



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider	Inner West Council
Service Name	Stanmore OSHC
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Inner West Council for: <ul style="list-style-type: none"><li>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>.</li></ul>
Date of conviction	20 August 2020
Sentence	Convicted at Newtown Local Court and fined a total of \$7,000

### Proven offence:

The service provides before and after school care to a maximum of 140 school aged children.

The service premises is situated within the grounds of Stanmore Public School. There are three gates that can be used as an entry or exit point to the premises, although only one of these gates (on Cavendish Street) is considered to be the designated entry and exit to the service premises.

On 26 June 2018, at around 3:01pm, a ten-year-old child was signed in to care at the service. Between 3:01pm and 3:30pm, the child left the service premises, unbeknownst to staff, and walked approximately 1 kilometre to Newington Road.

At around 3:30pm, the child's mother collected the child after having received a call from her neighbour, who stated she had seen the child walking alone on Newington Road.

No head count or roll call was conducted between the 3:00pm roll call and the 6:00pm check of child attendance records.

Inner West Council:

- failed to ensure children being educated and cared for were supervised at all times, in that it:

- failed to ensure the child was monitored by staff at the service at all times;
- failed to implement an adequate supervision plan for the entry and exits to the service in circumstances where the gates on the premises were left open; and
- failed to have in place and enforce a system to ensure that staff knew where each child was at all times.