



During the term of the licence, reasons may arise that will lead to requests that your service's licence is amended, suspended or cancelled or you may wish to surrender your licence.

### **Nominee's request to amend, suspend or surrender (cancel) a child protection care service licence**

The following provides examples of reasons you may request an amendment, suspension or cancellation of your licence.

**Note:** The examples provided in this part of the manual are not intended to constitute an exhaustive list. You should contact your community resource officer to discuss any issues you have regarding your licence.

An **amendment** to your licence might be required due to a change in your service or organisation contact details or a change to the name of your licensed service.

If the application for amendment is approved by the zonal director, you will be asked to return the existing licence for amendment.

The community resource officer will then cancel your existing licence and issue a new licence containing the amendment. The amendment takes effect on the date that notice is given or at a later date (if a later date is stated in the notice).

**Note:** The amended licence still has effect for the remainder of the term of the old licence.

You may also request that your licence be **suspended** for a short period to enable your organisation to address a breach in licensing requirements. Again, if the application for suspension is accepted you will be asked to return your licence to the department and the zonal director will provide you with written notice of the suspension, the intended term of the suspension and the actions required to have the suspension lifted.

Once the actions have been undertaken and the zonal director is confident that the breach has been rectified the suspension will be lifted and the licence returned to you.

If the circumstances forming the grounds for the suspension are not remedied within the stated suspension period, further action is considered. This may include cancelling the licence.

If any application for an amendment or suspension of a licence is **refused**, the zonal director will advise you of their decision. You will then have 28 days to contact the Children Services Tribunal to request that the decision be reviewed.



## Department of Child Safety's decision to amend, suspend or cancel a child protection care service licence

The zonal director may need to amend, suspend or cancel your licence in response to a range of matters. The *Child Protection Act 1999* (sections 138, 139) provides for these actions and outlines the grounds for doing so.

### Amendment of a licence

If the zonal director wishes to amend your licence you will be provided with a written notice stating:

- the proposed amendment and grounds for the amendment
- the facts and circumstances forming the basis for the grounds
- that the licence holder may make written representations to the chief executive to show why the authority should not be amended
- the term, at least 28 days after the notice is given to the holder, within which the representations may be made.

After the end of the term stated in the notice, the zonal director will consider your representations and if it is determined that an amendment is necessary or desirable, will notify you of this decision within 10 days of the decision being made. This written notification will include the reasons for the decision and will inform you of your right to apply to the Children Services Tribunal within 28 days to have the decision reviewed.

The amended licence will be valid for the same period as the initial licence.

### Suspension of a licence

If the zonal director wishes to suspend your licence you will be provided with a written notice stating:

- the proposed suspension and grounds for the proposed suspension
- the facts and circumstances forming the basis for the grounds
- the proposed suspension period
- that the licence holder may make written representations to the chief executive within 28 days to show why the authority should not be suspended.

The zonal director will provide you with a notice of the proposed suspension within 10 days of making the decision and allow 28 days for written representations.

After the end of the term stated on the notice, the zonal director will consider your representations and if it is determined that a suspension is necessary or desirable, will notify you of this decision within 10 days of the decision being made. This written notification will include the reasons for the decision and will inform you of your right to apply to the Children Services Tribunal within 28 days to have the decision reviewed.





It is anticipated that issues leading to the licence suspension will be addressed during the suspension period. Once the department is satisfied that the issues have been rectified the suspension will be lifted and your licence returned. The licence takes effect again either on the date it is returned or at a later date (if a later date is stated). The licence still has effect for the remainder of its three-year term.

If the issue is not able to be rectified the community resource officer and zonal director will consider either extending the suspension period or cancelling your licence.

### **Cancellation of a licence**

If the zonal director wishes to cancel your licence you will be provided with a written notice stating:

- the proposed cancellation and grounds for the proposed cancellation
- the facts and circumstances forming the basis for the grounds
- that the licence holder may make written representations to the chief executive within 28 days to show why the authority should not be cancelled.

The zonal director will provide you with a notice of the proposed cancellation within 10 days of making the decision and allow 28 days for written representations.

After the end of the term stated in the notice, the zonal director will consider your representations and if it is determined that a cancellation is necessary or desirable, will notify you of this decision within 10 days of the decision being made. This written notification will include the reasons for the decision and will inform you of your right to apply to the Children Services Tribunal within 28 days to have the decision reviewed.