

## National Quality Framework – 2014 Enforcement Action

Name and address of service	Certified supervisor name & number (for actions against individuals)	Approved provider name & number	Nature of enforcement action	Reason for taking enforcement action (including breach)	Date of enforcement action	Details of enforcement action taken
Loulou Daycare, 114, 2A Hartington Street, Glenroy	N/A	Loulou Daycare Pty Ltd (PR- 00006966)	Compliance Notice	<p>Approved provider:</p> <ul style="list-style-type: none"> <li>• did not comply with the condition on service approval limiting the maximum number of family day care educators that they may employ or engage to 60 (s.51)</li> <li>• did not comply with the condition on service approval to employ one full time family day care co-ordinator for every 15 family day care educators to monitor and support educators engaged by, or registered with the service (s.51)</li> <li>• failed to ensure that the condition on service approval to identify family day care educators operating in a family day care residence or venue in areas at particular risk of bushfire and to ensure that these family day care educators do not operate on a declared code red day in their Bureau of Meteorology district was complied with (s.51)</li> <li>• failed to ensure that the condition on service approval requiring emergency and evacuation policies and procedures to incorporate policies and procedures for monitoring bushfire risks and informing families of service closures resulting from bushfire risks for family day care residences or venues identified as being at particular risk of bushfire was complied with (s.51)</li> <li>• failed to ensure that every reasonable precaution was taken to protect children being educated and cared for by the service from harm and from any hazards likely to cause injury (s.167)</li> <li>• failed to ensure that the prescribed information required by regulation 173 was positioned so that it was clearly visible to anyone from the main entrance to the service premises (s.172)</li> <li>• failed to ensure that a Register of Family Day Care Educators that included the information prescribed by regulation 153 in relation to each family day care educator engaged by or registered with the service, was maintained (s.269)</li> <li>• failed to ensure that a written authorisation given by a parent or other person named in the child's enrolment record as having authority to authorise the taking of the child outside the education and care service premises included all of the information required by regulation 102(4) (r.102)</li> </ul>	29/12/14	Compliance Notice under s.177

## National Quality Framework – 2014 Enforcement Action

Name and address of service	Certified supervisor name & number (for actions against individuals)	Approved provider name & number	Nature of enforcement action	Reason for taking enforcement action (including breach)	Date of enforcement action	Details of enforcement action taken
Laughing Kookaburra Family Day Care, 6-8 Ian Street, Noble Park	N/A	Nyamakol Riek Dol (PR-4000091)	Compliance Notice	<p>Approved provider:</p> <ul style="list-style-type: none"> <li>• failed to ensure that: the condition on service approval to employ one full time co-ordinator for every 15 family day care educators to monitor and support educators engaged by, or registered with the service, was complied with (s.51)</li> <li>• failed to ensure that every reasonable precaution was taken to protect children being educated and cared for by the service from harm and from any hazards likely to cause injury (s.167)</li> <li>• failed to ensure that an unauthorised person did not remain at the education and care service premises while children were being educated and cared for at the premises unless the person was under the direct supervision of an educator (s.170)</li> <li>• failed to ensure that a program was delivered to all children being educated and cared for by the service that was based on and delivered in a manner that accords with an approved learning framework (s.168(1)(a))</li> <li>• failed to ensure that a program was delivered to all children being educated and cared for by the service that was based on the developmental needs, interests and experiences of each child (s.168(1)(c))</li> <li>• failed to ensure that a Register of Family Day Care Educators that included the information prescribed by regulation 153 in relation to each family day care educator engaged by or registered with the service, was maintained (s.269)</li> <li>• failed to ensure that the prescribed information required by regulation 173 was positioned so that it was clearly visible to anyone from the main entrance to the service premises (s.172)</li> <li>• failed to ensure that an enrolment record for each child enrolled at the education and care service was kept (r.160)</li> <li>• failed to ensure that, a copy of the educational program was available for inspection on request at each family day care residence or venue (r.75)</li> <li>• failed to ensure that copies of current policies and procedures required under regulations 168 and 169 were readily accessible to family day care educators (r.171)</li> <li>• failed to ensure that for the purposes of the educational program, assessments of each child's developmental</li> </ul>	12/12/14	Compliance Notice under s.177

## National Quality Framework – 2014 Enforcement Action

Name and address of service	Certified supervisor name & number (for actions against individuals)	Approved provider name & number	Nature of enforcement action	Reason for taking enforcement action (including breach)	Date of enforcement action	Details of enforcement action taken
				<p>needs, interests, experiences and participation in the program were documented (r.74)</p> <ul style="list-style-type: none"> <li>failed to ensure that a risk assessment was conducted in accordance with regulation 101 before an authorisation was sought under regulation 102 for an excursion (r.100)</li> <li>failed to ensure that reasonable steps were taken to ensure that a person aged 18 years or over who resides at, or is a family day care assistant at, a family day care residence is a fit and proper person to be in the company of children (r.163)</li> </ul>		
Uniting Care Family Day Care, 91 Tiverton Drive, Mulgrave	N/A	Martha Joshua Gatdet	Compliance Notice	<p>Approved Provider:</p> <ul style="list-style-type: none"> <li>did not comply with the condition on service approval limiting the maximum number of family day care educators that they may employ or engage to 30 (s.51)</li> <li>failed to ensure that a Register of Family Day Care Educators that included the information prescribed by regulation 153 in relation to each family day care educator engaged by or registered with the service was maintained (s.269)</li> <li>failed to ensure the documentation of child assessment or evaluations for delivery of the educational program is completed (r.74)</li> <li>failed to ensure that information about the contents and operation of the educational program was displayed and available at the service (r.75)</li> <li>failed to ensure that each child being educated and cared for by the education and care service had access to sufficient furniture, materials and developmentally appropriate equipment suitable for the education and care of that child (r.105)</li> <li>failed to display prescribed information in a position so it was clearly visible to anyone from the main entrance to the education and service premises required under regulation 173 (s.172)</li> <li>failed to keep the documents prescribed by regulation 154 and 162 available for inspection by an authorised officer at the education and care service premises as required by section 175 (s.175)</li> </ul>	8/12/14	Compliance Notice under s.177

## National Quality Framework – 2014 Enforcement Action

Name and address of service	Certified supervisor name & number (for actions against individuals)	Approved provider name & number	Nature of enforcement action	Reason for taking enforcement action (including breach)	Date of enforcement action	Details of enforcement action taken
				<ul style="list-style-type: none"> <li>failed to ensure that a risk assessment was carried out in accordance with regulation 101 before an authorisation was sought under regulation 102 for an excursion (r.100)</li> <li>failed to ensure that a child being educated and cared for by the service was not taken outside the education and care service premises on an excursion unless written authorisations had been provided (r.102)</li> <li>failed to ensure the outdoor space used by children at the education and care service premises was enclosed by a fence or barrier that was of a height and design that children preschool age or under could not go through, over or under it (r.104)</li> <li>failed to ensure that the rehearsals of the emergency evacuation procedures were documented as required by Regulation 97</li> </ul>		
N/A	N/A	Uniting Church in Australia Property Trust (Victoria)	Conditions on Provider Approval	<ul style="list-style-type: none"> <li>Due to systemic and ongoing non-compliances with the National Law and Regulations and a number of serious incidents at services managed by Wimmera Uniting Care</li> </ul>	27/11/14	Imposition of conditions on the provider approval under s.23
Goodstart Early Learning Warragul – Burke Street, 75-77 Burke Street, Warragul	N/A	Goodstart Early Learning Ltd (PR-00001129)	Conditions on Service Approval	<ul style="list-style-type: none"> <li>Serious nature of non-compliances relating to s.166 (Offence to use inappropriate discipline) and s.167 (Offence relating to protection from harm and hazards; and r.86 (Notification to parents of incident, injury, trauma and illness), r.176(2)(b) (Time to notify certain information to Regulatory Authority)</li> </ul>	26/11/14	Imposition of conditions on the service approval under s.55
Goodstart Early Learning Aspendale Gardens, 6 Springvale Road, Aspendale Gardens	N/A	Goodstart Early Learning Ltd (PR-00001129)	Conditions on Service Approval	<ul style="list-style-type: none"> <li>Non-compliances identified during an assessment and rating visit posed a potential risk to the health, safety and wellbeing of children s.167 (Offence relating to protection from harm and hazards); s.165 (offence to inadequately supervise children);</li> <li>r97(3)(a)(emergency and evacuation procedures); and</li> <li>r155 (interactions with children).</li> </ul>	5/11/14	Imposition of conditions on the service approval under s.55

## National Quality Framework – 2014 Enforcement Action

Name and address of service	Certified supervisor name & number (for actions against individuals)	Approved provider name & number	Nature of enforcement action	Reason for taking enforcement action (including breach)	Date of enforcement action	Details of enforcement action taken
Rosa Family Daycare, 37A Devonshire Road, Sunshine	N/A	Kuol Deng (PR-40000949)	Compliance Notice	<p>Approved Provider:</p> <ul style="list-style-type: none"> <li>did not comply with the condition on service approval limiting the maximum number of family day care educators that they may employ or engage to 60 (s.51).</li> <li>did not comply with the condition on service approval requiring the service to employ one full time family day care co-ordinator for every 15 family day care residences or venues providing education and care for children (s.51).</li> <li>failed to ensure that a Register of Family Day Care Educators that included the information prescribed by regulation 153 in relation to each family day care educator engaged by or registered with the service was maintained (s.269).</li> <li>failed to keep the documents prescribed by regulation 177 available for inspection by an authorised officer at the education and care service premises as required by section 175.</li> <li>failed to take reasonable steps to ensure that the Record of staff, family day care co-ordinators and family day care educator assistants prescribed by regulation 177(2) was accurate (rr.177(2))</li> <li>failed to prepare a quality improvement plan within 3 months of the grant of the service approval (r.55)</li> </ul>	20/8/14	Compliance Notice under s.177
N/A	N/A	Sydenham Pre School Pty Ltd (PR-00002499)	Conditions on Provider Approval	Compliance history of Sydenham Central Early Learning Kinders, Early Learning Kinders (Sunshine), Coburns Road Child Care Centre, and Melton Early Learning Kinder, and in particular systemic and ongoing compliance issues	20/8/14	Imposition of conditions on the provider approval under s.23
N/A	N/A	Early Learning Kinders (Sunshine) Pty Ltd (PR-00002369)	Conditions on Provider Approval	Compliance history of Sydenham Central Early Learning Kinders, Early Learning Kinders (Sunshine), Coburns Road Child Care Centre, and Melton Early Learning Kinder, and in particular systemic and ongoing compliance issues	20/8/14	Imposition of conditions on the provider approval under s.23
N/A	N/A	Early Learning Kinders Pty Ltd (PR-00002498)	Conditions on Provider Approval	Compliance history of Sydenham Central Early Learning Kinders, Early Learning Kinders (Sunshine), Coburns Road Child Care Centre, and Melton Early Learning Kinder, and in particular systemic and ongoing compliance issues	20/8/14	Imposition of conditions on the provider approval under s.23

## National Quality Framework – 2014 Enforcement Action

Name and address of service	Certified supervisor name & number (for actions against individuals)	Approved provider name & number	Nature of enforcement action	Reason for taking enforcement action (including breach)	Date of enforcement action	Details of enforcement action taken
Goodstart Early Learning Burnside, 277-281 Westwood Drive, Burnside	N/A	Goodstart Early Learning Pty Ltd (PR-00001129)	Conditions on service approval	Non-compliance with s.165, 167 and r.170 <b>Particulars:</b> a child was exposed to a known allergen	18/8/14	Imposition of conditions on the service approval under s.55
Goodstart Early Learning Tarneit, 17 David John Drive, Tarneit	N/A	Goodstart Early Learning Pty Ltd (PR-00001129)	Conditions on service approval	Non-compliance with ss.165 and 167, and r.170 <b>Particulars:</b> a child was exposed to a known allergen	18/8/14	Imposition of conditions on the service approval under s.55
Maria Montessori Pre School & Early Learning Centre, 42 Main Street, Thomastown	N/A	Star Care (Vic) Pty Ltd ATF Bardan Family Trust	Conditions on service approval	Serious immediate risks to the health, safety and wellbeing of children <b>Particulars:</b> condition imposed prohibiting use of unsafe upper storey of service premises	31/7/14	Imposition of conditions on the service approval under s.55
Elite Enterprises Group Pty Ltd, 245 High Street, Preston	N/A	Elite Enterprises Group Pty Ltd (PR-0007121)	Cancellation of Provider Approval	<ul style="list-style-type: none"> <li>Person with management and control is not a fit and proper person</li> <li>Unacceptable risk to the safety, health and wellbeing of children</li> <li>Failure to comply with orders of VCAT made on 31 January 2014</li> <li>History of non-compliance with the National Law</li> </ul>	24/7/14	Notice of Cancellation of Provider Approval under s.33