



Early Childhood Education Directorate Convictions and Significant Enforcement Actions

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| Person with management or control | Mr Samir Ghattas |
| Service Name | Maria Long Day Care |
| Type of Service | Centre based education and care service |
| Action Taken | Prosecution action against Mr Samir Ghattas for: <ul style="list-style-type: none">• one offence of failing to comply with the conditions of a service approval - section 51(8) of the <i>Children (Education and Care Services) National Law (NSW)</i>;• 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>;• one offence of failing to comply with the conditions of a provider approval - section 19(4) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and• one offence of failing to notify a parent within a time that was reasonably practicable, of any incident, injury, illness or trauma involving their child – clause 86 of the <i>Education and Care Services Regulations (NSW)</i> |
| Date of conviction | 4 December 2018 |
| Sentence | Convicted at Parramatta Local Court and fined a total of \$3,300 |

Proven offence:

Mr Ghattas, in his capacity as a person with management or control for AHMOS Pty Ltd, failed to exercise due diligence by not preventing the approved provider from:

- failing to comply with the conditions of the service approval by not operating the service in a way that ensured the safety, health and wellbeing of the children being educated and cared for by the service;

- failing to comply with the conditions of the provider approval by failing to notify the Department of the addition of a nominated supervisor either 7 days prior to, or within 14 days of, the change taking place;
- failing to notify the child's parents of the incident as soon as reasonably practicable; and
- failing to report the serious incident within 24 hours.