



Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider	Treasure Island Childcare Pty Ltd
Service Name	The Island Norwest
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Treasure Island Childcare 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>; and• one offence of failing to take every reasonable one offence of failing to take every reasonable precaution to protect children from harm and from any hazard likely to cause injury - section 167(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	22 March 2019
Sentence	Convicted at Blacktown Local Court and fined a total of \$11,000

Proven offence:

On 9 March 2018, a five and a half year old child was collected from school in the service bus at approximately 3:30pm. The child sat in the back, or second last row of the bus. Upon returning to the service (at approximately 3:50pm), the educator driving the bus parked it at the front of the premises. She then proceeded to the side of the premises to obtain the key as there were no other staff present at the service and the premises was locked. While children were disembarking from the bus, a second educator was distracted by a child who had arrived on another bus and who had asked for assistance. That educator was then told by another child that everyone was off the bus. No educator checked the interior of the bus prior to locking it.

At approximately 4:21pm, a parent arrived to collect his two children. Whilst walking through the carpark, he heard a banging noise coming from one of the buses. He looked inside the window and saw a child with a red face, covered in perspiration, yelling and banging on the glass window of the bus. The parent went into the service premises and called for assistance, at which time an educator unlocked the bus and discovered the five and a half year old child inside.

The service had no written policies or procedures specifically for the bus run.

Treasure Island Childcare Pty Ltd:

- failed to ensure that adequate supervision was provided when a child was left alone on a bus for approximately 30 minutes in hot conditions; and
- failed to take every reasonable precaution to protect a child from harm and from any hazard likely to cause injury.