

Ms [REDACTED]
 Person with Management or Control
 Aranda Afters Association Incorporated
 RE: Aranda Afters

Email: [REDACTED]

Dear Ms [REDACTED]

COMPLIANCE NOTICE
Section 177, Education and Care Services National Law (ACT)

Approved Provider Name: Aranda Afters Association Incorporated
Approved Provider Number: PR-00005802

Approved Service Name: Aranda Afters
Approved Service Number: SE-00009641

I am satisfied that Aranda Afters SE-00009641 (the Service) operated by Aranda Afters Association Incorporated PR-00005802 (the Provider), is not complying with the provisions of the *Education and Care Services National Law (ACT)* (the Law) and the *Education and Care Services National Regulations* (the National Regulations) as outlined in the attached Decision.

In making the decision to issue this compliance notice, I have considered the substantiated contravention, the nature of the risk posed to children by the contraventions, and the objectives and guiding principles of the Law.

Provision of the National Law and National Regulations	Description	Steps to be taken by the Approved Provider
National Law Section 165(1) and	The approved provider of an education and care service must ensure that all children being educated and cared for by the service are adequately supervised at all times that the children are in the care of that service.	(1) The Provider is to provide specific evidence about how any changes to supervision policy and procedures are implemented, including how changes are communicated to staff and Nominated Supervisors to mitigate risk of reoccurrence. Evidence demonstrating the risk assessment has been completed and risk mitigated within 21 days of receipt of this Notice.

<p>National Law Section 167(1)</p>	<p>The approved provider of an education and care service must ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury.</p>	<p>(2) The approved provider will engage a suitably qualified education and care consultant to assist the service in developing policies and procedures to ensure the service is adequately managed, across all areas, and is able to meet the minimum requirements of the National Law and Regulations. To satisfy this condition the Provider will need to ensure:</p> <p>The consultant must be engaged by the approved provider and approved by the Regulatory Authority by 30 November 2023:</p> <p>(3) The approved provider must provide a report, written by the consultant, outlining the assessment of processes and practices at the Service, and recommendations to the Regulatory Authority by 31 January 2024; and</p> <p>The approved provider must provide evidence to demonstrate that the recommendations of the consultant are implemented at the Service by 29 March 2024.</p>
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Time for Compliance

You are required to provide written evidence of your compliance **by the time indicated within the above table**, to the ACT Regulatory Authority (the Authority), Children’s Education and Care Assurance, ACT Education Directorate.

Failure to Comply

It is an offence for an approved provider to fail to comply with this compliance notice within the period specified. If you do not take the required actions, or do not take those steps within the required timeframe, I may consider imposing further sanctions, including suspension of your service approval or prosecution. The penalty that a court may impose is \$6000 for an individual and \$30,000 for an entity.

Review of Decision

A decision to issue a compliance notice is a reviewable decision for internal review by the Regulatory Authority. An application for review may be made by completing the form *AR01 Application for Internal Review of Reviewable Decision* which can be obtained from the ACECQA website. An application for review must be submitted to the Regulatory Authority within 14 days after the day on which you are notified of this decision.

Service's Record of Compliance

Details of this compliance notice must be recorded in the Service's record of compliance including: the reason the compliance notice was issued; the steps specified in the notice; and the date by which the steps specified must be taken. The information must not identify any person other than the approved provider.

The information does not need to be recorded until after the period for applying for internal review has expired.

Publication

Under section 270(5) of the *National Law*, the Regulatory Authority may publish information about this compliance notice.

If you have any questions about this notice, please contact Authorised Officer Brian Cropper via email at brian.cropper@act.gov.au.

Yours Sincerely,



Vittorio Colosimo
Acting Assistant Director
Children's Education and Care Assurance
Education and Care, Regulation and Support

4 October 2023