

Mr [REDACTED]
Person with Management or Control
Guardian Community Early Learning Centres Pty Ltd
RE: Guardian Childcare & Education Bruce

Email: [REDACTED]
[REDACTED]

Dear Mr [REDACTED]

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

Approved provider name: Guardian Community Early Learning Centres Pty Ltd
Approved provider number: PR-00000823

Approved service name: Guardian Childcare & Education Bruce
Approved service number: SE-40004913

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

In making the decision to issue this compliance notice, I have considered the number of contraventions, previous compliance history and the nature of the risk posed to children by the non-compliance. 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
<p>National Law Section 165 (1) Offence to inadequately supervisor children</p>	<p>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.</p>	<p>(1) Provide evidence to demonstrate that appropriate risk assessments have been undertaken to inform appropriate supervision plans to be implemented, considering ages and individual needs of children within the relevant room.</p>
<p>National Law Section 167 (1) Offence relating to protection of children from harm and hazard.</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</p>	<p>(2) Provide evidence to demonstrate that supervision plans, risk assessments, policies, and procedures have been communicated to all educators, to ensure that educators</p>

	<p>from any hazard likely to cause injury.</p>	<p>understand and are aware of expectations relevant to always providing adequate supervision, inclusive of submission of all relevant risk assessments, plans, policies and procedures.</p> <p>(3) Provide evidence to demonstrate that COVID-19 action plans, policies and procedures have been communicated to all educators, to ensure that educators understand and are aware of expectations relevant to mitigating risks surrounding transmission/spread of COVID-19 within the Service, inclusive of submission of all relevant risk assessments, plans, policies and procedures.</p> <p>(4) Provide evidence to demonstrate that gate has been installed, as advised via notification.</p> <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 Janine.Fairburn@act.gov.au.

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.

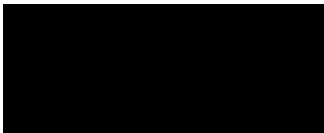
The information does not need to be recorded until after the period for applying for internal review has expired.

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 Assistant Director Janine Fairburn on Janine.Fairburn@act.gov.au.

Yours Sincerely



Clare Brookes
Senior Director
Children's Education and Care Assurance
Education and Care Regulation and Support
ACT Education Directorate

14 September 2021