Fairburn, Janine

From:

Partridge, Leah

Sent:

Wednesday, 31 July 2019 4:41 PM

To:

Masterman, Tanya

Subject:

Phone Call rg. SCN Brindabella Christian College

UNOFFICIAL

Hi Tanya,

So sorry, I accidently picked up you phone this afternoon while trying to pick up Sean's.

from Brindabella Christian College rang to ask if was able to get an extension on the response to the Show Cause Notice which is due this afternoon commented that

trying to get this response to you.

greed that you would be happy to offer extra time and gave until COB Friday 2nd August 2019 to provide unis response. I hope this is okay with you.

Kind regards,

Leah Partridge | Assistant Director | Early Childhood Regulatory Policy and Coordination Phone: 6207 8083 | Fax: 6207 1128 | Email: Leah.Partridge@act.gov.au

Early Childhood Policy and Regulation | Education | ACT Government

Level 3, HBCTL, Fremantle Drive, STIRLING ACT 2611 | GPO Box 158 Canberra ACT 2601

www.education.act.gov.au | Facebook | Twitter | Instagram | LinkedIn | CECA Facebook

I acknowledge the traditional custodians of the ACT and their continuing connection to land and community. I pay my respect to them and their culture, and to the elders both past and present.



Fairburn, Janine

Fairburn, Janine		
From: Sent: To: Subject: Attachments:	Wednesday, 31 July 2019 2:04 PM Masterman, Tanva Re Regulatory Authority Case Notice Report.docx	Show Cause Notice from ACT
Attachments.	case Notice Report.docx	
Dear Ms Tanya Masterm	an	
	he 2 allegations against my name. I received to 2 allegations against my name. I received to 2 also	this via email on the 17th of July, in which I was it of July.
Below attached is my res	sponse.	
If you require anything e	lse please do not hesitate to email me on this	s email.
egards,		
BRINDABELLA CHRISTIAN COLLEGE	· ·	

From: Masterman, Tanya < Tanya. Masterman@act.gov.au>

Sent: Wednesday, July 17, 2019 3:02 PM

To: @bcc.act.edu.au>

Subject: Brindabella Christian College ELC - Charnwood - Show Cause Notice from ACT Regulatory Authority

UNCLASSIFIED

Dear

I am an Authorised Officer under the *Education and Care Services Law (ACT)*. The Regulatory Authority recently received a complaint regarding your conduct towards children at the above service and carried out a formal investigation.

It has been determined by the Authority's Case Management Committee that there is sufficient evidence to warrant a show cause notice being issued to you, to provide you with an opportunity to respond to the allegations made.

The notice is attached, together with a guide to responding to a show cause notice. A hard copy is being sent by registered post today.

You will see that any response you wish to submit is due 14 days from the date of receipt of the notice.

Yours sincerely

Tanya Masterman | Senior Investigator Phone 02 6205 2012 | Email tanya.masterman@act.gov.au Early Childhood Policy and Regulation | Education | ACT Government Level 3, Hedley Beare Centre for Teaching and Learning, 51 Fremantle Drive, Stirling 2611 GPO Box 158 Canberra ACT 2601 www.education.act.gov.au | Facebook | Twitter | Instagram | LinkedIn | CECA Facebook

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient: - please notify the sender and delete all copies of this transmission along with any attachments immediately.

- you should not copy or use it for any purpose, nor disclose its contents to any other person.

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The contents of this email are confidential and are intended only to be read or used by the named addressee. Any unauthorised use of the contents is expressly prohibited. If you receive this email in error, please notify the administrator on +61 2 6247 4644 and immediately delete it from your system. You must not disclose, copy or use any part of this email if you are not the intended recipient

Response to Allegations

Brindabella Christian College

Due: 31st of July, 2019

Allegation One	×	

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C.	



Allegati	on Two			
a.				
b.				
с.				

7 of 8

	2	

Fairburn, Janine From: @bcc.act.edu.au> Sent: Wednesday, 31 July 2019 5:51 PM To: Masterman, Tanya Subject: Show Cause Notice Attachments: Response to send.zip; Show Cause response.pdf Dear Tanya, Please see attached my Show Cause Response and supporting documentation. Please do not hesitate to contact me should you require anything further. Kind Regards

The contents of this email are confidential and are intended only to be read or used by the named addressee. Any unauthorised use of the contents is expressly prohibited. If you receive this email in error, please notify the administrator on +61 2 6247 4644 and immediately delete it from your system. You must not disclose, copy or use any part of this email if you are not the intended recipient



31 July 2019

Tanya Masterman Senior Investigator Children's Education and Care Assurance GPO Box 158 CANBERRA ACT 2601

Dear Tanya,

I am writing to respond to the 'Show Cause Notice' issued by the ACT Regulatory Authority relating to allegations of inappropriate discipline and inappropriate interactions by educators at Brindabella Christian College Early Learning Centre Charnwood SE-00011290 (the Service), operated by Brindabella Christian Education Ltd PR-00005809 (the Provider).

I can confirm that at the relevant time			and
were the	for Brindabella Christia	n Education Ltd.	
Allegation One			
It is alleged that, on 14 Ma	y 2019,	told a child,	

- a. words to the effect of "if you don't stop being naughty I'll send you somewhere else and you won't be able to come back here or see your mummy or daddy again"; and
- b. words to the effect of "if you don't go to sleep right now, I'll call your mummy and daddy and tell them to not come and get you today"

Response



Allegation Two

	and	leged that, on 14	had put	to bed,	being serve	d in the	room
	c.	Removed crying and yelling		and pulled to go to be		m to the table,	while was
	d.	Wher and dragged go to bed.	went back to to the table, wh	bed, ile		in removed and yelling that	from bed wanted to
Respo	onse .						
Allega	ation Th	iree					
	1+	is alleged that, or	14 May 2010 v	whon		was at the lui	ach table and
		rying about wantin	g to go to bed,				ich table and
	1		poonful of up mouth and held		it in mou vn wher t		s yelling, held hands away.
_							,
Respo	<u>onse</u>						



Follow up

The leadership Team and I will work			
closely with to ensure is given the appropriate mentoring and Support to extend skills			
and knowledge At the service I will ensure that our key			
focus areas with and development is around interactions with children and behaviour			
guidance strategies. Pending the outcome and return will be placed under direct			
supervision and an Early childhood Teacher, in a room that can closely support and monitor			
interactions and work with Children. Another Strategy that has been put in place in light of this is			
Within the change of the leadership team and support structure at Charnwood ELC. From this	of the leadership team and support structure at Charnwood ELC. From this		
change we will also be able to have regular check in sessions with and myself, the	able to have regular check in sessions with and myself, the		
and as the			
to ensure this type of issue does not arise again.	1		
With relation to our support plan and changes with the allegations against We are currently			
recruiting for a Lead Educator either Diploma or Degree Qualified in our room to work with			
and supervise and support further development of skillset as a Lead Educator.			

The leadership team Structure Change explained in the above statement is outlined as follows:

- The position of Assistant Director is being advertised as Assistant Director/Nominated Supervisor Non-Teaching, with this change we will ensure that each of our Sites have a Nominated Supervisor allocated to each Centre to support in the role.

	has now	been appointed in a
	across	to ensure
that staff are adequately supported with regards to	.,	, ,
This role will also allow for more one on	one mentoring and th	ne ability to focus
on set goals for individual educators.		

Please be aware that we have been actively working with the staff in the development of their skills and have provided a multitude of training and support over the past 6 months also With relation to



all allegations in the Show Cause notice/the services notice of a 215 request there have been a number of actions taken to ensure all staff are aware of best practice we have also had a major review of policy and procure during the last few months and this is now reflective in our management please see the following attachments for your reference:

- Appendix A Interview voice recording
- Appendix B Interview voice recording
- Staff meeting is taking place on Monday 12 August. During this meeting we will be revisiting
 policy and procedure relating to interactions with children as well as the Behaviour Buster
 workshop. I have attached a copy of our planned agenda, see Appendix C
- On 9 January 2019 All staff participated in Protective Behaviors Training and mandated reporting training, see Appendix D
- On 13 and 14 February 2019 met with to discuss their development and support plans for 2019, see Appendix E
- On 15 February 2019 an email was sent to all staff in relation to encouraging children to eat and interactions, see Appendix F
- 25 February email relating to joint Belief statements in response to staff meeting, see Appendix G
- 29 April 2019 Minutes from staff meeting, Appendix H
- 14 May 2019 Email communication from Appendix I`
- 29 May 2019 Communication Record with and written warning, Appendix J
- 18 June 2019 Communication record, all staff individually with Appendix K
- 1 July Staff meeting agenda and SIDS training, Appendix L
- Appendix M; signed policy's reviewed

Also provided:

- Voice recordings of interviews (Can be provided upon request, see appendix A and Appendix B for transcribed notes.)
- Appendix C Agenda for August Staff Meeting
- Staff Handbook
- Staff code of conduct
- is being scheduled for August to conduct in house training with all staff.
- Staff will be given additional time to complete modules on ECA Learning Hub



This information and supporting documents have been provided, in response to the 'Show Cause Notice' issued by the ACT Regulatory Authority relating to allegations of inappropriate discipline and inappropriate interactions by educators at Brindabella Christian College Early Learning Centre Charnwood SE-00011290 (the Service), operated by Brindabella Christian Education Ltd PR-00005809 (the Provider). Should your require any further information, please do not hesitate to contact me.

Regards		

Transcription Details:

Date: 25 July 2019

Duration of Audio: 19 minutes and 33 seconds

Start of Transcription

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4





End of Transcription

Transcription Details:

Date: 25 July 2019

Duration of Audio: 14 minutes and 22 seconds

Start of Transcription

15 of 108

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Whole ELC & OSHC Staff-Team Meeting Date: Monday 12th August 2019

Welcome everyone sign in on attendance sheet please.

Prayer - Open for anyone to lead prayer.

Housekeeping:
- New roles for management, new leadership roles. 1. Assistant Director for Charnwood Recruitment we sent a letter that out to families and staff on the 31/7/2019 explaining this change. 2. role to oversee all Curriculum & Educational programs, Staff training and development 3. Staffing/organisational Structure:
- Changes and recruitment update on staffing placement:
1.
2. 3. we will also be recruiting for the replacement in
 Changes re and how that affects us in ELC & OSHC Staff appraisal notices everyone will have their meetings in coming month
Opening Devotion:
Ice breaker:

Main Agenda:

- Rights of the child training session
- Behaviour Guidance, respectful interactions training by outsourced provider confirmation required)

Closing Prayer:

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Sent:

Monday, 18 February 2019 12:48 PM

To:

Cc:

Subject:

RE: Staff Behaviours

Hi

I agree with most of what you have said in your email below. Regarding the consumption of food, the ELC Staff Handbook found in states that

"Staff are encouraged to have a small helping of lunch and sit down to eat with the children during lunch times. The purpose of this is to role model good eating habits, health and hygiene, and table manners; foster social connections between staff and children, and children with one another, and; use these times as teaching opportunities to talk about different aspects of our day and the world.

Staff are asked to bring their own lunch time meal to be eaten during their lunch break, and to not consume ELC food at other times."

What you have said in point one seems to contradict this. How can we have a small helping with the children and role model, as stated above, if we are not to eat any food until the children have finished? From experience this policy is a great way to help our more fussy eaters. I agree that it should only be a small helping as a tool to role model, and that staff should bring their own lunch.

Can you please clarify this point?

Many thanks

From:

@bcc.act.edu.au>

Sent: Friday, February 15, 2019 2:45 PM

To:

@bcc.act.edu.au>;

@bcc.act.edu.au>;

Subject: Staff Behaviours

Dear Teams,

It has come to our attention that there are some staff who are not following the policies and procedures surrounding:

- 1. The Consumption of Food while supervising children
- 2. Interactions with children

These are clearly addressed and outlined in our Staff Handbook. It is expected that:

- When you are with the children you are <u>ONLY</u> eating food once the children have finished. The school is not here to provide food for staff, it is for the children whose parents pay for the food and our service.
- 2. It is not professional to be walking around and eating. Yes, we encourage fellowship over food, but it certainly is not professional for staff to be walking around eating while the children are asked to sit and eat. You are modelling to the children. You are professionals and it is expected that you are setting an example.

- 3. It is not acceptable to be sitting down and shouting at children across the yard. You are required to get up, go over to the children and interact with them. It is expected that you will treat children with the same respect we ask of them- we don't like it when they yell/shout at us, so it is not okay for us to do it to them.
- 4. When seated, you <u>MUST</u> be interacting with children. Slouching, sitting in one spot for an entire afternoon or sedentary behaviours are not displaying excellence, nor supporting the environment which our parents are paying for. If you see 2 staff sitting down, it is your responsibility to be moving around. This also supports supervision and promotes positive relationships.

If you have any concerns regarding this, please do not hesitate to speak with happy to go through these expectations with you.		We would be
happy to go time agree aspectations with your	ı	

BRINDABELLA CHRISTIAN COLLEGE

From:	
Sent:	Monday, 25 February 2019 2:56 PM
To:	
Cc:	
Subject:	Believe Statements

Good Afternoon,

Here are "I Believe Statements" for tonights meeting. We will also come with a copy of this email just incase it is needed.

Children and Learning

- I believe ... that all children are capable of their abilities to learn new skills.
- I believe ... that children are unique with talents beyond their years.
- I believe ... that each child has the right to feel safe and secure within their environment.
- I believe ... that children bring their own sense of understanding to their learning.
- I believe ... children are able to teach other from what they have learned, whilst supporting others through their own learning.

Families and Communities

- I believe ... that families are our main source of knowledge when it comes to their child.
- I believe ... that families provide a scaffold for understanding of their environmnt and supporting us as educators and the children.
- I believe ... that the community is a great source of knowledge to help support each child.
- I believe ... that the chuch community is a great source of knowledge in teaching for us all.
- I believe ... that the Brindabella community supports each child and family in their growth.

Educators

- I believe ... that we can offer support and love to each individual child.
- I believe ... that we are able to pass on knowledge to educators and families.
- I believe ... that we can create a space in which children and families can feel supported and secure.
- I believe ... that we can support each other as a team to build a community.
- I believe ... that we are role models to each child and that with the love and support God we can be the best role models for our children.

We will see you tonight! Regards

Meeting Date:		29 April 2019			
Meeting Attendees:		ELC & OSHC Team Charnwood and Lyneham			
Meeting led by:		ELC			
Meetin	g time:	6:30 pm 8:30 pm			
Openin	g Prayer by:				
weed flow these stand during stands.	and their time other time hard field held date date have been date.				
Minute	s of the Meeting	g .			
Part A:					
1. 2. 3.	PD review comi	onfusion for the past weeks brought about by families meeting each staff for some concerns ing soon: for the ELC; OSHC Co-ordinators with for the OSHC staff ges in staff circumstances e.g getting married, having a baby, study commitment,			
	etc.				
4.	Starting May 1,	2019, recruitment process begins			
5.	Staff roster sho	ws recent changes to staff's circumstance.			
	Issue focus: Sw	rapping shifts: Consider same qualifications and requirements to meet			
		inforce duties and regulations of the centre focusing on 'duty of care' pervisors are responsible for the charges or any negligence.			
6.	Leave: Need to g	to through the process			
7	*Approval of le				
	*Not acceptable	e: Leave not approved then take a sick leave			
		s of application for leave: Use proper form ther reviews and process the approval (particularly annual leave)			
		g. unforeseen event, sickness, bereavement, jury duty, etc. ~ approval is based explained to the team further			
		hat the process of approving leave having a strong business impact that the buld not know the details.			
explained about the role of educational leadership/educational leaders (including as significant and vital to the operation of the business and it is not acceptable if sta					

	becomes disrespectful. Certain guidelines need to be followed particularly in relation to children's safety.
	reinforcing staff's obligation to do the duty and consequences of breach based on work responsibilities and duty of care. shared some examples explained that if you are employed, you have the duty and agreed commitment to do your job. The approach that the leadership team will be taking is to identify areas for improvement and build a plan to address the weaknesses by providing support to the staff. This process will be done through the standard procedure.
	*Staff incident – complete the proper staff incident report form within 24 hours. stressed out that there is a support system in place but need to follow proper procedure.
	"No leave form and no medical certificate = leave without pay"
	*Everybody is welcome to express their opinions and ideas to improve the policy through written notification. The educational leadership team is happy to hear everybody's suggestions or comments.
	reminded everybody to take their breaks on time. Swapping break time could affect the team.
7.	verified those who have attended and who have not attended the first aid course. Staff is expected to properly respond to child's needs and incident needs. *Responded to child's needs. Examples: severe physical accident; parent assault; one of your team members or
	*If need assistance, call ambulance. Call assistance from team. *EAP (Employee Assistance Program) — assistance provided with confidentiality — to look after everyone's wellbeing, not only physical injuries stressed about taking care of one's wellbeing.
8 p	announced about some staff vacancies and asked for referrals who are qualified and are racticing Christians.
8.	- acknowledged and recognised staff's effort at work:

11. Mid year reports due for both campuses: End of May 2019.

Part B:

Group into teams to discuss room plans and program implementation for Term 2.

Meeting concluded: 8:30 pm

BRINDABELLA CHRISTIAN COLLEGE

Location:

Charnwood Church Hub

Date:

29/04/2019

Agenda Items

6:40 PM

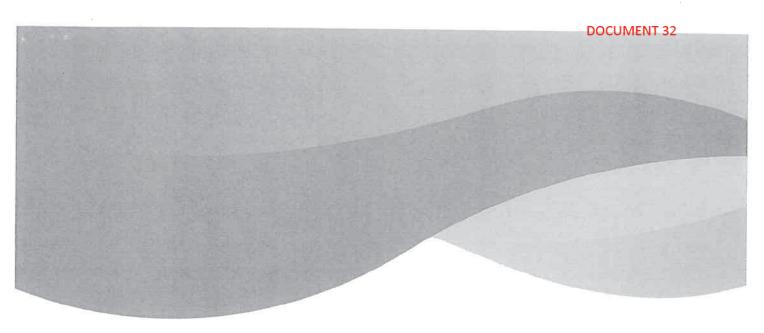
Apologies for those whom couldn't attend.

Romy with Opening Prayer

Bless the meeting and allow us to think of our decisions and thoughts.

House Keeping/Agenda for the Meeting

- Issues whilst
- Problems raised by staff and families of the Centre's
 - will be meeting with everyone to debrief about the past 2 weeks - as well as talking about anything staff have noticed.
- Performance Reviews
 - Think about what you would like to focus on throughout the next 6 months, as well as thinking about what you would like to grow your knowledge on.
- Email from
 - will be taking on the role of
 - position is filled
 - Recruiting for a Finance and Admin Officer



- Previous and Upcoming Changes to Roster
 - This is to make sure that there is the right about of staff on at the right times to make up the ratios needed.
 - When swapping shifts, need to be cautious that swapping is happening with team member of equal qualifications.

Duty of Care

- Leave Process
 - The only person that can approve leave is in the absence of it falls to
 - It is not acceptable when you put it in leave, it being declined and then taking a sick day.
 - If you need any Leave extended, call
 - Appointments
 - Please make sure you are making appointments outside of work times, it is understood that sometimes there are situations were there is no other appointment time, but please be mindful.
 - Medical certificates and Leave Forms need to be in the day you come back from Sick Leave.

From: Sent: To:	Wednesday, 17 July 2019 4:17 PM	9
Subject:	FW:	
As always if you require any fo	urther information please call or reply email to the details below.	
ERINDABEL CHRISTIAN COLLEGE From: Sent: Tuesday, 14 May 2019 To: Cc: Subject: RE: To whom it may concern,		

3

From: Sent: To: Subject:	Wednesday 17 July 2019 4:17 PM FW:	
As always if you require a	any further information please call or reply email to the details below.	
BRINDAB CHRISTIAN COLLE From: Sent: Tuesday, 14 May 2		
To: Cc: Subject: RE:	2019 12:13 PM	
To whom it may concer	rn,	

	BRINDABELLA CHRISTIAN COLLEGE
-	From: Sent: Friday, 15 March 2019 5:31 PM To: Subject: Fwd:
	Begin forwarded message:
	From: Date: 15 March 2019 at 4:52:15 pm AEDT To: Subject:
	Hi
C	
	Could you please let me know as soon as possible if this would suit you and your staff? Thank you.
	Regards





Communication Record

Date:		29/5/2019		
Name and the state of the state				1
Employee Name	e:			
Position:		Educator		
Centre:		Charnwood ELC		-
Issue/ Inciden	t Raised:	40-110-05-0		1
1 1			Phone when working directly with Children	
Educator's Name: Signature:				
Position:				
	PROPERTY AND THE PROPERTY OF THE PARTY OF TH			
Centre Director's Name:			Signature:	

Original to be given to Employee (if requested)

- 1. Copy to be placed on Employee's file
- 2. If applicable copy to be sent to Human Resources



Private and confidential

Dear
Warning letter – First & Final Notice
This letter is to formally advise you about your performance during your employment with Christian College Early learning Centers, with relation to the now evident Breach of School Policy and Procedure in relation to:
You were provided a copy of the correct procedure (Staff Handbook revised edition 2018) at a staff meeting held during the past six months where all staff were re inducted into their employment as we had changes and amendments to the Staff handbook.
This is your First and Final warning letter. If your performance does not change to a meet professional Conduct requirements, and does not improve immediately or if a breach is to occur again during your employment, further action may be taken, with a follow up notice and a review of your employment options with the possibility of termination if deemed necessary.
Yours sincerely,
Singed:
Brindabella Christian College

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DOCUMENT 32



Communication Record

Date:	18/6/2019		
	ii ²		
Employee's Name's:	All Charnwood ELC Staff		***************************************
Supervisor		Charnwood ELC	
Centre:	Charnwood ELC		±

Issue/ Incident Raised:

A	Who	The communication record is in response to the following concerns:
A	When	 Mobile Phone Usage when supervising children.
A	Where	 Interactions with Relief staff
A	What	 Interactions & Supervision with Children outdoors
		Staff Presentation (appropriate clothing for work)

Educator's Name: Position:	Signature:	
Supervisor Name: Position:	Signature:	

- 1. Original to be given to Employee (if requested)
- 2. Copy to be placed on Employee's file
- 3. If applicable copy to be sent to Human Resources

Staff Meeting 1.7.19

6:30 - 7:30pm - SIDS Training

7:30-8:30pm - Practice/Policy Review

Colossians 3:23-24 (NLT)

Work willingly at whatever you do, work at it with all your heart, as though you were working for the Lord rather than for people. Remember that the Lord will give you an inheritance as your reward, and that the Master you are serving, is Christ.

Excellence – do it yes because need to adhere to policy etc but do it because you want to.

Gossping/slander - performance management/comms records

Policy

noticed a few things and need to get policy/procedure right.

Sleep/Rest Policy/Practice

- Uncovered faces
- Care and deviation plan? deviate from policy/Risk minimilisation plan
- Correct spacing
- Head/toe infection control

Respectful Communication Policy

- Staff and Parents
- Gossip etc

Toileting/Nappy Policy/Practice

Respectful

Interactions with children - read highlighted points in policy

- NOT sitting children out
- Model behaviour
- Incidents are recorded also (ie the child that bit someone)
- Strategies to help behavior seek advice
- Not chewing gum

SUPERVISION/Outdoor safety Policy

- Accident Reports NEW 2019 added witness/first aid example
 Toilets
- Supervising OUTDOORS
- Look at accidents is there appropriate supervision? Call out/don't move!

Mobile Phone Policy

Now just RESPONSIBLE PERSON



CANBERRA

BRINDABELLA
CHRISTIAN
COLLEGE

Sleep and Rest for Children Policy

Updated August 2018 | due to be revised August 2021

DOCUMENT 32



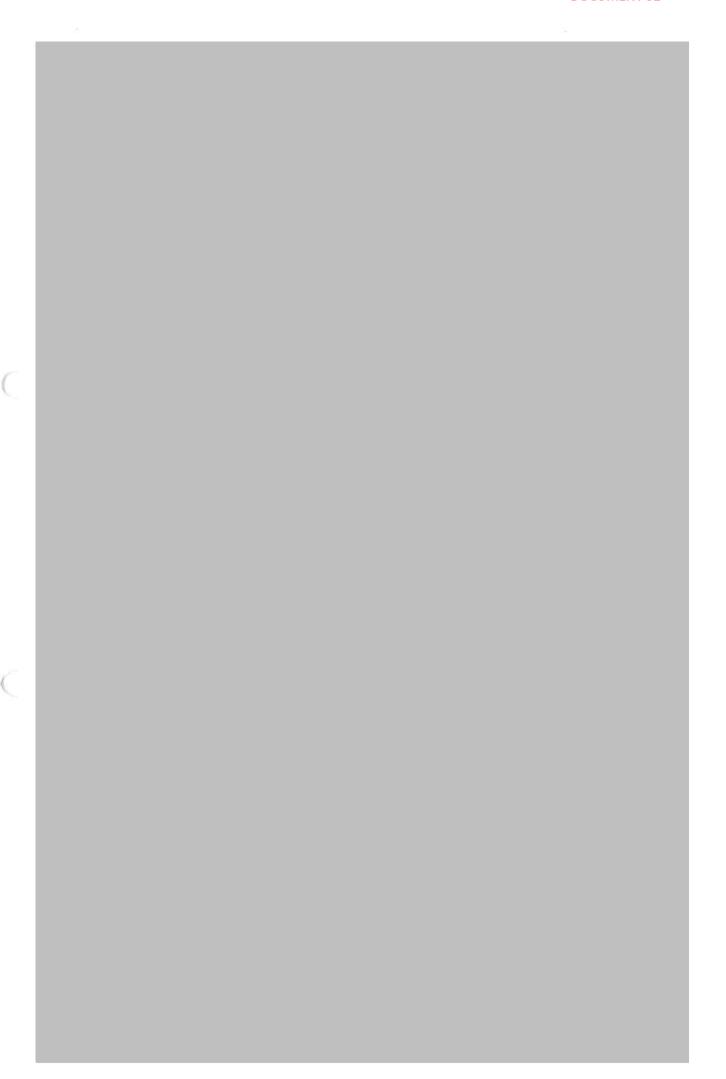
Brindabella Christian College

Nappy Change & Toileting Policy

Updated August 2018 | due to be revised August 2021

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Brindabella Christian College

SUPERVISION POLICY

Updated July 2019 | due to be revised August 2021

DOCUMENT 32



CANBERRA

Brindabella Christian College

ELC STAFF HANDBOOK 2018-2019

Updated August 2018 | Due for Revision August 2020

ELC Staff Handbook 2018-2019

	DOCUMENT 32