

Early Childhood Education Directorate

Convictions and Significant Enforcement Actions

Nominated Supervisor	Ms Donna Ryan-Johnston
Service Name	Green Leaves Early Learning Port Macquarie
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Ms Donna Ryan-Johnston 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	29 January 2021
Sentence	Ms Ryan-Johnston was sentenced to a Conditional Release Order ('CRO') without conviction. The CRO was made on the condition of good behaviour for a period of 2 years.

Proven offence:

Ms Donna Ryan-Johnston, in her capacity as the nominated supervisor, failed to ensure the following reasonable precautions were taken to protect the child from harm and from a hazard likely to cause injury:

- implemented staff training regarding the maintenance of a child safe environment;
- conducted a risk assessment regarding the use of the bottle warmer;
- implemented a written policy prohibiting staff and parents from taking children into the Prep Area;
- installed signage to remind staff and parents not to take children into the Prep Area;
- installed signage to alert and remind staff and parents of the hazards associated with the bottle warmer; and
- ensured that an appropriate ratio of children to educators was met and maintained at all times.