

Early Childhood Education Directorate

Convictions and Significant Enforcement Actions

Nominated Supervisor	Ms Maree Nicole Miller
Service Name	Bunya Child Care Centre
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Ms Maree Nicole Miller 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(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	7 May 2021
Sentence	Ms Miller was sentenced to a Conditional Release Order ('CRO') without conviction at Blacktown Local Court. The CRO was made on the condition of good behaviour for a period of 2 years.

Proven offence:

Ms Miller, in her capacity as the nominated supervisor, failed to ensure that every reasonable precaution was taken to protect the child from harm and from any hazard likely to cause injury in that she did not:

- undertake a risk assessment of the use of bottle warmers;
- develop and implement adequate policies regarding the safe use of bottle warmers and hot water, which clearly set out the precautions to be taken, including:
 - instituting a policy prohibiting staff from operating bottle warmers while holding children or in the vicinity of children;
 - consistently positioning the bottle warmers against the wall in a relatively safe area of the bench;
 - containing the bottle warmers within a physical barrier to prevent and contain spills;
 - installing signage near the bottle warmers with instructions as to their safe use; and
 - training staff in the safe use of bottle warmers and in the policies and procedures relating to the same.