

Early Childhood Education Directorate

Convictions and Significant Enforcement Actions

Approved Provider	Kidoz Pty Ltd
Service Name	Happy Days Kindergarten
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Kidoz Pty Ltd for: 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(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	2 November 2020
Sentence	Convicted at Blacktown Local Court and fined a total of \$1,000

Proven offence:

Kidoz Pty Ltd failed to ensure that every reasonable precaution was taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury in that it:

- failed to ensure the area around the base of the wooden bridge was free from objects;
- failed to place the planter box in a location where the risk of a child falling onto the planter boxes was minimised;
- failed to include the garden beds in the “Daily Indoor & Outdoor Safety Checklist” completed by staff at the service; and
- failed to cover the exposed metal edge of the planter boxes with a protective material to reduce the risk of injury should a child sustain impact with those structures.