

Mr [REDACTED]
 Person with Management and Control
 Affinity Education Group Limited
 RE: Papilio Early Learning Turner

Email: [REDACTED]
 [REDACTED]

Dear Mr [REDACTED]

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

Approved provider name: Affinity Education Group PR-40001112 (the Provider)
Approved service name: Papilio Early Learning Turner SE-40007193 (the Service)

I am satisfied that Papilio Early Learning Turner SE-40007193 (the Service), operated by Affinity Education Group PR-40001112 (the Provider) is not complying with the provisions of the *Education and Care Services National Law Act (ACT)* (the Law) and the *Education and Care Services National Regulations* (the National Regulations) as outlined hereunder.

In making the decision to issue this compliance notice, I have considered the substantiated contravention, the nature of the risk posed to children by the contravention, and the objectives and guiding principles of the Law.

Provision of the National Law and National Regulations	Description	Steps to be taken by the Approved Provider
National Law Section 165(1)	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 to is to submit Evidence demonstrating the following actions: i. Reviewed and implemented supervision policy and procedure to support adherence to the National Law.
National Law 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 care for by the service from harm and from any hazard likely to cause injury.	ii. The Service’s Quality Improvement Plan includes a recent assessment by the Provider of the quality of the practices of the Service regarding supervision and identifies any areas about supervision that the Provider considers requires improvement.

		<ul style="list-style-type: none"> iii. All educators are aware of, and understand, expectations of the National Law and the Provider in respect to provision of adequate supervision of all children at all times that they are being educated and cared for by the Service. iv. All educators have completed advised of training – Active Supervision Course, assigned via Learning Hub. v. Confirmation as to the outcome of proposed gate being installed to bottom of fire exit stairs. <p>Evidence to demonstrate compliance is required within 14 days of the date of receipt of this Notice.</p>
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Time for Compliance

You are required to provide written evidence of your compliance **by the time indicated within the above table**, to the ACT Regulatory Authority (the Authority), Children’s Education and Care Assurance, ACT Education Directorate.

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 will be published on www.det.act.gov.au.

If you have any questions about this notice, please contact Janine Fairburn via email at janine.fairburn@act.gov.au.



Jo Williams
Director
Children's Education and Care Assurance
Education and Care, Regulation and Support
ACT Education Directorate

2 May 2022