



Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Nominated Supervisor	Ms Michelle Haley
Service Name	Wollongong City Community Preschool
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Big Fat Smile Group Ltd for: <ul style="list-style-type: none">one offence of failing to ensure adequate supervision of children - section 165(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	20 April 2018
Sentence	Ms Haley offered a plea of guilty. On appeal, and without proceeding to conviction, Ms Haley was sentenced to a good behaviour bond for a period of 18 months.

Proven offence:

On 3 June 2016, a three and a half year old child was asleep in the rest area. The cleaner arrived at the service at 3:15pm. Ms Michelle Haley was the afternoon supervisor. The service premises was closed for the day at 3:30pm. Ms Haley left at approximately 3:35pm and the remaining staff members left the premises at 3:40pm. The child was left unattended, asleep in the rest area. The child was not discovered until the cleaner found him at about 4:15pm. Staff did not conduct a final head count or check the child attendance records prior to leaving. An employee of Big Fat Smile Group Ltd, who was a nominated supervisor of a nearby centre, arrived at the service at 4:34pm.

Ms Michelle Haley, in her capacity as nominated supervisor:

- failed to ensure that adequate supervision was provided when a child was left unsupervised for approximately 30 minutes.