

BERMAGUI PRESCHOOL



2.13 Notification to the Regulatory Authority

This policy was approved by the Nominated Supervisor in consultation with staff and families.

Date Approved: April 2026

Review Date: April 2029

Purpose

To ensure Bermagui Preschool complies with all legislative requirements for notifying the Regulatory Authority of serious incidents, complaints, and changes to the service within required timeframes.

Scope

This policy applies to the Approved Provider, Nominated Supervisor, Responsible Person, educators and staff.

Policy Statement

Bermagui Preschool is committed to ensuring that all notifiable events, incidents, complaints, and changes are reported to the Regulatory Authority within the required legislative timeframes.

Notifications will be accurate, timely, and submitted via the National Quality Agenda IT System (NQAITS).

Responsibilities

Approved Provider

The Approved Provider will:

- Ensure systems are in place to identify and notify required matters
- Ensure compliance with all notification timeframes
- Oversee and monitor notification practices

Nominated Supervisor / Responsible Person

The Nominated Supervisor or Responsible Person will:

- Identify when a notification is required
- Submit notifications via NQAITS within required timeframes
- Ensure all information provided is accurate and complete
- Maintain records of all notifications and supporting documentation

Notification Timeframes

Notifications must be made within the following timeframes:

- **Within 24 hours:**
 - Serious incidents
 - Complaints alleging a serious incident or breach of the Law
- **Within 7 days:**
 - Changes to service information (e.g. hours, environment, contact details)
- **Prior to the change (or as required by the Regulatory Authority):**
 - Changes to the physical environment
 - Temporary relocations
 - Any changes requiring approval

Serious Incidents

A serious incident (as defined under Regulation 12) includes:

- Death of a child
- Serious injury, trauma or illness requiring urgent medical attention or hospital attendance
- A child missing or unaccounted for
- A child removed from the service in breach of regulations
- A child locked in or out of the premises
- Emergency services attending the service
- Any circumstance posing a serious risk to the health, safety or wellbeing of a child

Procedure

- Ensure immediate care, safety, and supervision of all children
- Contact emergency services where required
- Inform the Approved Provider
- Complete the ACECQA Incident, Injury, Trauma and Illness Record
- Submit notification via NQAITS within 24 hours
- Retain all documentation, including internal incident reports

Complaints

Notifications must be made where a complaint alleges:

- A serious incident has occurred or is occurring, or
- The National Law or Regulations have been contravened

Procedure

- Record the complaint (written or verbal)
- Gather relevant details and documentation
- Notify the Regulatory Authority within 24 hours
- Maintain records including:
 - Complainant details (where provided)
 - Details of the complaint
 - Steps taken in response
 - Supporting documentation

Service Closures and Emergencies

The Regulatory Authority must be notified where the service closes or reduces operations due to unexpected circumstances (e.g. flood, fire, storm damage).

Information to include

- Description of the event
- Impact on service operation (dates, times, reduced numbers)
- Involvement of emergency services or authorities
- Actions taken by the service

Changes to the Physical Environment

Notification must be made prior to any renovations or changes that may impact children's health, safety or wellbeing.

Information to include

- Description of proposed changes
- Impact on service operations
- Proposed start and end dates
- Updated floor plans
- Risk assessments (where required)

Changes to Service Information

Notification must be made within 7 days for changes including:

- Hours or days of operation
- Contact details
- Any other prescribed service information

Temporary Relocation

The Regulatory Authority must be notified prior to any temporary relocation of the service.

Information to include

- Reason for relocation
- Address and details of temporary premises
- Proposed dates
- Site map and facilities
- Risk assessments

Regulatory Authority Contact

NSW Early Childhood Education Directorate

Department of Education

Locked Bag 5107

Parramatta NSW 2124

Phone: 1800 619 113

Email: ececd@det.nsw.edu.au

Website: education.nsw.gov.au

NQAITS Portal:

<https://public.nqaits.acecqa.gov.au>

National Quality Standard (NQS) Links

Quality Area 7 – Governance and Leadership

- 7.1 Governance: Systems enable effective management and operation
- 7.1.2 Management Systems: Systems are in place to manage risk and enable compliance

Relevant Legislation

Education and Care Services National Law Act

- Section 174 – Offence to fail to notify certain information

Education and Care Services National Regulations

- Regulation 12 – Meaning of serious incident
- Regulation 175 – Prescribed information to be notified
- Regulation 176 – Time to notify

Related Policies and Documents

- Child Protection Policy
- Complaints and Feedback Policy
- Incident, Injury, Trauma and Illness Policy
- Emergency and Evacuation Policy
- Death of a Child Policy
- Excursions Policy
- Record Keeping and Retention Policy

Version History

V1.0 – First Published: Pre-2024

V2.0 – Reviewed: 10/04/2026

Updated to:

- Clarify notification timeframes
- Align with current legislation and ACECQA guidance
- Strengthen procedures for all notification types
- Improve structure and readability