

# Your Right To Also Know!

Members' step-by-step guide to access information, documents, evidence and more that the NSW Regulatory Authority has on your service(s)

# Why the need for full transparency?

- Due to child safety concerns, the NSW Minister for Education and Early Learning can legally compel Approved Providers to share enforcement actions and compliance history with parents/families [under new Ministerial Guidelines](#).
- However, as the NQAITS portal does not hold all compliance history information and, according to the NSW Regulatory Authority, the NSW sector has [53.6%-65.3% of the national total of breaches](#).
- **To ensure fairness of reporting, Approved Providers may want to receive a copy of all information, documents and evidence that the NSW Regulatory Authority (including from their Authorised Officers) would have recorded/used to substantiate their service's apparent non-compliances.**

# STEP 1

## Prepare the text of your freedom of information request

In NSW, you are entitled to your own information and documents that relate to you under the *Government Information Public Access (GIPA) Act 2009*.

1.1 Download the template text (click image on the right or use <https://nsw.childcarealliance.org.au/images/Documents/GIPA/template-text-for-nsw-doe-gipas.doc>)

1.2 Insert the appropriate text highlighted in yellow

1.3 Save this document until needed in STEP 3

YOUR INTERNAL REFERENCE: <<A specific number for your own records>>

REQUEST UNDER NSW'S GOVERNMENT INFORMATION (PUBLIC ACCESS) (GIPA) ACT 2009:

Dear sir/madam,

As the Approved Provider, I am seeking the release of all relevant historical information that the NSW Department of Education as the NSW Regulatory Authority has in its custody that relates to all compliance actions issued by the NSW Regulatory Authority to <<name of ECEC service>> (<<service approval number>>) at <<address of ECEC service>> for the period <<date of service approval or at least the date 2-3 years ago>>.

Can NSW Department of Education, as the NSW Regulatory Authority under the Children (Education and Care Services) National Law (NSW) and corresponding Education and Care Services National Regulations, provide us as the Approved Provider with a copy of all information, correspondences, communications, documents and evidences collected by them that are associated with all compliance actions relevant to the abovementioned service <<service approval number>> for the period <<date of service approval or at least the date 2-3 years ago>> to <<end date, for example 6 November 2025>>-, including:

- cancellations
- suspensions
- conditions
- infringement notices
- compliance notices
- compliance directions
- enforceable undertakings
- emergency action notices
- prohibition notices
- direction to exclude an inappropriate person
- prosecutions
- prosecution actions

We are conscious that the compliance history of our service that is available on the Australian Children's Education and Care Quality Authority (ACECQA)'s National Quality Agenda IT System (NQAITS) portal is not complete with the abovementioned information. Hence, to ensure proper compliance, we will need all the above requested.

Please let me know if you need any further information/clarification on the above request.

Thanking you in anticipation.

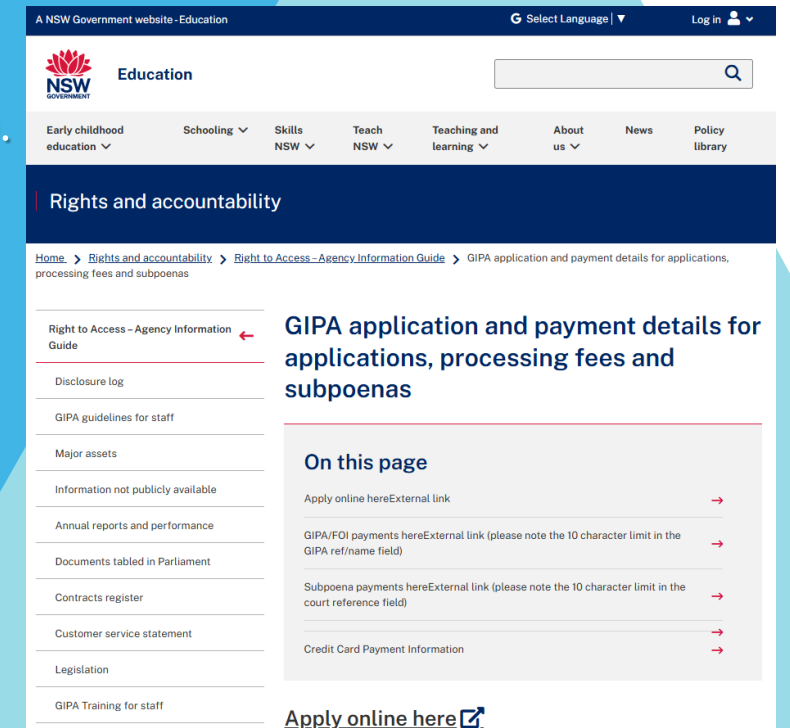
Yours sincerely,  
<<your name>>  
Approved Provider  
<<name of approved provider>> (<<Approved Provider number>>)  
<<your telephone number>>  
<<your e-mail address>>+  
<<your mailing address>>

# STEP 2

Pay \$30 for the application fee and keep the receipt number

In the NSW Department of Education's website  
(<https://education.nsw.gov.au/rights-and-accountability/information-access/gipa-application-and-payment-details>), you will see a  
"GIPA/FOI payments here" portal  
(<https://www.payway.com.au/MakePayment?BillerCode=301333>).

- 2.1 Insert your Approved Provider name as the Applicant Name
- 2.2 Use your credit card to pay the \$30 fee
- 2.3 Record the receipt number for use in STEP 3



# STEP 2

Pay \$30 for the application fee and keep the receipt number

**Westpac**




**NSW GOVERNMENT**

**Payment Details**  
Complete your purchase by providing your payment details.

\* GIPA Ref/Applicant Name

\* Payment Amount

Email Address   
Enter your email address if you would like to receive a receipt for this payment.

\* Payment Option ☒ Credit Card   

\* Cardholder Name

\* Card Number

\* Expiry Date  MM  YY

\* CVN   
What is a CVN?

**Next**

**Merchant Details**

Name NSW DOE - Right to Access  
Address 105 Phillip Street Parramatta  
Sydney  
2150  
NSW  
ABN 40 300 173 822  
Email gipa@det.nsw.edu.au  
Phone 02 78143525

Copyright © Westpac Banking Corporation ABN 33 007 457 141 AFSL & Australian credit licence 233714

A. Use your Approved Provider name as the applicant name

B. Record the receipt number once payment has been processed

# STEP 3

**Copy-and-paste request and receipt number to the official form**

NOTE: You will need the text from STEP 1 and the receipt number from STEP 2.

3.1 Go to the official NSW Department of Education's portal  
(<https://nswdepartmentofeducationrta.snapforms.com.au/form/gipaform>).

3.2 In the next slide, please follow STEP 3's A, B, C, D and E.

# STEP 3 (A-E)

## Copy and paste and complete the application form

C. Insert the receipt number from STEP 2

B. Copy-and-paste your finalised text into the GIPA form including the period (ie start + end dates)

D. These are optional

E. Sign using your mouse, click to confirm the declaration, and then hit submit to send

A. Fill these in



YOUR INTERNAL REFERENCE: **GIPA specific number for your own records**

REQUEST UNDER NSW'S GOVERNMENT INFORMATION (PUBLIC ACCESS) (GIPA)

Dear sir/ma'am,

As the Approved Provider, I am seeking the release of all relevant historical information that the NSW Department of Education as the NSW Regulatory Authority has in its custody that relates to all compliance actions issued by the NSW Regulatory Authority to **Stewart of ECEC services** (GIPA service approval number) at **Stewart of ECEC services** for the period **issuance of service approval or at least the date 2-3 years ago**.

Can NSW Department of Education, as the NSW Regulatory Authority under the Children (Education and Care Services) National Law (NSW) and corresponding Education and Care Services National Regulations, provide us as the Approved Provider with a copy of all information, correspondence, communications, documents and evidence collected by them that are associated with all compliance actions relevant to the above-mentioned service **GIPA service approval number** for the period **issuance of service approval or at least the date 2-3 years ago** to "need date, for example 6 November 2020", including:

- cancellations
- suspensions
- conditions
- infringement notices
- compliance notices
- compliance directions
- enforceable undertakings
- emergency action notices
- prohibition notices
- direction to exclude an inappropriate person
- prosecutions
- prosecution actions

We are conscious that the compliance history of our service that is available on the Australian Children's Education and Care Quality Authority (ACECQA's National Quality Agenda IT System (NQAITS)) portal is not complete with the above-mentioned information. Hence, to ensure proper compliance, we will need all the above requested.

Please let me know if you need any further information/clarification on the above request. Thanking you in anticipation.

Yours sincerely,  
**Approved Provider**  
**GIPA service approval number** (GIPA service approval number)  
**GIPA service approval number**  
**GIPA service approval number**  
**GIPA service approval number**

**NSW** Government Information (Public Access) Act 2009 - Access Application

Applicant details

Before you fill in this form please read the department's agency information guide at <https://www.nsw.gov.au/gipa> and the department's privacy policy at <https://www.nsw.gov.au/privacy> and take care to ensure the information you supply is only what you are entitled to provide. If you are not sure, please contact the department for advice.

Title

Applicant Name  Applicant Surname

Street Address 1

Street Address 2

City  State  Postcode

Contact information

Email Address

Mobile Phone  Day time phone

Requesting information

Have you made an application for the same or similar information from another agency?  
☐ Yes ☐ No

Are you applying on behalf of?  
☐ yourself ☐ your next of kin ☐ your spouse ☐ your partner ☐ your child ☐ your company ☐ other

What records are you applying for?  
☐ own records ☐ child's records ☐ client's records ☐ third party records ☐ other records

Information sought

Please be as specific as possible in your description of the information you seek. The department has limited resources to carry out the important work mandated by the GIPA Act. As a result, a broad or generic request may be considered a significant diversion of the department's resources, and your request may be refused.

Please provide me with the following information: \*

Date from:  Date to:

Reason for making this application (\*optional)

Payment

Applications must be accompanied by a \$30 application fee (s41(1)(c) GIPA Act)

Payment can be made by following the instructions on the NSW Department of Education Right to Access web page.

Please enter your Payway receipt number:

Documents

Cover letter (optional)  [Browse](#)

Payment confirmation  [Browse](#)

Declaration

Signature \*

Or Signature | Type signature [Clear](#)

☐ I declare that the information I have provided on this form is true and correct.

Privacy Notice

The information provided on this application form is being obtained for the purpose of processing your GIPA application. Providing this information is required by law. It will be stored securely. If you do not provide any or any of this information it could prevent or delay the processing of your GIPA application.

[Submit](#)

[Save and Complete Later](#)



# What next?

- All NSW Government departments are legally required to process freedom of information requests is usually 20 workings days. But it can be extended due to the complexity of the request and subject to the consent of the applicant (ie you).
- Such information that relates to your service is likely to be not published publicly by the NSW Government.
- As such, you must comply with the [Ministerial Guidelines](#). That said, the use of the additional information under GIPA that you receive is technically your decision whether to share them with others, including your parents/etc.
- **Please seek legal advice or ACA NSW should you need further information/advice/assistance.**

TRANSPARENCY

GOOD GOVERNANCE

ACCOUNTABILITY



# For ACA NSW members:

you can contact the ACA NSW team via  
1300 556 330 or [nsw@childcarealliance.org.au](mailto:nsw@childcarealliance.org.au)  
or visit <https://nsw.childcarealliance.org.au/news-current/full-transparency-with-nsw-ministerial-direction>

“Information is not power.  
Power is power. But what  
turns information into  
power is action.”

Rinku Sen

