

Question on Notice
No. 1150
Asked on 14 October 2025

MR M BERKMAN ASKED THE MINISTER FOR EDUCATION AND THE ARTS (HON J LANGBROEK)—

QUESTION:

Will the Minister advise how many of the following have been issued by the Early Childhood Regulatory Authority since July 2023 (reported separately by year) and the nature of the alleged breaches involved, including any details on the incidents, (a) enforceable undertaking, (b) emergency action notice, (c) prohibition notice and (d) suspension or cancellation of approvals (other than voluntary)?

ANSWER:

I am advised that:

Between 1 July 2023 to 30 June 2024 there were:

- (a) **20 enforceable undertakings** entered into with individual educators for matters relating to inappropriate discipline or other poor interactions with children.
- (b) **58 emergency action notices** were issued to approved providers requiring immediate action to address key safety and compliance issues, including the suitability of environments, supervision of children, staffing and record-keeping, water safety, and compliance with existing regulatory conditions.
- (c) **13 prohibition notices** were issued to educators where it was determined that they may pose an unacceptable risk to children.
- (d) **1 suspension and no cancellations of approval.** The suspension was issued on the grounds of safety concerns, failure to manage the service in accordance with the National Law, and non-compliance with an emergency action notice. The suspension related to issues with premises safety and cleanliness, record keeping, emergency procedures and staff qualifications.

Between 1 July 2024 to 30 June 2025 there were:

- (a) **21 enforceable undertakings** entered into during the reporting period. Of these, 18 were with individual educators in relation to matters such as inappropriate discipline, inadequate supervision of children. Three enforceable undertakings were entered into with large, approved providers for breaches of conditions attached to their provider approvals requiring compliance with the National Law.
- (b) **33 emergency action notices** were issued to approved providers requiring immediate action to address key health, safety and operational matters. These included ensuring safe environments and equipment, maintaining appropriate hygiene and food safety standards, implementing effective supervision and emergency procedures, and ensuring staff consistently follow service policies and procedures.
- (c) **19 prohibition notices** were issued to educators where it was determined that they may pose an unacceptable risk to children.
- (d) **No suspensions and 3 cancellations of approvals.** The cancellations issued on grounds including abandonment of governance arrangements, failure to comply with approval conditions, and persistent non-compliance with the National Law, all of which presented an unacceptable risk to the safety, health and wellbeing of children.

Between 1 July 2025 to 16 October 2025 there have been:

- (a) **1 enforceable undertaking** entered into with a large, approved provider for a breach of the condition attached to their provider approval requiring compliance with the National Law.
- (b) **9 emergency action notices** were issued to approved providers of education and care services, requiring them to take immediate action across a range of critical matters. These included ensuring the safety and suitability of premises, fencing, furniture, materials and equipment used by children; strengthening emergency and evacuation procedures.
- (c) **8 prohibition notices** were issued to educators where it was determined that they may pose an unacceptable risk to children.
- (d) **1 suspension and no cancellations of approval**. The suspension issued on the ground that the service was not being managed in accordance with the law and that the approved provider had failed to comply with several compliance notices and an emergency action notice issued by the Regulatory Authority.