



## Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider	Only About Children Pty Ltd
Service Name	Only About Children Rose Bay 1
Type of Service	Centre based education and care service
Action Taken	Prosecution action against Only About Children Pty Ltd for: <ul style="list-style-type: none"><li>• 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 any hazard likely to cause injury – section 167(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>; and</li><li>• one offence of failing to take reasonable steps to ensure that the nominated supervisor and staff followed policies and procedures – clause 170(1) of the <i>Education and Care Services National Regulations (NSW)</i></li></ul>
Date of conviction	19 December 2017
Sentence	Convicted at Waverley Local Court and fined a total of \$5,610

### Proven offence:

On 6 August 2015, a 20 month old child was splashed in the face and eye by a hazardous substance, known as Sallosphere Moon. The substance is used in industrial dishwashers and is a corrosive chemical that can cause severe skin burns and eye damage.

The incident occurred when an educator took the child out of the nursery area and into the reception/front desk area of the premises. The educator was not aware that there were contractors on the premises. The contractors were removing an old dishwasher, the trays of which had been placed on the edge of the front desk near the entry door to a workstation. The child was playing with the handle of the entry door to the workstation when a quantity of Sallosphere Moon spilled from the container located in one of the dishwasher trays. The liquid came into contact with the child's face and eyes.

Only About Children Pty Ltd failed to:

- ensure that every reasonable precaution was taken to prevent harm and hazard likely to cause injury to a child; and
- ensure that the nominated supervisor and staff followed the policies and procedures of the service.