

Early Childhood Education Directorate

Convictions and Significant Enforcement Actions

Nominated Supervisor Name	Evdokia Toulos
Service Name	Bliss Early Learning Maroubra
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Ms Evdokia Toulos for: - One offence of failing to ensure all children being educated and cared for by the service are adequately supervised at all times – section 165(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and - one offence of failing to ensure that every reasonable precaution was taken to protect children from harm and from any hazard likely to cause injury – section 167(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	12 May 2021
Sentence	Convicted at Sydney Downing Centre Local Court and fined a total of \$8,000. The sentence was confirmed on 17 August 2021, following a severity appeal to the Sydney Downing Centre District Court.

Proven offence:

Ms Evdokia Toulos, in her capacity as nominated supervisor:

- failed to ensure children being educated and cared for by the service were adequately supervised at all times in that:
 - the child was not actively supervised whilst playing at the cubby house and became entangled in ribbons; and
 - educators failed to immediately respond when the child became entangled in the ribbons and required assistance;
- failed to take every reasonable precaution to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury in that she failed to:
 - conduct a risk assessment in relation to the ribbons;
 - remove the ribbons from the play area;

- ensure adequate supervision of the children playing with the ribbons; and
- provide educators with adequate training as to appropriate supervision and child safety.