



Early Childhood Education and Care Regulatory Authority

Convictions and Significant Enforcement Actions

Nominated Supervisor name	Stefania Giacchi
Service Name	Rise & Shine Kindergarten
Type of Service	Centre-based service
Action Taken	Prosecution action against Stefania Giacchi for: <ul style="list-style-type: none">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(2) of the <i>Children (Education and Care Services) National Law (NSW)</i>.
Date of conviction	20 August 2024
Sentence	Convicted of 1 offence at the District Court (following an appeal from the Local Court) and dismissal of judicial review proceedings. Ms Giacchi was fined a total of \$600.

Proven offence:

Ms Stefania Giacchi, in her capacity as the nominated supervisor, 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, on 14 October 2019, she:

- failed to ensure that water jugs were placed on an adult sized surface and not on the floor;
- failed to ensure that the preparation required for activities was conducted at an adult-height bench;
- failed to ensure that hot water was inaccessible to children and failed to provide training for staff regarding the hazard.