

1 May 2020



Australian Government

Australian Skills Quality Authority

Mr Christopher Chronis
Chief Executive Officer
Child and Family Care Network Inc
PO Box 4190
MULGRAVE VIC 3170

By email to: cchronis@bestchance.org.au

RTO ID: 3695
Audit No: AUDREC0010319

Dear Mr Chronis

Re: Notice of decision not to proceed with sanction(s)

This letter is written notice that the Australian Skills Quality Authority (ASQA), as the national VET regulator (NVR), has considered your organisation's recent written response to ASQA's Notice of Intention to make a decision to impose sanctions, in accordance with the natural justice requirements of section 37(1) of the *National Vocational Education and Training Regulator Act 2011*.

Following careful consideration of the information provided in your response, I advise that ASQA will not be proceeding with the imposition of sanctions outlined in our correspondence of 26/03/2020. The copy of the final audit report is attached.


Re: Direction to rectify breaches of conditions

ASQA has determined your organisation is not compliant with the requirements of the Standards for Registered Training Organisations 2015 (Standards for RTOs) which is a breach of Section 22 of the National Vocational Education and Training Regulator Act 2011 (NVR Act). A copy of the final audit report is attached for your reference.

The Australian Skills Quality Authority (ASQA), as the national VET regulator, has made the decision to give a written direction, under section 35A(1) of the National Vocational Education and Training Regulator Act 2011 (NVR Act), requiring your organisation to:

- rectify this breach by addressing each non-compliance outlined in the attached audit report within 20 working days of the date of this notice; and
- retain evidence this written direction has been complied with for examination at a future regulatory activity, by retaining evidence that you have addressed each non-compliance outlined in the attached audit report.

You are not required to submit evidence that you have addressed the non-compliances in response to this notice. ASQA will review evidence that you have complied with this notice at a future regulatory activity.



ASQA considers that issuing a direction to rectify a breach of condition is a proportionate response to the level of non-compliance identified. The direction to rectify a breach of condition has been issued as an alternative to requiring rectification evidence or proposing a sanction be imposed on your organisation.

Reviewable Decision

You can seek a review of this decision as it is a reviewable decision under section 199 of the NVR Act.

Request to ASQA for reconsideration of decision

If you are not satisfied with this decision you can lodge a request for reconsideration with ASQA in writing by completing an Application for ASQA to review a decision form. You may be required to pay an application fee. Your application must provide the reasons why you think our decision is wrong and should include any supporting documentation. To access the application form and for further information about reviewable decisions, please see the ASQA website www.asqa.gov.au.

You must lodge your request for reconsideration within 30 days of receiving this notice. If you do not submit your Application for ASQA to review a decision form within the required timeframe, you must apply to ASQA for an extension of time providing the reasons why you did not lodge in time.

ASQA will make a decision on reconsideration within 90 days of receiving your application.

Request to the AAT for review

Instead of lodging a request for reconsideration with ASQA, you may also apply directly to the Administrative Appeals Tribunal (AAT) for review of this decision. The AAT is an independent review authority that has the power to affirm, vary or set aside reviewable decisions of ASQA. You can apply to the AAT to stay ASQA's decision until such time as your application for review of decision is determined.

You must lodge your application for review of decision with the AAT within 28 days of receiving this notice. You will usually be required to pay an application fee. Your application to the AAT must be submitted in writing and you can access the forms from the AAT Registry in your capital city or online at www.aat.gov.au. You can submit your application by email or by post to GPO Box 9955 in your capital city. For further information, please see the AAT website or telephone the AAT on 1300 366 700.

Access Documents

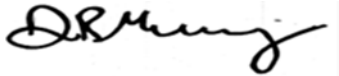
Your organisation may also have the right of access to further documents under the Freedom of Information Act 1982. More information about Freedom of Information (FOI), including how to make an FOI application, is available via <https://www.asqa.gov.au/about/accountability-and-reporting/freedom-information>.



Further information

If you require further information in relation to this matter, please contact Eliza Chiam by email compliancemelbourne@asqa.gov.au

Yours sincerely



Darryl Murray
Manager Regulatory Operations