



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider Name	Sovana Child Care Pty Ltd as Trustee for Sovana Child Care Trust
Service Name	Little Giants Auburn
Type of Service	Centre-based service
Action Taken	Prosecution action against Sovana Child Care Pty Ltd for: <ul style="list-style-type: none"><li>• 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>; and</li><li>• 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>.</li></ul>
Date of conviction	28 June 2022
Sentence	Convicted at Parramatta Local Court and fined a total of \$25,000.

### Proven offence:

Sovana Child Care Pty Limited:

- failed to ensure that the child was adequately supervised at all times in that the child was not supervised from approximately 2:00pm to 3:25pm;
- failed to ensure that every reasonable precaution was taken to protect the child from harm and from any hazard likely to cause injury in that it:
  - failed to ensure that Safe Transportation Bus Sign-in/out record was completed upon returning to the service;

- failed to conduct a vehicle check after it was thought that all children had alighted from the service bus;
- failed to conduct a head count / roll call of the children as they re-entered the service;
- failed to ensure that all educators supervising excursions had received training on the excursion and transportation policies and the practical conduct of excursions;
- failed to ensure that all educators received regular training with respect to excursions and transportation;
- failed to ensure that room leaders and lead educators check, in addition to ratio control, that all children who are supposed to be within a specific room are present by conducting a roll call, including and especially after an excursion, at regular intervals;
- failed to sign the children who attended an excursion back into the service's electronic attendance register when they returned from the excursion;
- failed to designate an educator to be present in addition to the supervising educators when children leave or return from an excursion to assist with conveying the children from or into the service, and to perform a final sweep of the vehicle including buckling each seat belt to guarantee no child was in the vehicle; and
- failed to require the designated person and/or nominated supervisor to carry out regular compliance checks to ensure that employees understood and implemented the service's policies and procedures.