

Mr [REDACTED]  
Person with Management or Control  
Extend (Australia) Pty Ltd  
RE: Orana Steiner OSHC- Extend

Email [REDACTED]

Dear Mr [REDACTED]

**EMERGENCY ACTION NOTICE**  
**Section 179, *Education and Care Services National Law (ACT)***

Name of approved provider    Extend (Australia) Pty Ltd PR-00002530 (the Provider).

Name of approved service    Orana Steiner School OSHC – Extend SE-00009696 (the Service)

Under the *Education and Care Services National Law (ACT)* (the *Law*) an Emergency Action Notice may be issued if the Regulatory Authority is satisfied that an education and care service is operating in a manner that poses, or is likely to pose, an immediate risk to the safety, health or wellbeing of a child or children being educated and cared for by the service.

I am satisfied that on 22 November 2023, the Service was not operating in accordance with the provisions of the *Law* or *Education and Care Services National Regulations 2011 (the Regulation)* as set out below.

Two Authorised Officers attended the Service at 3:00pm on 22 November 2023. As a result of observed non-compliances identified as posing immediate risk to the health, safety, and wellbeing of children in attendance at the Service, the Regulatory Authority decide to issue the Provider with an Emergency Action Notice (EAN).

On 22 November 2023, Authorised Officers witnessed and obtained evidence satisfying that the:

- (a) Provider was operating without a Responsible Person from 3pm to 3:50pm, contravening section 162(c) of the *Law*.
- (b) Provider failed to meet qualifications for the education and care of preschool children, contravening section 169 of the *Law*.
- (c) Provider failed to implement Medical Management Plans for children with a specific health care need for [REDACTED] and [REDACTED] contravening section 167 of the *Law*.
  - i. [REDACTED] enrolment form identified [REDACTED] has been diagnosed with Asthma and an egg allergy. No medical management plan was available and sighted. No risk minimisation plan or communication plan were in place to mitigate the risk of an Asthma event.

On further investigation, Authorised Officers (AO) identified [REDACTED] did not have a medical management plan, risk minimisation plan or communication plan in place for her egg allergy. Authorised Officers noted [REDACTED] enrolment form identified [REDACTED] may not have an egg allergy anymore. The information was not clear and no further confirmation or correspondence to substantiate the child's specific health care need was documented.

- ii. [REDACTED] the responsible person at the time advised AO's, [REDACTED] did not have a medical management plan, risk minimisation plan or communication plan in place for the medication administered daily for her ADHD. [REDACTED] enrolment form identified a document written by a general practitioner noting [REDACTED]  
[REDACTED] No medical management plan, risk minimisation plan and communication plan have been implemented to manage and minimise the risk of harm or hazard likely to cause injury to the child.

[REDACTED] is diagnosed with Asthma. A medical management plan was sighted by Authorised Officers; however, no risk minimisation plan or communication plan have been implemented to mitigate the risk of an Asthma event.

### **Action Required**

The Provider is required to provide the following to the Regulatory Authority by **close of business 23 November 2023**:

- a. Evidence that [REDACTED] and [REDACTED] parents/guardians have been contacted to provide a medical management plan for each of their medical conditions.
- b. Evidence that [REDACTED] and [REDACTED] parents/guardians have been consulted for the development of the risk minimisation plans and communication plans for each medical condition.
- c. Strategies in place to ensure the Provider meets the required qualification requirements to educate and care for children of preschool age and over preschool age on a daily basis.
- d. Copies of qualifications of educators meeting the qualification requirements.

The Provider is required to provide the following to the Regulatory Authority by **close of business 24 November 2023**:

- e. A medical management plan, a risk minimisation plan and a communication plan for each of [REDACTED] and [REDACTED] medical conditions.

For the following 14 days, the Provider must provide the Regulatory Authority with:

- f. A written record of the time and date the Responsible person is present. This needs to be provided on a daily basis.
- g. Copies of working directly with children records and child attendance records for each day the emergency action notice is enforced. This needs to be provided by close of business daily.
- h. Any changes to the staffing roster. The roster is to be provided to the Authority within 24 hours of the change occurring.

The approved provider must submit evidence that the above actions have been undertaken, in writing, to me at [delphine.coutin@act.gov.au](mailto:delphine.coutin@act.gov.au)

**Evidence for actions must be provided prior to recommencement of the Service.**

Failure to comply

If you do not take the required actions, or do not take those steps within the required timeframe, further compliance actions may be imposed, including suspension of your service approval.

Kind regards,



Delphine Coutin  
Assistant Director, Audit and Risk Management  
Children's Education and Care Assurance  
Education and Care Regulation and Support  
23 November 2023