



Early Childhood Education Directorate Convictions and Significant Enforcement Actions

Approved Provider Name	Goodstart Early Learning Ltd
Service Name	Goodstart Early Learning Forbes
Type of Service	Centre based education and care service
Action Taken	<p>Prosecution action against Goodstart Early Learning Ltd for:</p> <ul style="list-style-type: none">• one offence of failing to ensure that all children being educated and cared for by the service are adequately supervised at all times that the children are in the care of the service – section 165(1) of the <i>Children (Education and Care Services) National Law (NSW)</i>;• 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>; and• one offence of failing to take reasonable steps to ensure that nominated supervisors and staff members of, and volunteers at, the service follow the policies and procedures required under regulation 168 – clause 170(1) of the <i>Education and Care Services National Regulations (NSW)</i>.
Date of conviction	23 February 2022
Sentence	Convicted at Forbes Local Court and fined a total of \$16,600.

Proven offence:

Goodstart Early Learning Ltd:

- failed to ensure that children being educated and cared for by the service were adequately supervised at all times in that:
 - the child was left on the service bus unsupervised for approximately 50 minutes;

- the nominated supervisor signed the child into the service premises without ensuring that the child was physically present within those premises; and
- staff of the service were unaware of the child's absence until a head count was conducted approximately 50 minutes after they had alighted from the bus;
- failed to ensure that that every reasonable precaution was taken to protect the child from harm and from any hazard likely to cause injury in that:
 - the child was left unsupervised and restrained in a child seat on the service bus and was exposed to potential hazards including being exposed to high temperatures on the service bus and becoming lost or injured should she have left the vehicle;
 - the provider failed to enforce or implement relevant policies and procedures by failing to ensure that staff had read and understood those procedures at some point prior to undertaking the morning bus run;
 - the provider failed to implement other reasonable measures to ensure the child was properly accounted for while in the care of the service, including:
 - signing children off the bus register as they exited the bus to ensure all had alighted;
 - ensuring that a staff member visually checked the service bus at the end of the morning bus run; and
 - conducting a roll call of the children who had been picked up on the bus as they entered the service premises, requiring them to be physically present and accounted for at that point; and
- failed to take reasonable steps to ensure that nominated supervisors and staff members of, and volunteers at, the service follow the policies and procedures required under regulation 168 in that it failed to do one or more of the following:
 - provide a copy of the Supervision Requirement or the Transporting Children Procedure to all staff when they commenced working at the service;
 - ensure all staff received training in relation to the Supervision Requirements Procedure of the Transporting Children Procedure; and
 - ensure that all staff acknowledged having read the Supervision Requirement Procedure and the Transporting Children Procedure before conducting the bus run.