



Early Childhood Education and Care Regulatory Authority

Convictions and Significant Enforcement Actions

Approved Provider Name	ABC 123 Childcare & Early Learning Pty Limited
Service Name	Clovel Childcare & Early Learning Centre - Liverpool
Type of Service	Centre-based service
Action Taken	Prosecution action against ABC 123 Childcare & Early Learning Pty Limited for: <ul style="list-style-type: none">• one offence of failing to ensure all children being educated and cared for by the service are adequately supervised at all times - section 165(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>;• one offence of failing to ensure that every reasonable precaution was taken 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>; and• one offence of failing to ensure that a child leaves the service premises in accordance with the requirements of the regulations – cl. 99(1) of the <i>Education and Care Services National Regulations (NSW)</i>.
Date of conviction	17 October 2022
Sentence	Convicted at Liverpool Local Court and fined a total of \$2,000

Proven offence:

ABC 123 Childcare & Early Learning Pty Limited:

- failed to ensure that all children being educated and cared for by the service were adequately supervised at all times in that:
 - a child was able to leave the service premises without the knowledge of staff and was not adequately supervised;
- failed to ensure that every reasonable precaution was taken to protect a child from harm and from any hazard likely to cause injury in that it:

- failed to ensure that a child was supervised in a manner that prevented the child from leaving the service premises unaccompanied;
 - failed to ensure that head counts were physically conducted and recorded accurately every 10 minutes; and
 - failed to ensure that the policies and procedures in force at the service were followed;
- failed to ensure that a child leaves the service premises in accordance with the requirements of the regulations in that a child left the service unaccompanied and without the knowledge of staff.