

Research and Evaluation

Investigating the Institutional Norms and Values of the Productivity Commission: The 2011 and 2015 Childcare Inquiries

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The Productivity Commission (PC) has a mandate to provide independent advice to government that promotes community wellbeing. Whilst it plays a significant role in social and economic reform, the underlying institutional values and norms of the PC that shape its advice have not been examined. This paper examines policy problematisations (Bacchi 2009, 2012) across two PC 'inquiries' into childcare (2011, 2015) between Labor and Coalition governments, and the advice provided by the PC. In doing so, this research demonstrates that PC recommendations are imbued with economic values that are highly institutionalised. These values give preference to targeted social welfare and traditional gender norms, despite current evidence suggesting alternative approaches would have better social and long-term economic outcomes. Our findings raise questions over the conflict between the traditional economic values of the PC and providing social policy advice that reflects best practice, indicating that further investigation into the PC is urgently needed.

Key words: *Productivity Commission, public administration, child care, gender*

Introduction and Background

The Australian Productivity Commission (PC) has played a key role in social and economic reform since its establishment in 1998 (Banks 2003). A unique body internationally, the commission is said to provide independent advice and information to government(s), operating at arm's length to other government agencies. By its own account, the commission is required to 'recommend policies to maximise the wellbeing of the community as a whole' (PC 2015: 15). The PC does not implement or design policy, as such, but 'contributes by providing quality, independent advice and information to governments' (PC 2015). Its existence and remit for advice is protected by its own legislation (*The Productivity Commissions Act 1998*) and

through the chairperson, deputy chairperson, and commissioners who are appointed by the governor-general. In this sense, the PC is said to be an autonomous body that undertakes 'inquiries' (taking the form of detailed research reports and consultations) at the behest of government (Banks 2003).

As a government agency, the PC (like all institutions) is likely to have its own norms, values, or 'institutionalised' sets of practices (Peters 2013). The PC is known to operate in what can be defined as a broadly economic rationalist tradition, stemming (in part) from its history as an economic advisory body (Banks 2003). The PC began its life as the Industry Commission within the Bureau of Industry Economics and the Economic Planning Advisory Commission in the 1980s (Banks 2003). The economically focused tradition of the PC is likely to influence its norms (what is seen as typical or standard), values (judgement of what

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is important), and the type of advice it provides. Furthermore, organisations ‘are composed of cultural elements, that is, taken for granted beliefs and widely promulgated rules’ (Powell and DiMaggio 1991: 27). Similarly, Kay argues (in the tradition of Giddens 1984 and historical institutionalism) that institutions act as ‘organized patterns of socially constructed norms or roles with prescribed behaviours expected by the occupants of these roles, which are created and recreated over time’ (Kay 2006: 12; see also Powell and DiMaggio 1991). The norms and values that are produced and reproduced are not reducible to individual-level agents or elements. They are, however, visible in various texts and other artefacts arising from institutional contexts (Linde 2008).

In this paper, we use two PC inquiries recently commissioned by consecutive Australian governments to examine the values and norms of the PC and how these intersect with more formal institutions (i.e. governments in power). These inquiries have been chosen for several reasons. Firstly, and perhaps most importantly, it is the first time in the history of the PC that two successive inquiries have been undertaken by governments of different political persuasions, which are strikingly similar in terms of scope. Secondly, childcare is an important policy area with wide spread social implications. As such, these inquiries provide an opportunity to look at how the norms and values of the PC play out in an area of critical importance within social policy.

Analytical Lens and Methods

In this paper, we use Bacchi’s ‘What’s the Problem Represented to Be’ (WPR) approach to policy analysis, which can be broadly considered an interpretive policy analysis approach (Bacchi 2009, 2012). The WPR approach is a tool to facilitate critical interrogation of public policy and public policy processes (Bacchi 2012). Key to this analytical lens is the concept of ‘problematizations’, that is ‘the ways in which “problems” are produced and represented’ (Bacchi 2015: 1). Hence, it is based on the premise that what a policy actor proposes

to do about something reveals what they thinks needs to change, otherwise known as ‘the problem at hand’.

The WPR approach identifies six questions, which provide the analytical lens for this piece of work:

- (1) What is the problem represented to be?
- (2) What are the presuppositions or assumptions that underlie this representation?
- (3) How has this representation of the problem come about?
- (4) What is left unproblematic (i.e. where are the silences)?
- (5) What effects are produced by this representation?
- (6) How or where could it be disrupted or displaced? (Bacchi, 2012)

Both policies and policy proposals (such as those contained within PC recommendations) contain implicit representations of what is considered to be the problem requiring a policy solution. This, of course, is heavily influenced by the ideological and political persuasion of governments in power. As Bacchi (2012: 22) contends, ‘in this account policy is not the government’s best effort to solve “problems”; rather, policies produce “problems” with particular meanings that affect what gets done or not done, and how people live their lives’ (p. 22). The same can be said for documents arising from institutions such as the PC – where implicit values are made visible in the ways in which ‘problems’ are framed.

From this conceptual starting point, the analytic task is to reflect on the ‘unexamined ways of thinking’ (Foucault 1994: 456) implicit in various policy documents. In the case of this study, these documents are the terms of reference provided by government and the subsequent reviews and recommendations (or ‘solutions’) provided by the PC (Bacchi 2015). Here, values, ideologies, and norms inform and shape how problems are represented, or not represented, creating policy silences. Social problems are, after all, not objective but socially constructed – influenced by social values and norms (Jamrozik and Nocella 1998). The WPR

approach helps to bring to the surface these underlying values and norms.

Data Sources: PC Childcare Inquiries

As noted above, the study uses the government terms of reference and PC reports to examine the institutionalised norms and values of the PC. In the past 4 years, the PC has undertaken two pieces of work on the state of childcare in Australia (PC 2011, 2015). The first was a research report commissioned by the Labor government in 2010, the second was an inquiry requested by the incoming Coalition government in 2013. Both documents were informed by consultation, research, and public submissions. We will henceforth refer to each of these documents as an ‘inquiry’. This study uses both terms of reference and inquiry reports and recommendations as data sources that represent how the PC, as well as the Labor and Coalition governments, framed the ‘problems’ and solutions of Australian childcare. Given their public availability, ethics approval was not required.

Methods

Discursive analysis of two components of the PC childcare inquiries was undertaken: (1) the Terms of Reference (TOR) set out by each government and (2) the recommendations produced by the PC. The data sources were examined, noting throughout the TOR and recommendation where childcare problematisations were set out by the different actors, how they converged and conflicted.

In doing so, we examine how the ‘problem’ of childcare and its relationship to productivity is framed and understood by the three relevant actors (Labor party, Coalition, and PC) to examine how social policy issues are framed and understood by the PC, the silences that exist, along with the implications of the ‘problem’ of childcare (Bacchi 2015: 2).

In the remainder of the paper, we discuss each review in turn and how problematisations of childcare by the PC, Labor, and the Coalition converge and/or conflict. It is worth noting at the outset that the two inquiries were carried out

under the auspice of two different PC chairmen who oversee the commission and its activities (the first under Gary Banks, the second under Peter Harris). Hence, norms and values that are consistent across the two inquiries reflect more than the viewpoint of a single chairperson (i.e. they are representative of broader institutional norms).

The 2011 PC Inquiry under Labor

The Labor government initiated 2011 inquiry into the early childhood development sector focused on workforce changes needed to implement the new National Quality Framework (NQF) for early childhood education and care. The National Framework was a key part of the National Quality Agenda, which was the result of the Council of Australian Governments agreement (COAG, 2008) to bring together early childhood development services (i.e. long day care, kindergarten, family day care) under one regulatory, monitoring, and practice framework. The overarching aim of this reform was to increase quality and, in turn, to boost human capital (COAG 2009; PC 2011).

The 2011 terms of reference for the PC centred on ‘issues impacting on the workforces in the early childhood development, schooling and vocational education and training sectors’ (PC 2011: IV). The scope included examining issues of worker supply and demand, and both short and long-term advice on ‘workforce planning, development and structure’ (PC 2011: IV). The PC inquiry was specifically requested to support the implementation and outcomes of the COAG reform agenda (the National Quality Agenda).

Overall, the Labor terms of reference focus on building the capacity of the early childhood workforce:

The Commission is to provide advice on workforce planning, development and structure of the early childhood development, schooling and VET [Vocational Education and Teaching] workforces in the short, medium and long-term ... [the PC] should consider and provide advice on ... [t]he current and future demand for the

workforces, and the mix of knowledge and skills required to meet service need. (PC 2011: IV)

The terms of reference do not request an examination of the childcare system as a whole. Arguably, this reflects an underlying presupposition that the childcare system is working well, with the exception of inadequate quality (the focus of reform). In particular, there is an assumption that the quasi market-based childcare system in Australia meets childcare needs, such as accessibility and affordability (for parents and government). This assumption means there is a silence around concerns regarding the inefficient and ineffective nature of current demand-side subsidy funding from government. Instead the government focuses on employment arrangements that are supporting poor working conditions in childcare. However, this issue is separated from the marketisation of childcare designed, in part, to keep wages low (Brennan 2014):

[The] structure of existing employment arrangements and practices and the extent to which they are dis/incentives to attracting and retaining employees [are to be examined], including pay and conditions across settings; strategies to address possible pay equity issues as necessary; options for funding pay increases as necessary; and the implications for purchasers of ECD [Early Childhood Development] services and all levels of government and funding responsibilities. (PC 2011: VII)

The TOR focus specifically on the need for a workforce that is more capable and effective, that is higher quality practitioners, through enhanced qualifications and skills. The higher qualifications and standards required of service providers as a result of the NQF are highlighted in references to the ‘significant shifts in skill requirements’ and the need for accessible and appropriate ‘qualification pathways’ to support experienced workers to gain formal qualifications (PC 2011: IV). The concern with achieving COAG reform aims through increasing workforce capacity, against a background of universal government subsidies for childcare purchasers (parents/caregivers), reveals three ways that Labor framed childcare. It demonstrates the following:

- (1) Childcare was seen as an opportunity for increasing human capital. As noted in the NQF, ‘Early Childhood Development Strategy . . . provides a comprehensive approach to building an effective early childhood development system in Australia that will contribute to Australian’s human capital and productivity’ (COAG 2009: 2).
- (2) Childcare work was viewed as a profession that requires particular skills and qualifications to be of high quality. The review was to examine ‘the appropriateness of training to meet the qualifications and competencies required for the various occupations in the workforces’ (PC 2011: IV).
- (3) Childcare was an essential service.

2011 TOR PC Recommendations

When we compare PC recommendations stemming from the inquiry with the TOR set by Labor, a number of discrepancies emerge. Firstly, the Labor TOR focus on building the capacity of the early childhood workforce and does not request an examination of government subsidisation or funding of childcare. Hence, within the TOR is the assumption that universal childcare subsidies will continue (up to \$7500 p/child annually) as well as the additional support for disadvantaged families (Centrelink 2010). The choice to provide universal childcare subsidies is based upon evidence taken up by the government about funding high-quality childcare as a long-term social investment that will boost human capital and productivity (COAG 2009; PC 2011). In contrast, the PC report and recommendations position childcare as a costly welfare problem that is best addressed through policy targeting. That is, childcare subsidies are reported as social support for the ‘needy’ rather than a universal support for all young families. This positions childcare as a welfare problem that requires targeted responses. For example:

Childcare subsidy structures, emphasising targeting to the most disadvantaged children and families, could deliver cost savings to the Australian

Government while helping to ensure access to services for those who would benefit most. (PC 2011: XXII)

A move to alternative child care subsidy arrangements that emphasise targeting, such as those suggested by the Henry Tax Review, has the potential to enhance the impact of the agreed reforms by ensuring disadvantaged children continue to access quality ECEC services. (PC 2011: XXII)

This positioning of childcare reveals an assumption that childcare is primarily important for children from disadvantaged backgrounds, rather than having the potential to enrich the experiences and development of all children when it is of sufficient quality (COAG 2009). This assumption is likely to have stemmed from the history of childcare in Australia, as it began as charitable care for ‘neglected’ children whose mothers were unavailable for care responsibilities (Wong 2007). However, childcare is now an essential service for many Australian families (for example, 52% of 2-year-olds attended formal childcare services in 2014; Australia Bureau of Statistics 2015a). Moreover, childcare is an essential service for women to participate in the workforce. As women are the majority of primary caregivers, positioning childcare as a remedy for disadvantage is likely to lead to greater gender inequities. Hence, an understanding of range of social and economic needs met by childcare is absent from the PC recommendations.

The TOR included neither budgetary concern regarding the cost of universal subsidies nor did it indicate the need to explore alternative funding models to alleviate these costs. The shift from universal to targeted subsidies between the TOR and the report indicates that the PC’s recommendations are predicated on a residualist approach to social policy (i.e. one that favours minimal, targeted welfare rather than a universalist social safety net; Titmuss 1958). This is consistent with the economic rationalist underpinnings of the PC that brings with it neoliberal ideologies and values that are aligned with approaches to ‘social problems’ as a negative residue of society (that can be effectively ameliorated by targeting specific groups; Jam-

rozik and Nocella 1998). Hence, taking Bacchi’s approach, childcare is represented as a problem associated with certain segments of the population – requiring a targeted (rather than universal) approach.

In framing the problem of childcare subsidisation as a welfare measure rather than a universal service, a further problematisation appears – formal childcare is positioned as a non-essential service. This problematisation speaks to outdated gender norms regarding women’s roles in society, at home and in the workforce (Duffy 2007) and is evident in recommendations regarding the sustainability of the childcare market. In these recommendations, the PC highlights that the additional cost to services stemming from the COAG reform (i.e. due to lower ratios of childcare workers to children and higher qualifications/incomes) will be passed onto service users (parents) and that such cost increases may be untenable for families. The PC states that parents will meet the care shortfall:

The anticipated increase in Early Childcare Educators fees borne by parents (under existing funding arrangements) is likely to reduce demand for some ECEC services. Some parents may choose not to return to the workforce or to work shorter hours in order to care for children at home, thus reducing workforce participation. (PC 2011: XLIII)

Again, the commission recommends social protection targeted to low-income families and increase targeting.

Cost increases across the ECEC sector are expected as a result of the Council of Australian Governments (COAG) ECEC reforms. To ensure these cost increases do not reduce access to ECEC services by low income families, governments should consider alternative structures for childcare subsidies that improve the targeting of childcare assistance. (PC 2011: XLIII)

Bacchi’s approach to policy analysis encourages an examination of not only what is problematised within policy, but also what is left unquestioned. Although the term ‘parents’ is used, the issue of parents ‘choosing’ not to return to paid work is more accurately an issue for women. Mothers are not only the

majority of primary caregivers in Australia but are also likely to be the lower earner in a two-parent household, hence their paid work is more likely to be foregone due to higher childcare fees (Australia Bureau of Statistics 2012). Women experience gender-based discrimination in the form of lower wages than men (on average 17.1% lower in 2015; Australia Bureau of Statistics 2015b). After taking into account childcare fees, the income from part-time work can be reduced to very little (e.g. 20–40 cents in the dollar, or \$3.50 an hour for mothers on minimum wage (AMP.NATSEM 2014)). Therefore, although higher fees are positioned within the recommendations as reducing childcare accessibility for parents using long day care, the impact of these fees on middle- or low-income families' wellbeing (and income), as well as on the economy, goes unattended. Mothers in lower-paid work, who are less likely to be able to afford childcare costs, are framed as non-essential participants in the labour market. Moreover, such assumptions carry with them the view that women have the 'choice' to easily move in and out of the paid workforce without significant impact to themselves, their working lives, or their families. In these scenarios, the mother's wage is seen as optional and a way to supplement the family income, consistent with the 1.5 earner model in Australia (Leahy 2011). The recommendations do not acknowledge or seek to advise on the economic or social wellbeing consequences of this faux 'choice' for many women to either work for almost no financial reward (if work is available), whilst juggling paid work and family life, or to carry out full-time unpaid care work at home.

Thus, the 2011 PC recommendations present a multi-layered problematisation (or range of accepted 'truths') of childcare. The PC recommendations demonstrate that there are prominent institutionalised norms regarding the structure of the welfare state. That the welfare state should act as a minimal safety net for specific groups through policy targeting. We can see this where childcare subsidies and access to childcare are framed as a welfare issue that was applicable to the children of low-income families.

Bacchi's framework also encourages us to consider what effects are produced by particular representations. The way in which childcare is framed by the PC produces particular interpretations of women and their societal roles. In seeing childcare as a welfare issue that requires targeted support of disadvantaged families, women's participation in the paid workforce is constructed as both optional and fluid/flexible. When childcare is inaccessible (due to cost, lack of places, operating hours, perceived quality deficits or location; PC 2015), women are relied upon to care for children. In this taken-for-granted scenario, there is an accepted illusion of choice for women: that women can easily find paid work, leave work without consequence, and working for little financial reward is fair. Hence, this second layer of analysis reveals that the PC problematisations of childcare maintain traditional gender values and roles.

2015 PC Inquiry under the Coalition

Following the 2013 election of a Coalition (Liberal and National Parties) government, a new PC inquiry into the 'childcare and early learning' system was launched. This new inquiry and subsequent report had greater scope than its predecessor. Beyond challenges related to COAG reform implementation, the goals of the new inquiry were to review the entire early development system, and to recommend improvements. These improvements were to focus on the following: affordability and accessibility through greater flexibility, access and outcomes for vulnerable children, and efficacy and financial sustainability of childcare services and the system/'market' as a whole – 'services need to operate in a system that has clear and sustainable business arrangements, including regulation, planning and funding . . . there is a need to ensure that public expenditure on child care and early childhood learning is both efficient and effective in addressing the needs of families and children' (PC 2015: IV).

In the 2013 Coalition TOR, the needs of the economy (as opposed to the workers, or

families) were foregrounded, with the inquiry seeking: ‘... a sustainable future for a more flexible, affordable and accessible childcare and early childhood learning market that *helps underpin the national economy* and supports the community... expenditure [needs to] achieve the best possible impact in terms of benefits to families and children as well as the wider economy’ (emphasis added; PC 2015: IV). Notably, the inquiry terms were set strictly within current budget parameters – ‘In making any recommendations for future Australian Government policy settings, the Commission will consider options within current funding parameters’ (PC 2015: IV). In addition, emphasis was placed on ‘fiscal sustainability’ and return on investment (PC 2015: IV).

The Coalition TOR set out three main issues to be examined by the commission – ‘sustainable’ funding, flexible childcare for working parents, and accessible childcare for vulnerable children. In setting out these key issues, the Coalition TOR represents particular values regarding the role of government in the delivery of formal childcare. The focus on sustainable funding indicates that childcare is seen, in part, as an economic burden to government. The focus on flexibility suggests that the government is framing of caretaking responsibilities as a hindrance to workforce participation. This is related to the notion that flexible childcare is a solution to promoting greater workforce participation (i.e. the priority of government is to maximize labour market participation): ‘The Australian Government’s objectives in commissioning this Inquiry are to examine and identify future options for a child care and early childhood learning system that: supports workforce participation, particularly for women’ (PC 2015: IV). Lastly, the focus on ‘vulnerable and at risk children’ (PC 2015: IV), rather than all children, demonstrates a positioning of childcare as a welfare remedy, that is, as an opportunity to support vulnerable children to alleviate some of the effects of disadvantage. This sits in contrast to the original aims of the *Childcare Act 1972* that was established to provide Commonwealth assistance to childcare services that cared for any children younger than school age, and saw a consider-

able expansion of childcare in the decades that followed (Parliamentary Library 2002).

The 2015 PC Recommendations

In contrast to the Labor TOR, the second PC inquiry recommendations followed the Coalition parameters (funding, flexibility, and accessibility for vulnerable children) and problematisations closely. The PC’s response to fixed funding parameters saw recommendations to encourage individual childcare services to be more self-reliant financially by operating as sustainable businesses, rather than as community services that require ongoing government support, such as schools and hospitals. This supports the marketisation approach to childcare in Australia (Brennan 2014). Specifically, PC recommendations called for long-term dependence on non-mainstream government funding to cease (e.g. Community Support Payments funding family day care services) or in special circumstances, to be limited and subject to ongoing monitoring. For example, in cases where it was deemed that market failure caused services to be financially unviable (i.e. low socioeconomic areas where parents cannot afford to access childcare or remote areas with low demand). In this scenario, the PC recommended targeted funding for a limited timeframe and with repeated review processes.

... This funding [a capped Viability Assistance Program for non-urban providers] would be accessed for a maximum of 3 in every 7 years, with services assessed for viability once they have received 2 years of support [and] be limited to funding the fee gap that arises from a decline in the number of children using the service relative to the previous three years ... (p. 45)

These recommendations highlight the problematisation of government’s role in formal childcare as a financial burden that requires alleviation. This sits in contrast to the framing of childcare as an investment in future ‘citizen-workers’ implicit in social investment rhetoric of human capital development (Lister 2003). The recommendations also show an assumption that childcare is an

‘industry’ that operates according to market rules rather than a state-provided/supported service (Brennan et al. 2012). In doing so, it assumes that the market will ultimately correct itself. This means that additional support funding will not be required to continue operation, or that an alternative, better service will be opened. For example:

Recommendation 15.9 Budget Based Funded (BFF) Programme services that are unable to transition (to mainstream funding only) even with on-going assistance should be reviewed every three years and closed if there are better alternatives available. (p. 49)

However, childcare is a known market failure (PC 2011, 2015; Pocock 2006). If childcare operated according to market rules, there would be sufficient services to meet demand, quality would be high and providers would be well paid – none of which currently occurs. Furthermore, in practice, disadvantaged and low-income areas, where children are more likely to benefit from good quality care and parents are less likely to use childcare and for fewer hours (Brennan and Adamson 2014) and services are, in turn, less likely to be viable without additional government support. Somewhat contradictorily, the PC both supports marketisation and points to the ways in which marketisation of childcare has failed to produce results, such as the ‘recognition that market pressures alone are unlikely to provide quality services’ (PC 2011: XXVI).

Recommendations in this second inquiry also position government’s role in childcare as supporting a primarily targeted service. Firstly, it maintained its framing childcare as a welfare problem for children with developmental or familial markers of vulnerability. Under the auspice of the Coalition TORs, the commission presents a raft of recommendations aimed at supporting children with developmental vulnerabilities or from disadvantage backgrounds.

Secondly, the PC recommended that the universal childcare subsidy be dropped in favour of means-tested subsidies.

The Australian Government should fund the Early Care and Learning Subsidy to assist families with the cost of approved centre-based and

home-based care. The program should assist families with the cost of ECEC services:

... With a means tested subsidy rate between 85 per cent (for family incomes at or below \$60 000) and 20 per cent (for family incomes at or above \$250 000), with annual indexation thresholds. (p. 44)

This shift from universal subsidies with additional targeted support to means-tested subsidies reflects a broader trend towards residual approaches to government services in liberal welfare states, which was also found in the PC’s response to Labor’s TOR (Esping-Andersen 1990; Mendes 2008; Navarro and Shi 2001).

In its report, the PC expressed concern that the current subsidy arrangement ‘is resulting in a declining proportion of assistance to lower income families’ (PC 2015: 44). At the same time, it raised issues of welfare dependence and abuse among families receiving high degrees of subsidisation, thus presenting low-income families as both in need of additional support yet ultimately untrustworthy, regardless of children’s significant need for formal childcare. Curiously, despite a strong focus on access to childcare for vulnerable children, the recommendations also stated that priority of access guidelines be removed, making it less likely for the most at risk children to get access to childcare:

Recommendation 10.1 The Australian Government should remove the ‘Priority of Access’ Guidelines once the proposed means and activity test requirements have been introduced . . . This largely means there would be a small reduction in the welfare of each higher income ECEC user, in order to encourage ECEC attendance of children from very low income families. (p. 46)

Yet, there is no evidence to support the notion that reducing subsidies to higher socio-economic users of childcare will boost the use of low-income families (and in fact, may result in greater inequities). Consistent with a residualist approached, means testing and reducing welfare dependency were significant drivers of the PC recommendations. Means testing was positioned as a way to deliver childcare

services within current budget parameters and to boost workforce participation: ‘the interaction of ECEC assistance policies with other Commonwealth and state and territory policies compounds the complexities. In particular, family welfare and income tax policies are currently Australian Government responsibilities and as workforce participation is a key driver of welfare costs and tax revenue’ (p. 46). This position was asserted despite international research demonstrating that means-testing increases inequalities at a population level (Carey and Crammond 2014; Korpi and Palme 1998; The Fabian Society 2012).

The last key issue specified by the Coalition TOR was the request for advice on increasing the flexibility of childcare to facilitate greater workforce participation for parents. In this instance, the intensive caregiving that young children require is framed as a hindrance to higher productivity through greater workforce participation. Childcare inaccessibility is therefore a major problem for a market that is perceived to need more workers to grow the economy. The commission provides a range of recommendations to encourage greater flexibility of services to increase accessibility. For example, it focuses on removing caps on places, ensuring longer minimum weeks operating each year, introducing government funded nannies, making it easier to hire an au pair and reducing some staffing qualification requirements under the NQF. The required flexibility of the workforce, including the childcare workforce and the impact of non-standard hours on family and community wellbeing (Allen et al. 2013), is left unquestioned. This is despite a somewhat murky relationship between non-standard work hours and wellbeing (Ulker 2006).

Discussion

We contend that the similarity in responses to the two sets of terms of reference provided to the PC (despite the very different sets of TOR) suggests that the PC has its own sets of institutionalized norms and values, independent of governments in power (though in this instance, they appear to sit more comfortably with the

values and ideology of the Coalition government).

Although the independence of the PC is often framed as a strength (and is in fact seen as a critical part of the PC’s role (PC 2015), as an unelected government agency playing a significant role in policy formulation it is important to understand how social problems (such as childcare) are framed (or problematized) by the PC and the underlying values these reflect. This is particularly the case when recommendations go against current research evidence. For example, throughout these two inquiries the PC has argued for more targeted welfare programs that are known to negatively impact equality and community wellbeing (Carey and McLoughlin 2016; Mkandawire 2005; The Fabian Society 2012). Furthermore, labour market participation is seen as a priority, despite the unknown relationships between different forms of work and family wellbeing (Pocock 2012). This is particularly interesting, given the PC’s specific remit to make recommendations that enhance community wellbeing. However, economic or labour market participation does not necessarily equate to enhanced community wellbeing and has, in fact, been shown to detract from health and wellbeing (Benach et al. 2007, 2010; Lewchuk 2008; Tweedie 2013; 2010 Woodman 2012).

At heart of the differences in terms of reference and subsequent PC recommendations sit differing conceptualisations of productivity that exist between government(s) and the PC. A research paper by the PC argues that ‘there is little agreement on what productivity actually is’ (Gordon et al. 2015: 1). The paper sets out two alternate definitions. One definition posits productivity as requiring citizens to work hard and longer, irrespective of potential costs to wellbeing (i.e. working unpaid hours). The other definition describes productivity as ‘the return from investing more in [human] capital (such as infrastructure and education investment)’. The critical difference between these definitions is the different value they place on labour market participation versus other dimensions of family and community life. The first prioritizes labour productivity, whereas the second *supports* labour market productivity through the

development of human capital that may, in turn, have wide-ranging social and community benefit (i.e. improved social connections, wellbeing implications of higher education attained, or greater quality of life achieved through higher income).

When comparing the two inquiries, this distinction usefully highlights different underlying logics (constituted by norms, ideologies, and values) in the TOR supplied by each government. Specifically, the TOR set by the Coalition government focuses on the power of increased labour to raise productivity through labour market participation irrespective of potential costs in other areas. The Labor TOR focus on the power of increased human capital to raise productivity (medium to long term), which in turn provides a range of positive 'spin offs' for individuals and communities. Interestingly, the PC's recommendations cannot be as simply delineated. Although they appear to be more closely aligned with the perspectives of the Coalition government in this instance (as one might expect given the economic rationalist perspectives that underpin both the current government and the PC), the distinction is not clear-cut. For example, the PC recommendations undermine childcare as a universal service provision (and hence not an investment in human capital). This aligns with the values of the Coalition government. Yet by promoting policy targeting, some individuals (namely low income mothers) are seen as non-essential to the labour market. That is, women who cannot afford childcare are expected to leave paid employment to take up caring roles. Interestingly, this goes against the Coalition view, that for productivity all citizens need to be engaged in labour market activity. This suggests that the PC has considerable power reshape more 'progressive' problematisations of social issues (including childcare) to fit into traditional gender norms and values.

It is also worth noting limitations in the consultancy processes of the PC. Once the PC has produced a working paper, it calls for submissions. Submissions can come from individuals or organisations and from any sector and are aimed at refining the PC's analysis (Banks 2003). Currently, the process between creating

a PC submission and the release of a PC report is more or less a 'black box'. There is no shared methodology or transparency about how representative the submissions used in the report are, or of the timing of report writing versus submissions, that is how much do submissions inform the commissions' work in reality? In submissions, individuals and organisations are required to respond only to the TOR and recommendations. In doing so, the debate around a given issue is considerably constrained by the information gathering process. In other words, only very specific forms of input are sought, limiting opportunities for community organisations or researchers to raise issues that may be critical to the inquiry underway, but sit outside the terms of reference. In this sense, the government in power sets the parameters of debate. However, as we have shown in our analysis of the childcare inquiries the PC itself does not always respond directly to the TOR (i.e. 2011 PC inquiry). Following initial submissions, the PC draft report then foregrounds, (re)shapes or silences issues, which unavoidably acts to constrain subsequent public responses to their recommendations, before submitting the final report.

Hence, there appears to be a distinct set of norms and values in operation within the PC, visible in the reports it produces, which do not directly align with major political parties. This is indeed the PC's mandate – to be independent to government. However, despite its independence, our analysis indicates that the recommendations of the PC do not necessarily correspond with research evidence on how to deliver on the PC's overall aim to improve community wellbeing. This can be seen with regard to recommendations for policy targeting (which has been found to have detrimental effects on overall levels of inequality (The Fabian Society 2012) and the relationships among flexibility, work, and wellbeing, which are not straight forward (Dixon et al. 2014)). This finding is strengthened by the observation that the PC Chairperson changed between these two inquiries, and is therefore not reflective on the position of a single director.

As Kay (2006: 12) notes, 'Institutions are enduring, regular and tend to be difficult to

change'. Peters (2013) argues that public institutions (like the PC) are engaged in ongoing processes of boundary maintenance, against those who might erode their role in governing. Hence, the differences in problematisations of childcare apparent in the analysis (including the extent to which they respond to the TOR set) provided in this paper could, in part, stem from deliberate efforts to maintain institutional autonomy. As Peters (2013: 101) suggests, 'while existing in an environment and often closely linked to that context, (formal) institutions also must maintain some degree of autonomy. This may be simply out of pride or a demand for identity, but more importantly it is to maintain the capacity to function in an appropriate manner and to fulfil its social role'. This is problematic when we consider that the PC appears to adhere to a (broadly) economic rationalist position. This framework is limiting when examining complex social policy issues, and as we have shown, prevents the PC from making use of research evidence that can improve community wellbeing but runs counter to their own institutional norms and values. In short, the norms and values of the PC could be prohibiting progress when it comes to addressing social issues and matters of community wellbeing.

One clear path of action that could be charted is a major overhaul of the PC's consultation process. At present, consultations are open to all but not specifically sought from any. Moreover, as we noted earlier, the analysis process and means by which submissions to the PC are or are not incorporated into the recommendations to government is unknown. Actively inviting dissenting, marginalized, and alternative voices and ensuring they feed into the PC's analysis in a clear and transparent way could profoundly reshape the Commission. Although we have argued that the norms and values of the PC are historically rooted (produced and reproduced overtime), it is important to realize that this does not mean they are necessarily fixed or cannot be changed (Cohen 1989). Institutional norms and values are 'first and foremost the products of human actions' (Giddens 1984: 28; Powell and DiMaggio 1991). Although change is incremental (Giddens 1984; Stones 2005), it

occurs through struggles and conflict – shaping and reshaping norms and values. Here, changes to the PC consultation process could be very productive. As Steinmo et al. (1992) note, old institutions can be put to service to different ends as 'new actors come into play who pursue their (new) goals through existing institutions' (p. 16).

Conclusion

Our analysis suggests that the PC – and its constitutive norms and values – requires closer examination. The PC, at least in public discourse, is given significantly higher status than many other government and non-government bodies providing advice to government – on the basis of objectivity and its evidence-based approach. However, as the remit of the PC expands into areas of social policy we must examine more closely its institutionalised norms and values and how they intersect with other formal institutions, including the goals of governments in power. The logic that the economic basis of the PC means it can provide 'objective' advice to governments does not hold when dealing with highly contested and often ideologically fraught social policy issues. As we have shown through our analysis, the PC is constrained by institutionalised norms and values, particularly concerning gender, which means the advice it is giving to government is questionable.

Acknowledgements

We thank Jane Dixon for providing feedback on this manuscript. The research for this paper was supported by Australian Research Council Discovery Project 140102856: 'Contemporary contestations over working time: Should health weigh in?'

Author contributions

LC and GC conceived of the paper. LC conducted analyses of the Productivity Commission Terms of Reference and Inquiries, GC contributed the public administration argument, and both authors contributed to the discussion.

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