

Early Childhood Education Directorate

Convictions and Significant Enforcement Actions

Approved Provider	Ngallingnee Jarjum Tabulam & District Community Preschool Incorporated
Service Name	Ngallingnee Jarjum Tabulam & District Community Preschool
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Ngallingnee Jarjum Tabulam & District Community Preschool Incorporated for: - one offence of failing to ensure that all children being educated and cared for by the service are adequately supervised at all times that the children are in the care of the service – section 165(1) of the <i>Children (Education and Care Services) National Law</i> (NSW); - one offence of failing to notify certain information to the Regulatory Authority – section 174(2)(a) of the <i>Children (Education and Care Services) National Law</i> (NSW); and - one offence of failing to ensure that the service has in place policies and procedures – clause 168(1) of the <i>Education and Care Services National Regulations</i> (NSW).
Date of conviction	19 April 2021
Sentence	Convicted at Casino Local Court and fined a total of \$3,600.

Proven offence:

Ngallingnee failed to ensure that the child was adequately supervised at all times in that it did not:

- effectively monitor the child when it failed to deliver him to the appropriate place at the appropriate time; and
- supervise the child at the times he was alone on the bus.

Ngallingnee failed to notify the Department of a serious incident at the service within the relevant prescribed time in accordance with section 174(4) and 174(2)(a) of the *Children (Education and Care Services) National Law* (NSW). The incident

involving the child was a serious incident within the meaning of section 12 of the Children (Education and Care Services) National Law (NSW) and was not notified to the Department within 24 hours of the incident.

Ngallingnee failed to have policies and procedures in place in relation to the delivery of children to, and collection of children from, the education and care service premises in accordance with clause 168(2)(f) of the Education and Care Services National Regulations (NSW).