

<b>Details</b>	
1. Details of entity to whom the enforcement action relates	Family Day Care Association Queensland Ltd (the approved provider)
2. Type of service	Family Day Care Services
3. Nature of Enforcement Action	Enforceable undertaking
4. Reason for Enforcement Action	<p>A total of 237 instances of non-compliance with the Education and Care Services National Law and the Education and Care Services National Regulations were identified by the Regulatory Authority across the approved provider's (12) services during investigations conducted between March and July 2021. Non-compliance was identified with the following provisions:</p> <ul style="list-style-type: none"> <li>• sections 51(2), 165, 167, 170(2) and 269(3) of the National Law; and</li> <li>• sections 77, 80, 82, 97, 99, 102, 103, 104, 116, 160, 163, 165, 170, 170(2), 171(1) and 177 of the National Regulations.</li> </ul> <p>Further information about the provisions of the National Law that were breached can be found <a href="#">here</a> and information about the provisions of the National Regulations that were breached can be found <a href="#">here</a>.</p>
5. Date of agreed undertaking	25 November 2022 For a term of 12 months
6. Details of Enforceable Undertaking	<p>The approved provider undertakes to:</p> <ol style="list-style-type: none"> <li>1. Develop and finalise a clear Change Implementation Plan that identifies timeframes and persons responsible for implementing updated: <ol style="list-style-type: none"> <li>a. governance arrangements</li> <li>b. policies and procedures</li> <li>c. programs and resources</li> </ol> </li> <li>2. Develop an Organisational Chart that details systemic governance controls and responsibilities</li> <li>3. Develop a Non-Compliance Response Process for proactive identification and response to non-compliance</li> </ol>

	<ol style="list-style-type: none"> <li>4. Develop a Learning Management system to ensure staff training is current and complete</li> <li>5. Develop an Onboarding System that ensures relevant suitability checks are undertaken in the recruitment of staff</li> <li>6. Develop an Audit System to monitor compliance with the systems introduced under this enforceable undertaking, and submit completed audit reports in line with this system to the Regulatory Authority.</li> </ol>
7. Steps taken	<p>To address the immediate risks presented by the identified non-compliance, and to ensure timely rectification of the non-compliance, the regulatory authority issued 12 Emergency Action Notices, with which the approved provider complied by taking all the specified steps to rectify the identified risks.</p> <p>To support the approved provider's ongoing compliance with the National Law and Regulations, the regulatory authority has accepted a written undertaking from the approved provider in line with the terms above and will monitor compliance with this undertaking over its 12 months duration. Failure to comply with the undertaking may result in the regulatory authority pursuing further enforcement action, including prosecution.</p>