



**Undertaking by the Person – [REDACTED]**

I, [REDACTED] give my undertaking to the ACT Regulatory Authority that I will take the following actions, to maintain compliance with the *Education and Care Services National Law (ACT) (the National Law)*:

1. I will not undertake employment in the education and care sector until I have received approval from the Regulatory Authority, which will not be granted until:
  - a. I have submitted evidence of my completed Certificate III qualification to the Regulatory Authority;
  - b. I have submitted to the Regulatory Authority a letter from my Autism Spectrum Disorder specialist confirming my suitability for work in education and care to the best of their knowledge and belief (without liability); and
  - c. I have informed the Regulatory Authority of my proposed place of employment.
2. I will give the Regulatory Authority seven (7) days' notice of any change in my place of employment.
3. Whilst working in the education and care sector I consent to the Regulatory Authority disclosing to my employer (and future employers as applicable) a copy of this Enforceable Undertaking.
4. Until this Enforceable Undertaking is withdrawn by the Regulatory Authority (or the relevant term in paragraph 4 otherwise ceases to operate), in the case of my employment or volunteering in the education and care sector:
  - a. I will not accept employment or engagement as a Family Day Care educator;
  - b. I must ensure that my employer is made fully aware of my disability;
  - c. I must ensure that my employer is made aware of my support requirements and work with my employer to ensure reasonable adjustments are implemented;
  - d. I must ensure that I work with a mentor at any education and care service I am employed or volunteer at; and
  - e. I must ensure that I actively seek support and guidance from my mentor and/or room leader when I need clarification, assistance, or direction as an educator, specifically regarding my interactions with children.

I am aware of the consequences of failing to comply with this enforceable undertaking in accordance with section 181 of the *Law*, namely:



- If the Regulatory Authority considers that I have failed to comply with this undertaking it may apply to the relevant tribunal or court to enforce the undertaking.
- If the relevant tribunal or court is satisfied that I have failed to comply with a term of this undertaking the relevant tribunal or court may make any of the following orders:
  - An order directing me to comply with that term of the undertaking;
  - An order that I take any specified action for the purpose of complying with the undertaking;
  - Any other order that the tribunal or court considers appropriate in the circumstances.
- If the relevant tribunal or court determines that I have failed to comply with a term of the undertaking, proceedings may be brought for any offence constituted by the contravention or alleged contravention in respect of which the undertaking was given.

In accordance with Section 179A of the *National Law*, I [redacted] give the written undertaking to take the actions listed to comply with the *National Law*.

Name: [redacted]

Position: N/A

Date: 31/5/2022

Signed: [redacted]

Acceptance of Undertaking by the Regulatory Authority

In accordance with Section 179A of the *National Law*, the Regulatory Authority accepts the written undertaking that [redacted] will take actions listed in this undertaking to comply with the *National Law*.

Name: Clare Brookes

Position: Senior Director Children's Education and Care Assurance

Date: 31 May 2022

Signed: [redacted]



Important information:  
Effect of this undertaking

- *While this undertaking is in force, proceedings may not be brought for any offence constituted by the contravention or alleged contravention in respect of which the undertaking was given.*
- *If you comply with the requirements of this undertaking, no further proceedings may be brought for any offence constituted by the contravention or alleged contravention in respect of which the undertaking was given.*
- *You may with the written consent of the Regulatory Authority withdraw or amend this undertaking.*
- *The Regulatory Authority may withdraw its acceptance of this undertaking at any time and the undertaking ceases to be in force on that withdrawal.*
- *The Regulatory Authority may publish on its website an undertaking accepted under this section.*