



Early Childhood Education and Care Regulatory Authority

Convictions and Significant Enforcement Actions

Approved Provider Name	Zaksaw Pty Ltd
Service Name	Rise & Shine Kindergarten
Type of Service	Centre-based service
Action Taken	Prosecution action against Zaksaw Pty Ltd for: <ul style="list-style-type: none">• one offence of failing to ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury – section 167(1) of the the <i>Children (Education and Care Services) National Law (NSW)</i>.•
Date of conviction	28 June 2024
Sentence	Convicted of 1 offence at the District Court (following an appeal from the Local Court) and dismissal of judicial review proceedings. The approved provider was fined a total of \$3,000.

Proven offence:

Zaksaw Pty Ltd 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, it:

- 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.