The contents are intended only for the named recipient of this email. If the reader of this email is not the intended recipient you are hereby notified that any use, reproduction, disclosure or distribution of the information contained in the email is prohibited. If you have received this email in error, please reply to us immediately and delete the document.

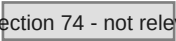
Please consider the environment before printing this email.

From: ECO PPWA <ECO.PPWA@det.nsw.edu.au>
Sent: Thursday, 19 February 2026 3:21 PM
To: Office of the NSW Early Learning Commissioner <Corro.Commissioner@earlylearningcommission.nsw.gov.au>; ECO Correspondence <ECOCorro@det.nsw.edu.au>
Subject: FOR URGENT DEP SEC / COMMISSIONER APPROVAL BY 3.30PM | Blue item, alternate resolution - EMM item 5a

#DepSec-approval-request
#Commissioner-approval-request

Title:	Blue item, alternate resolution - EMM item 5a
Actions required:	Review and approve PPWA ED approval: below
Next steps:	Once approved, please return to PPWA corro.
Critical date and reason:	Dep Sec approval by 3.30 today
Document links / content:	 Blue - Item Item 5a National Law - Updated AA.docx
Notes:	• This needs to be returned to the DPO by 3:30pm. • Approved by ED PPWA • Approved by Cassandra May and Kristian Holz

Thanks
Erin

Erin Hollingsworth
Senior Executive Support and Project Officer | Policy, Partnerships and Workforce Advocacy | Early Childhood Outcomes
02 7814 1016  hollingsworth2@det.nsw.edu.au | education.nsw.gov.au

From: Matthew McLean <Matthew.McLean29@det.nsw.edu.au>
Sent: Thursday, 19 February 2026 3:13 PM
To: ECO PPWA <ECO.PPWA@det.nsw.edu.au>
Subject: RE: FOR URGENT ED APPROVAL BY 3.15 TODAY | Blue item, alternate resolution - EMM item 5a

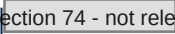
Approved

From: ECO PPWA <ECO.PPWA@det.nsw.edu.au>
Sent: Thursday, 19 February 2026 3:06 PM
To: Matthew McLean <Matthew.McLean29@det.nsw.edu.au>
Subject: FOR URGENT ED APPROVAL BY 3.15 TODAY | Blue item, alternate resolution - EMM item 5a
Importance: High

#ED-approval-request

Title:	Blue item, alternate resolution - EMM item 5a
Actions required:	Review and approve
Next steps:	Once approved, please return to PPWA corro.
Critical date and reason:	ED approval by 3.15pm today
Document links / content:	 Blue - Item Item 5a National Law - Updated AA.docx
Notes:	Upon Matt approving, this will need to go to Mark/ Darryl (ELC). Once approved by them, we will need to return this to RER. Ccing in everyone for visibility and quick approvals. This needs to be returned to the DPO by 3:30pm.

Thanks
Erin

Erin Hollingsworth
Senior Executive Support and Project Officer | Policy, Partnerships and Workforce Advocacy | Early Childhood Outcomes
02 7814 1016  erin.hollingsworth2@det.nsw.edu.au | education.nsw.gov.au

From: ECO National Policy & Reform <eco.nationalpolicyreform@det.nsw.edu.au>
Sent: Thursday, 19 February 2026 2:58 PM
To: ECO PPWA <ECO.PPWA@det.nsw.edu.au>
Cc: Angelique Vongsaya <Angelique.Vongsaya1@det.nsw.edu.au>; Amy Birungi <Amy.Birungi@det.nsw.edu.au>; ECO Correspondence <ECOCorro@det.nsw.edu.au>; ECE Quality

Assurance and Regulatory Services <ECE.QARS@earlylearningcommission.nsw.gov.au>

Subject: Blue item, alternate resolution - EMM item 5a

Good afternoon team,

Could Matt please review the below AA as a matter of urgency. There has been a last-minute blue item raised for consideration for tomorrow's EMM meeting. Cassandra May and Kristian Holz have approved.

 [Blue - Item Item 5a National Law - Updated AA.docx](#)

Upon Matt approving, this will need to go to Mark/ Darryl (ELC). Once approved by them, we will need to return this to RER.

Ccing in everyone for visibility and quick approvals.

This needs to be returned to the DPO by 3:30pm.

Kind Regards

Carmen Van De Pol

R/ Senior Policy Officer | National Policy & Reform | Cross-Government & Partnerships

Policy, Partnerships and Workforce Advocacy

Early Childhood Outcomes | Department of Education

02 8340 8501 ext 74 - not relevant carmenlee.vandepol@det.nsw.edu.au | education.nsw.gov.au

Pages 22 through 43 redacted for the following reasons:

- Items 1(d), 1(f)
Items 1(d), 1(f), 1(c)
Items 1(d),1(f)

NSW Department of Education



National meeting briefing AESOC – Q1

Item 4a – Addendum: Item 1(c) proposal for fee increase

Context	Item 1(c) will table a modified proposal for fee increases for discussion. The proposal is that EMM: Note that fees are lower in the ECEC sector than in other comparable sectors Items 1(d), 1(f), 1(c) Items 1(d), 1(f), 1(c) Note that fees have grown by 25% since 2023-24, and without a further increase will return to zero annual growth in real terms (fees are indexed annually in line with CPI) Agree that [NSW and Victoria] will increase annual service fees for implementation from 1 July 2026, in addition to existing mechanisms to index fees annually at CPI: 3-fold for services owned by small not-for-profit providers (fewer than 25 services), and for all standalone sessional preschool services 5-fold for services (other than standalone sessional preschool services) owned by small for-profit providers (fewer than 25 services) Items 1(d), 1(f), 1(c) Section 74 - not relevant Items 1(d), 1(c)
NSW/department position	Fee increases Support Items 1(c) proposal. Items 1(d), 1(f) Items 1(d), 1(c)

Key information for the Secretary

Issue 1: Consideration of increase to reassessment and re-rating fees

- Items 1(d), 1(f)

Items 1(d), 1(f)

Increasing these fees in line with the proposed service fee increases would support cost recovery

Item 1(f)

Author [Manager or above]	Diana Ragghianti, Manager, Regulatory Policy, Cross Government & Partnerships, ECO, 0402 236 318	Date: 5/2/26
Consultation [Executive Directors, do not leave blank]	Nick Backo, Executive Director, NSW Early Learning Commission Matt McLean, Executive Director, Policy Partnerships and Workforce Advocacy, ECO Kristian Holz, A/Commissioner, NSW Early Learning Commission Mark Barraket, Deputy Secretary, ECO	Date: