



Mr [REDACTED]
G8 Education Limited

Dear Mr [REDACTED]

COMPLIANCE NOTICE

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

Approved provider name: G8 Education Limited (the Provider)

Approved provider number: PR-00000898

Approved service name: Lavender Lane Child Care Service (the Service)

Approved service number: PR-0009802

I am satisfied that Service, operated by the Provider, is not complying 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 taken into account the number of contraventions, the nature of the risk posed to children by the non-compliance, and the compliance history of G8 Education Limited and its services in the ACT.

You are required to provide written evidence of your compliance **within the times 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 165 (1) Offence relating to inadequately supervising children.	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.	The Provider must produce evidence to the Regulatory Authority that the Service is adequately staffed so that effective supervision of the children can be maintained at all times. Evidence required within 14 days of receipt of this Notice.
National Law Section 169 (1) Offence relating to staffing arrangements.	The approved provider of an education and care service must ensure that, whenever children are being educated and cared for	The Provider must produce evidence to the Regulatory Authority regarding how it is to be ensured that the Service is staffed

	<p>by a service, the relevant number of educators educating and caring for the children is no less than the number prescribed for this purpose.</p>	<p>adequately to meet the minimum requirements of Regulation 122, 123, including a contingency plan/policy and procedure to ensure adequate cover for unforeseen absences.</p> <p>Evidence required within 14 days of receipt of this Notice.</p>
<p>National Regulations Regulation 151 Record of educators working directly with children.</p>	<p>The approved provider of a centre-based service must keep a record of educators working directly with children that includes the following information—</p> <ul style="list-style-type: none"> (a) the name of each educator who works directly with children being educated and cared for by the service; (b) the hours that each educator works directly with children being educated and cared for by the service. 	<p>The Provider must produce evidence to the Regulatory Authority that training has been provided to educators at the Service regarding completion of working directly with children records and that there are processes in place to ensure working directly with children records are accurate at all times.</p> <p>The Provider must produce to the Regulatory Authority accurate working directly with children records for the two weeks commencing on the date of receipt of this Notice.</p> <p>Evidence required within 21 days of receipt of this Notice.</p>
<p>National Law Section 169 (2) Offence relating to staffing arrangements</p>	<p>The approved provider of an education and care service must ensure that each educator educating and caring for children for the service meets the qualification requirements relevant to the educator's role as prescribed by the national regulations.</p>	<p>The Provider must produce evidence to the Regulatory Authority that the Service is staffed adequately to meet the minimum qualification requirements as set out under Regulation 126.</p> <p>Evidence required within 14 days of receipt of this Notice</p>
<p>National Law Section 167 (1) Offence relating to the protection of children from harms and hazards.</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>The Provider must produce evidence to the Regulatory Authority that the Service is adequately staffed so that every reasonable precaution is taken to protect children from harm and from any hazard likely to cause</p>

	from any hazard likely to cause injury.	injury, specific to staffing arrangements, supervision.
National Regulations Regulation 155 Interactions with children.	An approved provider must take reasonable steps to ensure that the education and care service provides education and care to children in a way that— <ul style="list-style-type: none"> a) encourages the children to express themselves and their opinions; and b) allows the children to undertake experiences that develop self-reliance and self-esteem; and c) maintains at all times the dignity and rights of each child; and d) gives each child positive guidance and encouragement toward acceptable behaviour; and e) has regard to the family and cultural values, age, and physical and intellectual development and abilities of each child being educated and cared for by the service. 	The Provider must engage an external provider (to be first approved in writing by the Regulatory Authority) to provide targeted training to educators at the Service regarding the requirements of Regulation 155. The Provider must provide evidence of how interactions are monitored and training implemented, so as to ensure compliance with Regulation 155. Evidence of engagement of an approved external training provider is to be produced within 21 days of receipt of this Notice. Evidence of completion of the required training (including attendance of educators) together with evidence of ongoing monitoring processes, is to be produced to the Regulatory Authority within three (3) months of receipt of this Notice.

The steps directed to be taken must be addressed within the times specified in this Notice.

Please direct your response submission via email to tanya.masterman@act.gov.au or by post to Children's Education and Care Assurance, Attention Tanya Masterman, 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 Senior Investigator, Tanya Masterman at tanya.masterman@act.gov.au.

Yours Sincerely



Clare Brookes
Senior Director
Early Childhood Policy and Regulation
Education Directorate

7 July 2020