

Early Childhood Education and Care Directorate Convictions and significant enforcement actions

Educator (family day care educator)	JoAnne Moore registered with Bathurst Regional Council.
Type of service	Family day care education and care service. There were no evidentiary grounds to commence prosecution action against the education and care service in relation to this incident.
Action taken	<p>Prosecution for twelve offences under the Children (<i>Education and Care Services</i>) <i>National Law (NSW)</i>. Nine offences under section 165(3) for inadequate supervision of children, two offences under section 169(5) for exceeding the prescribed number of children, and one offence under section 175(3) for failure to keep prescribed records available for inspection.</p> <p>Prosecution for ten offences under the <i>Education and Care Service National Regulations</i>. Eight offences under regulation 99(3) for a failure to ensure that children do not leave the education and care service premises except in accordance with regulation 99(4), and two offences under regulation 166(2) for leaving enrolled children alone with a visitor to the education and care service.</p>
Date of conviction	16 February 2015
Sentence	Educator convicted of twenty two offences and fined \$3,300.00 at Bathurst Local Court.

Proven offences:

On 21 January 2013, the educator failed to ensure that all children were adequately supervised.

On 21 January 2013, the educator failed to ensure that the numbers of children being educated and cared for by the service at any one time is no more than the number prescribed.

On 21 January 2013, the educator failed to ensure that children only left the service in accordance with the regulatory requirements.

On 21 January 2013, the educator left two children in the care of a visitor for 40 minutes who took these children from the service premises.

On 21 January 2013, the educator failed to keep any record of three children's attendance at her family day care service available for inspection by an authorised officer.

Note: This educator is no longer registered as a family day care educator with Bathurst Regional Council or associated with Bathurst Family Day Care.