



Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider	Sakthi Services Pty Ltd
Service Name	Little Smarts
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Sakthi Services 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>;• one offence of failing to take reasonable steps to ensure that nominated supervisors and staff members of, and volunteers at, the service follow the policies and procedures required under regulation 168 – clause 170(1) of the <i>Education and Care Services National Regulations (NSW)</i>; and• two offences of failing to ensure that prescribed documents are accurate – clause 177(2) of the <i>Education and Care Services National Regulations (NSW)</i>
Date of conviction	29 January 2018
Sentence	Convicted at Penrith Local Court and fined a total of \$12,880

Proven offence:

On 30 November 2015, at approximately 5:30pm, a one year old child was locked inside the service premises after the staff and other children had left for the day. Neither of the educators who were the last to leave checked the child attendance records, or checked each room of the service prior to leaving to ensure that all children had been collected.

When the child's father arrived at the service at approximately 5:40pm, it became apparent that the service had been closed for the evening. Upon realising that the child was still inside the premises, the child's father contacted the police, who gained entry to the service. The child was found in one of the cots.

The approved provider did not sufficiently train staff, or ensure adequate processes were in place, to ensure that staff followed the service's policies and procedures.

The record of educators working directly with children was not completed correctly.

The record of attendance for each child was not completed correctly.

Sakthi Services Pty Ltd:

- failed to ensure that adequate supervision was provided when a child was left alone inside the service premises after it had been closed for the evening;
- failed to take reasonable steps to ensure that staff followed policies and procedures; and
- failed to ensure that the prescribed records in relation to educators working directly with children, and children's attendance, were accurate.