

Mr [REDACTED]
Person with Management or Control
Guardian Community Early Learning Centres Pty Ltd
Re: Guardian Childcare & Education Bruce

Email: [REDACTED]

Dear Mr [REDACTED]

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

Approved provider name: Guardian Community Early Learning Centres Pty Ltd (the Provider)
Approved provider number: PR-00000823

Approved service name: Guardian Childcare & Education Bruce (the Service)
Approved service number: SE-40004913

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*) and *Education and Care Services National Regulations* (the *Regulations*) 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: i. Review action plans, communication plans and risk assessments for all children that are enrolled with a medical condition and/or a healthcare need as per the regulation. ii. Provide evidence of how these plans are and have been

		communicated to ensure educators are aware of each individual child's needs when it comes to medical dietary requirements. Evidence required within 14 days of receipt of this Notice.
Regulation 90	(1) The medical conditions policy of the education and care service must set out practices in relation to the following— (a) the management of medical conditions, including asthma, diabetes or a diagnosis that a child is at risk of anaphylaxis; (b) informing nominated supervisors and staff members of, and volunteers at, the service of practices in relation to managing those medical conditions; (c) the requirements arising if a child enrolled at the education and care service has a specific health care need, allergy or relevant medical condition	
Regulation 170	(1) The approved provider of a centre-based service must take reasonable steps to ensure that nominated supervisors and staff members of, and volunteers at, the service follow the policies and procedures required under regulation 168.	

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 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.

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 me via email at vittorio.colosimo@act.gov.au.

Yours Sincerely



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

19 June 2025