



Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider	Kerryanne Pty Ltd
Service Name	Chelmsford Drive Early Learning Centre
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Kerryanne Pty Ltd for: <ul style="list-style-type: none">• one offence of failing to ensure that every reasonable precaution was taken to protect children being educated and cared for from harm or any hazard likely to cause injury - section 167(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and• one offence of failing to notify the Regulatory Authority of a serious incident – section 174(2)(a) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	1 February 2018
Sentence	Convicted at Maitland Local Court and fined a total of \$2,700

Proven offence:

An enrolled child was required to take 0.5mg of a prescribed medication at around 1:00pm. A second medication, with a dosage of ¼ to a ½ tablet could be administered when required.

On 16 November 2015, in breach of the service’s medication policy, an educator administered a prescribed tablet to a four year old child. The educator administered the wrong tablet (a whole tablet of the second medication instead of 0.5mg of the first medication), resulting in an overdose. During the afternoon, the child started showing signs of lethargy however, staff did not take action or contact the ambulance as they were not aware that there had been an overdose.

When the child’s mother attended the service to collect the child, it became apparent that the child had been given the wrong medication. The child was subsequently admitted to hospital with low blood pressure.

The approved provider failed to notify the Department of the serious incident.

Kerryanne Pty Ltd:

- failed to take every reasonable precaution to protect the child from harm and from any hazard likely to cause injury; and
- failed to report the serious incident within 24 hours.