



Ms [REDACTED]
Person with Management or Control
Community Services #1 Incorporated
Email: [REDACTED]@communityservices1.org

Dear Ms [REDACTED]

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

Approved provider name: Community Services #1 Incorporated (the Provider)
Approved provider number: PR-00005865

Approved service name: Birralee Early Education and Care Centre (the Service)
Approved service number: SE-00014243

I am satisfied that the Service, operated by the Provider, is not complying with the provisions of the *Education and Care Services National Law (ACT)* (the Law) as outlined hereunder.

In making the decision to issue this compliance notice, I have considered the objectives and guiding principles of the Law, the nature of the risk posed to children by the non-compliance, and the compliance history of the Service.

You are required to provide written evidence of your compliance within the time specified in the table below.

Provision of the National Law and National Regulations	Description	Steps to be taken by the Approved Provider
National Law Section 167(1)	The approved provider of an education and care service must ensure that every reasonable precaution is taken to protect children being educated and care for by the service from harm and from any hazard likely to cause injury.	The Provider to is to submit evidence demonstrating the following actions: i. Reviewed and communicated medical management policy, plans, procedure and reviewed risk assessments and communication plans to support adherence to the National Law for each known child enrolled at the Service with a known medical condition or allergy.

		<ul style="list-style-type: none"> ii. Evidence demonstrating the practical implementation of advised of strategies to mitigate risks of children being provided or given access to known allergens. iii. All educators are aware of, and understand, expectations of the National Law and the Provider in respect to provision of, and management of, allergens for identified children at all times that they are being educated and cared for by the Service. <p>Evidence required within 14 days of receipt of this Notice.</p>
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The steps directed to be taken must be addressed within the times specified in this Notice.

Please direct your response submission via email to vittorio.colosimo@act.gov.au or by post to:

Children’s Education and Care Assurance,
Attention: Vittorio Colosimo,
GPO Box 158, Canberra ACT 2601

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 no review is requested within 14 days, details of this compliance notice may be published on www.education.act.gov.au.

If you have any questions about this notice, please contact Vittorio Colosimo at Vittorio.colosimo@act.gov.au

Yours Sincerely



Jo Williams
Director
Children's Education and Care Assurance
Education Care Regulation and Support
ACT Education Directorate
12 September 2022