

Cultural Exchange or Cheap Housekeeper?

Findings of a National Survey of Au Pairs in Australia

Laurie Berg and Gabrielle Meagher | November 2018



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Design and layout Hard Working Farmboys

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Executive summary

Overview of the study

This report presents the first comprehensive study of living and working conditions of au pairs in Australia. It draws on responses from 1,479 au pairs across 34 nationalities to an online survey in 2017. The study seeks to provide an evidence base to indicate the contours and variety of au pair experiences across this country.

The concept of au pairing has arisen informally in Australia as a version of a European tradition where young women spent a year-long cultural exchange with a host family in a different European country, learning a foreign language and earning 'pocket money' while undertaking light childcare duties. It seems likely that the use of au pairs by Australian families has increased in recent years. Media reports have revealed both the growing dependence of families on au pairs as a source of flexible and affordable childcare, and the risk of au pairs' exposure to exploitative working conditions. However, there is no official au pair program, dedicated visa, or even any official guidelines for families or au pairs, and so we lack even an agreed definition about what an au pair is.

The cornerstone of au pairing, in popular culture around the world, and as it is promoted by Australian au pair agencies which facilitate placements, is that it is a 'cultural exchange' where au pairs are hosted as part of a family. Accordingly, Australian agencies, industry associations and matching websites carefully distinguish au pairs from live-in nannies or housekeepers in ongoing employment. They often use the term 'pocket money' or 'stipend' to describe their pay and most stipulate that au pairs undertake mainly childcare-focused tasks, including cooking for, cleaning up after and driving children, rather than regular domestic work for the whole household. However, the distinction between cultural exchange and work (if it was ever observed in practice) appears to be breaking down. Courts in Ireland and New Zealand have ruled that au pairing constitutes employment. In Australia, select agencies have explicitly pegged au pairs' remuneration to legal minimum wage rates in Australia.

Critically, because au pairing is an informal arrangement, very little is known about the day-to-day experiences of au pairs in this country, or how prevalent this practice is. One government agency adopted an estimate of 10,000 au pairs in Australia in 2013. Despite press interest in the apparent upsurge of au pairs in this country, almost no empirical research has investigated the living and working conditions of au pairs in Australia, how they arrange their placement or which visas they hold during their stay. Still less is known about how experiences vary between different cohorts, such as nationality groups, host families' locations, and au pairs who use agencies to arrange their placements as compared with other means.

This study begins to fill these gaps. It reveals participants' demographic profile (including nationality and visa used while au pairing in Australia), the characteristics of their first au pair placement (including tasks they performed in the home, rates of pay and hours), problems they encountered in Australia and how they sought assistance to resolve these, and their motivations for au pairing, benefits gained and overall appraisal of their experience, including whether they considered the experience to be closer to a cultural exchange or to work. The survey was conducted online between November 2016 and April 2017, in four languages in addition to English. The survey was anonymous and open to any individual who had been an au pair in Australia.

Key findings

Participants were primarily motivated by classical understandings of au pairing as a cultural exchange. However, only two in five (41%) of participants' first placements conformed to this conception. The tasks undertaken by a clear majority (59%) more closely resembled those of live-in nanny/housekeepers.

- Participants were most frequently motivated by classical understandings of au pairing as a cultural exchange. They were seeking to experience life in Australia (73%), improve their English (50%), and develop a warm relationship with an Australian family (47%).
- We allocated participants to one of four 'occupational categories', based on the tasks they routinely undertook.¹
 - *Classic Au Pairs* routinely carried out only child-related tasks and cooking for the family (33%).
 - *Classic Au Pairs +* undertook those tasks as well as regular gardening or pet care (8%).
 - *Nanny Housekeepers* routinely undertook household cleaning or laundry, as well as child-related tasks and cooking for the family (37%).
 - *Nanny Housekeepers +* undertook Nanny Housekeepers' tasks as well as regular gardening or pet care (22%).
- Participants who arranged their placement using an agency (whether or not they paid a fee to this agency) were not substantially more likely to have a Classic Au Pair position than any other.

The vast majority of participants were young European women. Classic Au Pairs had the greatest proportions of nationals from Western and Northern Europe. Nanny Housekeepers comprised larger proportions of participants from native English-speaking countries.

- Almost all participants (97%) were women.
 - Women were more likely than men to be Nanny Housekeepers (focussing on childcare and housework). Men were more likely to either be Classic Au Pairs (only carrying out child-related tasks) or to also routinely undertake gardening and pet care.
- Two thirds of participants (67%) were 23 years old or younger at the time of the survey. More than a quarter (27%) were 18 or 19 years old.
- Four in five participants (81%) were from Europe, with over a third (35%) from Germany, followed by France (14%) and the United Kingdom (11%).

Participants' first placement was more likely to be with a larger than average two-parent family, in a major city, and in a suburb of relative social advantage.

- The proportion of participants in each state or territory corresponds roughly with the distribution of families with children under 15 years in Australia, as recorded in the 2016 Census.
- Four in five of participants' first placements (80%) were in a major city.
 - Families in outer regional areas hosted greater proportions of Nanny Housekeepers.
- A third of first placements (32%) were with families who lived in the most advantaged 10% of suburbs and localities in Australia.

¹ While the full report considers the intersections of each of these four categories with a range of characteristics of participants and their reported experiences, this Executive Summary combines the Classic Au Pairs and Classic Au Pairs + categories, and the Nanny-Housekeepers and Nanny-Housekeepers + categories.

Participants overwhelmingly held Working Holiday visas while au pairing in Australia, and frequently used matching websites to arrange their first placement. A majority did not sign a written agreement prior to starting that placement.

- **Visa held during first placement.** The overwhelming majority of participants reported holding a Working Holiday visa while au pairing in Australia (94%). Only 2% reported holding a tourist visa while au pairing, which would have constituted a breach of the visa condition prohibiting work in Australia.
 - A majority of participants did not accurately understand how Australian visa rules relate to au pairing, and the implications of breaching work-related visa conditions.
- **Use of an agency.** A third of participants (31%) used a cultural exchange agency to arrange their first au pair placement. Over two thirds (69%) arranged their first placement without an agency. The greatest proportion of participants used a matching website like AuPairWorld to arrange their first placement (40%).
- **Written contract.** Only two in five participants (39%) reported having signed a written agreement with their host family.
 - For the majority of these, the family presented the participants with a final written contract rather than them negotiating the terms together.
 - A much greater proportion of participants who paid an agency to arrange their first placement signed a written contract with their family beforehand (81%). Among these, an even greater proportion was presented with a final contract by the family.
 - Just under half (44%) of participants indicated they had obtained either a Working With Children Check or police check or both. This proportion increased to 88% for participants who paid an agency to arrange their first placement.

On average, participants worked full time in their first placement for less than the national minimum wage (\$17.70 per hour) at the time of the survey. Most had a weekly schedule that was honoured in the breach. Early termination, notice and prior agreements as to notice each revealed asymmetries in the power relations between families and au pairs.

- **Average weekly hours.** Survey participants worked an average of 34 hours per week in their first placement.
 - Just under a third (30%) worked 40 hours per week or longer. Nearly one in twelve (8%) worked 50 or more hours per week.
 - The few male participants worked shorter average hours than females.
 - Long hours were more frequently reported by Nanny Housekeepers than Classic Au Pairs.
- **The average notional hourly wage²** for all participants was around \$17.10 including the inferred value of in-kind board and lodging, while the median was \$15.31.
 - The average notional hourly wage was 25% higher for male than female participants.
 - The average notional hourly wage was a little higher for Classic Au Pairs, and a little lower for Nanny Housekeepers.
 - The distribution of notional hourly wage rates did not differ substantially between participants who used an agency to which they paid a fee, an agency to which they did not pay a fee, or did not use an agency.

² This was calculated for each participant by adding an inferred amount of income equivalent to the weekly value of in-kind accommodation and board (\$280) to the amount of weekly pocket money reported by participants and dividing this total by the weekly hours each reported working.

- Participants in major cities earned the highest average notional hourly wage. The few participants in very remote locations earned the lowest.
- Signing a contract before starting the first placement raised the floor of notional hourly wages for the bottom quartile of earnings for all participants, but did not result in higher notional hourly wage rates in higher quartiles.
- The notional hourly wage rate fell below the national minimum wage for 58% of participants and below the lowest rate in the Children’s Services Award for 77% of participants.
- **Four fifths of participants (79%) reported having weekly schedules setting out expected hours in advance.**
 - However, a similar proportion (82%) was asked to work extra hours. Over half (53%) of these were not given 2 days’ notice of these extra hours, and less than half (47%) were paid for them. Half (52%) of those who were paid extra received \$10 per hour or less.
 - Larger proportions of Nanny Housekeepers were asked to do extra hours, compared with Classic Au Pairs, with smaller proportions paid for these extra hours.
- **Early termination, notice and prior agreements as to notice** each revealed asymmetries in the power relations between families and au pairs.
 - Over half of participants (56%) reported having agreed that the au pair would give notice if they decided to end the placement. By contrast, only 46% of participants had an agreement that the family would give notice if they decided to terminate the placement.
 - A third of participants’ first placements ended early, which suggests that au pairing is an extraordinarily insecure form of childcare.
 - More than a third (36%) of participants who were asked to leave early were given one day or less to leave. Just over a half (53%) were given four days or less. By contrast, among the participants who chose to leave their first placement early, only one in five (20%) gave their family four days’ notice or less.
 - A smaller proportion of participants who used an agency were asked to leave early, although they did not get more notice. Families appeared to benefit from their au pair using an agency in that a smaller proportion of these participants gave their family 4 days’ notice or less.

A substantial minority of participants experienced serious problems while au pairing in Australia, including coercive and exploitative working conditions and non-inclusion in family activities. Few who experienced serious problems sought assistance.

- **More than two in five participants experienced one or more serious problems**, including feeling compelled to work more than they expected (26%), feeling compelled to work different tasks than they expected (21%), non-payment of money promised (10%), verbal abuse (8%) and sexual harm (1%).
 - Nanny Housekeepers were more likely to be subjected to psychological harm (including verbal abuse, and other disrespectful or predatory behaviour) than Classic Au Pairs.
- **A third of participants reported exploitative working conditions.**³
 - Nanny Housekeepers + were much more likely to report exploitative conditions (46%), than Classic Au Pairs (26%).
 - Proportions of participants reporting exploitative conditions did not vary among those who had a written contract or used an agency (whether or not they paid a fee).

³ Defined as either: receiving in their first placement a ‘notional hourly wage’ of three quarters or less of the statutory minimum wage in Australia; working more than 45 hours of duties per week in their first placement; receiving fewer than two days off per week in their first placement; or experiencing non-payment of money.

- **One in five participants reported non-inclusion in family activities** in their first placement.⁴
 - While agencies promote au pairing as an immersive cultural experience, they do not appear to be able to guarantee this. Use of an agency did not coincide with greater inclusion in family activities.
- **One in six participants reported that they felt forced to stay** in their placement even in the face of problems, most frequently because they lacked alternative accommodation.
- **Few who experienced serious problems sought assistance from someone in Australia (27%),** and were more likely to do so where they paid an agency to arrange the placement.

Participants' attitudes towards their au pair experience in Australia were, overall, extremely positive.

- **A clear majority of participants reported that their expectations for their au pair experience were met or exceeded.**
- **More than three quarters would recommend au pairing in Australia** with almost half stating they would definitely recommend the experience.
- **More than a third characterised the experience as more like work than a cultural exchange (37%).** One in five (21%) characterised it as midway between work and cultural exchange.
 - Participants who paid an agency to arrange their first placement reported the same positive averages as all other participants in relation to whether the experience exceeded their expectations and to recommending au pairing to their peers. They reported on average that the experience was slightly more like work than a cultural exchange, as compared with other participants.
 - Participants who experienced non-inclusion in family activities reported, on average, lower degrees to which au pairing met or exceeded expectations than those who experienced exploitative working conditions, and were more likely to consider the placement to be closer to work than a cultural exchange.
 - The top five benefits of au pairing reported by participants all related to classical constructions of au pairing as a cultural exchange.

Recommendations

1. The government must resource **flexible and affordable childcare alternatives** to the precarious private employment of au pairs.
2. The Fair Work Ombudsman and other relevant government agencies, including occupational health and safety authorities, should provide **clear guidance that childcare and housekeeping duties routinely undertaken by an au pair under a family's supervision meet the legal threshold for employment in the vast majority of cases.**
3. In light of the specific nature of the au pair role, and other live-in care work, the **government should provide families and au pairs with guidance on acceptable minimum standards for au pair placements and information about applicable immigration restrictions.**
4. The Australian Taxation Office should provide clear, detailed **guidance on the superannuation liabilities and taxation obligations of au pairs and employing families.** In the context of current arrangements, this should include information about applicable tax rates for Working Holiday Makers, the process for withholding tax and lodging a tax return and the requirement for employers of Working Holiday Makers to register with the ATO.

⁴ Defined as where the family took day and/or overnight trips but did not invite the participant.

5. **A government-funded service, whether within or adjacent to the Fair Work Ombudsman, should provide assistance and advice to au pairs and families.** This should include mediation services for disputes and referrals of unresolved disputes to the Fair Work Ombudsman or other legal service providers.
6. **A dedicated au pair visa scheme should not be adopted** if validity of the visa would be subject to agency sponsorship, host family sponsorship, or continued stay in an au pair placement.

I. Introduction

It seems likely that the use of au pairs by families in Australia has increased in recent years. Media reports have cited the growing dependence of families on au pairs as a source of flexible and affordable childcare, and the risk of au pairs' exposure to exploitative working conditions.⁵ Indeed, in 2018, intense public attention focused on the Immigration Minister, Peter Dutton, who, in an extraordinary use of ministerial discretion, intervened to regularise the status of several au pairs whose visas had been cancelled, amidst reports of personal connections between the Minister and the intended employers.⁶ These incidents may indicate the privileged status of some families who use au pairs and of some temporary visa-holders over others, as well as possibly some uncertainty in the community about the rules governing au pairs.

In the popular imagination in contemporary Australia, an au pair is an unattached young woman from another Western country, who travels to Australia to temporarily become a member of an Australian host family for six to twelve months. She undertakes a limited amount of childcare and light housework related to the children in exchange for a room, board and pocket money. The concept of au pairing has arisen informally in Australia as a version of a European tradition which was regarded as a rite of passage for young women from foreign European countries who would spend around a year in a host family, learning a foreign language and local customs while undertaking light childcare duties, before returning home to start her own family and manage her own household.⁷

However, very little is known about the day-to-day experiences of au pairs in this country. Without an official au pair program, a dedicated visa, any oversight of au pair placements or official guidelines for families or au pairs, we lack even an agreed definition of what an au pair is.⁸

Accordingly, au pairing is organised primarily by informal institutions (an industry of agencies and websites). As an informal arrangement, there are no reliable figures as to how many young people are in au pair placements at any given time. One government agency adopted an estimate of 10,000 in 2013,⁹ although there now may be more.

There has, to date, been no large-scale empirical research into au pairs' living and working conditions in Australia.¹⁰ No concrete evidence has been available about their working hours, the tasks they undertake, payments received, problems encountered and benefits gained during the au pair experience, nor how these might vary for different cohorts.

This study begins to fill these gaps. It reports on the most comprehensive survey of au pairs in Australia to date. Drawing on responses from 1,479 au pairs across Australia, it charts the demographic profile of au pairs, and examines the nature and conditions of their employment, how au pairs arranged their placements, their knowledge of relevant immigration laws, problems they encountered as well as motivations for and attitudes towards au

5 See, for example, Linda Skates, 'Child Care: Increasing Demand for Au Pairs as Shift Workers Seek Flexible Arrangements', *ABC News Online*, 12 September 2014; Cosima Marriner, 'Au pairs a Solution for Busy Working Families but Are They Being Exploited?', *The Sydney Morning Herald*, 23 September 2016; Carleen Frost, 'Au Pairs: Lack of Regulation Leaves Young Foreigners Working in Childcare Vulnerable', *The Daily Telegraph*, 4 March 2017.

6 Senate Legal and Constitutional Affairs References Committee, *Final Report on Inquiry into Allegations Concerning the Inappropriate Exercise of Ministerial Powers, With Respect to the Visa Status of Au Pairs, and Related Matters* (September 2018) 16.

7 Rosie Cox, *Au Pairs' Lives in Global Context: Sisters or Servants?* (Palgrave Macmillan, 2015). More recently, the Council of Europe has established regulations for au pairing, see: European Agreement on Au Pair Placement, Council of Europe Treaty Series No. 068 <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=068&CM=1&CL=ENG> See also Rosie Cox and Nicky Busch, *Au Pairs: Living as an Equal in an Unequal World?* (Zed Books, 2018).

8 Among the only official references to au pairs is in immigration policy which permits au pairs who hold a Working Holiday Visa or Work and Holiday visa to apply the Department of Home Affairs for an extension to their six month limitation of working for one employer pursuant to Condition 8547: Procedures Advice Manual 3 [Sch8/8547], 29 September 2018. This Department of Home Affairs policy contains no definition of au pairs.

9 Productivity Commission, *Childcare and Early Childhood Learning: Productivity Commission Inquiry Report* (No. 73, 31 October 2014), Vol 1, 88.

10 Qualitative research informed an earlier study by Laurie Berg: 'Hiding in Plain Sight – Au Pairs in Australia', in Rosie Cox (ed), *Au Pairs' Lives in Global Context: Sisters or Servants?* (Palgrave Macmillan, 2015) 187.

pairing in Australia. In the context of calls in some quarters for a dedicated au pair visa, whereby au pairs might be sponsored by accredited agencies,¹¹ the report suggests that there are few differences between the experience of participants who used agencies as against all others.

The survey has a number of methodological limitations as discussed in the Method section below. Most significantly, it is not possible to know whether the survey cohort is representative of the population of au pairs. Nevertheless, as the most extensive and detailed survey of its kind to date, it is the broadest representation of au pairs' own accounts of their experiences, which could not be collected at this scale through other methods. The study did not solicit the views of host families of au pairs; further research is required into their experiences and the extent to which demand for au pairs may be driven by the unavailability of flexible or affordable childcare or other factors.

About the survey

The survey contained 45 multiple choice questions, in addition to a small number of follow-up questions. A small number of questions allowed open answers, mostly where participants selected 'Other' among multiple choice questions. There were four sets of questions in the survey:

1. **Participants' personal characteristics** including nationality, English language ability and gender as well as visa status while au pairing.
2. **Experiences of au pairs in their first au pair placement in Australia**, including questions about how they arranged their placement, the location and composition of their host family, the length of their stay, the tasks they were asked to perform and their working conditions (including schedules, pocket money and terms of termination of their placements).
3. **Participants' experiences during any au pair placement in Australia**. These include any problems they encountered while au pairing and how they sought to resolve these, as well as how many different families they have au paired with and how they arranged those placements.
4. **Participants' perceptions and motivations**, such as their reasons for wanting to be an au pair, benefits gained through au pairing, the extent to which au pairing met their expectations, whether they would recommend au pairing in Australia to others, whether they experienced au pairing more as a cultural exchange or more as work, and their understanding of immigration rules governing au pairs.

Some data related to experiences while au pairing at any time in Australia. Other data provided by participants, such as on how they arranged their stay, the profile of their host family and their tasks and working conditions, related only to their first au pair placement. These questions focused on participants' first placement because it was necessary to confine questions about these different aspects of their stay to a single placement in order to analyse the extent to which those factors and experiences coincide under specific placement circumstances. However, as a result, the survey does not capture as much detail about participants' subsequent placements, which may have been more positive for some and less positive for others.

Method

This report is based on responses to an online survey conducted by Laurie Berg in 2017.¹² The survey was anonymous and was open to any individual who had been an au pair in Australia. It was offered in four languages: English, French, German and Japanese. Each translation was checked by a different native speaker of that language, however it remains possible that certain words or phrases may have been understood differently in different

11 Australian Chamber of Commerce and Industry, *Futureproofing Australia: 2017-18 Pre-Budget Submission* (January 2017); Cultural Au Pair Association of Australia, 'Pilot Au Pair Visa Program Proposal: Addressing Australia's Child Care Crisis While Improving Care Quality and Boosting the Economy' (submission to the Department of Immigration and Border Protection, August 2017).

12 Ethics approval for this research was obtained from UTS Human Research Ethics Committee (ETH 16-0200).

languages. Participants were offered the opportunity to enter into a prize draw to win a \$500 voucher or one of four \$50 vouchers from Amazon.com. Anonymity of participants' survey responses was ensured by directing participants who wished to enter into the prize draw to a separate survey instrument to leave their contact phone number (but not name) to allow for winners to be contacted by text message.

The survey was made available online in two different time periods. First, it was available online between 21 November 2016 and 1 April 2017 to participants who were recruited through various channels including social media, and emails from various cultural exchange agencies (see Acknowledgements). Then, between 10 and 30 April 2017, the survey was again made available to participants who were recruited through emails sent to prospective participants by AuPairWorld, an online au pair matching service.¹³

The responses of participants to both surveys were combined and together yielded a total of 1,479 valid responses.¹⁴ Participants were free to stop the survey at any time. As some participants exited the survey at different points before the end, the number of responses varied between questions.

The survey has a number of methodological limitations. Conventional random sampling techniques, such that a random sample is selected from an existing list of the relevant population, could not be used because there is no record of au pairs in Australia. Accordingly, we are not able to confirm the representativeness of the survey. However, we note that the geographical distribution of participants by state closely mirrors the distribution of families with dependent children, as recorded in the 2016 Census. This supports reasonable confidence in the study sample. We also note that the sample is large, with almost 1,500 participants.

Because the survey was anonymous it is not possible to know whether any participant completed the survey more than once from different devices. It is also not possible to verify the accuracy of information provided by participants. Overall, there were not strong incentives for participants to provide inaccurate information or to repeat the survey multiple times; to the extent that this occurred, it is likely to have involved only a small number of participants.

On 6 March 2017, Dr Laurie Berg received correspondence from two individuals identifying themselves as host families and complaining that the survey was improperly designed to find fault with au pairing in Australia. At that time, Dr Berg became aware of social media posts by two individuals who identified themselves as host families. On these posts, the writers criticised the survey as biased against host families and claimed that they had undertaken the survey themselves, falsely describing themselves as au pairs. To address concerns about the integrity of the data raised by these circumstances, along with other concerns that participants may have entered false data for any other reasons, a number of steps were taken to exclude questionable data. The data provided by 9 individuals were excluded on two bases: first, those responses where the amount of weekly pocket money received seemed implausibly high,¹⁵ and where open responses suggested that the participant may have in fact been a host family.¹⁶

A further limitation may have arisen from the methods of distribution of the survey. Heavy reliance on social media may have contributed to underrepresentation of au pairs who are less likely to access Australia-based social media groups or are less networked in Australia in general. This may include au pairs who are not fluent in any of the

13 AuPairWorld sent an email to approximately 3,000 host families living in Australia who had registered with the service in the previous 24 months and approximately 9,000 au pairs who had registered with the service, who had nominated Australia as their only choice of destination in the previous 24 months.

14 All analysis in this report includes valid responses only and has been conducted using SPSS V23 and V24.

15 For example, responses were removed where weekly pocket money was specified to be \$9999999999999999, \$10400, \$4,200 (with an additional \$50 per hour for each extra hour of babysitting) and \$4,000 (with an additional \$150 per hour for each extra hour of babysitting) and the participant indicated both that they received both more paid holiday and less paid holiday than expected in answering different questions. At the same time, data was retained in a number of cases where participants specified high levels of weekly pocket money (eg \$800, \$1200 and \$1000) where there were no other indications from their responses that they were intentionally fabricating answers or choosing random responses.

16 For example, 'You survey [sic] shows complete bias... You ask virtually nothing about what the family did for the AP... Your survey is a disgrace.'

languages in which the survey was offered (English, French, German and Japanese). It is also possible that some au pairs did not participate in the survey due to lack of trust or fear of negative consequences of participation, despite the assurance of anonymity.

It is possible that more of those au pairs who were willing to participate had a desire to share information on unusual experiences, either strongly positive or negative. The study sought to limit this possibility by offering a number of substantial prizes to create a different incentive for participation among a broader group. Further, the results indicate a wide range of both positive and negative experiences, alongside generally highly positive evaluations of au pairing overall. This suggests that the sample is not distorted by participants holding extreme views.

The proportion of participants who used an agency or online matching website such as AuPairWorld may be overrepresented in our sample since a number of these organisations distributed links to the survey via email; alternatively, those who used Facebook may be overrepresented since distribution also occurred through Facebook groups. In addition, some caution needs to be taken in analysing the intersections between various conditions of participants' first placement and whether they used an agency for which they paid a fee, an agency for which they did not pay (where likely the family paid) or no agency. Since the report presents aggregate data only on agencies for which participants paid a fee and those whose services were free to participants, it is not able to capture differences in the impact of particular agencies. There is also a slight possibility that there is lack of consensus about the meaning of the term 'agency' within the au pair industry globally.¹⁷

Taking these considerations into account, the authors determined that the survey and selected distribution methods remained the most effective way to access large numbers of au pairs with a diverse range of experiences in Australia, within a population about which historically very little is known.

How to read this report

The methodological limitations shape how the data presented in this report can be interpreted. The main challenge is that the representativeness of the sample of participants is unknown. This means that findings such as the proportion of survey participants of German nationality cannot be assumed to reflect the proportion of au pairs in Australia who are German. However, many patterns found in the data by comparing groups of participants are robust, and are likely to be valid for au pairs as a group. For example, detailed information about the range and frequency of tasks participants performed in their placements has been used to allocate each participant to one of four occupational groups. When the hours, pay, and other experiences of these occupational groups are compared, clear patterns emerge, showing that these groups report quite different experiences of au pairing in Australia.

¹⁷ The international website AuPairWorld describes itself as an 'agency' in some materials. While it provides a forum for potential host families and potential au pairs to make first contact, it does not screen its users or provide other services typically offered by agencies such as personalised facilitation of matches and ongoing contact with both parties.

II. What is an au pair in Australia?

The cornerstone of au pairing, in popular culture, and as it is promoted by the industry, is that it is a 'cultural exchange', an opportunity for young foreigners to improve their language skills and experience life in another country. As the Cultural Au Pair Association of Australia ('CAPAA') states, 'hosting an Au Pair is an enriching cultural exchange experience which allows your children to be cared for in your own home.'¹⁸ The European Committee for Au Pair Standards describe au pairing as 'unique cultural exchange programme [in which] the au pair is treated as a family member [where] the au pair will be given the opportunity to explore another culture and the possibility to study while being placed in the protective environment of a host family'.¹⁹ The British Au Pair Agencies Association describes 'the vast majority of au pairs' as 'young people taking a 6-12 month gap in their studies to improve their knowledge of language and culture'.²⁰

Accordingly, agencies, industry associations and matching websites have classically made careful distinctions between au pairs on a cultural exchange and live-in nannies in ongoing employment. While nannies, as workers, earn wages, au pairs earn only pocket money, more like regular babysitters. Live-in nannies may work long hours (and be remunerated) as professional child carers, housekeepers or cleaners, according to their contract of employment. By contrast, Australia-based au pair agencies state that au pairs should be expected only to undertake limited childcare, including other child-related tasks such as cooking for, cleaning up after and driving children, and doing their laundry.²¹ Much of this guidance specifically excludes household cleaning.²² For example, CAPAA states that 'the cleaning should be related to the care of the children, their own room and helping as any individual would in the home. Cleaning the entire home for example is not part of an au pair's role'.²³ AuPairWorld, a worldwide au pair matching internet site, stipulates:

*The au pair is considered as a full member of the family during the entire stay. As such, he or she helps the family with childcare and can be asked to assume some light household tasks. In return, the host family provides free board and lodging, as well as pocket money. However, the au pair is neither a housekeeper, nor a nanny.*²⁴

However, at the same time, agencies are increasingly characterising au pairing as an affordable childcare alternative for families. For instance, under the headline 'Is an au pair cheaper than childcare?' one agency describes au pairs as 'great value as the cost is regardless of the number of children to care for, rather than "per child"'.²⁵ This agency explicitly ties au pairs' remuneration to legal minimum wage rates in Australia.²⁶ Another states that '[t]he hourly rate is very cost effective compared to other childcare options'.²⁷

18 See <http://www.capaa.com.au/for-families/>

19 European Committee for Au Pair Standards (2015) 5.

20 See <http://bapaa.org.uk/host-families/what-is-an-au-pair/>

21 See <https://www.aifs.com.au/aupair-australia/what-is-an-au-pair/1/> CAAPA and Australian Nanny Association also set out other distinctions between nannies and au pairs: <https://www.smartaupairs.com.au/difference-between-au-pair-and-nanny/>; <http://www.australiannannyassociation.org.au/resources/what-is-the-difference-between-a-nanny-and-an-au-pair/>

22 See <https://www.aifs.com.au/aupair-australia/what-is-an-au-pair/> However, one agency does include 'light, daily housework' as part of the au pair role, including laundry and vacuuming: <http://www.jcraupairs.com.au/au-pair-for-my-family/au-pair-duties/>

23 <http://www.capaa.com.au/for-families/>

24 https://www.aupairworld.com/en/au_pair/au_pair

25 <https://www.smartaupairs.com.au/what-is-an-au-pair/affordable-childcare/>

26 One agency calculates pocket money based on the current national statutory minimum wage, with deductions for accommodation and board: <https://www.smartaupairs.com.au/what-is-an-au-pair/au-pair-pocket-money/>

27 <https://www.selectaupairs.com.au/au-pair-questions#q8>

When we seek to characterise survey participants' au pair experience in Australia, it is useful to consider both the extent to which participants were drawn by the ideals of au pairing and also the functions they provided in practice. This section examines participants' motivations for becoming au pairs. Next, it reports on the tasks they undertook during their first placement with a host family in Australia. While classic understandings of au pairing underpin the reasons more frequently given by participants for becoming an au pair in Australia, another characterisation of au pairing emerges from a close examination of their daily tasks.

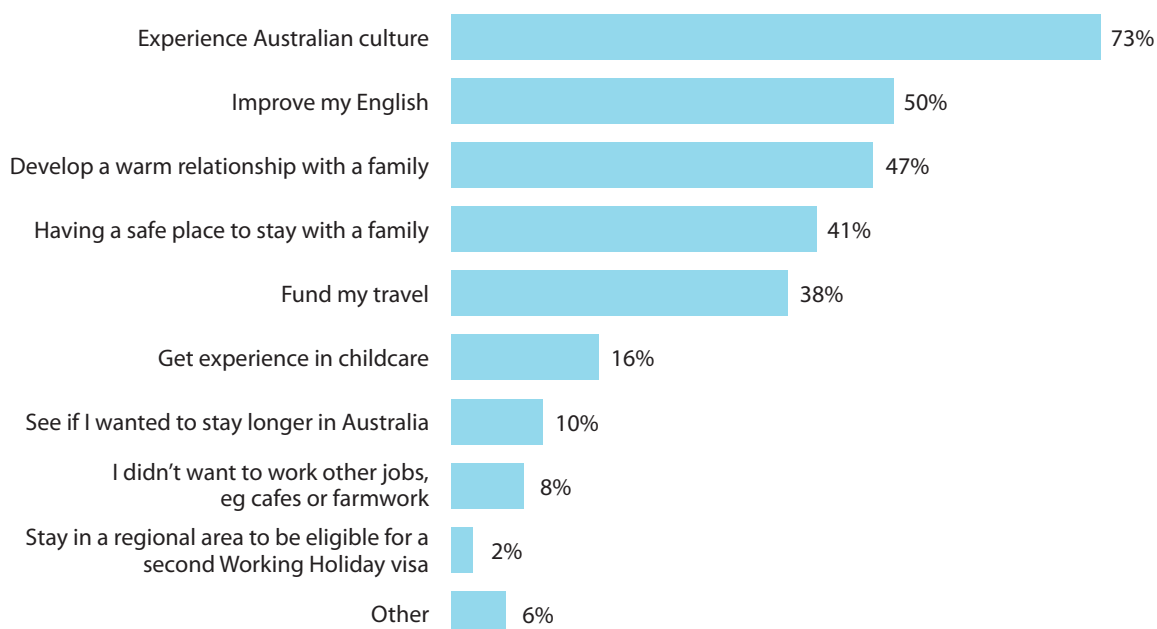
Participants' motivations for au pairing in Australia

This section describes the motivations of the 1,479 participants who reported having been an au pair in Australia, 54% of whom were currently an au pair at the time of the survey. Participants were asked why they had wanted to become an au pair in Australia and could select multiple responses.

As shown in Figure 1, the four most common reasons given for au pairing reflect classical understandings of the au pair experience as a cultural exchange. These were to experience Australian culture (73%), to improve their English (50%), to develop a warm relationship with a family in a foreign country (47%) and to have a safe place to stay with a family in Australia (41%). Indeed, among participants who were not native English-speakers, the proportion who selected 'improve my English' rose to two thirds. At the same time, more instrumental reasons were not insignificant: more than a third of participants (38%) stated that they chose to be an au pair to fund their travel. One in 6 (16%) was motivated by the desire to obtain work experience in childcare.

The breadth of these reasons was also evident in the open responses to this question which included 'Sich selbst finden' (to find myself), 'Einmal kein Tourist sein, sondern Alltag in Australien erleben' (for once not to be a tourist but to experience everyday life in Australia), 'Not be alone on Christmas' and 'Avoid wasting money on rent while looking for a proper job'.

Figure 1 Reasons for becoming an au pair in Australia (n=1,447)²⁸



²⁸ Note that working as an au pair in a regional area does not make a Working Holiday visa-holder eligible for a second year visa. Anecdotal reports have emerged in recent years of families in eligible areas fraudulently representing to the Department of Home Affairs that au pairs worked as farmhands in order to obtain the second year visa extension. However, it is also possible that au pairs may legitimately gain the second year extension to their visa by working 35 hours per week for 88 days in an eligible industry (such as agriculture) while au pairing with a family in a regional area.

We return to participants' evaluations of their time as an au pair against these expectations at the conclusion of this report (Section IX. below). A different way of determining what these participants' au pair experience was like in Australia is to look at their reported daily duties during their first placement in Australia and to compare these with the classic conception of au pairing as a cultural exchange with childcare responsibilities.

What tasks did participants do in their first placement?

Participants were asked in detail about the duties they undertook in their first placement in Australia and how often they carried these out. Available options included child-related tasks (including looking after, driving or cooking for children, or child-related cleaning and laundry), household-related tasks (including household cleaning and cooking and laundry for the family as a whole) and ancillary tasks including gardening and looking after pets.

Participants carried out a wide variety of tasks, with significant variations in the frequency of tasks as well. As shown in Table 1, almost all participants (96%) looked after children at least once a day (for the overwhelming majority – 84% – this was done several times a day). A majority also undertook the following child-related tasks at least once a day: driving children (55%), cooking for children (64%), cleaning related to children (77%). However, for many, their routine tasks extended to work carried out for the family as a whole: half of all participants undertook household cleaning at least once a day (50%) and almost a third undertook laundry for the whole family at least once a day (31%).

Table 1 Type and frequency of duties in first placement (n=1,315)

	Several times a day	Once a day	At least once a week	At least once a month	Rarely or never
Looking after children	84%	12%	3%	0%	1%
Driving children	41%	14%	10%	2%	33%
Cooking for children only	34%	30%	17%	6%	14%
Cleaning related to children only	45%	32%	14%	2%	7%
Laundry for children	16%	29%	35%	5%	16%
Cooking for whole family	6%	17%	29%	10%	38%
Household cleaning	22%	28%	27%	5%	18%
Laundry for whole family	11%	20%	24%	6%	39%
Gardening	1%	2%	5%	4%	87%
Looking after pets	12%	13%	9%	4%	61%

In addition, in response to a separate question, a quarter of participants (25%) reported being responsible for minding an infant under 12 months by themselves with no parental supervision in their first placement.

The four most common reasons given for au pairing reflect classical understandings of the au pair experience as a cultural exchange

Au pair or something more? The different 'occupational categories' of participants

To better understand the diversity of participants' experiences in Australian families in their first placement, we developed four 'occupational categories', based on the range of duties they routinely undertook in their first placement. The categories and constituent routine duties were as follows:

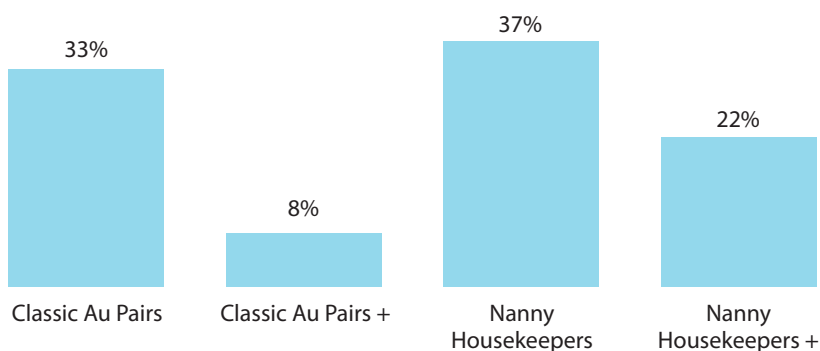
Occupational Categories	Participants' routine duties*
Classic Au Pairs	Child-related tasks as well as possibly cooking for the family
Classic Au Pairs +	Classic Au Pairs' tasks as well as gardening and/or looking after pets
Nanny Housekeepers	Child-related tasks, cooking for the family and household cleaning and/or laundry for the whole family
Nanny Housekeepers +	Nanny Housekeepers' tasks as well as gardening and/or looking after pets

* 'Routinely' doing all tasks other than gardening was defined as 'several times a day' or 'at least once a day'. 'Routinely' doing gardening was defined as 'at least once a week'.

The distribution of participants between occupational categories is depicted in Figure 2. The majority of participants in their first placement were Nanny Housekeepers or Nanny Housekeepers +, that is they routinely performed household cleaning and/or laundry in addition to child-related tasks and cooking for the family (59%). A third (33%) performed only Classic Au Pair tasks (child-related work as well as possibly cooking for the family).

The majority of participants in their first placement routinely performed household cleaning and/or laundry in addition to classic au pair tasks

Figure 2 Proportions of participants in each occupational category in first placement (n=1,299)



Interestingly, motivations for becoming an au pair did not substantially vary between participants in different occupational groups. In other words, regardless of whether their routine tasks were those of a Classic Au Pair or a Nanny Housekeeper, the largest proportions of participants in every occupational category were looking for a cultural exchange, to improve their English and to experience family life in Australia.

We return to these occupational categories throughout this report as a lens through which to understand the variety of participants' experiences of au pairing.

III. Who were the au pairs?

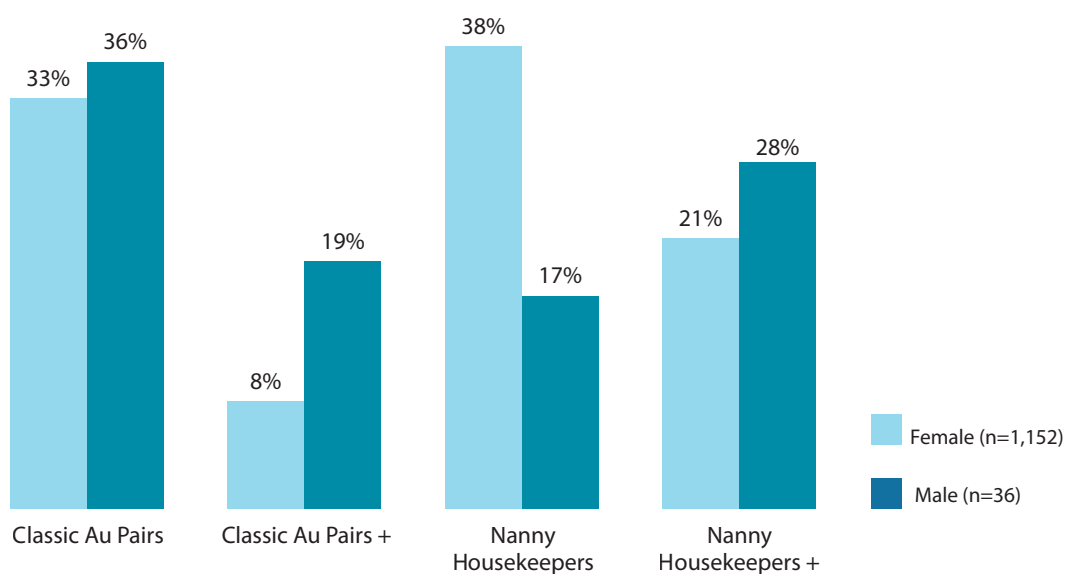
This section provides an overview of the demographic profile of participants. The vast majority were women, and were overwhelmingly young. As shown in the analysis which follows, a greater proportion of Classic Au Pairs were non-native English speaking, while Nanny Housekeepers were more likely to be nationals of native English-speaking countries.

Gender

Almost all participants were female (97%). Three percent stated they were male and a very small number specified their gender as other than male or female.

There were striking differences in the occupational distribution of female and male participants, which reflect broader social divisions in the distribution of domestic work. As Figure 3 shows, a higher proportion of male than female participants were Classic Au Pairs, Classic Au Pairs + and Nanny Housekeepers +. The higher rates of routine participation in gardening and pet care by male participants reflects the gendered segregation of domestic work evident in couples, such that men perform more outdoor domestic work than women, and women perform much more indoor domestic work than men.²⁹ The occupation Nanny Housekeeper, which includes child-related tasks and housework for the whole family, was the largest among female participants (38%) and smallest among male participants (17%).

Figure 3 Occupational categories by sex

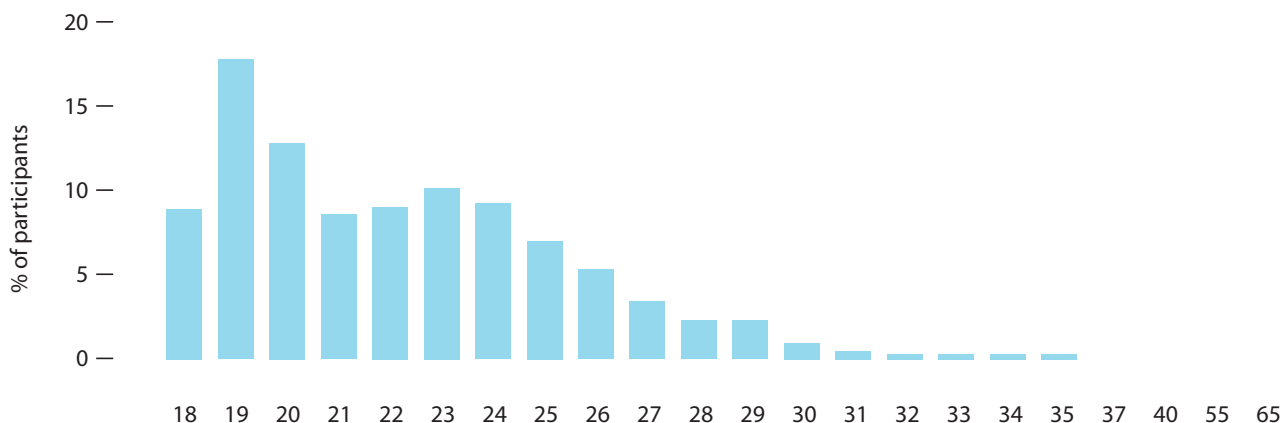


Age

Participants were asked about their age at the time of the survey. As illustrated in Figure 4, more than a quarter (27%) were 18 or 19 years old, and more than two thirds (67%) were 23 years or younger at the time of the survey. Given that 46% of participants reported no longer being au pairs in Australia at the time of the survey, this suggests that, at the time of au pairing, most participants were extremely young adults. The average age of participants was 22 years, and this did not vary by occupational category.

29 S.M. Bianchi, M.A. Milkie, L.C. Sayer, and J.P. Robinson, 'Is Anyone Doing the Housework? Trends in the Gender Division of Household Labor' (2000) 79(1) *Social Forces* 191.

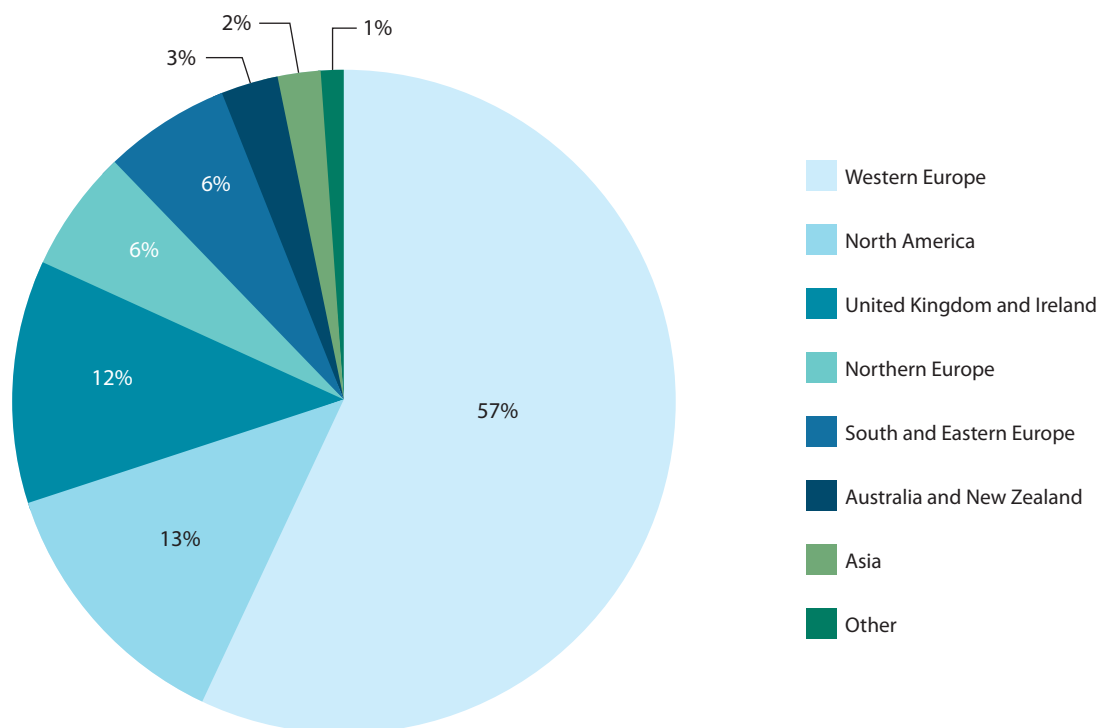
Figure 4 Participants' age at time of survey (n=1,202)



Nationality

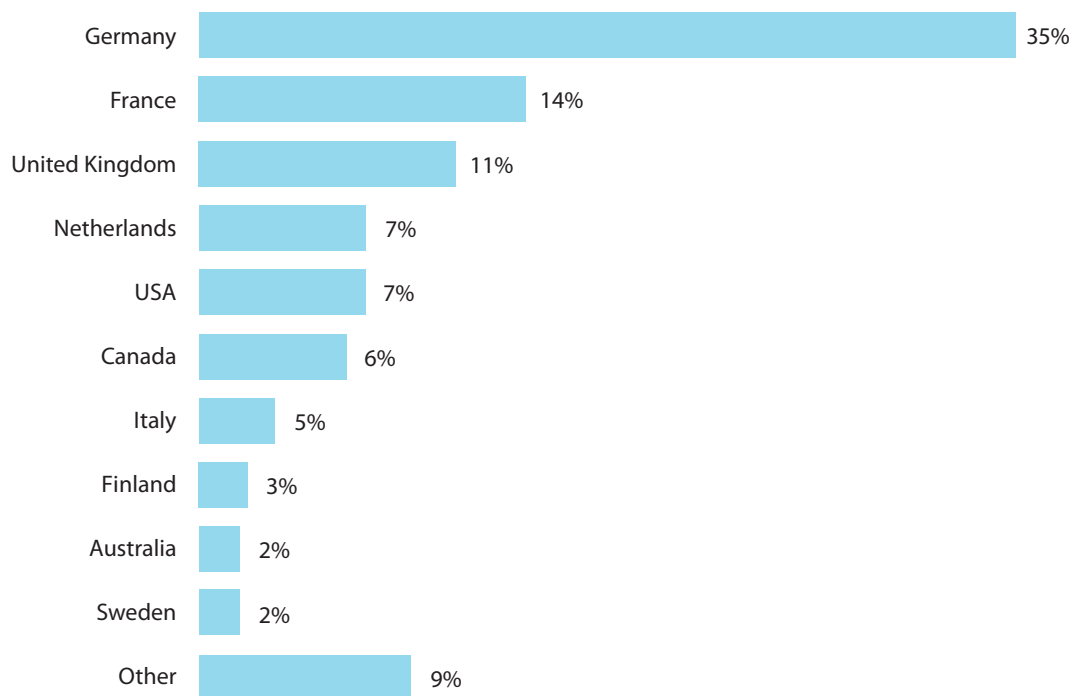
Participants were from 34 countries around the world,³⁰ although as illustrated in Figure 5 the overwhelming majority (81%) were from Europe, with more than half (57%) from Western Europe. Germany far outstripped other countries as the nationality of participants (35%), followed by France (14%), United Kingdom (11%), the Netherlands and the United States (both with 7%) (Figure 6).

Figure 5 National groupings of participants by region (n=1,199)



³⁰ Participants were nationals of the following countries: Australia, Austria, Belgium, Brazil, Canada, Chile, China, Colombia, Czech Republic, Denmark, Finland, France, Germany, Indonesia, Ireland, Italy, Japan, Malaysia, the Netherlands, New Zealand, Norway, Portugal, Singapore, Slovenia, South Africa, South Korea, Spain, Sweden, Switzerland, Taiwan, Thailand, United Kingdom, United States of America and Venezuela.

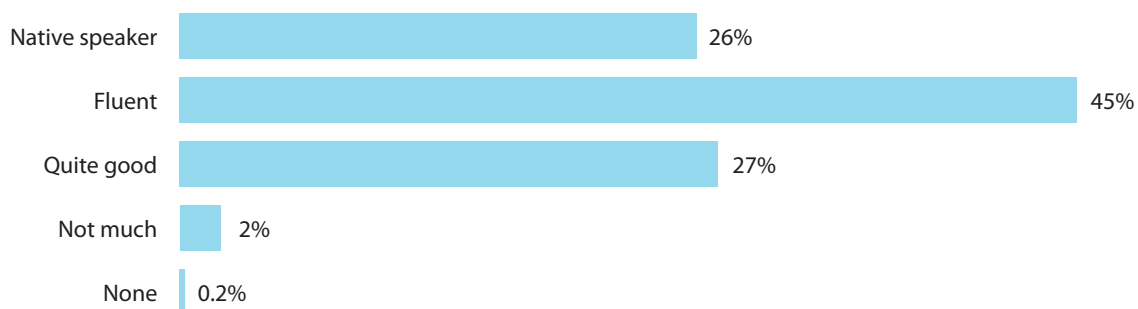
Figure 6 Top ten nationalities of participants (n=1,199)



English-language ability

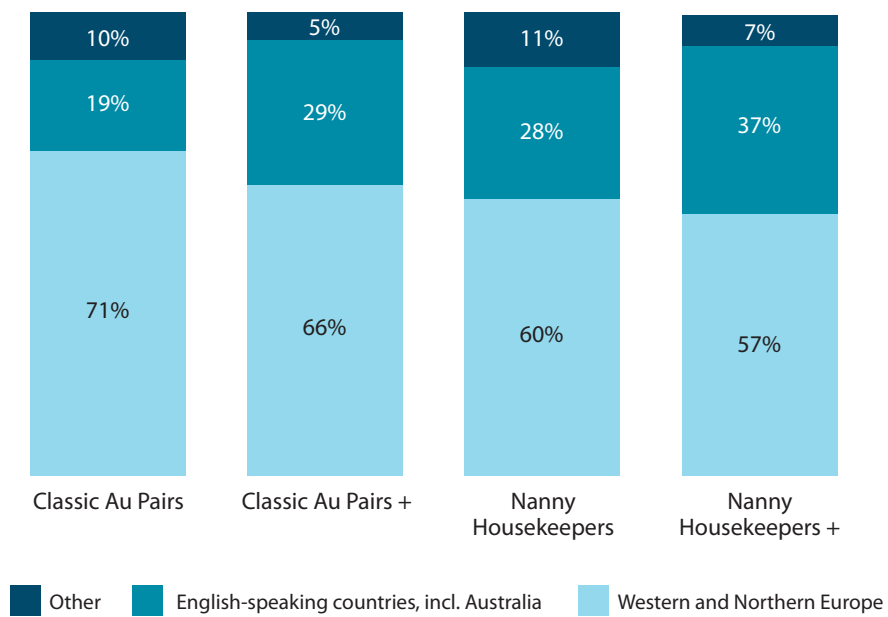
In relation to self-reported English language ability, just over a quarter (26%) stated they were native English speakers and almost three quarters (71%) described themselves as either native speakers or fluent in English (Figure 7).

Figure 7 Participants' self-reported English language ability (n=1,202)



However, Figure 8 reveals that nationalities were not evenly distributed across occupational categories. Participants from Western and Northern Europe comprised over two thirds of Classic Au Pairs and Classic Au Pairs + (71% and 66% respectively), proportions which were greater than of Nanny Housekeepers and Nanny Housekeepers + (60% and 57%). Conversely, participants from English-speaking countries comprised a far greater proportion of Nanny Housekeepers + (37%) than Classic Au Pairs (19%), with the other occupational groups falling in between.

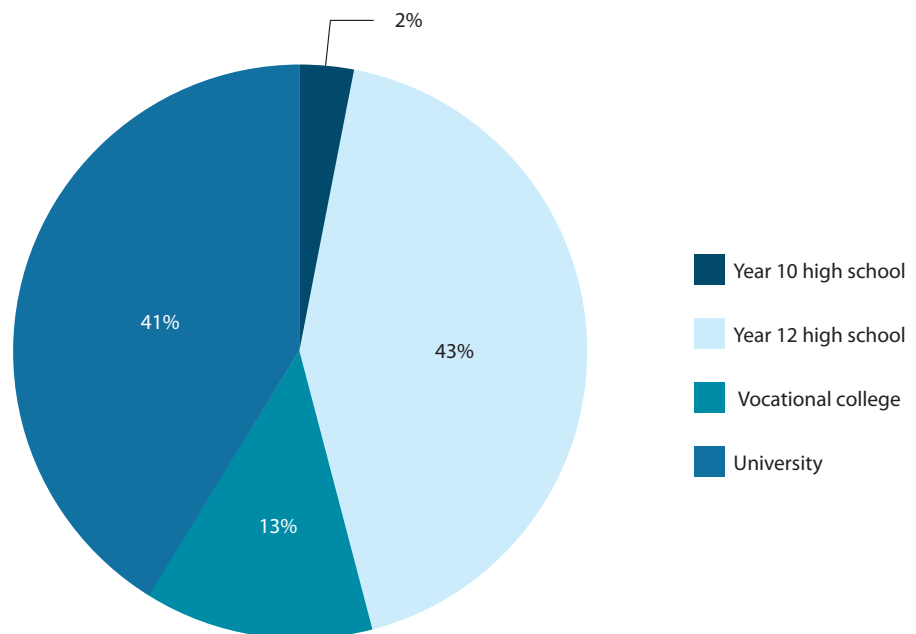
Figure 8 Grouped nationalities by occupational category (n=1,188)³¹



Education

Figure 9 shows that virtually all participants (97%) had finished high school, with 41% having attained a university degree.

Figure 9 Participants' highest level of education (n=1,202)



³¹ English-speaking countries included Australia, Canada, Ireland, New Zealand, United Kingdom and the United States.

IV. Who were au pairs' host families in their first placement?

This section turns to the demographic profile of participants' host families in their first placements. It reveals that the states and territories of these placements roughly match the Australian census distribution of families with children under 15 years. However, a greater proportion of host families were in localities of high social advantage than the general population.

Location of family

Participants were asked about the location of their host family in their first placement. As illustrated in Table 2, overall, three quarters of participants' first placements were in the most populous states of New South Wales, Victoria and Queensland (75%), with the largest proportion in NSW (37%). The proportion of participants in each state or territory corresponds roughly with the distribution of families with children under 15 years in Australia, as recorded in the 2016 Census.

Table 2 State/territory location of family in first placement

State	Number of participants	Proportion of participants	Proportion of all families with children under 15 years*
New South Wales	503	37%	32%
Victoria	255	19%	25%
Queensland	255	19%	20%
South Australia	41	3%	7%
Western Australia	173	13%	11%
Tasmania	7	1%	2%
Northern Territory	35	3%	1%
Australian Capital Territory	86	6%	2%
Total	1,355	100%	100%

*Source: ABS Census of Population and Housing, 2016 TableBuilder; includes both couple and one parent families.

Four in five participants (80%) were located in a major city, with a further 10% in inner regional Australia and the remaining 10% spread across outer regional, remote and very remote locations (Table 3).³²

The different occupational categories were fairly evenly distributed within major cities and inner regional Australia. Families in outer regional areas hosted greater proportions of Nanny Housekeepers or Nanny Housekeepers +. Twice the proportion of Nanny Housekeepers + had first placements in outer regional or remote areas (13%) than of Classic Au Pairs (of whom less than 6% had first placements in these areas) (see Appendix Table A.1).

³² The Australian Bureau of Statistics includes in its geographical classifications a Remoteness Structure, which divides Australia into five classes of remoteness according to their relative access to services (see <http://www.abs.gov.au/websitedbs/D3310114.nsf/home/remoteness+structure>). We used a correspondence file supplied by the ABS to code locality information collected in the survey (locality name and/or postcode) to the ABS Remoteness Structure for each participant.

Table 3 Remoteness of family in first placement (n=1,343)

Location	Proportion of participants	Proportion of all families with children under 15 years*
Major cities of Australia	80%	73%
Inner regional Australia	10%	17%
Outer regional Australia	7%	8%
Remote Australia	2%	1%
Very remote Australia	1%	1%
Total	100%	100%

*Source: ABS Census of Population and Housing, 2016 TableBuilder; includes both couple and one parent families.

Placements can also be categorised by the socio-economic status of their locality. A third of participants (32%) found placements with families who lived in the most advantaged 10% of suburbs and localities in Australia.³³ Almost half (47%) lived in the most advantaged 20% of Australia, and nearly three quarters (73%) lived in the most advantaged 50% of Australia (see Table 4).

Table 4 Index of Relative Socio-Economic Advantage and Disadvantage (IRSAD) of locality of first placement (n=1,338)

	IRSAD	Proportion of participants
Most advantaged 10% of localities in Australia	10	32%
	9	15%
	8	10%
	7	10%
	6	8%
	5	5%
	4	6%
	3	7%
	2	4%
Least advantaged 10% of localities in Australia	1	4%

33 Apart from family composition the survey did not collect information about the households in which participants found placements. However, information about the location of placements can be linked to the Index of Relative Advantage and Disadvantage created from Census data by the Australian Bureau of Statistics. This index measures the proportion of dwellings in an area with various advantages (e.g. high income, high education, highly skilled jobs, large houses, spare bedrooms) and disadvantages (e.g. low income and education, low skill or no employment, disability, no internet connection) (see <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/2033.0.55.001main+features100042011>). All areas are then ranked from most advantaged to least advantaged, and divided into ten groups of equal size to give deciles of relative advantage and disadvantage. Using information collected in the survey (postcode, locality name) and a correspondence provided by the ABS, the location of each participant's placement was allocated to the relevant decile.

Family composition

Most host families of participants' first placement had a traditional nuclear structure. As shown in Table 5, a substantial majority included two parents (89%). More than a half (52%) had two children and a third (32%) had three children or more. Participants were more likely to have placements in couple families than single parent families, when compared with the distribution of family types in Australia overall. Participants were also more likely to have placements in larger families: 19% of all families in Australia have three or more children, while 32% of participants found placements in families of this size.

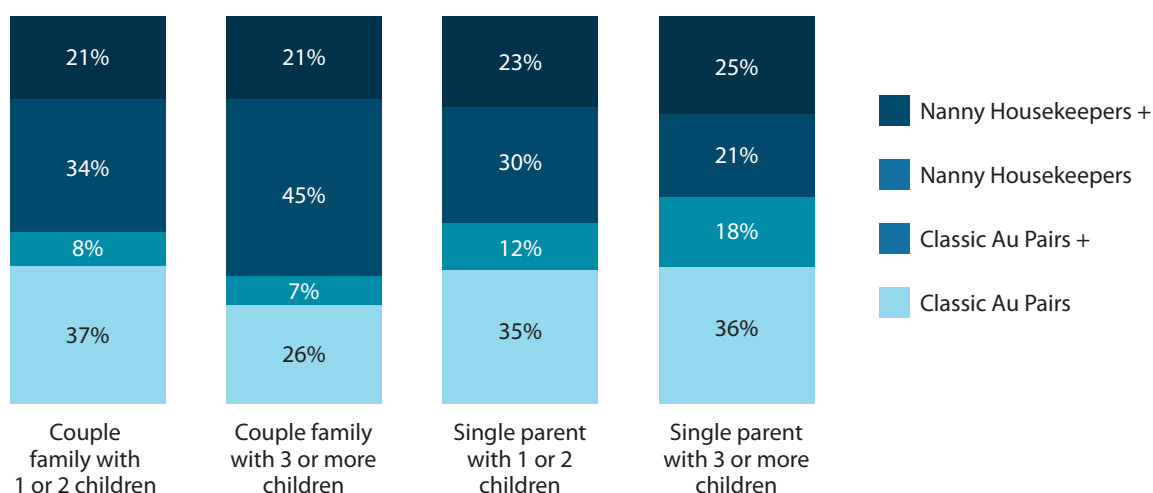
Table 5 Composition of host families in first placement (n=1,322)

	Proportion of participants	Proportion of all Australian families with dependent children*
Couple family with 1 or 2 children	59%	62%
Couple family with 3 or more children	30%	16%
Single parent with 1 or 2 children	9%	18%
Single parent with 3 or more children	2%	3%
Total	100%	100%

* Source: ABS Census of Population and Housing, 2016 TableBuilder

The occupational categories did not fall evenly across host families with different compositions (see Figure 10). The family type with the greatest proportion of Nanny Housekeepers or Nanny Housekeepers + was that of a couple with three or more kids (66%). This was a larger proportion, for instance, than of single parent families with three or more kids (46%). This may be surprising for two reasons. First, it might be assumed that a greater number of children in the family would lead to a greater amount of time on child-related rather than family-related tasks. Secondly, it might be assumed that a single parent household would have a greater need for assistance with housework than households with two parents.

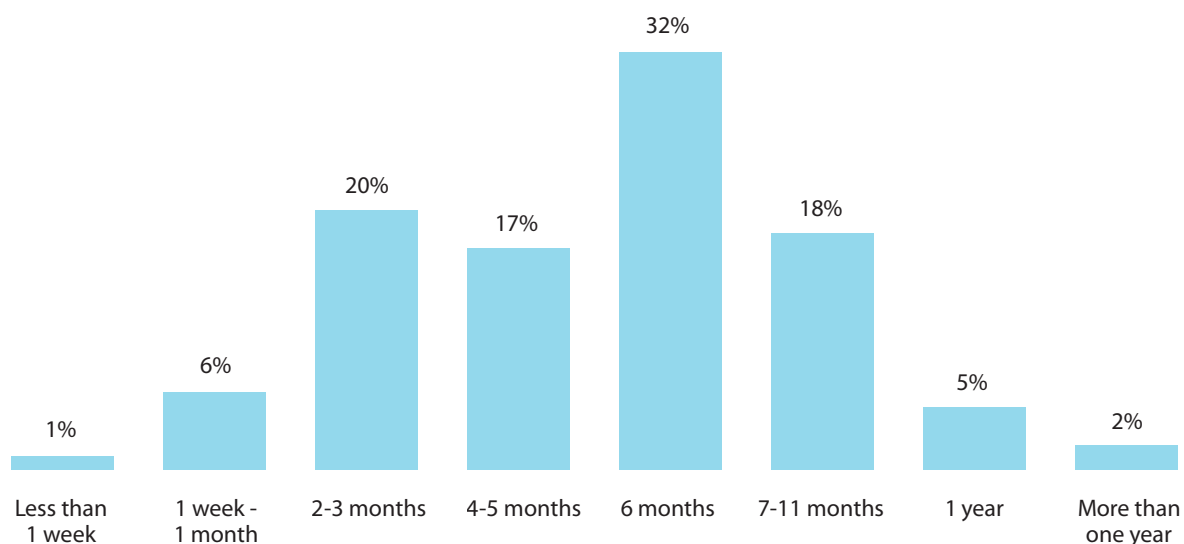
Figure 10 Family composition in first placement by occupational category (n=1,267)



Length of stay with family

Participants were asked how long they had stayed (or expected to stay) with their family on their first placement. The results, shown in Figure 11, indicate that placement durations were relatively short. Three quarters of participants (76%) stayed or planned to stay six months or less, with a third (32%) staying with the host family for six months exactly. Only 7% stayed or planned to stay in the placement for a year or more.

Figure 11 Length of participants' stay with family in first placement (actual or anticipated) (n=1,336)



In relation to participants whose first placement lasted only three months or less, there was substantial variation by occupational category (Table 6). Only 4% of Classic Au Pairs' first placement was terminated within a month compared with 9% of Nanny Housekeepers + (with the other occupational groups falling in between). Only one in five of Classic Au Pairs' placements (19%) ended in the first 3 months, compared with a third of Nanny Housekeepers + (34%) (with the other groups falling in between).

Table 6 Participants whose first placement ended within three months, by occupational category

	1 month or less	2-3 months	Proportion of all leaving within first 3 months (n=346)	Proportion of all whose first placement exceeded 3 months (n=990)
Classic Au Pairs	4%	15%	19%	81%
Classic Au Pairs +	6%	20%	26%	74%
Nanny Housekeepers	5%	23%	28%	72%
Nanny Housekeepers +	9%	25%	34%	66%

V. Arranging and regulating au pairing

As mentioned above (Section II.), Australia lacks any official au pair scheme and, without a dedicated visa or official regulations, the au pair market in Australia is organised primarily by informal institutions and various overlapping legal frameworks. As explained in this section and the next, the Fair Work Ombudsman and the Department of Home Affairs take somewhat different approaches to whether au pairing is classified as work. In general, au pairs and families are left to make arrangements on their own. In this section we set out how participants arranged their placements, found their host families, negotiated visa rules and formalised their agreements.

How participants arranged their first placement – the role of agencies

There are a few ways that au pair placements can be arranged between families and au pairs. Some au pairs and families use commercial agencies to arrange matches. In most cases families pay a fee for this service, as in some cases do au pairs. Some agencies also provide on-going services, including an arrival orientation for au pairs, handbooks for au pairs, handbooks or model 'hours rules' for families, duties schedule templates and support or guidance throughout the placement to assist with any disputes between families and au pairs.³⁴ CAPAA was established in 2012 as a trade association of au pair agencies.³⁵ There are also a number of websites which can facilitate matches between au pairs and families, the best known of which is AuPairWorld, based in Germany, where families must pay for personal messaging with au pairs. A large cottage industry has also arisen on Facebook where private groups include posts by au pairs seeking hosts and families seeking au pairs.

Agencies appear to have played a relatively small role in arranging participants' placements in Australia. As illustrated in Figure 12, just under a third (31%) of participants used a cultural exchange agency to arrange their first au pair placement.³⁶ Over two thirds of participants arranged their first placement without an agency (69%). The greatest proportion of participants used a matching website like AuPairWorld to arrange their first placement (40%), while one in five used Facebook (19%).

Participants who had used an agency to arrange their first placement were asked about the information provided to them prior to commencing the placement. Substantially more participants who paid an agency to arrange the placement were provided with information on what to expect as an au pair, compared with the fewer participants who used an agency for which they did not pay (91% and 60% respectively). Use of an agency to arrange the first placement did not vary markedly among different occupational categories (see Appendix Table A.2).

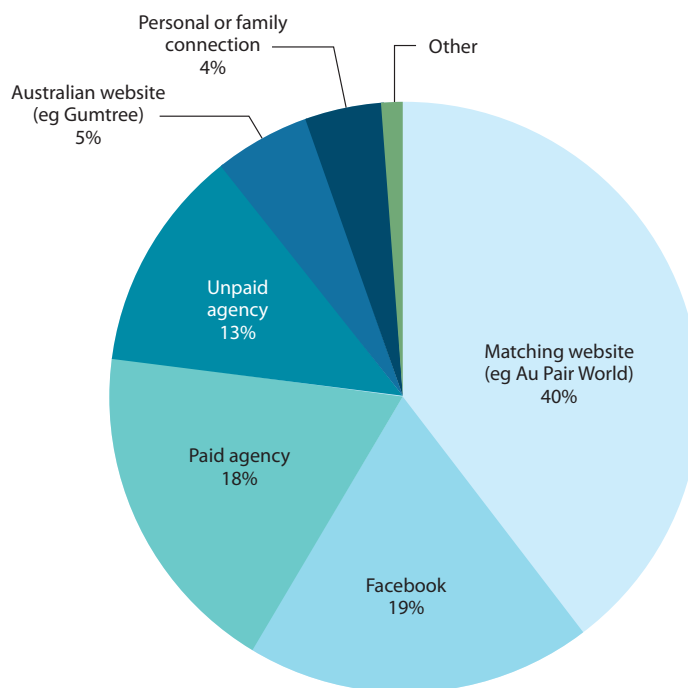
Substantially more participants who paid an agency to arrange the placement were provided with information on what to expect as an au pair

34 See, eg, <https://www.perfectaupairs.com.au/benefits-of-using-perfect-aupairs>; <https://www.aifs.com.au/aupair-australia/placement-process/what-sets-aifs-apart/>

35 www.capaa.org.au

36 There may have been some uncertainty as to how participants understood the question, 'Did you use a cultural exchange / au pair agency to arrange your first au pair placement?'. Of the 444 participants who answered that they did use an agency, 52 may have understood the term 'agency' as a website which matches au pairs and families. That is because these participants both stated that they used an agency to arrange their first placement, and that they received the survey from an agency, when in fact they received the survey from AuPairWorld.

Figure 12 How participants arranged their first placement (n=1,412)



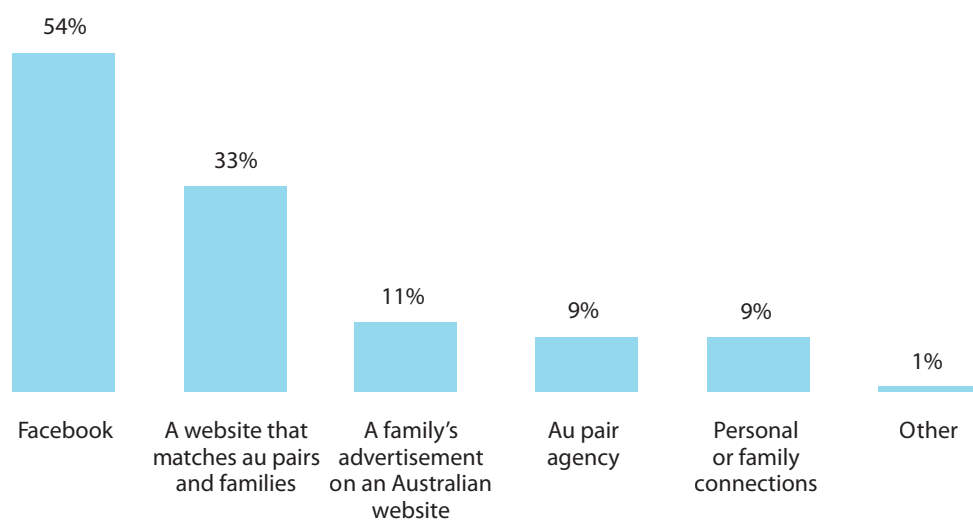
How participants arranged subsequent placements

Of the 1,479 participants who reported having been an au pair in Australia, three quarters (75%) had au paired in only one placement. Eighteen percent had held two placements. Only 7% had completed more than two.

The 25% of participants who had undertaken more than one placement were asked how they arranged subsequent placements after the first. They were permitted to select more than one response. As shown in Figure 13, the majority (54%) used Facebook for a subsequent placement, a third (33%) found a subsequent placement through a matching website (such as AuPairWorld) and only 11% used an au pair agency.

Of the small number of participants who used an agency for which they paid a fee to set up their first placement and then undertook subsequent placements, under a third used an agency to arrange any later placement (30%).

Figure 13 How participants arranged second and subsequent placements (participants could select more than one option) (n=123)



Participants' visas and understanding of visa conditions

As we have noted, there is no dedicated visa for au pairs in Australia. There have been recent headlines about au pairs who arrived in Australia on tourist visas and sought the intervention of the Minister for Home Affairs to avoid cancellation at the airport and removal.³⁷ However, anecdotally most au pairs are in Australia on Working Holiday visas and this is the visa recommended or required by most agencies.³⁸ The Working Holiday program (which includes the 417 Working Holiday visa and the 462 Work and Holiday visa) allows nationals of 42 countries (predominantly in Europe and North America) between 18 and 30 years of age (or 35 in some cases) to work while they holiday in Australia for up to a year. These visas provide work entitlements for the full 12 months of the visa, but only six months with any one employer. Since July 2015, au pairs on these visas who have spent 6 months with an Australian family may apply to continue au pairing for the same family for an additional six months. The regulations contain no definition of au pair or any indication of how this is assessed.³⁹ Visa-holders may extend their stay in Australia for a second year if they complete 88 days' work in certain specified industries (primarily agriculture and construction) in certain regional locations, and since 5 November 2018 may extend their stay for a third year in certain circumstances.⁴⁰

In Australia, visa-holders who work more than permitted on their visa can face visa cancellation, detention and removal from Australia.⁴¹ The Department of Home Affairs treats au pairing in Australia as work, with the consequence that anyone working as an au pair while holding a tourist visa is vulnerable to visa cancellation and removal, as is an au pair on a Working Holiday visa who stays with their family for more than six months without a permitted extension by the Department of Home Affairs. Ordinarily, employers of non-citizens who violate their work-related visa conditions may also face criminal or civil sanctions.⁴² However, employers of workers in the home (including host families of au pairs) are exempt from these offences.⁴³ It is not known how widely these rules and consequences are understood by au pairs or families in Australia.

Participants were asked what visa they held while au pairing at any time in Australia. They were permitted to select more than one option. The overwhelming majority reported holding a Working Holiday visa (including a Work and Holiday visa) at the time they were au pairs in Australia (94%), as seen in Table 7. Only 2% reported holding a tourist visa while au pairing, which would have constituted a breach of the visa condition prohibiting work in Australia.

A majority of participants lacked knowledge about how visa restrictions in Australia apply to au pairing, and the implications of breaching work-related visa conditions

37 Eg, Lisa Martin, 'Dutton granted two au pairs visas', AAP, 26 March 2018, <https://au.news.yahoo.com/au-pair-visa-in-public-interest-dutton-39628203.html>

38 www.capaa.org.au

39 Department of Home Affairs, Procedures Advice Manual 3 [Sch8/8547], 29 September 2018.

40 Department of Home Affairs, 'Working Holiday Visa Program: Changes to the Working Holiday Maker Visa Program', 11 November 2018, <https://immi.homeaffairs.gov.au/news-media/archive/article?itemId=12>

41 *Migration Act 1958* (Cth), ss 116, 189 and 198.

42 *Migration Act 1958* (Cth), ss 245AB and 245AC.

43 *Migration Act 1958* (Cth), s 245AG(2).

Table 7 Visa status of participants while au pairs in Australia (participants could select more than one option) (n=1,244)

Visa held while an au pair in Australia	Proportion of all participants
Working Holiday visa	94%
Student visa	3%
Tourist visa	2%
Don't know	0.4%
Permanent resident in Australia	0.5%
Australian citizen	2%
Other	1%

Participants were asked about their knowledge of how visa restrictions on work apply to au pairing and the possible consequences of au pairing in breach of visa conditions both for themselves and their host families (Table 8). A majority of participants lacked knowledge about how visa restrictions in Australia relate to au pairing, and the implications of breaching work-related visa conditions. Less than half correctly identified that, if their au pair placement breached the work limitations on their visa, their visa could be cancelled (46%) or they could be removed from Australia (45%). Ten percent stated, incorrectly, that no consequences flow from au pairing contrary to work restrictions since au pairing is not work. A third (32%) incorrectly stated that the family can get into trouble when an au pair contravenes their work-related visa restrictions. Over a third (35%) stated that they did not know what consequences flowed from an au pair placement that breaches visa conditions.

Table 8 Knowledge of immigration rules among all participants (participants could select more than one option) (n=1,244)

From your understanding, if the amount of time you spend au pairing breaches your visa's work restrictions, which of the following could happen?	Proportion of all participants	True or false?
Your family can get into trouble	32%	False
Your visa could be cancelled	46%	True
You could get deported by the Immigration Department	45%	True
Nothing since au pairing isn't work	10%	False
I don't know	35%	-

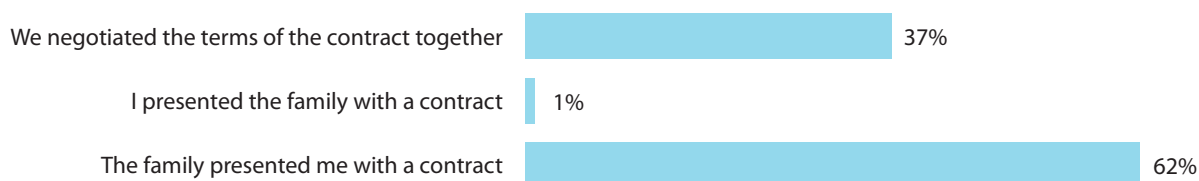
Participants who correctly identified that au pairing in excess of visa restrictions can lead either to visa cancellation or removal were then asked to state the sources of that information. Their answers were as follows: word of mouth (43%), Immigration Department (31%), social media (25%), I don't know (22%), cultural exchange agency (18%) and other (5%).

A written contract between participants and families

Participants were asked whether they had signed a written contract or agreement with their host family before they started their first placement. Only 39% of participants reported having done so. Of these, for three in five (62%), the host family presented the participant with a contract for agreement, while over a third (37%) negotiated the terms of the contract together with their host family (Figure 14).

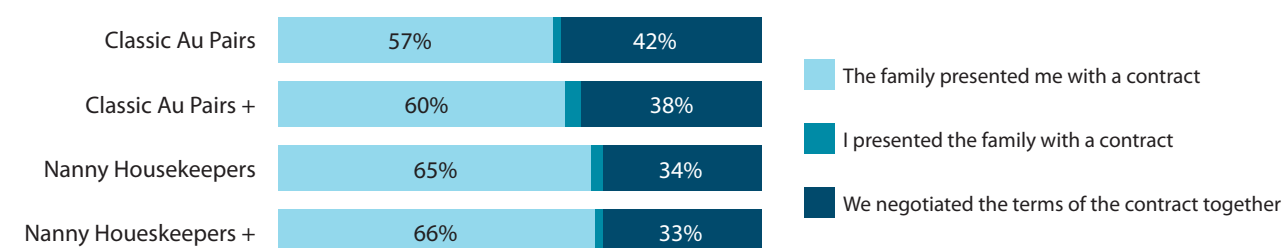
A greater proportion of participants who used an agency for which they paid a fee to arrange their first placement signed a written contract with their family beforehand (81%), compared with 39% of participants who used an agency for which they paid no fee and 28% of those who used no agency. However, when it came to whether the participant played a part in negotiating the contract, there was little difference between the proportion of participants who paid a fee for their agency and of those who did not. Overall, a greater proportion of participants who had used either type of agency were presented with a contract by the family rather than negotiating the contractual terms with the family bilaterally (see Appendix Table A.3).

Figure 14 Who decided the terms of the contract (n=547)



Greater proportions of Classic Au Pairs and Classic Au Pairs + had signed a written contract prior to commencing the placement (44% and 48% respectively), than Nanny Housekeepers and Nanny Housekeepers + (35% of each). Figure 15 shows that Classic Au Pairs also most frequently reported negotiating the terms with the family (42%) and Nanny Housekeepers + least frequently reported doing so (33%), with the other occupations falling in between.

Figure 15 How the contract terms were determined, by occupational category (n=507)



Police and Working With Children Checks

Participants were asked whether they had obtained a police check or a Working With Children check⁴⁴. Just under half (44%) indicated they had obtained either or both (with 16% having obtained both). Among participants who used an agency for which they paid a fee to arrange their first placement, these proportions increased, with 88% obtaining a police or Working With Children check or both, including 45% obtaining both.

⁴⁴ A Working With Children Check is a requirement of all states and territories in Australia for people who work or volunteer in child-related work. Aiming to prevent those who pose a risk to children from working or volunteering with them, it involves a national criminal history check and a review of findings of workplace misconduct. Each state's scheme is titled slightly differently.

VI. What were au pairs' working conditions in their first placements?

In addition to the tasks they were asked to perform (see Section II. above), participants were asked about other working conditions during their first placement. This section considers participants' weekly hours, pay, bonuses, weekly scheduling, days off, leave and termination arrangements.

Hours and pay

Hours

Maximum recommended hours of duties vary across different au pair agencies and peak bodies. For instance, the Australian industry association, CAPAA, sets a maximum of 40 hours per week.⁴⁵ Another Australian agency, JCR, suggests 25-35 hours per week,⁴⁶ while the UK industry group, BAPAA, stipulates a maximum of 30 hours per week including babysitting.⁴⁷

On average, survey participants worked an average of 34 hours per week in their first placement. More than three quarters (77%) worked 30 hours per week or longer, while just under a third (30%) worked 40 hours per week or longer (see Figure 16). Nearly one in twelve (8%) worked 50 or more hours per week. Those who used an agency to arrange their placement were not less likely to work more than 40 hours per week. The few male participants worked shorter average hours than the female participants: 30 compared to 34 hours per week.

Hours varied substantially according to location, as shown in Figure 17. A greater proportion of participants in remote or very remote Australia worked 40 hours or more (66%) compared to those in major cities (28%), although the numbers of participants in remote areas were small.

Figure 16 Hours of work per week in first placement (n=1,336)

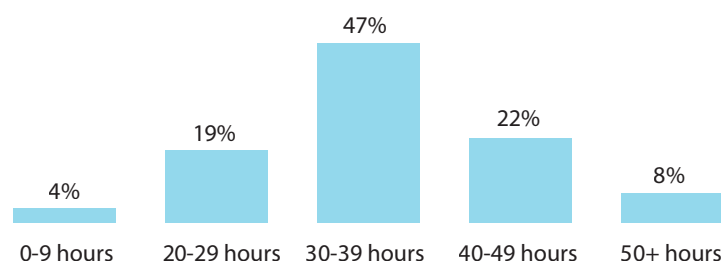
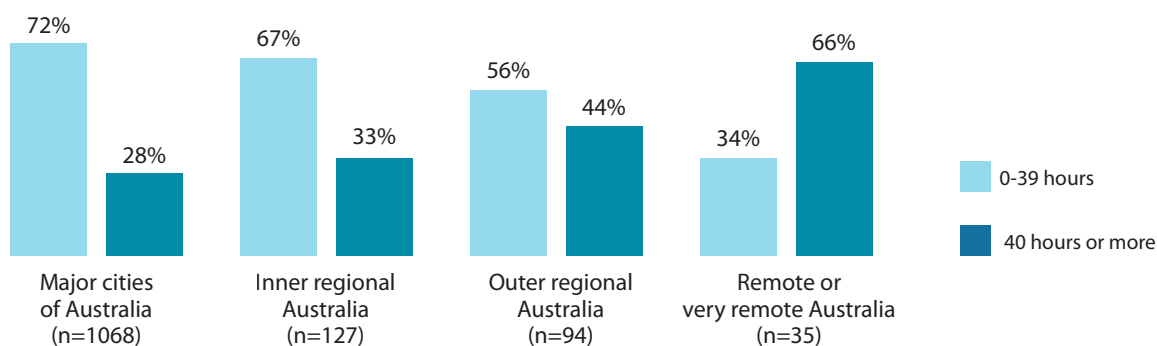


Figure 17 Hours of work per week in first placement by remoteness of family's location (n=1,324)



45 <http://www.capaa.com.au/for-families/>. See also <https://www.aifs.com.au/aupair-australia/placement-process/>

46 <http://www.jcraupairs.com.au/au-pair-for-my-family/au-pair-duties/>

47 <http://bapaa.org.uk/host-families/what-is-an-au-pair/>

Weekly pay

The language used by agencies to discuss au pairs' pay has traditionally been linked to the idea of au pairing as a cultural homestay. For instance, the term 'pocket money' is frequently used across the industry to describe au pairs' pay for hours worked, framing childcare as a 'chore' rather than employment.

However, the asserted distinctions between au pairs and workers (if they ever were observed in practice) are beginning to dissolve in some quarters. Indeed, courts and employment tribunals in several other countries have ruled that au pairing is covered by basic employment laws.⁴⁸ Australia's labour inspectorate, the Fair Work Ombudsman, has issued guidance that is somewhat equivocal. It states that some au pairs are 'like live-in employees, working long hours as a child carer' whereas others are not in an employment relationship where they 'live with families in Australia primarily for a cultural experience ... [providing] a small amount of assistance looking after children.'⁴⁹ Where au pairs are employees, FWO indicates that they may be covered by an Award.⁵⁰

Following this trend, some agencies have also explicitly begun to modify the language they use to describe au pairs' payments. While many still use the term 'pocket money', others describe payments as a 'stipend' or 'salary'.⁵¹ Another pegs recommended rates of pocket money to the national minimum wage.⁵² At around the time of the survey, the following ranges of pay rates and hours were recommended by various agencies:

- \$240 per week for up to 35 hours, or \$290 per week for 36-40 hours or, for an au pair with formal childcare qualifications, \$270 per week for up to 35 hours, or \$360 per week for 36-40 hours;⁵³
- Minimum of \$175 per week for up to 25 hours plus \$12 per additional hour;⁵⁴
- Minimum of \$170 per week (but most families pay \$200-250) for up to 30 hours, or minimum of \$255 per week for up to 35 hours or \$340 per week for up to 40 hours.⁵⁵

Among survey participants, the average weekly pay was \$235.85. The median (50th percentile) weekly pay was slightly lower, at \$225.00. Average pay was \$235.99 for female participants and \$235.00 for males. As noted above, however, average hours of male participants were lower than females'.

Hours and weekly pay by occupational categories

Weekly pay did not vary widely between occupational categories. Table 9 shows that the average reported weekly pocket money for Classic Au Pairs was \$233.52, while for Nanny Housekeepers it was \$239.06. Table 8 also gives further information about the distribution of weekly pocket money within occupational categories. Among Classic Au Pairs, the middle 80% reported receiving between \$175 and \$300 per week; the middle 50% between \$200 and \$250 (around the median of \$230).

48 For example, Ireland and New Zealand.

49 Fair Work Ombudsman, 'Nannies & au pairs – employment status & award coverage' https://www.fairwork.gov.au/library/k600086_nannies-au-pairs-employment-status-award-coverage

50 Ibid.

51 See, eg, <https://www.aifs.com.au/aupair-australia/other-costs-to-consider/>; <https://www.aifs.com.au/aupair-australia/au-pair-in-australia/>

52 Eg, <https://www.smartaupairs.com.au/what-is-an-au-pair/au-pair-pocket-money/>

53 <https://web.archive.org/web/20170217214025/https://www.aifs.com.au/aupair-australia/placement-process/>

54 <https://web.archive.org/web/20170218030959/http://www.aupairnetwork.com.au/families.php 2/>

55 <https://web.archive.org/web/20170316223120/https://www.smartaupairs.com.au/what-is-an-au-pair/au-pair-pocket-money/1/>

Table 9 Average distribution of weekly payment received in first placement, by occupational category (n=1,295)

	Average	Percentile 10	Percentile 25	Percentile 50 (median)	Percentile 75	Percentile 90
Classic Au Pairs	\$233.52	\$175	\$200	\$230	\$250	\$300
Classic Au Pairs +	\$241.63	\$180	\$200	\$222.50	\$250	\$300
Nanny Housekeepers	\$239.06	\$160	\$200	\$230	\$255	\$325
Nanny Housekeepers +	\$235.02	\$150	\$200	\$230	\$270	\$300

The apparent lack of variation in average weekly pay by occupational category is due, in part, to the fact that while these groups undertook different tasks, their average weekly hours of work did not vary very greatly. Classic Au Pairs reported working an average of 32 hours per week, while Nanny Housekeepers reported working an average of 35 hours per week, and Nanny Housekeepers + reported an average of 37 hours per week.

Figure 18 shows that a significant proportion of participants in all occupational categories reported very long working hours, and that long working hours were more prevalent in occupational categories that include non-child-related tasks. Nearly a quarter of Classic Au Pairs and Classic Au Pairs + (24% and 23% respectively) reported working 40 hours per week or more, while a third of Nanny Housekeepers (32%) and two-fifths of Nanny Housekeepers + (39%) reported working 40 hours per week or more.

Figure 18 Grouped hours in first placement by occupational category (n=1,299)



More than three quarters of participants worked 30 hours per week or more. Just under a third worked 40 hours per week or more

Notional hourly wage

We sought to bring hours and pay together by determining a 'notional hourly rate'. We calculated this for each participant by adding an imputed weekly value of in-kind accommodation and board to the amount of weekly pocket money each participant reported, and dividing this total by the weekly hours each reported working. The rate of \$280 was chosen for the value of in-kind accommodation and board.

Establishing a benchmark for in-kind accommodation and board

The rate of \$280 was chosen for the value equivalent to in-kind accommodation and board because this is the amount paid under a major homestay scheme in Australia to homestay hosts in Sydney in 2018 for an adult student (18 years old or older) for room and board, including 3 meals per day.⁵⁶ However, \$280 is likely to be an over-estimation of the value of in-kind accommodation for au pairs for four reasons:

1. This was the rate paid by a major homestay scheme to homestay hosts in 2018 even though participants' hourly wages were paid in 2017 and previous years. (Rates payable to homestay hosts from previous years were not available.)
2. This was the rate paid to hosts in Sydney, Melbourne, Hobart, Newcastle and Wollongong; for homestays in other state capitals and regional centres, hosts were paid lower rates (from \$233.50 in Northern NSW to \$270 in Adelaide). Only in Darwin was the rate higher (\$295); note 3% of survey participants were located in the NT (see Table 2 above).
3. The Homestay situation positions the student as a customer, paying the host, whereas an au pair in a family is a worker paid by the family. For this reason we have calculated based on payment made to families under the scheme (2018 prices) rather than actual amount paid by students, which is higher because it includes the agency's fee of approximately 15% per week.
4. The Australian Homestay Network website states that it may be possible for a homestay provider to make a small income on this amount.⁵⁷ Indeed, media reports have alleged that some households use the scheme as 'a lucrative opportunity to turn their home into a steady income'.⁵⁸

These considerations suggest that is \$280 is a generous estimate of the actual cost to the family and valuation of the benefit to the au pair.

The average notional hourly wage for all participants was around \$17.10 *including the inferred value of in-kind board and lodging*. The median notional hourly wage was \$15.31.

Notional hourly wage compared with legal minimum wages in Australia

We can determine the adequacy of au pair wages by comparing them with applicable minimum legal wages in various relevant instruments at the time of the survey. In doing so, we must take into account that junior rates of pay would have applied to participants who were under 21 during their placement. Since participants were asked only for their age at the time of the survey, we have analysed notional hourly wage rates across ages for participants who were currently au pairing only. The comparisons shown in Table 10 are likely to significantly

56 <https://www.homestaynetwork.org/hosting/how-hosts-are-paid/>

57 <https://www.homestaynetwork.org/hosting/faq-2/>

58 Katri Uibu, 'International Homestay: Students Put up with "Terrible" Conditions to Help Boost Hosts' Budget', *ABC News*, 20 May 2016.

underestimate participants' entitlements under the Awards. We have chosen the most conservative comparator rates at the bottom classification in the two applicable Awards, and for simplicity have not taken into account penalty rates and casual loadings.

Table 10 Proportions of participants at different ages whose notional hourly wage was at least equal to minimum legal hourly wage rates in Australia

	National minimum wage rates (and Miscellaneous Award rates) at time of survey*		Children's Services Award at time of survey**	
	Minimum legal wage rates	Proportion of participants paid at least minimum	Minimum legal wage rates	Proportion of participants paid at least minimum
18 years (n=93)	\$12.09	92%	\$16.30	31%
19 years (n=139)	\$14.60	57%	\$18.11	19%
20 years (n=88)	\$17.29	35%	\$18.11	25%
21 years and older (n=328)	\$17.70	23%	\$18.11	21%

* Fair Work Ombudsman, Pay Guide – Miscellaneous Award 2010 [MA000104], 30 January 2017, rates for Level 1 from July 2016, awardviewer.fwo.gov.au/award/downloadsummary/G1046529.

** Fair Work Commission Determination, Annual Wage Review 2015-16 – Children's Services Award 2010, 2016-17 Rates for a Level 1.1 Children's Services Employee on commencement, <https://www.fwc.gov.au/documents/awardsandorders/html/pr579915.htm>.

Notional hourly wage by gender

The average notional hourly wage was 25% higher for male participants (\$21.01) than female participants (\$16.85), reflecting the finding that male participants reported the same average weekly pay as females but worked fewer hours on average.

Notional hourly wage by occupation

There was some variation by occupational category in the notional hourly wage: the average was a little higher for Classic Au Pairs, and a little lower for Nanny Housekeepers. The middle 50% of Classic Au Pairs received between \$13.75 and \$18.33; only the top 10% of this group received \$22.00 per hour or more, while those in the bottom 10% received \$12.29 or less. The middle 50% of Nanny Housekeepers received between \$13.25 and \$17.67, while the top 10% of this group received \$23 or more. The group with the lowest notional hourly rate was Nanny Housekeepers +. Those in the bottom 10% received at most \$9.56 (see Appendix Table A.4).

Notional hourly wage by location

Notional hourly wages also varied across the location of the first placement. Participants in major cities earned the highest average notional hourly wage (\$17.40 per hour) and the highest wages across the entire distribution. The few participants in very remote locations earned the lowest average notional hourly wage (\$13.66 per hour). Participants in the bottom half of the pay distribution in very remote placements earned less than \$13.00, while those in the bottom 10% of this group earned \$8.73 or less (see Appendix Table A.5), presumably reflecting the higher proportion working long hours (see Figure 18 above).

Notional hourly wage by family composition

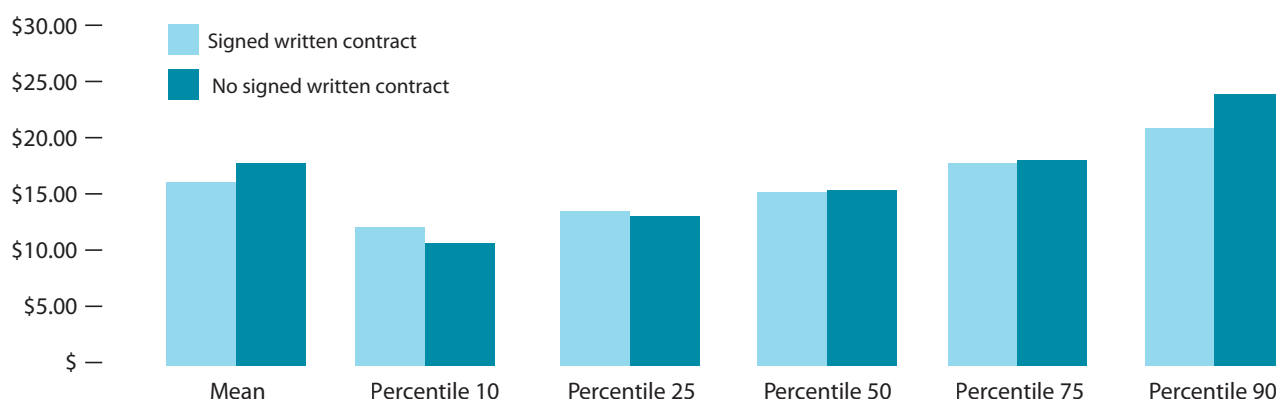
Participants living with single parent families with one or two children earned an average notional hourly wage of \$18.03, higher than the overall average. It is possible that these families were seeking to compensate participants for a perceived lack of family experience, or seeking to attract participants to a less desirable position.

Did signing a contract or using an agency make a difference?

Overall, signing a contract before starting the first placement appeared to raise the floor of hourly wages for the bottom quartile of earnings for all participants. However, a written contract did not result in higher notional hourly wage rates for the others, as illustrated in Figure 19. In fact, higher notional hourly wages in the top half of the distribution were reported by participants who had not signed a contract.

The distribution of notional hourly wages did not differ substantially according to whether participants used an agency to arrange their placement (see Appendix Table A.6).

Figure 19 Distribution of 'notional hourly wage' in first placement according to whether participants signed a written contract



Bonuses

In order to provide an incentive for au pairs to remain at least as long as initially agreed, one common practice is to offer completion bonuses for staying to the end of the placement.⁵⁹ Accordingly, participants were asked whether they received such a bonus in their first placement, and if so how much.⁶⁰

Of those who had completed their first placement, a third (32%) received a completion bonus.⁶¹ This proportion rose to 39% and 35% for Classic Au Pairs and Classic Au Pairs + (respectively), and fell to 30% and 24% for Nanny Housekeepers and Nanny Housekeepers + (respectively).

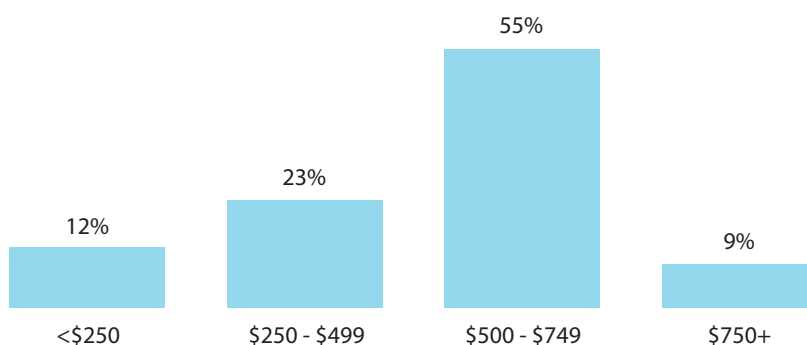
As shown in Figure 20, over a third (35%) of completion bonuses were less than \$500, with a further 55% between \$500 and \$749.

59 For instance, several agencies recommend a completion bonus such as \$500 or \$300 plus one week's paid leave: see <https://www.aifs.com.au/aupair-australia/fees-and-costs/other-costs-to-consider/>; <https://www.smartaupairs.com.au/what-is-an-au-pair/au-pair-pocket-money/>

60 'Completion bonus' was described in the survey as 'extra money for staying until the end of the placement'.

61 A quarter (25%) had not yet finished their first placement.

Figure 20 Grouped amounts of completion bonus, as proportion of participants who received completion bonus in first placement (n=306)



Weekly scheduling

The survey asked participants about their weekly work schedules. A large majority (79%) had a weekly schedule which set out expected hours ahead of time (see Table 11).

Four in five participants (82%) reported having been asked to work extra hours. Of these, more than half (53%) were not given 2 days’ notice of these extra hours, and fewer than half (47%) were paid for them. Of those who were paid, half (52%) were paid \$10 per hour or less. Three quarters (77%) were paid \$15 per hour or less.

There was significant variation across different occupational categories. The broader the range of tasks undertaken in the position, the larger the proportion of participants reporting disadvantageous conditions (being asked to do extra hours or being asked to work different hours than agreed). The narrower the range of tasks undertaken, the greater the proportion of participants reporting advantageous conditions (knowing expected hours ahead of time, being paid for any extra hours, receiving 2 days’ notice of any extra hours requested and receiving 2 days’ notice of any variation in hours expected).

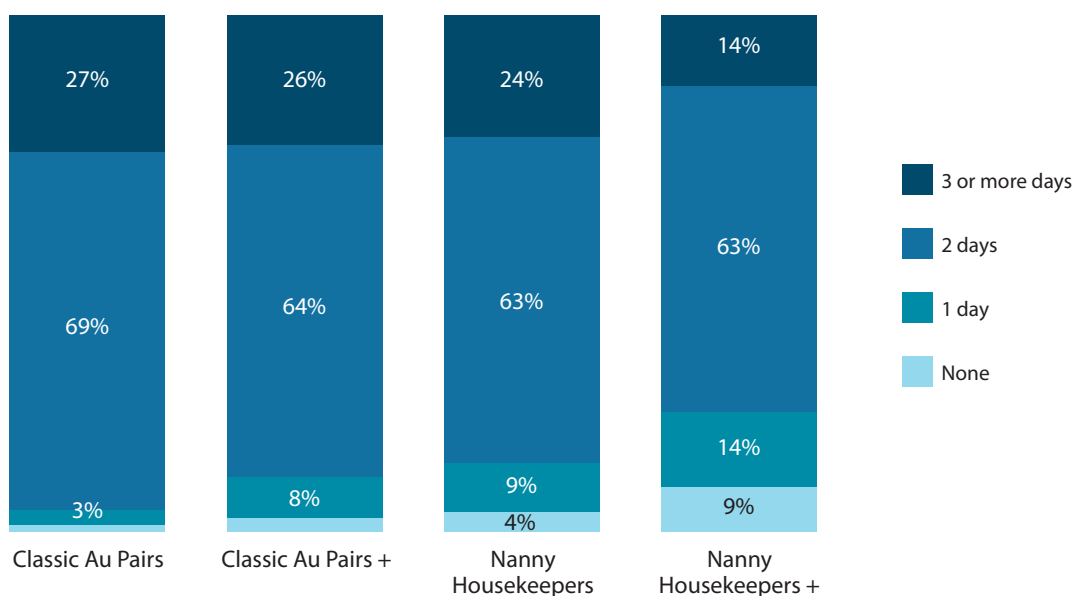
Table 11 Schedule and hours reported by each occupational category

	Classic Au Pairs	Classic Au Pairs +	Nanny Housekeepers	Nanny Housekeepers +	All Participants	n=
Have/had a weekly schedule so knew expected hours ahead of time	87%	79%	78%	69%	79%	1,299
Asked to do extra hours, for example extra babysitting, outside standard hours	80%	81%	82%	87%	82%	1,282
Given 2 days’ notice of extra hours	71%	64%	52%	40%	57%	1,052
Paid for these extra hours	57%	51%	44%	37%	47%	1,052
Asked to work different hours from the agreed weekly schedule	46%	48%	54%	60%	52%	1,278
Given 2 days’ notice of different hours	59%	56%	45%	37%	48%	658

Days off

Participants were asked about their days off each week, and how much paid and unpaid holiday time they received. A substantial majority (88%) received two or more days each week on which they had no expected duties and were not on call. However, as shown in Figure 21, more Classic Au Pairs enjoyed two or more days off (96%) than Nanny Housekeepers + (77%), with the other occupational categories falling in between. Four percent of all participants received no days off whatever; this proportion doubled for Nanny Housekeepers + (9%).

Figure 21 Number of days off per week in first placement (with no duties whatsoever and not on call) by occupational category (n=1,229)



Leave

Just under a third (29%) of participants received two or more weeks paid holiday and a further 15% received one week paid holiday. A third (32%) received no paid or unpaid holiday.

Conditions better or worse than agreed

Participants were asked if any conditions of their placement were better or worse than they had agreed with their family at the beginning of their placement. Participants were invited to select any number of items from two lists. The list of conditions that were better than agreed included more access to phone/car/other amenities, fewer hours of work, more weekly pocket money/payment, easier childcare/household duties, more days off, more paid holiday, and more unpaid holiday. The list of conditions which were worse than agreed included more hours of work, different hours than agreed, less notice of changes in hours, different childcare/household duties than agreed, less weekly pocket money/payment, fewer days off, less paid holiday and less unpaid holiday. Both questions also provided an opportunity to provide an open response.

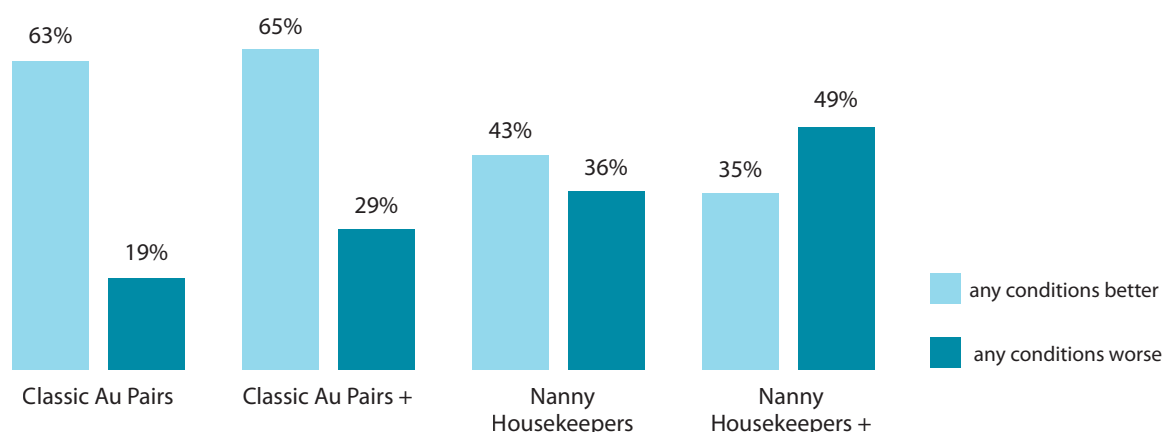
Overall, half of participants (50%) indicated that one or more conditions were better than agreed. The three conditions which the most participants indicated were better were: easier childcare/household duties (50%), more access to phone/car/other amenities (49%) and fewer hours of work (32%). Participants gave a range of open responses when asked for any other conditions that were better than agreed, some examples being: 'more extras like dinner or movies from their families shop/restaurant' and 'The contract didn't say anything about paid holiday so I was surprised when they gave me money for not working'. As discussed in Section VII. below, many open responses about better conditions referred to their personal connection with the family, for example: 'the overall

experience and inclusion in the family made the experience worthwhile, 'My family took me on family holidays and all their family welcomed me to family events' and 'Being a part of the family, helping me with my trip (lending me all their stuffs, calling the tour, giving me a lift and helping with every little thing I need)'.

A third of participants (32%) indicated that one or more conditions were worse than agreed. The following three conditions were those most participants indicated were worse: more hours of work (54%), worse childcare/ household duties than agreed (51%) and different hours than agreed (48%). Examples of open responses specifying other conditions that were worse than agreed included: 'Education of a puppy', 'Language was harder than I thought it would be', and 'They wanted me to discipline the kids by means of smacking, which I refused to do'. More egregious examples of open responses to the questions about conditions being worse than agreed are discussed in Section VII. below.

In relation to the different occupational categories, as the range of tasks increased, greater proportions of participants reported that one or more working conditions were worse than they had previously agreed with their family, and smaller proportions of participants reported that one or more conditions were better than they had agreed (Figure 22). In addition, Nanny Housekeepers and Nanny Housekeepers + on average reported a greater number of conditions that were worse, compared with Classic Au Pairs and Classic Au Pairs +. Conversely, Classic Au Pairs reported on average a greater number of conditions that were better, compared with the other occupational categories. These findings suggest that Nanny Housekeepers and Nanny Housekeepers + expected a placement that more closely resembled Classic Au Pairs or Classic Au Pairs +.

Figure 22 Whether any conditions were better or worse in first placement than previously agreed, by occupational category (n=1,285)



Terminating the placement and notice

Prior agreements about notice periods

Participants were asked whether they had an agreement with their family in their first placement to give notice in the event the placement ended early. Their responses suggest asymmetries in the power relations between families and au pairs. Over half of participants (56%) reported having an agreement with the family that the au pair would give notice if they decided to end the placement. By contrast, fewer participants (46%) stated that they had an agreement that the family would give notice if they decided to terminate the placement.

A slightly greater proportion of participants who used an agency reported an agreement with the family to provide notice upon early termination, both in favour of the family and the au pair. Around three in five participants who used an agency for which they either paid a fee or did not (58% and 61% respectively) reported a prior agreement to give the family notice if they decided to leave early, compared with 55% of all others. Over half of participants who either used an agency for which they paid a fee or did not (52% and 54% respectively) reported an agreement that the family would give them notice on early termination, compared with 43% of all others.

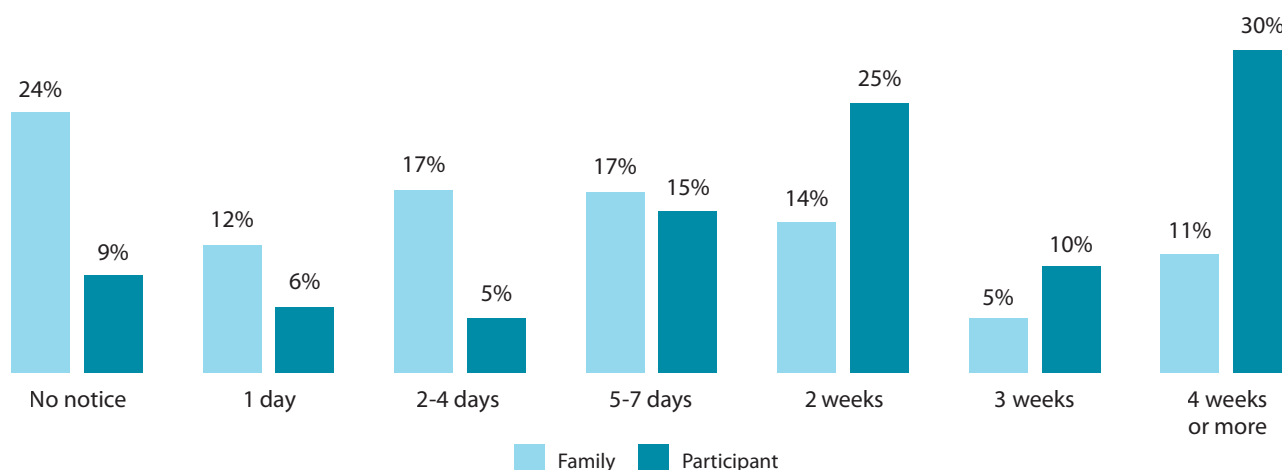
Ending the placements and notice actually given

Participants were asked whether their first placement ended early and how much notice they actually gave to the family or was given to them. A third (32%) of participants' first placements ended early, which suggests that au pairing is an extraordinarily insecure form of childcare. Of these, a third (33%) were asked to leave and two thirds (67%) chose to leave.

The asymmetry in prior agreements about notice periods is also reflected in the periods of notice given by the participant as compared with those given by the family. More than a third (36%) of participants were given one day or less to leave. Just over a half (53%) were given four days or less. Only 1 in 6 (16%) received three weeks or more notice before being required to leave the family home. Conversely, among the participants who chose to leave their first placement early, only one in five (20%) gave their family four days' notice or less. Two in five (40%) gave their family three weeks' notice or more. Figure 23 captures these contrasts.

Turning to differences for participants who used an agency to arrange their first placement, a smaller proportion were asked to leave early (22% for those who had paid a fee to the agency and 31% of those who had not, compared with 35% of others). However, there was no substantial difference between these participants when it came to the actual periods of notice given by families who terminated the placement early (although the numbers were very small). On the other hand, families appeared to benefit from their au pair using an agency in terms of notice actually given by au pairs who left early: only 14% of participants who had paid for an agency and left early gave their family only 4 days' notice or less, compared with 18% of those who used an agency for which they did not pay and 21% of all other participants.

Figure 23 Notice periods given by participants and by the family, among participants whose first placement ended early (n=234)



Among participants who had signed a written contract, a greater proportion were given more substantial periods of notice: 41% of those with a signed contract received notice of two weeks or longer upon dismissal, while only 26% of those without a contract received this length of notice. However, having a written contract did not appear to make a substantial difference to summary dismissal – of those who were asked to leave with one day notice or less, 32% held a signed contract and 37% did not.

Open responses reveal the reality of lack of notice for au pairs, with statements including 'I have been thrown out without a place to go to and no money', 'After I have told the family I would like to leave, I had to move out immediately. According to the contract either the family or me must be given 2 weeks', and 'They wanted to terminate 6 weeks early. Which meant they wanted me to leave Christmas eve'.

VII. Types and prevalence of different problems

This section examines a range of problems reported by participants in their experience of au pairing in Australia. The discussion below considers the prevalence of these problems and how they vary among cohorts. Cohorts explored include participants who had a written contract or used an agency to set up the placement, as well as those with host families of different compositions and locations.

Questions about certain serious problems were asked in relation to any placement in Australia, while questions about other positive or negative experiences while au pairing mostly related only to participants' first placement. This has implications for analysis of intersections between participants' reported conditions in relation to their first placement and problems they reported in any placement. It is not possible to assume that problems experienced in any placement occurred in their first placement, except for participants who only had one placement. Therefore, when considering the relationship between problems and any characteristics of the participants' first placement (such as family location or composition or use of an agency), analysis is restricted to the 1,004 participants who only had one placement.

Incidence and nature of serious problems in any placement in Australia

Participants were asked about any serious problems they encountered in any placement in Australia. They were permitted to select more than one option. More than two in five (41%) participants selected at least one of the problems listed in Table 12.

Table 12 Serious problems reported by participants in any placement in Australia (n=1,270)

Type of problem	Number of participants	Proportion of the participants who answered this question
Feeling compelled to work more than expected	334	26%
Feeling compelled to work different tasks than expected	268	21%
Lack of privacy	203	16%
Not able to move around freely	151	12%
Non-payment of money	124	10%
Verbal abuse	101	8%
Poor quality or inadequate food	103	8%
Poor quality accommodation	76	6%
Accidental injury in the home or car	57	5%
Not able freely to contact family and friends	40	3%
Physical harm	25	2%
Identity or travel documents held by the family	7	1%
Sexual harm	17	1%

Sexual harm

Concerningly, 17 participants reported experiencing sexual harm while au pairing. Open responses by two participants stated: 'Host dad relentlessly hitting on me' and 'stalked'.

Psychological harm

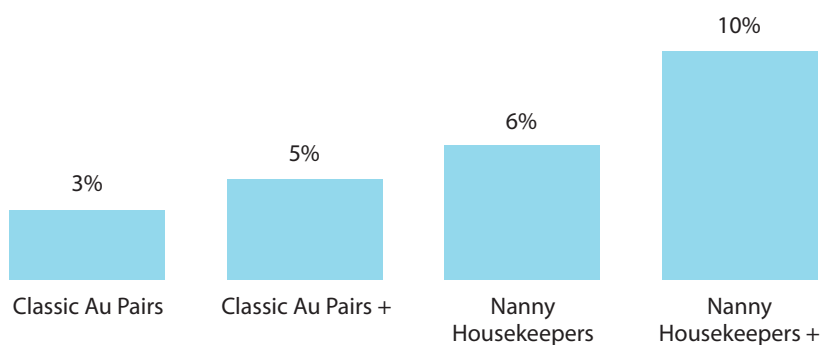
Verbal abuse while au pairing was reported by 101 participants (2%). In open responses, participants revealed that 'I was yelled at for no reason', 'Mutter schreit viell' (mother screams a lot), and 'Verbal abuse within the household stating I ate too much food'.

Among participants who paid an agency to arrange their first placement, a smaller proportion reported verbal abuse in that placement. However, in relation to all other harmful experiences, participants who used an agency in their first and only placement did not report substantially fewer serious problems or lower incidence of any problem. In addition, the proportion of participants who used an agency who reported experiencing no problems was not higher than for other participants (see Appendix Table A.7).

In response to the question asking about problems in any placement in Australia, in addition to selecting the 'verbal abuse' option, participants also reported in their open responses various other experiences of what might be characterised as 'psychological harm'. These included references to disrespectful treatment, family violence or heavy alcohol or drug use, poor communication or treatment, other psychological issues or predatory behaviour, parents separating or conflicts between parents. The total number of participants who reported any of these experiences, including verbal abuse, was 129, or 10% of participants who answered this question.⁶²

Among the 55 participants who experienced psychological harm in their first and only placement, psychological harm was experienced differently across the different occupational categories: as tasks increased, greater proportions of participants experienced psychological harm (Figure 24).

Figure 24 Proportion of participants who experienced psychological harm, by occupational category (among participants who had only one placement) (n=927)



The proportions of participants reporting psychological harm in their first placement were similar whether they had paid an agency, used an agency for which they did not pay or no agency to set it up (see Appendix Table A.8).

A range of other personal and emotional issues were reported in open responses to various questions, for example: 'The dad was having an affair on the mum, and the dad used to tell me all about the affairs making me feel very very uncomfortable', 'domestic abuse', 'the parents are going through a separation', 'Conflit conjugal' (marital conflict), 'Alcoholism of parents', 'Patre qui boit trop d'alcool' (father who drinks too much alcohol), 'Inappropriate

⁶² Note this number is likely to underestimate the total number of participants who experienced such problems. Only the category of verbal abuse was put to all participants. This number includes only those participants who elected to describe other mistreatment as an open response, and so was not put to all participants.

behaviour from the husband. Abusive comments and zero respect; 'Mother's boyfriend had a drug problem'; and 'Familienvater war nicht einverstanden, ein AuPair anzustellen, Mutter hatte dies ohne sein zustimmen getan' (Father did not agree to hire an au pair, mother had done this without his consent).

Other issues were raised in open responses in relation to participants' difficulties with the behaviour of the children, for example: 'Being physically hit and sworn at by the children. No support from the agency and was told another family wasn't available. The agency claimed they were "a lovely family" and failed to mention their previous au pair had also left after 3 weeks for similar disputes'; 'Getting kicked and slapped by the children'; 'They talked behind my back' and 'Kinder sind viel ungehorsamer und aggressiver als zuvor angekündigt' (Children are much more disobedient and aggressive than previously advised). Others described parental aggression against the children.

Exploitative working conditions in participants' first placement

In answering various questions throughout the survey, participants also provided a range of open responses which indicated exploitative working conditions. Some responses suggested an extremely high workload or an unpredictable work environment, such as: 'je ne suis pas être un esclave' (I did not go to be a slave), 'Being treated like a modern day slave'; 'Once the parents left the country for a holiday and left me with their 18 month old for 2 weeks. I received no extra pay'; 'I did everything!'; 'Simply leaving the children in the house with me without telling me to go grocery shopping etc... Gone for hours at a time'; and 'Mit fieber arbeiten' (working with a fever). Other open responses pointed to inappropriate duties such as 'painting fence'; 'washing the car'; 'organising lego by size and colours in the cellars'; 'scrubbing floors'; 'die Eltern chauffieren' (driving the parents). Participants also revealed inappropriate extraneous duties not anticipated through a direct question in the survey. These included working for host parents outside of the home ('I didn't think i would have to clean the shop' or 'extra work for my host mom's business'; 'No free time, working 24/7... Doing work to do with their businesses, not just the children'). Still other responses described host families in which parents appeared to abdicate their parental roles, for example: 'Ich war keine Hilfe ich war die Mutter' (I wasn't the help, I was the mother), 'parents not coming home at night and were not contactable'.

Many open responses to the question as to whether any working conditions were worse than had been agreed reported the family's inflexibility or curtailing of the participant's choice, for example: 'they often pressure me to go out during my day off even though i just want to take a rest at home'; 'Always on call, the kid was spoilt and aggressive'; 'When off duty, unless I was away travelling, I wouldn't feel I was off duty'; 'On call all hours of the night'; 'The parents ... were very demanding and frequently texted me jobs to do and changes of plans. I never knew when I would be working or when they'd be home'; and 'Haufig auf Abruf bereit sein, flexible Arbeitsstunden, sodass eine genaue Planung der Freizeit schwierig war' (often on call, flexible working hours, making accurate scheduling of leisure time difficult).

Other open responses indicated ways in which participants felt taken advantage of, such as: 'Being expected to pay for groceries or kids stuff out of my own pocket and family would pay me back later (some didn't)'.

Defining exploitative working conditions

Since these open responses reveal a variety of problems in participants' experiences, we developed a more systematic definition to track the incidence of exploitative working conditions experienced by participants. To identify participants who had experienced exploitative working conditions, we selected participants who reported:

- Receiving a 'notional hourly wage' (based on an imputed value of accommodation and board of \$280) of \$13.50 per hour or less in their first placement (on the basis that this was roughly three quarters of the statutory minimum wage in Australia at the time of the survey); or
- Working more than 45 hours of duties per week in their first placement; or
- Receiving fewer than two days off per week in their first placement; or
- Experiencing non-payment of money.

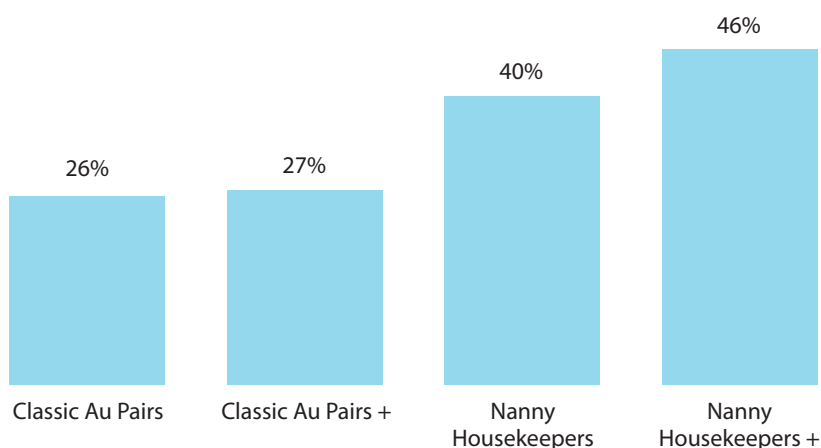
While most of these indicators related to participants' first placements, responses as to non-payment of money related to any placement. Consequently, the following analysis was restricted to those participants who had a single placement.

A total of 332 participants met the criteria for exploitative work out of a total of 1,004, or a third (33%) of all valid responses to these questions.

Which participants experienced exploitative working conditions?

There was a substantial variation in the proportions of different occupational categories that experienced exploitative working conditions, with just over a quarter (26%) of Classic Au Pairs experiencing economic exploitation, compared with almost a half (46%) of Nanny Housekeepers +, with the other groups falling in between (Figure 25).

Figure 25 Proportion of participants who experienced exploitative working conditions, by occupational category (among participants who had only one placement) (n=927)



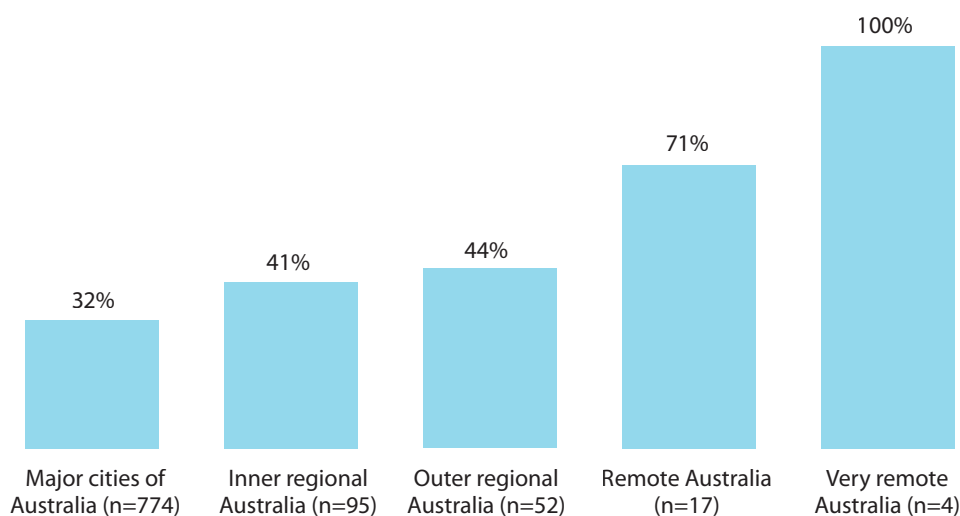
Using an agency to arrange the first placement did not appear to insulate participants from exploitative working conditions (see Appendix Table A.9). Having signed a written contract in advance also did not coincide with a lower proportion of participants reporting exploitation. There was also no substantial difference in the proportions of different nationalities of participants who reported exploitative working conditions.

Exploitative working conditions appeared to strongly coincide with other problems in placements. All of the participants who experienced sexual harm in their first and only placement also experienced exploitative working conditions in that placement. More than twice as many participants who experienced exploitative working conditions also reported psychological harm (10%) compared with other participants (4%).

In which families did participants experience exploitative working conditions?

A greater proportion of participants whose placements were in regional or remote locations reported exploitative working conditions. As shown in Figure 26, a third of participants in major cities (32%) reported such conditions, while 44% did so in outer regional areas, 71% in remote areas and 100% of the very few placements in very remote locations were characterised by exploitative working conditions.

Figure 26 Proportions of participants who experienced exploitative working conditions by remoteness of placement (among participants who had only one au pair placement) (n=942)



Non-inclusion in the family in participants' first placement

As discussed in Section II., the cornerstone of au pair programs is a cultural exchange involving inclusion in a host family as a temporary family member. For instance, the CAPAA advises that 'au pairs expect to live with your family and be invited to participate in family activities.'⁶³ Its British counterpart similarly states: 'Au Pairs must be welcomed as a member of the family.'⁶⁴

The motivations voiced by survey participants strongly reflected their emphasis on living with an Australian family (see Section II.), as did open responses to other questions. For instance, open responses to the question whether any conditions of work or stay were better than had been agreed included 'Eine unglaublich herzliche Familie die für meine Probleme immer ein offenes Ohr hatte und Verständnis', 'Taking me with them everywhere', 'I feel it is best time of my life I now have a forever family here too', 'amazing people, second home, will be always welcomed in their family' and 'the overall experience and inclusion in the family made the experience worth while'. Likewise, complaints about not feeling part of the family or feeling socially isolated emerged in open responses to other questions, such as: 'I didn't feel like part of the family as promised, instead I was staff and often felt taken advantage of', 'Kein richtiges Familienmitglied sein, sozusagen nur ein Mitbewohner, Arbeiter' (Not a real family member, so to speak, only a roommate, worker) 'The parents weren't really nice with me. They didn't talk with me really much', and 'Fühle mich nicht als vollwertiges familienmitglied' (do not feel like a full family member).

Defining non-inclusion in the family

The survey sought to determine whether participants were included in the family by asking whether, in their first placement, their family invited them on family day or overnight trips. A large majority of participants reported that their families did include them on either or both. However, one in five participants (19%) reported not being invited on either day or overnight trips.⁶⁵ We describe this group as experiencing 'non-inclusion' and consider the characteristics of this group in this section.

⁶³ <http://www.capaa.com.au/for-families/>

⁶⁴ <http://bapaa.org.uk/host-families/what-is-an-au-pair/1/>

⁶⁵ This proportion does not include participants who reported that the family did not take any day trips or overnight trips at all.

Which participants experienced non-inclusion

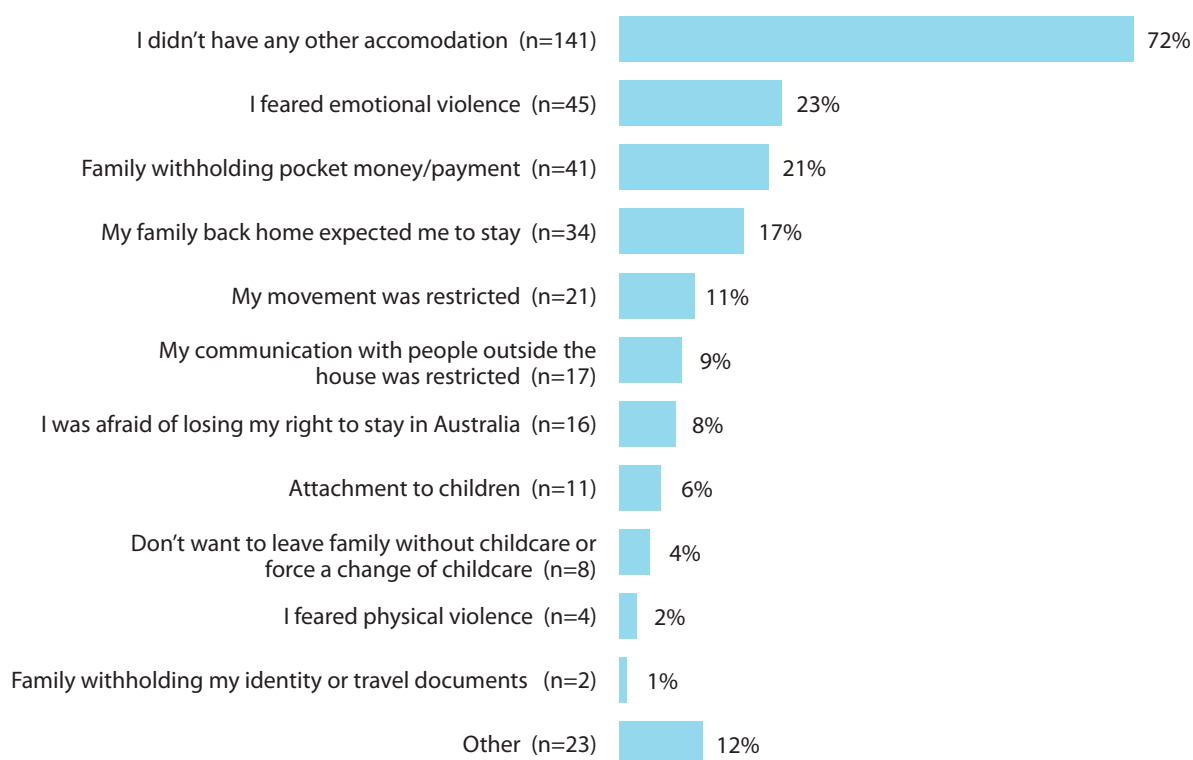
Non-inclusion in family activities was more common when families lived in major cities. One in five Classic Au Pairs based in major cities experienced non-inclusion (19%), compared to one in eight (12%) of those based elsewhere. Greater proportions of Nanny Housekeepers and Nanny Housekeepers + reported non-inclusion (21% and 27% respectively) than Classic Au Pairs and Classic Au Pairs + (13% and 10% respectively). In other words, a smaller proportion of participants who undertook regular household-related duties were included in family outings. In addition, a larger proportion of participants hosted by families with 3 or more children were included in family outings than those in other families.

Use of an agency did not coincide with higher proportions of participants reporting inclusion in family activities - there was no significant difference in the proportions of participants reporting non-inclusion between those who had found their first placement through an agency and those who had not (Appendix Table A.10).

Pressure to remain with families

Sixteen percent of participants reported that they felt forced to stay in their placement even in the face of problems. These participants could select multiple reasons for feeling that they could not leave. As shown in Figure 27, the reason selected by the overwhelming majority was that they lacked alternative accommodation.

Figure 27 Reasons participants felt forced to stay with their host family in any placement even if there were problems (n=195, participants could select multiple options)



Two reasons given in open responses in 'Other' were particularly prevalent and were therefore included in Figure 27. One was that participants did not want to leave their host family without childcare or force a change of childcare upon them (4% of participants who answered this question gave a version of this reason in an open response). The second related to the participants' attachment to the children in their host family (of the participants who answered this question, 6% gave a version of this reason in an open response). Since these reasons were not

provided as options to all participants, they are likely underreported. Other open responses referred to a sense of obligation to the family or to the agency they had used to arrange the placement, or a lack of funds.

Among participants who paid an agency to arrange their placement, a slightly smaller proportion reported feeling pressure to remain in that placement (13% compared with 16% of all participants).

One in five participants reported not being included in family activities outside the home

VIII. Seeking assistance in relation to problems

Participants who stated that they had experienced the problems enumerated in Table 12 above while au pairing at any time in Australia were then asked whether they had sought help from anyone in Australia. Because participants could select multiple problems and multiple sources of help, it is not possible to match individual responses for each problem to help-seeking behaviours. However, we can report on whether participants sought help and the sources of assistance they turned to.

Just over a quarter (27%) sought assistance from someone in Australia. The participants who did seek assistance from someone in Australia did not appear to be substantially different from those who did not in terms of nationality, English language ability or level of education. Nor (for those who only completed one placement) were there any substantial differences by location of placement or occupational category. For those who only completed one placement, those who paid an agency to arrange the placement were more likely to have sought assistance in relation to serious problems (see Appendix Table A.11). We discuss the actions taken by participants who sought assistance before turning to the reasons given by those who did not.

Sources and types of assistance sought by participants

Participants who sought assistance in Australia in relation to serious problems were asked to select the source of that assistance, and could select multiple options. As shown in Figure 28, the most commonly reported source of assistance was friends, family or other social connections in Australia (52%), followed by people on a Facebook group (27%) and the au pair agency that set up the placement (24%). Smaller proportions spoke to their host family (10%), or contacted a range of other actors: the police (6%), a new au pair agency (4%), the Fair Work Ombudsman (4%), a travel insurer (2%) or the Immigration Department (1%).

Participants were then invited to identify the types of assistance they sought, and again could select multiple options. More than half sought help to leave the family (57%) and help to resolve the situation as they did not know how to talk with the family about the problem (53%) (see Figure 29). One in seven sought assistance to recover unpaid money (14%) and smaller proportions sought help to report the situation to the police or respond to an injury (both 4%).

Figure 28 From whom in Australia participants sought assistance (n=135, participants could select multiple options)

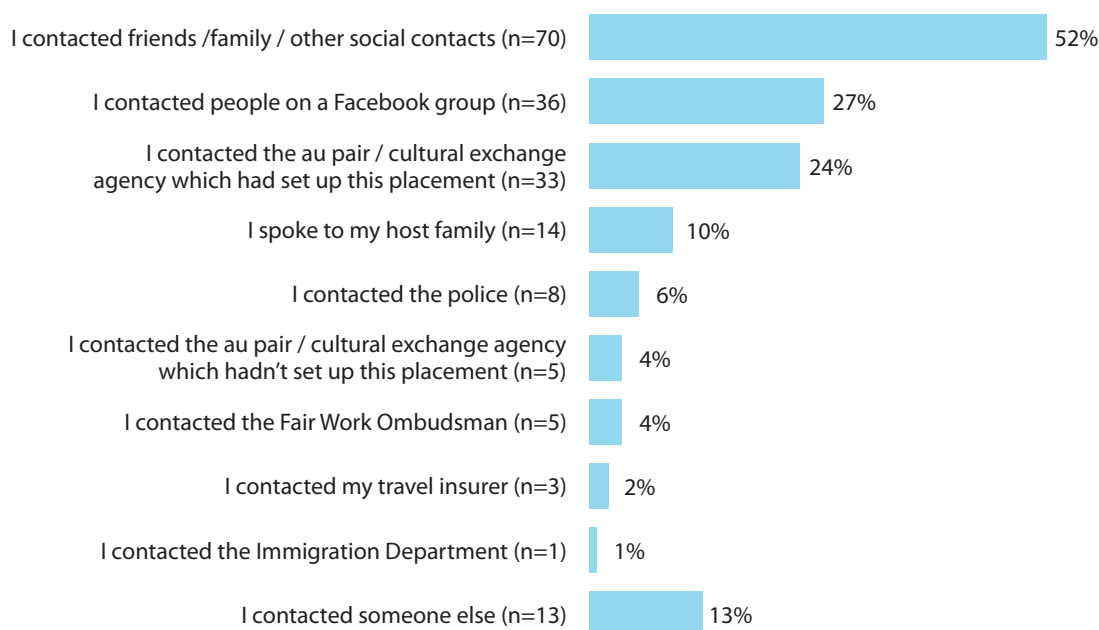
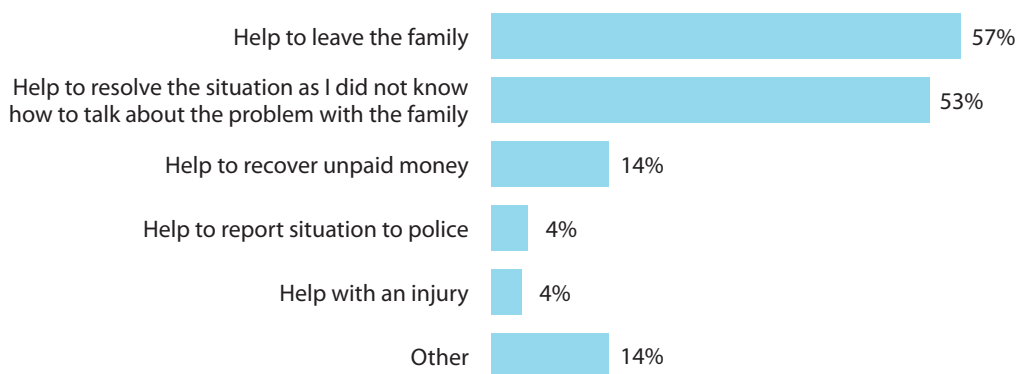


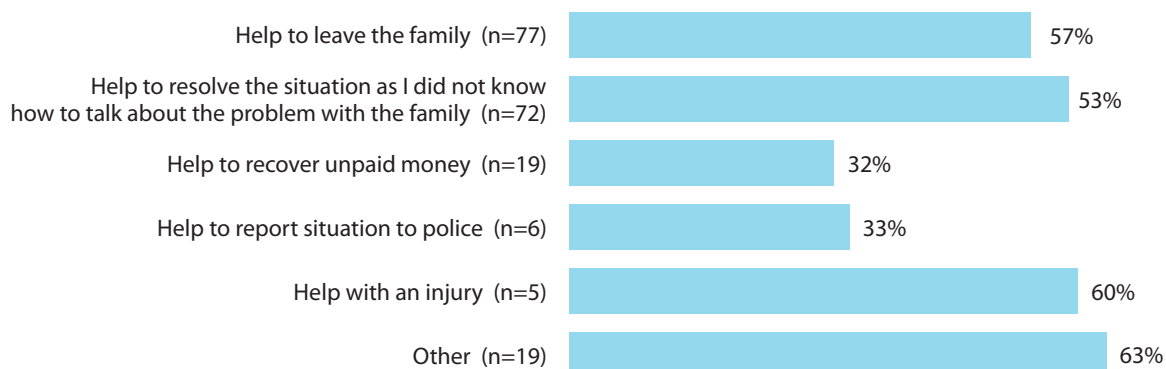
Figure 29 Types of assistance sought by participants (n=135, participants could select multiple options)



Resolution of complaints

Overall, three in five participants (60%) who sought help resolved their complaint. Figure 30 shows the proportion of those who sought help for specific problems who were able to resolve their complaint. The figure shows that some complaints were more likely to be resolved than others – of the 77 participants who sought help to leave the family, 55% resolved their complaint, compared to 32% of the 19 participants who sought help to recover lost money.

Figure 30 Proportion of participants who resolved their complaint by type of complaint (n=135, participants could select multiple options)



Reasons for not seeking assistance

Three quarters (73%) of participants who experienced a serious harm did not seek assistance. These participants were asked why they had decided against seeking help. The majority (70%) stated they did not consider the problem serious enough. Smaller proportions stated that they either did not want to risk losing their position (10%), did not know where to go for assistance (10%) or did not seek assistance for other reasons (11%). Open responses given for 'other reasons' that participants did not seek assistance included that they decided instead to leave the placement, they spoke to the family, or simply acquiesced to the situation out of a sense that there was no viable avenue for complaints (eg, 'Au Pairs have few and little rights - unless you are in extreme physical danger - there isn't anything anyone can do about your verbally abusive and rude host family').

Further assistance needed

Finally, participants who had experienced any serious problem were asked whether there were any additional services or support they needed but did not receive, and could describe these in an open response. Very few participants (6%) were able to identify any such services or support. Open responses included advice about the legal rights or reasonable expectations of au pairs in Australia, assistance to recover unpaid money, and more assistance from agencies. One participant wrote, 'I hope there are official rules about au pairing from the government.'

IX. Au pairs' assessment of their experience and benefits gained

This final section discusses participants' responses to a series of questions about their attitudes and feelings about their au pairing experience.

Benefits of au pairing

Participants were asked to identify the three main benefits they had gained from having been an au pair from a list of options. As shown in Figure 31, the five benefits most reported all relate to classical constructions of au pairing as an opportunity for a learning and cultural experience. The most prevalent benefit, cited by over half the participants, was having gained independence and having dealt with challenging situations and having learnt about themselves (54%). This was followed by having had a cultural experience in Australia (52%), having developed a deep relationship with a host family (45%), having had an opportunity to travel (41%) and improved English (40%). Far smaller proportions pointed to having earned money (19%), childcare experience (19%) and having gained the confidence to travel (16%). Interestingly only one in 20 nominated as a principal benefit having increased confidence to apply for their next job. This tends to confirm the finding, in Section II., that participants are not highly motivated to undertake au pairing in order to gain work experience or professional training.

Figure 31 Benefit of au pairing selected by participants in Australia (n=1,431, participants could select 3 options)



Attitudes towards au pairing in Australia

Participants were asked to what extent au pairing in Australia met their expectations and whether they would recommend au pairing in Australia to others from their country. They could respond on a scale of 1 (the experience was disappointing, or the participant would definitely not recommend) to 7 (the experience exceeded expectations, or the participant would definitely recommend). Participants were also asked to say whether they experienced au pairing more as work or more as cultural exchange, again on a scale of 1 (mainly work) to 7 (mainly cultural exchange).

A large majority (84%) reported that their expectations were met or exceeded, with more than a quarter (27%) stating that au pairing in Australia absolutely exceeded their expectations (Figure 32). The average on the scale of 1 to 7 was 5.2. Similarly, more than three quarters of participants (78%) indicated that they would recommend au pairing in Australia to others, with almost half (48%) stating that they would definitely recommend the experience (Figure 33). The average on a scale of 1 to 7 was 5.8.

The extreme variety of experiences was evident in open responses given to the final question in the survey, 'Is there anything else about your experience as an au pair in Australia that you would like us to know?'. Powerfully positive responses included the following:

I gained so so much more from my family than I ever expected. Honestly I wouldn't have cared if they never paid me a cent. I went through tough times with the family I saw them at their best and I saw them at their worst and they saw the same in me. They became my family. That experience for me was so much more than I ever could have imagined.

I have developed such strong bonds with my host family and I love and admire them very much and appreciate how they have made me feel a part of their family.

Ma famille a été, tres accueillante et chaleureuse!! Une expérience fantastique! Elle me manque énormément' (My family was very welcoming and warm !! A fantastic experience! I miss it so much).

On the other hand, extremely negative responses included:

Some families use it as cheap labour and have no intention of providing a cultural experience. There are no clear guidelines that I know of about how many hours we should work and what type of work we should do. I spent my whole placement feeling resentful because I was working so much more than agreed and doing tasks the parents should have been doing.

Horrible pay from people who can't afford regular childcare services. Most families abuse this system and the fact you're a foreigner with few places or people turn to for help.

Unsurprisingly, many open responses also referred to very different experiences with different families, for instance: '2 families I worked for were very good but due to certain events (dad losing his job, mum going to hospital) I had to leave earlier than expected. The next 3 didn't treat me as an aupair but like a full time nanny'; 'Ma première expérience a été une catastrophe mais la seconde (en cours) est juste merveilleuse. Tout l'opposé, de la première... famille attachante, généreuse, ouverte d'esprit, etc.' (My first experience was a disaster but the second one (in progress) is just wonderful. All the opposite, of the first ... endearing family, generous, open-minded, etc.); and 'My first family wasn't great (family I described in this survey). My current family is absolutely spectacular though. This feels like home, and I'm so sad to be leaving in a few days'.

Taken together, Figures 32 and 33 also indicate that a greater proportion would strongly recommend au pairing than state that it absolutely exceeded expectations. It appears that, while some participants' experience was not as easy or singularly positive as they might have hoped, they would nevertheless highly recommend it to others for a range of reasons that they did not expect. This suggestion also emerges from some of the open answers to the question about the benefits gained from au pairing which included, for instance, 'Herauszufinden, dass es nicht immer passt' (to find out that it doesn't always fit).

The five benefits most reported by participants all relate to classical constructions of au pairing as an opportunity for a learning and cultural experience

Figure 32 Whether au pairing in Australia met expectations (n=1,214)

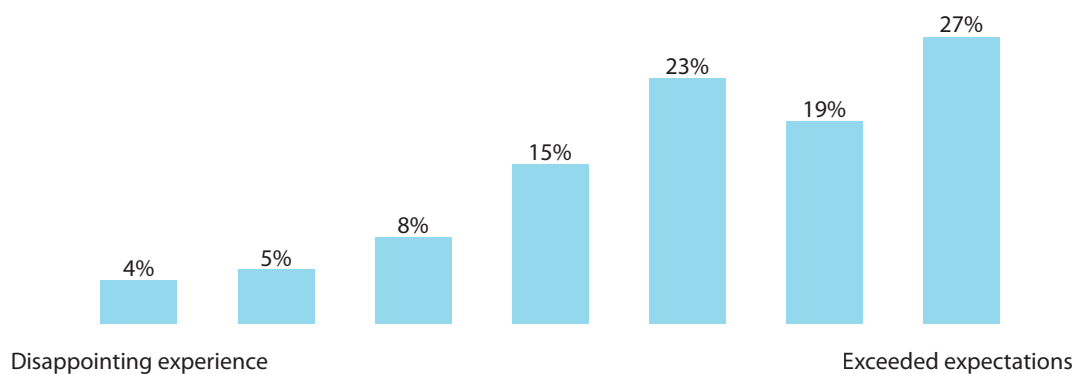
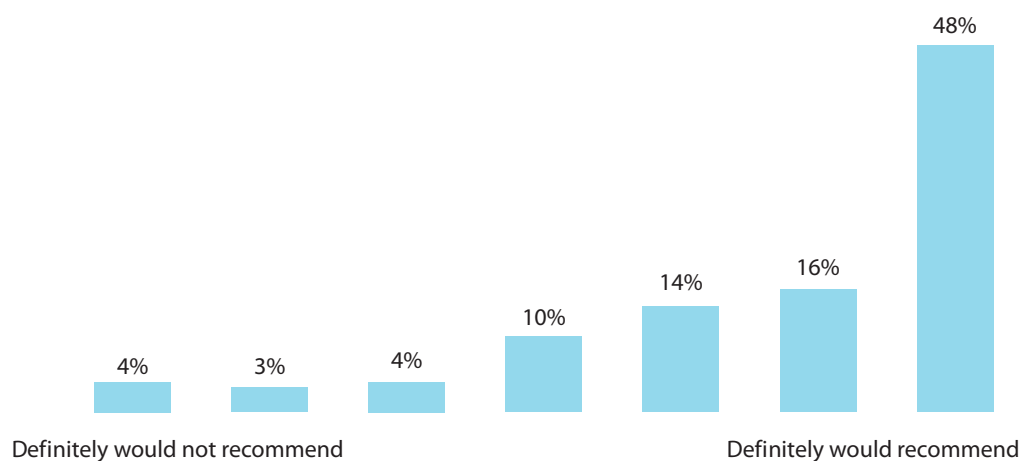


Figure 33 Whether participants would recommend au pairing in Australia to others from their country (n=1,214)

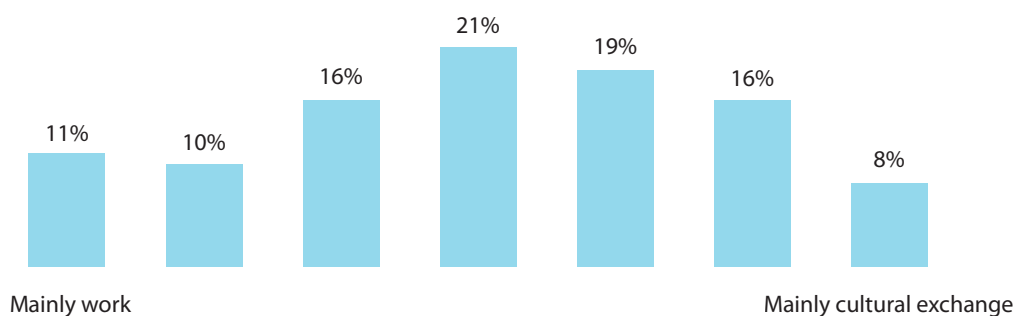


Participants were also asked whether, overall, they experienced au pairing as more akin to work or a cultural exchange. The distribution of responses to this question was far more even than to the questions appraising the au pair experience considered above. As shown in Figure 34, more than a third characterised their experience as more like work (37%). Two in five (43%) characterised it as more like a cultural exchange. A further one in five (21%) characterised it as midway between work and cultural exchange. The average, on a scale of 1 (mainly work) to 7 (mainly cultural exchange) was 3.2.

The difficulties of negotiating the competing dynamics of work and cultural exchange were expressed in open responses to questions throughout the survey, for instance: 'It is hard to find the balance with being a guest/worker and being a family member', 'I wouldn't take back my time as an au pair but I think that we generally underestimate how hard it is to live with the people you work for and have no privacy because of that', and 'Very hard work but rewarding as well. One must understand this when living and working with the family'.

More than a third of participants characterised their au pair experience as more like work. Two in five described it as more like a cultural exchange. One in five put it midway between work and cultural exchange

Figure 34 Whether participants experienced au pairing more as work or more as a cultural exchange (n=1,214)



Different groups' attitudes towards au pairing in Australia

We now turn to differences in attitudes between various cohorts. The questions about the attitudes examined in this section were all asked in relation to any placement in Australia. Therefore, in order to examine any intersections between these attitudes and various conditions of au pairs' first placement, analysis of those issues is restricted to the 1,004 participants who only had one placement. As mentioned above, attitudes were assessed on a scale of 1 (most negative) to 7 (most positive).

First, we consider differences in average responses for each of the four occupational categories. In relation to whether the experience met expectations, the average response for each was that it positively exceeded expectations. On average, Classic Au Pairs and Classic Au Pairs + reported that their experience more highly exceeded their expectations (averages of 5.5 and 5.6 respectively) than Nanny Housekeepers and Nanny Housekeepers + (averages of 5 and 4.9 respectively). Similarly, in relation to whether participants would recommend au pairing to their peers, the average response for all occupational categories was positive, with a more positive average response from Classic Au Pairs and Classic Au Pairs + (averages of 6.1 for both) than from Nanny Housekeepers and Nanny Housekeepers + (averages of 5.6 and 5.5 respectively).

On average, Classic Au Pairs and Classic Au Pairs + described the placement as exactly half way between work and cultural exchange (averages of 3.5 for both), while Nanny Housekeepers and Nanny Housekeepers + described the experience, on average, as more like work (averages of 2.9 and 2.8 respectively).

Next we turn to differences between participants who used an agency to assist in arranging their first placement compared with those who did not. Those who used an agency to which they paid a fee reported the same positive averages as all other participants in relation to whether the experience exceeded expectations (5.2) and to recommending au pairing to their peers (5.8). Those who used such an agency reported on average that the experience was slightly more like a work than a cultural exchange, as compared with other participants (3.1 compared with the overall average of 3.2). Those who used an agency to which they paid no fee, on average, more strongly characterised the placement as work (2.9). They also reported slightly lower averages on whether au pairing exceeded their expectations (average of 5.1) and whether they would recommend au pairing to their peers (5.7), although these were still positive overall.

Participants who reported exploitative working conditions (see Section VII.) reported, on average, lower degrees to which the experience exceeded expectations (4.7) and to which they would recommend it to others (5.3), although these averages were still positive. They reported, on average, higher degrees to which they considered it to be work (2.8). Participants who reported non-inclusion in family activities (see Section VII.) reported, on average, even lower degrees to which the experience met or exceeded expectations (4.4), and higher degrees to which they considered it to be work (2.5). This confirms other findings in this report that participants appeared to be more invested in their social experience while staying with an Australian family than the working conditions, and feel more aggrieved by emotional or social mistreatment or exclusion.

In relation to number of hours worked each week, as hours increased over 35 hours, participants on average

characterised the placement as increasingly more like work. For the few participants working 50 hours or more, there was a pronounced increase on average in the degree to which they characterised the placement as work (2.2). This group on average also reported that the experience exceeded expectations less (3.9) and that they would recommend it less (4.6), as compared with all participants.

In relation to nationalities, participants from the UK on average described the experience as closer to work (2.5), while Japanese, Germans and French on average described the experience as closer to a cultural exchange (averages of 3.5, 3.6 and 3.7 respectively).

Participants appeared to be more invested in their social experience while staying with an Australian family than the working conditions, and feel more aggrieved by emotional or social mistreatment or exclusion

X. Conclusion

As a largely informal arrangement, very little has been known about how au pairing in Australia is actually undertaken by au pairs and families and how they understand the arrangement. This study provides an unprecedented evidence base on the daily working and living conditions of au pairs, as reported by 1,479 survey participants. The overall picture is that the experience of only a minority of participants conformed to the classic conception of au pairing as cultural exchange.

Cultural exchange or a job?

Participants had extremely positive appraisals of their au pair experience in Australia. A large majority of participants reported that it met or exceeded their expectations. More than three quarters would recommend the experience; almost half would definitely recommend it. These findings point to the immense popularity of au pairing.

Yet our findings on the content and extent of participants' work in their first placement are troubling. Participants were primarily motivated by the classical idea of au pairing as a cultural exchange, but many characterised their experience as more like work. This is unsurprising given the long hours of work many report, and the wide range of non-child-related tasks that a majority routinely performed for host families.

Overall, the more a participant was employed as a cheap housekeeper, the worse were their working conditions. As the range of participants' tasks increased from those of a Classic Au Pair to those of a Nanny Housekeeper +, the more likely they were to report poor conditions and problems in their jobs. On average, Nanny Housekeepers + worked longer hours than Classic Au Pairs, had fewer days off, were less likely to receive a completion bonus, were less likely to have a weekly schedule of expected hours, were more likely to be asked to do extra hours and less likely to be given notice of these extra hours or to be paid for them. Nanny Housekeepers + were also more likely to experience conditions that were worse than agreed, and to report problems in their placement, including psychological harm and economic exploitation.

Our findings suggest that the majority of participants were working long hours under the direction of the family and so likely to meet the threshold for employees under the Fair Work Act, with minimum standards likely governed by the Miscellaneous Award.⁶⁶ We recognise that this conclusion presents the risk of a significant administrative burden for families, given the complexity of laws related to employment. Associated responsibilities for many families also include the requirement to register as employers of Working Holiday Makers with the Australian Taxation Office (ATO), withhold au pairs' tax, pay superannuation contributions to au pairs who work more than 30 hours per week, and to ensure compliance with relevant workplace health and safety regulations.⁶⁷ As part of formally recognising au pairing as work within Australia's system of labour regulation, guidance on appropriate minimum employment standards for au pairing therefore seems urgently required, with the provision of sufficient support to enable families and au pairs to discharge their obligations.

Findings suggest that the majority of participants were working long hours under the direction of the family and so likely to meet the threshold for employees under the Fair Work Act

66 Fair Work Ombudsman, 'Nannies & Au Pairs – Employment Status & Award Coverage' https://www.fairwork.gov.au/library/k600086_nannies-au-pairs-employment-status-award-coverage

67 Since the introduction of the so-called 'backpacker tax', Working Holiday Makers are subject to income tax at the rate of 15% on their first \$37,000 of annual income and employers must register with the ATO to withhold tax at this rate before making the first payment to a Working Holiday Maker, see ATO, 'Working Holiday Makers' <https://www.ato.gov.au/Individuals/International-tax-for-individuals/Coming-to-Australia/Working-holiday-makers/> and <https://www.ato.gov.au/business/your-workers/in-detail/employers-of-working-holiday-makers/>

Recognition of power imbalance

The study reveals several asymmetries in the power relations between families and au pairs, more than a quarter of whom were teenagers at the time of the survey. A majority of participants had a written contract, but these were mostly presented to them as a completed document for signature with no opportunity for further negotiation. Further, and perhaps shedding some light on the negative relationship between the range of tasks and the conditions of work summarised above, Nanny Housekeepers were less likely than Classic Au Pairs to have signed a contract with their host families, and when they signed a contract, they were more likely to have been presented with the contract by the host family.

Agreements to provide notice to terminate the placement early were more likely to benefit the family than the au pair, and practice reflected this imbalance in the much longer notice participants gave than received on average when a placement did end early. Further, some participants felt forced to stay in their placement even in the face of problems, often because they lacked alternative accommodation. Of course, host families can also face challenges, in, for example, ensuring continuity of childcare when an au pair leaves a placement early, or of ensuring a safe and harmonious household when an au pair may be found unsuitable. However, the greater vulnerability seems to lie with au pairs who are young, foreign, mostly non-native English speaking and highly dependent on host families in the short term for accommodation and income.

The study reveals several asymmetries in the power relations between families and au pairs, more than a quarter of whom were teenagers

The protective function of agencies

Au pair agencies position themselves in the current environment as offering protection to both au pairs and to host families.⁶⁸ The survey asked participants whether they used an agency to arrange their first placement and, if so, whether they paid a fee to that agency. Participants' answers enabled us to assess whether using an agency, with or without a fee, afforded some protections to au pairs and (to a lesser extent) families, and if so, what kind.

The study's findings provide scant evidence of a protective function of agencies. On one hand, there is some evidence that placements arranged by an agency paid by the au pair were more formal, in that written contracts and Working with Children and police checks were more prevalent. Sudden ending of placements was less commonly reported in these cases: participants were less likely to have been asked to leave early and to terminate their placement with notice to the family of 4 days or less. It was clear that the benefits of more formal arrangements accrue to families at least as much as to au pairs, reflecting the power asymmetries noted above. For example, written contracts were more prevalent in placements arranged by agencies, but these contracts were also more likely to be presented unilaterally by families to au pairs. At the same time, one benefit to participants of paying an agency to set up the placement was that, among the minority of participants who sought assistance for serious problems, these participants were more likely to do so.

On the other hand, participants who paid a fee to an agency to arrange their first placement did not report better working conditions or fewer problems than those who found their placements in other ways. They were no more likely to have roles excluding non-child-related tasks, report a higher notional hourly wage or be given longer periods of notice upon dismissal. They were no less likely to experience exploitative working conditions (including long hours, low pay, few days off or non-payment of wages). Further, while agencies promote au pairing as an

68 Andrew Taylor, "Vague, Indiscriminate, Frustrating": Families and Au Pairs Risk Breaking the Law', *Sydney Morning Herald*, 2 September 2018. See also www.capaa.com.au

immersive cultural experience, they did not appear to be able to guarantee this. Participants who used an agency did not report greater inclusion in family activities, and were more likely to describe their experience as slightly more like work than a cultural exchange, as compared with other participants.

Calls for an au pair visa

These findings about the apparent lack of protection provided by agencies are particularly important in light of recent calls by the cultural exchange agency industry body for a new visa dedicated to au pairs.⁶⁹ The scheme for which CAPAA advocates would position certain agencies as gatekeepers of the visa, requiring au pairs to be sponsored by agencies who facilitate placements with families.⁷⁰

Agencies justify a new visa scheme with a claim of widespread confusion among au pairs and host families about the application of visa rules to au pairing.⁷¹ Our study confirms that most participants did not accurately understand how current visa rules related to Working Holiday or tourist visas apply to au pairing, nor did many grasp the serious implications of au pair work which falls foul of work-related conditions on these visas. These findings point to the need for better education of au pairs and families about current rules rather than necessitating a new visa. It is well known that visas which require sponsorship for non-citizens' continued right of presence and income in Australia can create conditions of acute precariousness.⁷² Our findings do not provide support for the protective function of agencies and further research is required to identify the potential role that certain agencies could play to safeguard the rights of au pairs in a visa scheme. In any new visa scheme, rigorous government oversight of agencies designated as sponsors of au pairs would also be required, along with effective channels for complaints and assistance seeking by au pairs.

Where to from here?

The demand for au pairing is often explained by Australian families' need for affordable childcare.⁷³ However, the tasks undertaken by the majority of participants in this study suggest that, in addition to addressing their childcare needs, families are taking advantage of the large supply of Working Holiday Makers to obtain cheap housekeeping services.

The fact that most participants would strongly recommend au pairing in Australia to peers does not remove the responsibilities of employing families and the national labour regulator to ensure that the treatment of these young people accords with the law.

The full recognition of au pairing as work raises challenging questions for labour regulators about upholding the rights of young Working Holiday Makers employed in a domestic setting. Integrating au pairing into existing systems of labour regulation would require families to apprehend the full responsibilities of their employer role. Moreover, this study, and other research, demonstrates that enforcement of Australian labour laws in a range of low waged jobs is weak for temporary visa-holders⁷⁴ – amplifying the challenges ahead for effective oversight of minimum standards in au pair placements.

69 CAPAA, 'Pilot Au Pair Visa Program Proposal: Addressing Australia's Child Care Crisis While Improving Care Quality and Boosting the Economy' (submission to the Department of Immigration and Border Protection, August 2017).

70 CAPAA's proposal also includes various limitations on the placements of visa-holders including maximums of 40 hours per week and 10 hours per day, with at least 1.5 days off per week and regular contact by agencies with au pairs and families.

71 Lisa Martin, 'Dutton Saga Fortifies Bid for Au Pair Visa', *The Australian*, 1 April 2018.

72 Laurie Berg, *Migrant Rights at Work: Law's Precariousness at the Intersection of Immigration and Labour* (Routledge, 2016) 76ff; Joo-Cheong Tham, Iain Campbell and Martina Boese, 'Why is Labour Protection for Temporary Migrant Workers so Fraught?' in Joanna Howe and Rosemary Owens (eds), *Temporary Labour Migration in the Global Era: The Regulatory Challenges* (Hart, 2016) 189; Joanna Howe, 'The Migration Amendment (Worker Protection) Act 2008: Long Overdue Reform, But Have Migrant Workers been Sold Short?' (2010) 24 *Australian Journal of Labour Law* 13.

73 Caroline Winter, 'Calls for "Backpacker Au Pair" Visa and Industry Regulation as Parents Seek Affordable Child Care', *ABC News*, 16 February 2017.

74 Laurie Berg and Bassina Farbenblum, *Wage Theft in Australia: Findings of the National Temporary Migrant Work Survey* (2017); Bassina Farbenblum and Laurie Berg, *Wage Theft in Silence: Why Migrant Workers Do Not Recover Their Unpaid Wages in Australia* (2018).

XI. Recommendations

1. The government must resource **flexible and affordable childcare alternatives** to the precarious private employment of au pairs.
2. The Fair Work Ombudsman and other relevant government agencies, including occupational health and safety authorities, should provide **clear guidance that childcare and housekeeping duties routinely undertaken by an au pair under a family's supervision meet the legal threshold for employment in the vast majority of cases.**
 - Relevant government agencies should provide detailed guidance on employment obligations under the *Fair Work Act* and applicable Awards including, for instance, information about the National Employment Standards, maximum hours of employment, minimum hourly wage rates, occupational health and safety obligations and leave.
4. In light of the specific nature of the au pair role, and other live-in care work, the **government should provide families and au pairs with guidance on acceptable minimum standards for au pair placements and information about applicable visa restrictions.**
 - Guidance should include a stipulated national maximum weekly amount for deductions for accommodation and board, recommended periods of notice by families and au pairs prior to early termination of the agreement, a recommendation for insurance cover for families and au pairs and detailed information about the implications of au pairing on Working Holiday visas, student visas and tourist visas.
5. The Australian Taxation Office should provide clear, detailed **guidance on the superannuation liabilities and taxation obligations of au pairs and employing families.** In the context of current arrangements, this should include information about applicable tax rates for Working Holiday Makers, the process for withholding tax and lodging a tax return and the requirement for employers of Working Holiday Makers to register with the ATO.
 - The ATO should consider the tax implications for employers of providing in-kind payments to au pairs and other live-in workers, including whether exemptions can be applied to families who employ au pairs.
6. **A government-funded service, whether within or adjacent to the Fair Work Ombudsman, should provide assistance and advice to au pairs and families.** This should include mediation services for disputes and referrals of unresolved disputes to the Fair Work Ombudsman or other legal service providers.
7. **A dedicated au pair visa scheme should not be adopted** if validity of the visa would be subject to agency sponsorship, host family sponsorship, or continued stay in an au pair placement.
 - Any dedicated au pair visa stream, if established, should include a range of safeguards including guidance to families and au pairs that, in most cases, au pairing should be classified as employment, compulsory criminal and Working With Children checks for families and au pairs, licensing for agencies designated as sponsors, and government oversight of sponsors with a facility for complaints by au pairs about placements to be made directly to the relevant government authority (for instance, the Department of Foreign Affairs and Trade or the Department of Home Affairs), among other protections.

Appendix Tables

Table A.1 Proportion of each occupational category in different family locations in first placement (n=1,290)

	Major cities of Australia	Inner regional Australia	Outer regional Australia	Remote Australia	Very remote Australia	Total*
Classic Au Pairs	85%	9%	5%	1%	1%	100%
Classic Au Pairs +	73%	14%	8%	4%	1%	100%
Nanny Housekeepers	83%	7%	8%	2%	0%	100%
Nanny Housekeepers +	73%	14%	10%	3%	0%	100%

* May not sum to 100 due to rounding.

Table A.2 How participants in different occupational categories arranged their first placement (n=1,299)

	Participant paid fee for agency	Participant used agency for which they paid no fee	No agency used	Total*
Classic Au Pairs	22%	9%	70%	100%
Classic Au Pairs +	20%	16%	64%	100%
Nanny Housekeepers	19%	13%	68%	100%
Nanny Housekeepers +	16%	15%	68%	100%

* May not sum to 100 due to rounding.

Table A.3 How the contract terms were determined, by how participants arranged first placement (n=547)

	Participant paid fee for agency	Participant used agency for which they paid no fee	No agency used
The family presented me with a contract	64%	65%	60%
I presented the family with a contract	1%	2%	2%
We negotiated the terms of the contract together	35%	34%	39%
Total*	100%	100%	100%

* May not sum to 100 due to rounding.

Table A.4 Distribution of 'notional hourly rate' by occupational category (n=1,295)

	Mean	Percentile 10	Percentile 25	Percentile 50	Percentile 75	Percentile 90
Classic Au Pairs	\$17.38	\$12.29	\$13.75	\$16.00	\$18.33	\$22.00
Classic Au Pairs +	\$20.00	\$12.00	\$13.71	\$16.00	\$19.20	\$23.20
Nanny Housekeepers	\$16.83	\$10.77	\$13.25	\$15.14	\$17.67	\$23.00
Nanny Housekeepers +	\$16.15	\$9.56	\$12.00	\$14.50	\$17.67	\$21.50

Table A.5 Distribution of 'notional hourly wage' by location of first placement

	Mean	Percentile 10	Percentile 25	Percentile 50	Percentile 75	Percentile 90
Major cities	\$17.40	\$11.78	\$13.71	\$15.75	\$18.00	\$23.00
Inner regional Australia	\$16.58	\$10.67	\$12.50	\$15.00	\$17.33	\$21.20
Outer regional Australia	\$15.85	\$9.64	\$12.00	\$14.17	\$16.57	\$20.00
Remote Australia	\$14.33	\$10.17	\$11.33	\$13.25	\$16.00	\$21.08
Very remote Australia	\$13.66	\$8.73	\$10.44	\$12.63	\$16.83	\$20.71

Table A.6 Distribution of 'notional hourly wage' by how participants arranged first placement

	Mean	Percentile 10	Percentile 25	Percentile 50	Percentile 75	Percentile 90
Participant paid fee for agency	\$16.24	\$12.00	\$13.71	\$15.14	\$17.20	\$21.00
Participant used agency for which they paid no fee	\$17.03	\$10.60	\$13.25	\$15.20	\$18.33	\$24.00
No agency used	\$17.36	\$11.00	\$13.25	\$15.75	\$18.00	\$23.00

Table A.7 Distribution of participants who experienced problem by how arranged first placement, among participants who had only one placement (n =1,004)

	Participant paid fee for agency	Participant used agency with no fee	No agency used	n=
Proportion of all participants	18%	13%	69%	1,004
No problem	19%	12%	69%	605
Non-payment of money	36%	9%	55%	53
Poor quality accommodation	21%	9%	71%	34
Poor quality or inadequate food	18%	13%	69%	45
Feeling compelled to work more than expected	21%	17%	62%	195
Feeling compelled to work different tasks than expected	23%	21%	56%	137
Accidental injury in home or car	22%	16%	62%	37
Lack of privacy	18%	21%	61%	104
Not able to freely contact family and friends	21%	11%	68%	19
Not able to move around freely	17%	14%	69%	70
Identity or travel documents held by family	Numbers too small to report			2
Verbal abuse	10%	15%	74%	39
Physical harm	17%	33%	50%	12
Sexual harm	Numbers too small to report			3
Any problem				401

Table A.8 Proportion of participants who experienced 'psychological harm'⁷⁵ by how arranged first placement, among participants who had only one placement (n=977)

	Experienced psychological harms	Did not experience psychological harms
Among participants who paid a fee for agency	6%	94%
Among participants who used agency for which they paid no fee	7%	93%
Among participants who did not use an agency	5%	95%

75 As defined in Section VII.

Table A.9 Proportion of participants who experienced 'exploitative working conditions'⁷⁶ by how arranged first placement, among participants who had only one placement (n=977)

	Exploitative working conditions	Not exploitative working conditions
Among participants who paid a fee for agency	34%	66%
Among participants who used agency for which they paid no fee	37%	63%
Among participants who did not use an agency	33%	67%

Table A.10 Proportions of participants who experienced 'non-inclusion in family'⁷⁷ by how arranged first placement, among participants who had only one placement (n=977)

	Experienced non-inclusion in family	Did not experience non-inclusion
Among participants who paid a fee for agency	20%	80%
Among participants who used agency for which they paid no fee	18%	82%
Among participants who did not use an agency	16%	84%

Table A.11 Whether participants sought help for serious problems and reasons they did not, by how arranged first placement, among participants who had only one placement (n=311)

	Sought help	Did not seek help because didn't know where to go	Did not seek help because didn't want to risk losing position	Did not seek help because it didn't seem like a big enough problem	Did not seek help for other reasons	Total*
Among participants who paid a fee for agency	29%	1%	8%	54%	7%	100%
Among participants who used agency for which they paid no fee	14%	8%	8%	67%	4%	100%
Among participants who did not use an agency	19%	6%	7%	61%	6%	100%

* May not sum to 100 due to rounding.

76 As defined in Section VII.

77 As defined in Section VII.

