

Early Childhood Education Directorate

Convictions and Significant Enforcement Actions

Approved Provider	G8 Education Limited
Service Name	Headstart Early Learning Centre Norwest
Type of Service	Centre based education and care service
Action Taken	Prosecution action against G8 Education Limited for: one offence of failing to ensure adequate supervision of children - section 165(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	7 December 2020
Sentence	Convicted at Blacktown Local Court and fined a total of \$11,000

Proven offence:

The service provides long day care and outside school hours care to a maximum of 180 children at any one time.

The service premises has five rooms to cater for children of different age groups and needs, one of which is the "Explorers" room for children aged two to three years of age. The Explorers room has a bathroom attached to it with four toilets and sinks.

On 8 February 2019, a two-and-a-half-year-old child was signed into care at the service at approximately 8:05am. The child attended the Explorers room, where eight other children were already present. The service had scheduled a walking excursion to the Norwest Animal Hospital, which was to take place at 10:00am to 11:00am that morning. The excursion would involve three educators, five nursing students and a maximum of 15 children.

By 9:42am, all of the children (14) scheduled to attend the excursion were present in the Explorers room. At 9:50am, the educators sat the children in the book area of the Explorers room and assisted the children with putting on their safety excursion vests. Once the children were wearing their vests, an educator counted all of the children who were scheduled to go on the excursion and then took a child into the nappy change room. At some time between 9:50am and 10:05am, another educator brought the subject child and two other children to the bathroom, leaving them there while she took a phone call outside of the bathroom. The educators then gathered the children for the excursion without doing a check of the bathroom.

At 10:05am, the educators, the nursing students and 13 children exited the Explorers room, closed its door and departed the service premises. The child remained inside the Explorers room or the attached bathroom without the knowledge of the educators.

Between 10:15am and 10:20am, the group arrived at the Animal Hospital where the children waited in the foyer, and where one of the vet nurses showed the children a puppy. Between 10:20am and 10:24am, the educators walked with the 13 children back outside of the Animal Hospital to sit down and have a drink. One of the educators noticed that the child was not with the group when distributing the children's drink bottles. An educator telephoned the service, whereby a staff member immediately went to the Explorers room where she called out the child's name. The child walked out of the bathroom where a tap was running, with soap on her hands, face and in her eyes.

After cleaning the soap off the child, educators at the service took the child to the Animal Hospital to see the puppy.

Educators acknowledged that they had not completed a ratio check or head counts of the children attending the excursion either prior to departing the service premises, during the excursion, or when arriving at the destination.

G8 Education Limited failed to ensure children being educated and cared for were adequately supervised at all times in that, between approximately 10:05am and 10:24am on 8 February 2019, the child was left in a room without supervision.