



Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider	Only About Children Pty Ltd
Service Name	Only About Children Rose Bay 1
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Only About Children Pty Ltd for: <ul style="list-style-type: none">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>.
Date of conviction	4 March 2020
Sentence	Convicted at Burwood Local Court and fined a total of \$14,000

Proven offence:

The service is situated at Rhodes Corporate Park, which comprises a number of separate multi-storey office buildings, surrounding an area of open space. A circular access road surrounds the open space. On 20 November 2017, at approximately 5:15pm, a child aged 2 years and 4 months exited the service premises unbeknownst to staff. At approximately 5:30pm, staff had become aware that the child was missing after having conducted a full head count. Staff conducted a search of the playground and the area immediately outside the service, but were unable to locate the child. The child was found at approximately 5:18pm in the garden area by an employee of one of the businesses at the corporate park. The employee returned the child to the service at approximately 5:35pm.

Only About Children Pty Ltd:

- failed to ensure that adequate supervision was provided when the child was able to exit the service premises, unnoticed by staff.