

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

Email: ██████████@act.gov.au  
 ██████████@act.gov.au

Dear ██████████

**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

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
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 cared for by the service from harm and from any hazard likely to cause injury.	The Provider is to submit evidence demonstrating the following actions: <ul style="list-style-type: none"> <li>i. 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.</li> <li>ii. Evidence that the Service and educators are aware of policies, procedures and/or</li> </ul>

		<p>processes in relation to ensure that equipment brought into the Preschool setting is suitable for preschool age children.</p> <p><b>Evidence required within 14 days of receipt of this Notice.</b></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](mailto:vittorio.colosimo@act.gov.au) or by post to:

Vittorio Colosimo  
 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 following provisions of the *Law* are relevant to the Allegation:

**Section 177 of the Law – Compliance notices.**

- (1) This section applies if the Regulatory Authority is satisfied that an education and care service is not complying with any provision of this Law.
- (2) The Regulatory Authority may give the approved provider a notice (a compliance notice) requiring the approved provider to take the steps specified in the notice to comply with that provision.
- (3) An approved provider must comply with a compliance notice under subsection (2) within the period (being not less than 14 days) specified in the notice.

Penalty: \$6800, in the case of an individual.  
 \$34 400, in any other case.

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](http://www.education.act.gov.au).

#### Caution

Due to the compliance history of the Service, please note that any further noncompliance may result in conditions being placed on the Service approval.

If you have any questions about this notice, please contact Authorised Officer Vittorio Colosimo via email at [vittorio.colosimo@act.gov.au](mailto:vittorio.colosimo@act.gov.au).

Yours Sincerely



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

25 March 2025