

[REDACTED]
Person with Management or Control
ACT Education Directorate
RE: Ngunnawal Primary School – Preschool Unit

Email: [REDACTED]

Dear [REDACTED]

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

Approved provider name: ACT Education Directorate (the Provider)
Approved provider number: PR-00006465

Approved service name: Ngunnawal Primary School – Preschool Unit (the Service)
Approved service number: SE-00011214

Compliance Notice Issued: 25 March 2025

Thank you for your response on 7 April 2025, to the Compliance Notice issued on 25 March 2025, in relation to a notified incident at Ngunnawal Primary School – Preschool Unit, operated by ACT Education Directorate on 4 November 2024.

The Regulatory Authority (the Authority) acknowledge your response via email on 7 April 2025, including the following attachments

- 2025 Safety Checklist Preschool
- Email Sent from School Facilities Management ‘SFM’ to Business Managers of all ACT Education Directorate operated public schools
- End of Term Health and Safety Checklist
- Indoor Daily Checklist
- Ngunnawal Preschool Outdoor & Indoor Environment Risk Assessment 2025
- Outdoor Daily Checklist
- Playground Safety Inspection Report 2024 – Level 3
- Safe Environments Procedure
- Supervision Procedure
- Week 4 Term 1 Preschool PLT
- Week 6 Term 1 Preschool PLT
- Week 8 Term 1 Preschool PLT
- Week 9 Term 1 Preschool PLT

The response has now been assessed and determined as not yet satisfying the requirements of the Notice. The Authority would like to afford the Provider with another opportunity to satisfy the Notice.

The Authority’s assessment of the Provider’s response is as follows:

Section 167(1) of the National Law

The compliance notice response is for the Provider to demonstrate that they are compliant with section 167(1) of the National Law.

The Provider was required to submit evidence of a safety check and risk assessment on the resources and equipment being used within the Preschool to ensure that resources and equipment are age and developmentally appropriate for preschool aged children in the setting.

1. The Provider's response supplied many attachments. The Safe Learning Environment Procedure attachment places responsibility on the educators at the Service to evaluate and ensure that resources in the preschool space are age appropriate. It is the Provider's responsibility to 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, which includes ensuring that the resourcing is in good condition and age appropriate. The attachment does not explain how resources are selected as being age and developmentally appropriate
2. The Ngunnawal Preschool Outdoor Environment Risk Assessment 2025, point 19 provides a clearer process to obtain age and developmentally appropriate equipment but continues to place responsibility on the educators, if educators bring in resources, the Provider must ensure resources are age and developmentally appropriate.
3. The email to Business Managers ensures that when purchasing play equipment advice is to be sought from the Network Officer at the initiation of the project. This appears to be compliant with outdoor equipment but not indoor resourcing.
4. The Provider's submission does not address the element of the Notice. The provider's evidence demonstrated a process undertaken by employees.
5. The Authority is seeking evidence demonstrating what checks and balances the Provider undertakes to ensure the resources and equipment being used with the Preschool are age and developmentally appropriate. The Provider is required to address this element of the Notice.

The Provider was required to submit evidence demonstrating that the Service and educators are aware of policies, procedures and/or processes in relation to ensure that equipment brought into the Preschool setting is suitable for preschool age children.

1. The Provider's response does not demonstrate that educators are aware of the policies, procedures or processes as it was noted that not all staff were at the Preschool meetings. No evidence has been provided that the educators were provided and are aware of the policies and procedures or processes in place. Hyperlinks within the Preschool PLT meetings are not able to be accessed by the Authority No documentation provided as part of the response match the hyperlinks to confirm the educators have read and are aware of the policies, procedures and or processes.
2. The Provider's submission does not address the element of the Notice.
3. The Authority is seeking evidence demonstrating the Provider has provided educators and ensured educators are aware of policies, procedures and/or processes in relation to resources

and equipment brought into the Preschool are age and developmentally appropriate. The Provider is required to address this element of the Notice.

The Provider is to submit written evidence of your compliance by close of business 16 May 2025.

If you have any questions about this notice, please contact me via email at vittorio.colosimo@act.gov.au.

Yours Sincerely



Vittorio Colosimo
A/g Director Regulatory Operations
Children's Education and Care Assurance
Education Care Regulation and Support

2 May 2025