

ACA Victoria Executive Board Nomination 2024

Nominee: Max Bergh

Service Provider: AMIGA Montessori

Describe your experience in the early childhood education and care sector.

I have been deeply involved in the early childhood education sector for almost 20 years, always from the perspective of a provider. In 2006, my family founded AMIGA Montessori as a single, standalone centre without financial or investor backing. As immigrants from South Africa with no assets in Australia, we faced challenges obtaining financial assistance from banks. Furthermore, we deliberately chose not to take on private equity, which has given us the autonomy to focus on what truly matters — investing in our programmes, our children, and our staff, rather than prioritising profit. This freedom has been invaluable, allowing us to build the business based on our values, though it has required us to self-fund most of our centres.

In the early days, I played a hands-on role in every aspect of the business, from building furniture and setting up the centre, to designing outdoor spaces, assisting in classrooms, and learning how to manage challenging behaviours. We worked tirelessly to create an authentic Montessori environment, and I performed duties from changing nappies and helping with pedagogical support to eventually managing the entire centre.

In 2021, I transitioned into the role of CEO at AMIGA Montessori, which had grown significantly from its humble beginnings to a group of 15 centres that employ 600 people and cares for 2,000 children weekly across Victoria and South Australia. My leadership began during the challenging COVID-19 period, and I focused on rebuilding our head office into the strong management team we have today. One of my priorities was navigating the early childhood teacher (ECT) shortage, and we implemented innovative strategies to incentivise and retain qualified staff.

As a Montessori provider, I have had to address the unique challenges associated with this pedagogical approach in Australia, particularly in sourcing Montessori diploma-qualified educators and developing training programmes amidst industry-wide staff shortages. Despite these hurdles, over the past three years, I have doubled our revenue, improved staff retention rates to well below industry norms, and led our centres to achieve three 'Exceeding' ratings, including one Excellent application. My journey in this sector, from our centre's beginnings to managing a multi-centre organisation, allows me to make decisions with a clear understanding of the impact they have on every role in the business—because I have personally held most of these roles. It has been a privilege to grow alongside AMIGA Montessori, and I look forward to contributing to the broader sector through this board opportunity.

Tell us what makes ACA Victoria's mission meaningful to you.

There are many perspectives in the broader community about why childcare is so expensive, overcomplicated, and whether the government should take over the sector (by providing universal childcare). However, those who aren't intimately involved in running a childcare centre often miss the complexities behind compliance, staffing, risk management, and quality control—not to mention the immense responsibility of caring for a family's most precious asset: their children.

The ACA Victoria mission recognises that achieving the best outcomes for children is not about nationalising the system and disregarding private providers. Instead, it understands the importance of collaborating closely with private providers who share this mission and have firsthand, practical experience with the everyday challenges—whether it's managing operational costs, maintaining quality of care, or navigating staffing shortages. These providers, having faced these issues head-on, developed invaluable skills in sustaining high standards over time.

The mission is particularly meaningful to me because it succinctly identifies that the best way to ensure "families have access to affordable, high-quality early learning services throughout Victoria" is by working collaboratively with private providers who are deeply committed to offering this standard of care and are well-versed in overcoming the hurdles that stand in the way. As a purpose-driven private provider, placing the best interests of children and staff at the forefront of every decision we make, I recognise the crucial role ACA Victoria plays in supporting us to achieve these goals. Their advocacy helps us navigate the complexities of the sector and focus on delivering the best outcomes for our communities.

ACA Victoria's vision to be a "leading voice... fostering excellence and innovation" also resonates with me. Victoria, in particular, faces unique challenges with additional compliance requirements, such as CCYP and Kinder, compared to other states. The idea of ACA Victoria leading the charge in improving the status quo through innovative solutions is both exciting and necessary to ensure we continue evolving in a way that benefits both providers and children alike.

Describe any Board Leadership experience you have had to date.

I have had several key experiences in board leadership to date. Firstly, I have served on the Graduate Student Association Board at the University of Melbourne, holding the position of Women's Officer for two consecutive terms. I was elected by the broader student cohort twice to this board and then internally appointed to the role. In this capacity, I was responsible for managing the Board's multi-million-dollar programme budget for the student cohort, attending and overseeing student misconduct hearings, and leading advocacy efforts for women on campus. This involved meeting with different groups of women, identifying concerns, and creating initiatives to address them—whether that meant organising events for 250+ attendees or raising important issues directly with the Chancellery. One notable achievement during my tenure was my appointment to Chancellery's Hearing Committee, to develop a response to the

Human Rights Commission's Report on Sexual Violence and Assault on Campus, which included consultations with students and implementing rectification and consent programmes across campus.

Secondly, I am currently a member of the Young President's Organisation, where my forum, consisting of directors from VISA (Asia Pacific), Bowens, PFD Foods, acts as a board for one another's businesses. This forum has been an invaluable learning environment since 2021, where I've gained insights into the responsibilities of board members and how to run effective board meetings.

Furthermore, I hold a Juris Doctor from Melbourne Law School, where I graduated with High Distinction and an Academic Excellence Award. I completed subjects such as Corporations Law, Public/Administrative Law and Advocacy with Distinction, where I learned the core fundamentals of advocacy and the importance of effective representation and leadership, the government and legislative decision-making process and the entrenched responsibilities and duties of directors.

Outline any skills, connections, resources, or expertise you can provide to improve the services ACA Victoria offers to its members.

I bring a range of skills, connections, resources, and expertise that can significantly enhance the services ACA Victoria offers to its members.

Skills: My legal interpretation skills, honed through work experience at top-tier and magic-circle law firms like Herbert Smith Freehills, Minter Ellison, and Allen & Overy, are invaluable in navigating the complex legislative and regulatory environment faced by the early childhood education sector. Whether it's dealing with CCYP requirements, compliance documents, or best practice guidelines, my ability to interpret and implement such rules has been key in my success. I also pride myself on my adaptability and innovative thinking. For example, in response to the early childhood teacher (ECT) shortages, we introduced a Visa sponsorship program. To address the challenges of training staff who are needed in ratio, we created a library of Montessori videos and developed a fully online induction program, available in multiple languages. Furthermore, we combined our uniform rebrand with our dedication to First Nations People, into gorgeous, standout symbols of commitment that have been recognised in several publications including ACA and The Sector. I am always eager to integrate new technologies and creative solutions to solve problems, a mindset I would bring to ACA Victoria.

Resources: I have a strong team behind me, with over 100 years of combined experience in the early childhood education industry. We are skilled at interpreting, understanding, and implementing change to achieve the best outcomes for children and staff, while keeping our business model sustainable and of high quality. This collective expertise is a valuable resource I can leverage to support ACA Victoria's members. Additionally, our network includes access to the CEOs of other large

providers such as Explorers and Eden Academy / Kidsoft, which further strengthens our ability to collaborate and share best practices within the sector.

Connections: Through my membership in the Young President's Organisation (YPO), I have access to a global network of chief executives with over 36,000 members in 142 countries. I am connected to some of Australia's most influential business leaders, including those from Chemist Warehouse and Bowens. I also have strong connections with PwC, which brings valuable links to a variety of ministers across the major political parties. These connections can be pivotal in driving strategic initiatives and accessing valuable insights for ACA Victoria's members.

Expertise: Over the past two years, I have doubled our AMIGA Montessori's revenue, delivered over 1,000 hours of training to our teams, and successfully elevated several centres from a Working Towards rating to Exceeding ratings. I have built a strong, structured head office and management team while maintaining our commitment to delivering the highest quality care and education for children. My focus on inclusivity, innovation, and hard work means I'm always ready to roll up my sleeves to get the job done. I have been honoured this year to be awarded with the Pemba Capital Summit and to speak on behalf of Operators at the Real Estate and Investment Summit into Childcare, with the CFO and COO of Guardian. I was also thrilled to open our AMIGA Montessori Alamanda Centre to the broader ACA Victoria group as part of the 'Open Doors session'. Finally, I was thrilled to speak on the Operators Panel, exploring Exceeding Themes, at the "Navigating Behaviour Conference" hosted by ACA Victoria in August 2024.

Formal Qualifications: I am a qualified lawyer and hold two degrees: one in Criminology and Political Science with minors in languages such as German and Greek, and a Juris Doctor Law Degree from Melbourne University, where I also completed secondments at Chinese Xia Tong University (Business Law in Asia) and King's College London (Translation Legal Studies). I graduated both degrees with High Distinction, including an Academic Excellence award for my law degree. Through this academic journey, I have developed an exceptional work ethic, which, combined with a wide breadth of knowledge and perspectives, makes me a valuable contributor.

Confirm that you can commit to the time required for meetings and other duties as outlined in the Executive Board Position Description.

I would be thrilled to commit the time required for the meetings and other duties of this position.

What are your thoughts on the key challenges and opportunities facing the Early Childhood Education and Care sector?

1. Labour Shortage – Challenge

(a) One of the most pressing challenges in the Early Childhood Education and Care (ECEC) sector is the labour shortage, particularly of experienced and mature workers. It's becoming increasingly difficult not only to find these individuals but also to retain them. This shortage has far-reaching implications for the quality of care and education that centres can offer, as well as the operational sustainability of many providers.

(b) 15% Wage Increase – A Solution or Another Challenge? While the government's recent 15% wage increase presents a potential solution to the workforce shortage by improving compensation for educators, it is still uncertain whether this will address the issue or introduce further challenges. The guidelines surrounding the wage increase are still unclear, and fee caps placed on providers limit the ability to offset these increased costs. The impact of this wage rise will depend on how effectively it can be implemented without burdening providers or compromising the quality of care. There's a risk that without proper mechanisms in place, this increase may create more financial strain, particularly for smaller providers, rather than solving the recruitment and retention issue. In addition to the wage increase, there are other opportunities we should explore when addressing the labour shortage.

(c) Sponsorship Programs and Advocacy - Previously, sponsorship programs for exceptional individuals were a highly effective way to bring experienced educators into the sector. However, the recent changes to salary minimums have made this path less viable for many providers – who cannot pay upwards of \$70,000 for a room leader. Advocacy is needed to reconsider the salary threshold so that providers can once again utilise sponsorship programs to attract experienced, diverse, skilled workers in a financially sustainable way. Sponsorship programs have proven to be beneficial not just for the sponsored individuals but also for the children and the centres they serve, so it is crucial that this pathway remains an option.

(d) Behaviour Management and Retention - A significant, though often overlooked, factor in educator attrition is the challenge of managing difficult behaviours in the classroom. While wage increases are often seen as a solution, many educators are leaving the sector due to the physical and emotional toll of dealing with disruptive behaviours such as hitting, kicking, and spitting. We may need to interrogate the language used by CCYP and the hands-off approach from ACECQA. For example, classifying the use of phrases like 'no', 'stop that', or 'don't' as 'inappropriate discipline' (as highlighted in the ACECQA information sheet on inappropriate discipline) creates additional stress for educators who are unsure how to manage unwanted behaviours effectively without risking non-compliance. There is a clear need to provide educators with practical tools and strategies to handle these situations effectively, without the fear of overstepping ACECQA and CCYP guidelines. I see a significant opportunity to revisit behaviour management guidelines to create more robust, scenario-based training that equips educators with the strategies they need to manage challenging behaviours while maintaining a positive learning environment for all children. Leveraging AI and modern

technologies could be instrumental in achieving this by providing dynamic, interactive training tools.

2. Universal Childcare - The government's push to implement Universal Childcare represents a fundamental change to the existing model of early childhood education and care, and it is critical that we stay informed and proactive in response to these developments. Providers of all sizes must have their voices and concerns heard before any such structure is finalised. It is essential that we vigorously advocate for a balanced approach, ensuring that the perspectives of private and community-based providers are considered to avoid unintended consequences that could affect the viability and quality of the services we offer.

Indicate how you might use your time on the ACA Victoria's Board to address these challenges and opportunities.

Without knowing the board's current objectives and projects, I can only suggest how I would use my time to address the issues I mentioned in the previous paragraph. I would, of course, be guided by the plans of the board and their need for my skills in other areas. I would start by proposing the formation of member-led consultation groups to explore whether educators are leaving the sector due to their inability to manage children's behaviours under the current legislative guidelines. The goal would be to verify these findings and then invite government representatives to hear the results firsthand. My intention would be to work closely with government officials, educators affected by these guidelines, and specialists from different pedagogies and universities to re-examine the guidelines. The focus would be on ensuring there is an appropriate balance of discipline, respect, and care in the classroom—not only for the children but also from the children towards their teachers. This approach would help create an environment where teachers feel safe in their workplace and where children learn the social fundamentals necessary to succeed, especially as they transition into primary school. If this initiative proved successful, I would take a leading role in creating scenario-based training packages aligned with any new agreed guidelines. By incorporating AI and modern technologies, we could develop cost-effective and inclusive training solutions that equip educators with the skills they need to manage classroom behaviours effectively.

Secondly, regarding sponsorship, I would be thrilled to work with the board to advocate for a waiver on the newly increased minimum sponsorship salary. This would reinstate sponsorship as a viable path for both educators and centres, helping to bring skilled, experienced individuals into the sector in a financially sustainable way. Furthermore, I would focus on the government's 15% wage increase and its potential impact on providers. My role would involve working closely with the board to ensure that providers are not only able to absorb these increases but are also prepared for the end of the two-year adjustment period. This includes advocating for fee caps that are fair and realistic and exploring innovative funding mechanisms that can support providers without compromising the quality of care. Finally, I would use my time on the board to ensure

that ACA Victoria continues to advocate for providers of all sizes in discussions about Universal Childcare. It's essential that we engage in a collaborative process with the government to ensure that the voices of providers—large and small—are heard and that the final structure of Universal Childcare reflects the realities of operating within the sector.

What are your ideas to enhance ACA Victoria's engagement with its members?

I believe there are several opportunities to enhance ACA Victoria's engagement with its members. First, I think more visible and exciting events could be carried out to increase the organisation's presence. Hosting events in high-profile locations with strong marketing efforts can help get the ACA Victoria name out there more effectively, drawing attention from both existing and potential members. Simply requesting that members write a tagged LinkedIn post about the event/learning meeting – to go into the draw for a small prize – would see many other providers on LinkedIn, seeing exceptional content from ACA Vic in their feeds – hopefully encouraging them to explore the organisation further. This is also a self-perpetuating cycle too, while the member who posted it receives engagement with their post, the post also solidifies their sense that the event must have been meaningful. Additionally, greater media engagement would be valuable.

By putting ACA Victoria's perspective on current issues into the public domain, members will feel that they are part of something impactful. This can also attract new members who want to be part of an organisation that is making a difference in the sector. Moreover, inviting members to actively participate in advocacy efforts can increase their sense of involvement and connection. For example, if ACA Victoria is advocating for a particular issue, members could be invited to contribute their experiences or even participate in public campaigns. In terms of workshops and events, there is an opportunity to personalise these offerings. One idea is to provide pre-recorded training sessions on key topics that can be distributed to operators. I know from experience that it is often difficult to get teams off the floor and into live webinar trainings, and once the session is complete, they rarely return to it. However, if we were provided with a set of video tools that could be used whenever there was time, it would be much more useful. These sessions would allow for more flexible learning, and follow-up meetings could focus on discussing the next topics for training, ensuring that future resources are tailored to member needs. This hybrid approach could cater to a wider range of members and increase overall engagement.

Additionally, we could explore expanding our offering to users, for example by purchasing a platform like Childcare Centre Desktop, to offer members assistance in keeping their policies and procedures compliant. By providing access to such a tool, ACA Victoria could help members stay on top of ever-changing regulations and ensure that their practices meet the necessary standards, offering valuable support in an area that can often feel overwhelming for providers – however, it feels like it is not a separate step from ACA, is it invaluable ACA keeping them compliant.