



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

4 August 2008

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant to scope of application

s.73(1) - Not relevant to scope of application

I, Lynette Bidgood an authorised officer under the *Child Care Act 2002*, reasonably believe that you have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provisions are section 28 and section 73 *Child Care Act 2002* and section 119 *Child Care Regulation 2003*.

The relevant provision have been contravened in the following way:

1. Section 28(3) *Child Care Act 2002*

Compliance letters sent to the licensee and nominees dated 23 April 2008 and 15 July 2008 identified compliance matters relating to the positioning of an obstacle course that exceeded 500 mm with insufficient soft fall. A compliance response letter dated 29 July 2008 received at Mackay Whitsunday Service Centre stated "*The Centre Director conducted further training with staff on 1 July 2008 to ensure that the facilities used in the course of the service are safe and suitable for use in providing child care under the licence*".

At an announced monitoring visit conducted today 4 August 2008, an obstacle course was sighted without any soft fall under and around the four 900mm high metal A-frames. The obstacle course was not positioned over the permanent soft fall and coloured mats were only positioned under the planks which were lower than 500 mm off the ground. Evidence of staff training to ensure the facilities used in the course of the service are safe and suitable for use in providing child care under the licence was not available to sight at time of visit.

The way in which the contravention may be remedied is to ensure obstacle courses and associated equipment that exceed 500mm have sufficient soft fall and are closely supervised by staff to ensure safe and suitable environment.

Child Care Regulation
Mackay/Whitsunday Regional Service Centre
Level 2 Healthpoint Pharmacy Building
67-69 Sydney Street
Mackay Qld 4740
PO Box 858
Mackay Qld 4740
Telephone: 4967 4420
Facsimile: 4967 4424

Website: www.communities.qld.gov.au

2. Section 73 (2) and (3) Child Care Act 2002 and Section 119 Child Care Regulation 2003

Compliance letter sent to the licensee and nominees dated 15 July 2008 requested evidence of enrolment in a course of study for Group Leaders [s.73(1) - Not relevant to scope of a] [s.73(1) - Not relevant to scope of a] and [s.73(1) - Not relevant to scope of a] to be available for sighting at the centre. A compliance response letter dated 26 July 2008 received at Mackay Whitsunday Service Centre stated "evidence of enrolment in a course of study for [s.73(1) - Not relevant to scope of a] [s.73(1) - Not relevant to scope of a] and [s.73(1) - Not relevant to scope of a] is available for viewing at the centre".

At an announced monitoring visit conducted today 4 August 2008, evidence of enrolment in a course of study for Group Leaders [s.73(1) - Not relevant to scope of a] and [s.73(1) - Not relevant to scope of a] was not available to sight at the centre. Evidence sighted during the visit for [s.73(1) - Not relevant to scope of a] did not include the course commencement date. During the visit Authorised Officer sighted a current staff roster identifying [s.73(1) - Not relevant to scope of a] [s.73(1) - Not relevant to scope of a] and [s.73(1) - Not relevant to scope of a] in Group Leader positions.

The way in which the contravention may be remedied is to ensure the licensee keeps a document that, under section 73 Child Care Act 2002 subsection (3), is evidence that the person/s is enrolled in the course.

You are required to remedy the contravention by 4 September 2008.

Date of notice

4 August 2008



Ms Lynette Bidgood
Manager
Child Care Regulation Unit

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: [s.73(1) - Not relevant to scope of app] and [s.73(1) - Not relevant to scope of app]

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

4 August 2008

s.73(1) - Not relevant to scope of application

Dear [s.73(1) - Not relevant to scope of application] and [s.73(1) - Not relevant to scope of application]

s.73(1) - Not relevant to scope of application

I, Lynette Bidgood an authorised officer under the *Child Care Act 2002*, reasonably believe that you have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provisions are section 28 and section 73 *Child Care Act 2002* and section 119 *Child Care Regulation 2003*.

The relevant provision have been contravened in the following way:

1. Section 28(3) *Child Care Act 2002*

Compliance letters sent to the licensee and nominees dated 23 April 2008 and 15 July 2008 identified compliance matters relating to the positioning of an obstacle course that exceeded 500 mm with insufficient soft fall. A compliance response letter dated 29 July 2008 received at Mackay Whitsunday Service Centre stated "*The Centre Director conducted further training with staff on 1 July 2008 to ensure that the facilities used in the course of the service are safe and suitable for use in providing child care under the licence*".

At an announced monitoring visit conducted today 4 August 2008, an obstacle course was sighted without any soft fall under and around the four 900mm high metal A-frames. The obstacle course was not positioned over the permanent soft fall and coloured mats were only positioned under the planks which were lower than 500 mm off the ground. Evidence of staff training to ensure the facilities used in the course of the service are safe and suitable for use in providing child care under the licence was not available to sight at time of visit.

The way in which the contravention may be remedied is to ensure obstacle courses and associated equipment that exceed 500mm have sufficient soft fall and are closely supervised by staff to ensure safe and suitable environment.

2. Section 73 (2) and (3) Child Care Act 2002 and Section 119 Child Care Regulation 2003

Compliance letter sent to the licensee and nominees dated 15 July 2008 requested evidence of enrolment in a course of study for Group Leaders [s.73(1) - Not relevant to scope of] [s.73(1) - Not relevant] and [s.73(1) - Not relevant to scope of] to be available for sighting at the centre. A compliance response letter dated 29 July 2008 received at Mackay Whitsunday Service Centre stated "evidence of enrolment in a course of study for [s.73(1) - Not relevant to] [s.73(1) - Not relevant] and [s.73(1) - Not relevant] is available for viewing at the centre".

At an announced monitoring visit conducted today 4 August 2008, evidence of enrolment in a course of study for Group Leaders [s.73(1) - Not relevant to scope of] and [s.73(1) - Not relevant to scope of] was not available to sight at the centre. Evidence sighted during the visit for [s.73(1) - Not relevant to scope of] did not include the course commencement date. During the visit Authorised Officer sighted a current staff roster identifying [s.73(1) - Not relevant] [s.73(1) - Not relevant] and [s.73(1) - Not relevant to] in Group Leader positions.

The way in which the contravention may be remedied is to ensure the licensee keeps a document that, under section 73 Child Care Act 2002 subsection (3), is evidence that the person/s is enrolled in the course.

You are required to remedy the contravention by 4 September 2008.

Date of notice

4 August 2008

COPY

Ms Lynette Bidgood
Manager
Child Care Regulation Unit

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: [s.73(1) - Not relevant to scope of appl] and [s.73(1) - Not relevant to scope of a]

FIRST NOTICE

**NOTICE REQUIRING COMPLIANCE WITH THE REQUIREMENTS OF
THE *BUILDING ACT 1975***

Section 143(2) of the *Child Care Act 2002*

File No: 12/148/01164

25 March 2009

s.73(1) - Not relevant to scope of application

Dear

s.73(1) - Not relevant to scope of application

s.73(1) - Not relevant to scope of application

I, Lynette Bidgood an authorised officer under the *Child Care Act 2002*, require you to comply with the following provision of the Queensland Development Code (MP5.4: Child Care Centres) Version three: P4 Outdoor play facilities.

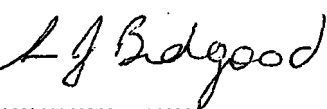
| | Performance Criteria | Compliance Matter | Action Required | Due Date |
|----|---|--|---|----------|
| 1. | Outdoor play facilities A4 (vii) Playground equipment structures comply with AS 4685.1, AS 4685.2, AS 4685.3, AS 4685.4, AS 4685.5, AS 4685.6 and AS2155. (viii) Soft-fall areas complying with AS 4422 are provided to play ground equipment with a fall height exceeding 50cm. | During a monitoring visit on 13 January 2009, Authorised Officers sighted a fort and soft fall installed in the outdoor play area in the Mixed age group playground. | Licensee to provide written evidence the fort structure complies with the Queensland Development Code requirements. | 27.04.09 |

| | | | | |
|--|--|--|--|----------|
| | | <p>Evidence of compliance with the Queensland Development Code requirements for the new structure and the soft fall area surrounding the fort structure was requested in a compliance letter dated 16 January 2009.</p> <p>Written response received at Mackay Service Centre on 25 February 2009 did not indicate the qualification of the person verifying the structure meets AS 4685.1.</p> <p>Written evidence that the soft-fall areas surrounding the fort structure comply with the Queensland Development Code requirements has not been provided to Mackay Service Centre.</p> | <p>Licensee to provide written evidence the soft-fall areas surrounding the fort structure comply with the Queensland Development Code requirements.</p> | 27.04.09 |
|--|--|--|--|----------|

You are required to comply with the provision by 27 April 2009.

25 March 2009

Date of notice



Lynette Bidgood, Early Childhood Manager



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Office for
Early Childhood Education and Care

File No/Ref No: 12/148/01164

30 June 2009

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant to sco

s.73(1) - Not relevant to scope of application

I, Lynette Bidgood, an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening a provision of the *Child Care Act 2002* and have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provision is section 24 (3) *Child Care Regulation 2003*.

The relevant provision is being or has been contravened in the following way:

Staffing requirements other than during a rest period

The number of qualified carers working with the group must be at least the number required to comply with the ratio for the group stated in schedule 1 of *Child Care Regulation 2003*.

On arrival at the service at 9.15am on Monday 22 June 2009, it was noted by the Authorised Officer, Ms Katie Roberts, that there were fifteen children as part of a mixed age group with a Group Leader and an Assistant. Fourteen children were playing in the outdoor playground and one infant was asleep in the sleep room.

Mackay Service Centre
Level 2 Healthpoint Pharmacy Building
67-69 Sydney Street
Mackay Qld 4740
PO Box 858
Mackay Qld 4740
Telephone: 4967 4412
Facsimile: 4967 4424
Website: www.communities.qld.gov.au

You are required to remedy the contravention by Friday 7 August 2009.

30 June 2009

.....
Date of notice

Lf Bidgood
.....

Lynette Bidgood
Early Childhood Manager
Mackay Service Centre
Office for Early Childhood Education and Care

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.

The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2008*



**Queensland
Government**

MJ/740055

25 November 2008

FILE COPY

Department of
Communities

s.73(1) - Not relevant to scope of application

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee,

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002* and
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is

Child Care Act 2002 **Sections 28, 75**

Child Care Regulation 2003 **Sections 55, 56, 57, 60**

The relevant provision is being or has been contravened in the following way:

Cleaning and Maintenance and Safety:

- ✓ Grass/weeds were overgrown throughout the playground and along the perimeter fence lines.
- ✓ The overgrown vines with seedpods were accessible to children
- ✓ Large tractor tyres in the playground were full of weeds and overgrown grass
- There is considerable build up of paint all over the verandah roof, poles and cement flooring.
- ✓ The kitchen floor is missing a large section of vinyl exposing the cement underneath
- ✓ The sliding doors were full of dirt and debris.

You are required to remedy the contravention by 12 December 2008.

The way in which the contravention may be remedied is to ensure that a child care centre and its facilities must be kept in good repair and clean.

The relevant provision is

Child Care Act 2002 **Sections 9, 28**

Child Care Regulation 2003 **Sections 45, 53**

The relevant provision is being or has been contravened in the following way:

There appears to be limited outdoor equipment available that is appropriate for the children.

You are required to remedy the contravention by 12 December 2008.

The way in which the contravention may be remedied is to ensure that the child care centre has facilities, including outdoor equipment that are adequate for the children ordinarily cared for at the centre.

The relevant provision is

Child Care Act 2002 Sections 72

Child Care Regulation 2003 Sections 118, 119, 122

The relevant provision is being or has been contravened in the following way:

There was no evidence of the qualifications or enrolment in a course of study for group leader/teacher

s.73(1) - Not relevant to

You are required to remedy the contravention by 12 December 2008.

The way in which the contravention may be remedied is to ensure that the licensee of a child care centre must keep a document that is evidence that the person has the qualification or competency.

The relevant provision is

Child Care Act 2002 Sections 80 (2)

The relevant provision is being or has been contravened in the following way:

During a monitoring visit on the 19 August 2008 the Department enquired about changes to the Executive Directors/Board members. To date only an email list from the Director of the service has been provided.

You are required to remedy the contravention by 12 December 2008.

The way in which the contravention may be remedied is to ensure that the licensee informs the chief executive within 10 days after there is any change in its executive officers. One way of providing evidence would be in the way of a copy of the most recent meeting minutes or AGM minutes that records these changes.

25 November 2008



Jodie McNamara

Manager

Child Care Regulation

Moreton Region

Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

FILE COPY



Queensland
Government

MJ/700927

FIRST NOTICE

Department of
Communities

**NOTICE REQUIRING COMPLIANCE WITH THE REQUIREMENTS OF
THE BUILDING ACT 1975**

Section 143(2) of the *Child Care Act 2002*

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

11 November 2008

s.73(1) - Not relevant to scope of application

Dear Licensee,

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, require you to comply with the following provision of the Queensland Development Code (MP5.4: Child Care Centres) Part 22 A5 (viii).

| | Performance Criteria | Compliance Matter | Action Required | Due Date |
|----|----------------------|--|--|------------------|
| 1. | QDC A5 (viii) | Soft fall provided under the fort area is considerably compacted. The Authorised Officer is concerned that the soft fall provided under the equipment does not meet the Australian Standards. This issue was raised in compliance letter dated the 25 August 2008. To date the Department has not received evidence of how this area complies with the Australian Standards. | Soft-fall areas complying with AS 4422 are provided to play ground equipment with a fall height exceeding 50 cm. | 12 December 2008 |

You are required to comply with the provision by 12 December 2008.

11 November 2008

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

MJ/701005

10 November 2008

s.73(1) - Not relevant to scope of application

Department of
CommunitiesChild Care Regulation
Logan Service CentreLevel 2, 6 Ewing Road
WOODRIDGE QLD 4114P O Box 236
WOODRIDGE QLD 4114Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee,

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002* and
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is
Child Care Act 2002 **Section 66**

The relevant provision is being or has been contravened in the following way:

The staffing roster provided did not show that at least 1 staff member with the prescribed first aid competency was present at the place at all times.

You are required to remedy the contravention by 26 November 2008.

The way in which the contravention may be remedied is to ensure that whenever child care is being provided at a place under a licence for a centre based service, the licensee must ensure at least 1 staff member with the prescribed first aid competency is present at the place.

10 November 2008

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC:

s.73(1) - Not relevant to scope of ap

FILE COPY



**Queensland
Government**

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

MJ/701005

30 October 2008

s.73(1) - Not relevant to scope of application

Dear Licensee,

s.73(1) - Not relevant to scope of application

Department of
Communities

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002* and
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is

Child Care Act 2002 Sections 75
Child Care Regulation 2003 Sections 21, 22

The relevant provision is being or has been contravened in the following way:

During the visit on the 22 October 2008 the records indicated that service was operating a combined group (Nursery 6 weeks – 2 yrs with 4 children and toddlers 15mth – 3 yrs with 4 children) there was only one staff member.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure the children in care at the child care centre are cared for in groups, each of which – is not more than the maximum size stated in Schedule 1 and complies with any other limit for the group stated in schedule 1. The number of qualified carers working with the group must be at least the number required to comply with the ratio for the group stated in schedule 1.

The relevant provision is

Child Care Regulation 2003 Sections 34, 35

The relevant provision is being or has been contravened in the following way:

During the visit on the 20, 24 October 2008 the grouping information displayed was not current and reflective of the groups operating.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure that the licensee has displayed at an appropriate place at the child care centre accessible to parents and guardians a notice stating the prescribed information about each of the groups as the centre.

The relevant provision is

Child Care Act 2002 Sections 75

Child Care Regulation 2003 Sections 43, 101

The relevant provision is being or has been contravened in the following way:

During the visit on the 22 October 2008 the sign in sheets did not have all children arrivals entered. There were 16 children present with only 11 signed in.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure that when a child in care arrives at the child care centre the adult enters the arrival time and the adult's name in the centre's attendance book and signs the entry or otherwise – a staff member enters the arrival time in the centre's attendance book and signs the entry.

The relevant provision is

Child Care Act 2002 Sections 28, 75

Child Care Regulation 2003 Sections 55, 57

The relevant provision is being or has been contravened in the following way:

During the visit on the 20 October 2008 the curtain rods were not stable. The screws were falling out causing the brackets to come away from the wall.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure that the child care centre and its facilities must be kept in good repair.

The relevant provision is

Child Care Regulation 2003 Sections 34 A

The relevant provision is being or has been contravened in the following way:

During the visit on the 24 October 2008 the staffing information was not displayed.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure that a notice stating the current information about the number of staff members working at the centre on each day of the week, including at different times on a single day and each staff member's qualifications and position is displayed.

The relevant provision is

Child Care Act 2002 **Sections 28, 75**

Child Care Regulation 2003 **Sections 55, 56, 57**

The relevant provision is being or has been contravened in the following way:

During the visit on the 22 October 2008 the animal enclosure was unclean with large amounts of faecal droppings.

During the visit on the 22 October 2008 the food scrap bin placed out in the undercover area had no lid and was attracting flies.

During the visit on the 24 October 2008 the shower recess and children's hand wash trough in the 15mth – 3 yrs bathroom was unclean and had food scraps.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure that each staff member observes good health and hygiene practices while providing care in the course of the service. A child care service and its facilities must be kept in good repair, clean and free of pests.

The relevant provision is

Child Care Act 2002 **Sections 28, 75**

Child Care Regulation 2003 **Sections 55, 60**

The relevant provision is being or has been contravened in the following way:

During the visit on the 22 October 2008 a child was sighted climbing on an adult chair that had been placed on a large cushion in order to open a storeroom door where dangerous items are being stored.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure children do not have access to any dangerous part of a child care centre.

The relevant provision is
Child Care Act 2002 Sections 70, 72
Child Care Regulation 2003 Sections 114, 118

The relevant provision is being or has been contravened in the following way:

During an unannounced visit on the 22 October 2008 the service reported that staff member [s.73(1) - Not relevant to scope] was Acting Director, there were no staffing records available at the time. An announced visit occurred on the 24 October 2008 and the service was only able to provide a certificate 3 in child care for staff member [s.73(1) - Not relevant to scope]. The service reported that [s.73(1) - Not relevant to scope] has completed her Diploma, however no evidence was available.

During an announced visit on the 24 October 2008, the staffing details for director [s.73(1) - Not relevant to scope] was not available. [s.73(1) - Not relevant to scope] holds no prior qualification and has a transcript only for her Bachelor of Human Services Child and Family studies.

You are required to remedy the contravention by 10 November 2008.

The way in which the contravention may be remedied is to ensure that the Licensee must keep documents that is evidence that the person has the qualification or competency. A document is evidence that a person holds a particular qualification if is an original award issued to the person on obtaining the qualification.

30 October 2008



Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC:

[s.73(1) - Not relevant to scope of a]

FILE COPY



Queensland
Government

FIRST NOTICE
Department of
Communities

**NOTICE REQUIRING COMPLIANCE WITH THE REQUIREMENTS OF
THE *BUILDING ACT 1975*
Section 143(2) of the *Child Care Act 2002***

MJ/701005

27 October 2008

s.73(1) - Not relevant to scope of application

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, require you to comply with the following provision of the Queensland Development Code (MP5.4: Child Care Centres) Part 22 version 1 A 5 (viii).

| | Performance Criteria | Compliance Matter | Action Required | Due Date |
|----|----------------------|---|---|------------------|
| 1. | QDC A5 (viii) | During a visit on the 20 October 2008 the bark under the fort equipment was sighted to be depleted. | The way in which the contravention may be remedied is to ensure that soft-fall areas complying with AS 4422 are provided to playground equipment with a fall height exceeding 50cm. | 25 November 2008 |

You are required to comply with the provision by 25 November 2008.

27 October 2008

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

CC: :

s.73(1) - Not relevant to scope of application

12/148/19022 (139-35)



**Queensland
Government**

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

MJ/700927

25 August 2008

s.73(1) - Not relevant to scope of application

 **FILE COPY**

Department of
Communities
Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee,

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002*
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is section

Child Care Act 2002 **Sections 28, 75**

Child Care Regulation 2003 **Sections 57 Cleaning and Maintenance**

The relevant provision is being or has been contravened in the following way:

- During the visit on the 19 August 2008 the mats in the service were sighted to be old, worn, and fraying. The edges were curling which was sighted to be a potential tripping hazard.
- The shower recess and bathroom tiles opposite the 2.5-3.5 yrs room was unclean with dirt and grime.
- There were weeds growing along the verandah
- A toilet in the shared bathroom 15 mths – 3 yrs groups was missing the toilet seat.
- Curtains hanging in the Schoolies room were missing hooks and coming away from the rod.
- The floors in the storerooms were unclean with dirt and grime.
- The tiles in the shared bathroom in the 15 mths – 3 yrs groups had a build up of a glue/grime around the edges.

You are required to remedy the contravention by 12 September 2008.

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –



- are contravening a provision of the *Child Care Act 2002*
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is section

Child Care Act 2002 Sections 28, 75, s143

Child Care Regulation 2003 Sections 55, 57, 60 Maintenance and Safety

The relevant provision is being or has been contravened in the following way:

-  During the visit on the 19 August 2008 there were chemical bottles not stored in locked cupboards and were accessible to children.
-  The corner of the perimeter fence line was missing palings and thereby exposing the bottom beam which could act as a foot hold to the adjoining fence line. This fencing does not inhibit young children from gaining access to a dangerous area.

You are required to remedy the contravention by 12 September 2008.

25 August 2008



Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.

The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

FILE COPY



Queensland
Government

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

MJ/701005

22 May 2008

s.73(1) - Not relevant to scope of application

Department of
Communities

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee,

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002* and
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is

Child Care Act 2002 Sections 75

Child Care Regulation 2003 Sections 21, 22

The relevant provision is being or has been contravened in the following way:

During the visit on the 21 May 2008 the service was operating a 15 -3 yr group with 11 children.

You are required to remedy the contravention by 6 June 2008.

The way in which the contravention may be remedied is to ensure the children in care at the child care centre are cared for in groups, each of which – is not more than the maximum size stated in Schedule 1.

22 May 2008

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

FILE COPY



Queensland
Government

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

MJ/701005

20 May 2008

s.73(1) - Not relevant to scope of application

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee,

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002* and
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is

Child Care Act 2002 Sections 75

Child Care Regulation 2003 Sections 55, 60

The relevant provision is being or has been contravened in the following way:

During the visit on the 19 May 2008 the perimeter gate in the outdoor playground which accesses the car park was unlocked.

You are required to remedy the contravention by 6 June 2008.

The way in which the contravention may be remedied is to ensure the gate in the perimeter fence is locked to inhibit access by children to any serious hazards.

20 May 2008

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.

The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

Mj/801004

29 April 2008

s.73(1) - Not relevant to scope of application

COPY

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee,

s.73(1) - Not relevant to scope of application

I, Jodie McNamara an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002* and
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is
Child Care Act 2002 **Sections 75, 89**
Child Care Regulation 2003 **Sections 45, 53**

The relevant provision is being or has been contravened in the following way:

- There appears to be insufficient equipment in the playrooms and storage areas to support an appropriate program that is designed to stimulate and develop each child. The service provided a completed inventory on the 17 March 2008 which indicates that minimum standards are not being met. A subsequent walk through by Authorised Officers on the 24 April 2008 also indicated depleted levels.

You are required to remedy the contravention by 23 May 2008.

The way in which the contravention may be remedied is to ensure that the service has sufficient and appropriate indoor and outdoor equipment that is adequate for the children ordinarily cared for at the centre. Provide to the Department a current completed inventory outlining that the service meets minimum standards required.

29 April 2008

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

FILE COPY

made to local signed copy



Queensland
Government

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

HF/SB.

File No: 701005

22 April 2008

s.73(1) - Not relevant to scope of application

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee

s.73(1) - Not relevant to scope of application

I, Jodie McNamara, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002* and
- have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provision is

Child Care Act 2002 Sections 28, 75

Child Care Regulation 2003 Sections 57 Cleaning and Maintenance generally

The relevant provision is being or has been contravened in the following way:

- There was a hole in the wall of the bottom right hand corner of the 3-5's toilet area.
- The outdoor licensed area out the front of 3-5's and 2-3's room was in poor repair. The ground surface area was hard with rocks, foreign objects, debris, and identified areas of the external fencing were in need of repair.
- The sliding glass door in the nursery room is difficult to move, open or shut.
- Concrete area leading from the nursery to the playground is broken, uneven and is not sealed.
- The surface on the free standing partition in the preschool room is rough and flakes off when touched.
- Playroom mats in the preschool room are frayed.
- Play furniture in the centre is in a poor state of repair i.e worn, unstable, and broken.
- The children's tables have exposed chip board and are unsuitable for use.
- The lockers in the preschool room are broken.

FILE COPY

- Beds are worn and have exposed foam.
- Floors have a build up of dirt and grime and sliding doors are dirty.
- The sliding door tracks have a build up of dirt and are not easily opened or closed.
- Locks on cupboard are broken.
- Collage trolley was not clean.
- Beds are worn and have exposed foam.
- The shower has no shower head.
- The trough frame has sharp edges.
- The location and height of the nappy change bench poses a risk to older children bumping their heads.
- The nappy change storage structure is not stable or securely fixed.
- Gate from nursery area is not securely fixed.
- There are gaps in and around all fencing areas.
- The fort area was cracked, broken and had paint flaking.
- The slides are worn and have exposed fibreglass.
- Adjacent fencing area is corroded.
- The stage area: timber is split and paint is worn.
- Lockers are unstable. Heavy items are being stored on top of lockers.
- All fencing is in a poor state of repair. Fencing has holes, gaps, exposed timber, broken, and corroded in some areas. Fencing must meet Australian standards.
- The iron gates leading from indoor to outdoor areas are in need of repair. Sharp edges are exposed and paint is worn and flaking.
- The tiled floor areas between the indoor and outdoor entrances are chipped, broken, uneven and/or have tiles missing.
- Equipment is not clean or stored appropriately.

You are required to remedy the contravention by 7 May 2008.

The way in which the contravention may be remedied is to ensure the child care centre and its facilities are maintained in good repair, clean and free of pests.

FILE COPY

I, Jodie McNamara, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002* and
- ☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provision is:

Child Care Act 2002 **Sections 28 (6) & 75**
Child Care Regulation 2003 **Section 56 Health and hygiene practices**

The relevant provision is being or has been contravened in the following way:

- The 2-3's nappy change facility did not have adequate adult hand washing facilities.
- The adult hand basin was located a distance away on the back wall of the bathroom area.

You are required to remedy the contravention by 7 May 2008.

The way in which the contravention may be remedied is to ensure the child care centre facilities meet the requirements of the Queensland Development Code MP 5.4 Child Care Centres - A8 Nappy Change facilities.

I, Jodie McNamara, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002* and
- ☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provision is:

Child Care Act 2002 **Section 75**
Child Care Regulation 2003 **Section 53 Other facilities**

- Equipment levels in the storeroom appear very low.
- Equipment is not clean.
- Equipment levels in storeroom appear very low. Equipment is not clean.

You are required to remedy the contravention by 7 May 2008.

The way in which the contravention may be remedied is to ensure the child care centre has sufficient facilities, including furniture and indoor and outdoor equipment adequate for the children ordinarily cared for at the centre.

I, Jodie McNamara, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002* and
- ☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provision is:

Child Care Act 2002 Section 75 & 28
Child Care Regulation 2003 Section 60

- Children have access to exposed leads and cabling.

You are required to remedy the contravention by 7 May 2008.

The way in which the contravention may be remedied is to ensure that dangerous places and or items are inaccessible to children.

22 April 2008

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: s.73(1) - Not relevant to scope of app



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

File No: 700689

3 April 2008

s.73(1) - Not relevant to scope of application

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear Licensee

s.73(1) - Not relevant to scope of application

I, Jodie McNamara, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002* and
- ☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provision is *Child Care Act 2002* Sections 28, 75, 143
Child Care Regulation 2003 Sections 56, 57, 60

The relevant provision is being or has been contravened in the following way:

- The flyscreen door leading into the kitchen has large holes in the screening.
- The laundry is being used a collection area for equipment and is not clean. The cleaners sink in the laundry is being used to store equipment.
- A mouldy mildew substance is present on the ceiling in the Schoolies storeroom.
- Paint and paint pots are being stored in the Schoolies storeroom
- The hand washing trough in the Schoolies room is coming away from the wall.
- Cupboard and home corner play equipment in the Schoolies room is broken. Cupboard has an oily substance on the top shelf.
- A section of timber framing in the 3-5 years room is rotting.
- A section of the flooring in the far left corner of the 3-5 years room appears to be hollow.
- Plastic bags incorrectly stored in the 3-5 years room.
- Electrical cable is hanging over window in the 3-5 years room
- A power point in the 2.5-3.5 years room is in reach of children and not protected by a child safe plug.
- The cupboard under the nappy change is not locked. Cleaning products are being stored in the cupboard. The cupboard is not clean.

- A section of the concrete footpath in the toddler's playground is lifting.
- The yellow metal guard rail in the toddler's yard has exposed end.
- The basket ball back board in the schoolies play yard is broken.
- Large sections of paint are flaking off the metal play equipment in the 2-5 years playground.
- The tyre swing in the 2-5 years yard is frayed.
- The concrete foot path adjacent to the under cover play area has a sharp edge.
- Tree stumps in the playground are protruding above ground level.
- Nails are sticking out of the timber box edging at ground level.
- There is a large gap measuring approximately 17cms underneath the 3-5yr playground fence.

You are required to remedy the contravention by 17 April 2008.

3 April 2008



Jodie McNamara
Manager
 Child Care Regulation
 Moreton Region
 Department of Communities

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.

The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: s.73(1) - Not relevant to scope of ap

FILE COPY



Queensland
Government

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

File No/Ref No: 700685

5 March 2008

s.73(1) - Not relevant to scope of application

Child Care Regulation
Logan Service Centre

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

Dear s.73(1) - Not relevant to sc

s.73(1) - Not relevant to scope of application

I, Jodie McNamara, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002*
and/ or
- ☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provisions are sections:

Act Section 28 and 143 and Regulation Section 57: It was observed on 6 December that the sand pit in the toddler yard was full of water. This is breeding ground for mosquito's and bacteria. On visit dated 10 December the water had drained leaving dirty sand that was not hygienic and suitable for children to play in.

Act Section 28 Regulation Section 57: Large section of the paint throughout the centre was flaking away from the wall. This could be ingested by a child. A section of the prep wall had been replastered and had not be sanded or repainted.

Act Section 28 Regulation Section 60: A grate/drain in the playground is able to be lifted by a child. The drain has a substantial drop which could harm a child.

Act Section 75 Regulations Section 53: Limited equipment was observed throughout the service

The relevant provision is being or has been contravened in the following way:

The licensee has not remedied the contravened positions by the due date specified. The licensee has been granted two extension of time to have the compliances matters rectified and the compliance matters as listed above are currently outstanding.

You are required to remedy the contravention by 24 March 2008.

5 March 2008

.....
Date of notice



Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities
.....

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: s.73(1) - Not relevant

FILE COPY

Queensland
Government

⑧
⑤

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

File No/Ref No: 700684

Child Care Regulation
Logan Service Centre

5 March 2008

Level 2, 6 Ewing Road
WOODRIDGE QLD 4114

P O Box 236
WOODRIDGE QLD 4114

Telephone: (07) 3884 7804
Facsimile: (07) 3884 7832
www.communities.qld.gov.au
ABN: 38 872 506 567

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant to s

s.73(1) - Not relevant to scope of application

I, Jodie McNamara, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002*
and/ or
☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provisions are sections:

Act Section 28 Regulation Section 57: New door frames leading into the Prep area 1 and 2 rooms and into the toilet area are not sealed. ✓

Act Section 28 Regulation Section 57: Large section of the paint throughout the centre was flaking away from the wall. This could be ingested by a child. A section of the prep wall had been replastered and had not be sanded or repainted. ✓

Act Section 28 Regulation Section 60: A grate/drain in the playground is able to be lifted by a child. The drain has a substantial drop which could harm a child. ✓

Act Section 143 (1): The sandpit appeared to be depleted of sand. The sand available was dirty and not hygienic.

Act Section 28 Regulation Section 57: A section of exterior panelling near the water fountain was rotten and had a panel missing exposing the builder's paper. ✓

Act Section 143 Regulation Sect 57: The retaining wall on the main road side of the playground appears to be rotting, which poses a safety issue. A poly fill foam substance was also rotting under the wall which could pose a risk to children. ✓

John 18/03/08
From
100 500 000

FILE COPY

FILE COPY

The relevant provision is being or has been contravened in the following way:
The licensee has not remedied the contravened positions by the due date specified. The licensee has been granted two extension of time to have the compliances matters rectified and the compliance matters as listed above are currently outstanding.

You are required to remedy the contravention by 21 March 2008.

5 March 2008

.....
Date of notice



Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Department of Communities

.....
NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: s.73(1) - Not relevant

FILE COPY

**SHOW CAUSE NOTICE
(SUSPENSION OF LICENCE)**
Section 45 of the *Child Care Act 2002*

TO:

s.73(1) - Not relevant to scope of application

Notice of Proposal to Suspend the Licence

Pursuant to section 45(2) of the *Child Care Act 2002*, I give you notice that I propose to suspend the licence to operate the

s.73(1) - Not relevant to scope of application

s.73(1) - Not relevant to scope of application

located at

s.73(1) - Not relevant to scope of application

Reasons for Proposing to Suspend the Licence

My reasons for proposing to suspend the licence are as follows:

I am reasonably satisfied pursuant to section 45(1) (a) of the *Child Care Act 2002* that:

The Licensee is contravening, or has contravened, the *Child Care Act 2002* in a way, or to an extent, that justifies the suspension.

I am further reasonably satisfied that pursuant to section 45(1) (f) (i) of the *Child Care Act 2002* that:

The child care centre is unsafe and suitable for use as a child care centre.

I rely on the following grounds to support my reasons for proposing to suspend your licence.

I am reasonably satisfied that the licensee is contravening section 28(2) of the *Child Care Act 2002* in that the premises are not safe and suitable for use as a child care centre, due to the condition of the building that is the child care centre. I am further reasonably satisfied that the licensee is contravening section 28(6) of the *Child Care Act 2002* in that the premises do not comply with the Building Act requirements.

In reaching this conclusion, I am relying on information contained in two documents. The first is an enforcement notice to the licensee of the premises on 16 April 2008, pursuant to section 4.3.11 of the *Integrated Planning Act 1997* and in accordance with section 248 (1) of the *Building Act 1975*. The second is a file note, dated 15 April 2008, compiled by

s.73(1) - Not relevant to scope of application

which documents his observations following an inspection of the premises in question. In particular, these two documents indicate that the building is:

- a) dangerous to occupy due to substantial termite structural damage; and
- b) has non-compliant weather proofing systems to the premises.

Further, the notice requires that occupation of the building ceases. I am aware that a copy of this notice was also given to the nominees for the service, [redacted] and [redacted] by [redacted] at the centre on 16 April 2008.

Based on the extent of the damage identified, I am satisfied that the problems will require a substantial period of time to rectify.

For your reference, I have enclosed a copy of the material upon which I am relying, namely the enforcement notice and file note referred to above.

Notice to Show Cause

Pursuant to section 45(2) of the *Child Care Act 2002*, I call upon [redacted] ("the Licensee") to show cause why the licence to operate [redacted] located at [redacted] should not be suspended.

Under Section 45(3) of the *Child Care Act 2002*, any submission you make within the time stated in this notice will be considered. After this, a decision will be made regarding whether to suspend the licence. You will be notified of this decision in due course.

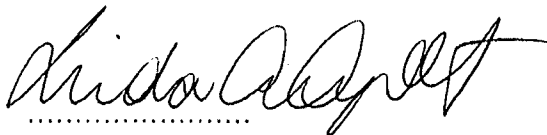
Should you decline to respond, I shall make a decision based on the information available to me.

You are invited to give a written response to me by 2 June 2008 about why the licence should not be suspended.

Your submission must be sent to me at the following address: Ipswich Service Centre, 5-7 Wharf Street, Ipswich Qld 4305 or PO Box 516, Booval Qld 4304. It should be marked Attention: Regional Executive Director.

Your attention is drawn to the urgent suspension notice that I issued to you on 17 April 2008, pursuant to section 46 of the *Child Care Act 2002*. You are advised that this suspension remains in force and that no consideration will be given to lifting it until all matters contained in this notice have been duly considered.

1/5/08
Date of notice



Linda A Apelt
DIRECTOR-GENERAL

CC: [redacted] and [redacted]

NOTICE OF URGENT SUSPENSION

Section 46 of the *Child Care Act 2002*

TO THE LICENSEE:

s.73(1) - Not relevant to scope of application

LICENCE DETAILS:

s.73(1) - Not relevant to scope of application

Notice of Decision to Urgently Suspend Licence Number s.73(1) - Not relevant to scope of application

Pursuant to section 46 of the *Child Care Act 2002*, I hereby give you notice that I have decided to urgently suspend the licence issued to s.73(1) - Not relevant to scope of application for the s.73(1) - Not relevant to scope of application located at s.73(1) - Not relevant to scope of application

The suspension takes effect at 6.00 pm on Thursday 17 April 2008 and continues for a period of 14 days unless, before that time, I determine to cancel the suspension or give a show cause notice under section 45 of the *Child Care Act 2002* to s.73(1) - Not relevant to scope of application

Reasons for Urgently Suspending the Licence

My reasons for urgently suspending the licence are as follows:

I am satisfied pursuant to section 46 (1) of the *Child Care Act 2002* that it is in the best interests of the wellbeing and safety of children being provided with child care at the s.73(1) - Not relevant to scope of application that the licence be immediately suspended.

I RELY ON THE FOLLOWING GROUNDS TO SUPPORT MY REASONS FOR URGENTLY SUSPENDING THE LICENCE:

1. I am not satisfied that the premises are safe and suitable for use as a child care centre due to the deterioration of the flooring at the premises (section 28(2) of the *Child Care Act 2002*) based on the following evidence -
 - On 15 April 2008, a visit to the centre was undertaken by Ms Jodie McNamara, Manager, Child Care Regulation, Moreton Region and Ms Kay Beattie, Team Leader, Child Care Regulation, Moreton Region with s.73(1) - Not relevant to scope of application.
 - s.73(1) - Not relevant to scope of application has advised that termites have affected the floors in the centre which are unsafe and at risk of collapse.
 - On 16 April 2008, s.73(1) - Not relevant to scope of application advised that an enforcement notice was issued to you by s.73(1) - Not relevant to scope of application requiring that you vacate the building. This direction was also given to nominees for the service, s.73(1) - Not relevant to scope of application and s.73(1) - Not relevant to scope of application at the centre on 15 April 2008.
2. As a result of enforcement action undertaken by s.73(1) - Not relevant to scope of application the Certificate of Classification for the premises has been placed into abeyance (section 28(6)).

Conclusion

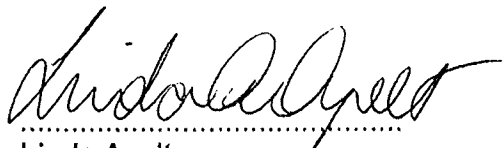
Section 49(5) of the *Child Care Act 2002* requires the licensee to give notice of the suspension to a parent or guardian of each child to whom child care is regularly provided in the course of the service. In addition the licensee must display a notice at the child care centre, for the period of the suspension, stating that the licence has been suspended.

Should you wish to apply to lift the suspension your application should be sent to the Director-General, Department of Communities, GPO Box 806, Brisbane, Qld, 4001 or to facsimile number 3235 4327.

Under Section 163 of the *Child Care Act 2002*, you may apply to the Children Services Tribunal to have this decision reviewed. The application to review the decision must be lodged within 28 days of receiving this notice. An application form may be obtained from the Children Services Tribunal Registry located on Level 9, 259 Queen Street, Brisbane or by telephoning the Registry on 1800 300 014 or 3225 8346. The application may be lodged in person at the Registry or posted (GPO Box 149, Brisbane, Qld, 4001) or by facsimile (fax number 3225 8345).

Should you wish to discuss this matter please contact Ms Brooke Winters, Regional Executive Director, Moreton Region, Department of Communities on 3280 1777.

DATED THE 17th DAY OF April 2008



Linda Apelt
Director-General

NOTICE OF SUSPENSION OF LICENCE

Section 45 of the *Child Care Act 2002*

TO:

s.73(1) - Not relevant to scope of application

Notice of Suspension of Licence

Pursuant to section 45(3) of the *Child Care Act 2002*, I give you notice that I have decided to suspend the licence to operate the s.73(1) - Not relevant to scope of application located at s.73(1) - Not relevant to scope of application s.73(1) - Not relevant to scope of application

Reasons for Suspending the Licence

My reasons for suspending the licence are as follows:

I am satisfied pursuant to section 45(1) (a) of the *Child Care Act 2002* that:

The Licensee is contravening, or has contravened, the Child Care Act 2002 in a way, or to an extent, that justifies the suspension....

I am further satisfied that pursuant to section 45(1) (f) (i) of the *Child Care Act 2002* that:

The child care centre is unsafe and suitable for use as a child care centre.

I rely on the following grounds to support my reasons for suspending the licence.

I am satisfied that the licensee is contravening section 28(2) of the *Child Care Act 2002* in that the premises are not safe and suitable for use as a child care centre, due to the condition of the building that is the child care centre. I am further satisfied that the licensee is contravening section 28(6) of the *Child Care Act 2002* in that the premises do not comply with the Building Act requirements.

In reaching this conclusion, I have relied on the following information:

1. **An enforcement notice issued by the** [s.73(1) - Not relevant to scope of application] **to the licensee of the premises on 16 April 2008, pursuant to section 4.3.11 of the *Integrated Planning Act 1997* and in accordance with section 248 (1) of the *Building Act 1975*. The notice requires, inter alia that occupation of the building ceases and stipulates a range of actions that need to be undertaken to achieve compliance with the nominated legislative requirements. I am aware that a copy of this notice was also given to the nominees for the service,** [s.73(1) - Not relevant to scope of application] **and** [s.73(1) - Not relevant to scope of application] **by** [s.73(1) - Not relevant to scope of application] **at the centre on 16 April 2008.**
2. **A file note, dated 15 April 2008, compiled by** [s.73(1) - Not relevant to scope of application] **officer,** [s.73(1) - Not relevant] **which documents his observations following an inspection of the premises in question. In particular, these two documents indicate that the building:**
 - a. Is dangerous to occupy due to substantial termite structural damage; and
 - b. Has non-compliant weather proofing systems to the premises.
3. **Your correspondence dated 2 June 2008 responding to my show cause notice dated 1 May 2008. I note the information contained in your correspondence indicating the repairs that have been carried out to the premises. Whilst I acknowledge that some progress has been made, you have not provided evidence that the repairs undertaken to date fulfil the requirements of the enforcement notice, referred to above. In particular, you have not provided evidence that you have been able to obtain a satisfactory Engineers Report, as stipulated in the "REQUIREMENTS OF NOTICE" section of the enforcement notice.**

In accordance with section 46 (5) (a) of the *Child Care Act 2002*, this notice continues the urgent suspension effected by the Notice of Urgent Suspension that was issued on 17 April 2008. The suspension will remain in place until 31 July 2010, unless lifted earlier. You are reminded that section 48 of the *Child Care Act 2002* requires the licensee to return the licence to me immediately after the suspension takes effect.

Section 49(5) of the *Child Care Act 2002* requires the licensee to give notice of the suspension to a parent or guardian of each child to whom child care is regularly provided in the course of the service. In addition the licensee must display a notice at the child care centre for the period of the suspension, stating the licence has been suspended.

An application may be made at any time under section 50 of the *Child Care Act 2002* for the suspension to be lifted. A copy of the approved form is attached.

Under Section 163 of the *Child Care Act 2002*, application may be made to the Children Services Tribunal to have the decision to suspend the licence reviewed. The application to review the decision must be lodged **within 28 days of receiving this notice**. An application form may be obtained from the Children Services Tribunal Registry located on Level 9, 259 Queen Street, Brisbane or by telephoning the Registry on 1300 855 345 or (07) 3225 8346. The application may be lodged in person at the Registry, or by post (GPO Box 1639, Brisbane 4001) or by fax on (07) 3225 8345.

DATED THE 23rd DAY OF June 2008



Linda A Apelt
Director-General



SHOW CAUSE NOTICE
(SUSPENSION OF LICENCE)
Section 45 of the *Child Care Act 2002*

Department of
Communities

Disability Services Queensland

Office of the
Director-General

TO:
Licensee

s.73(1) - Not relevant to scope of application

LICENCE DETAILS:

s.73(1) - Not relevant to scope of application

Pursuant to section 45 of the *Child Care Act 2002*, I call upon ("the Licensee") to show cause why the licence to operate the should not be suspended.

In determining to request you show cause, I have considered the following provisions of the *Child Care Act 2002* and Department of Communities policy number 352-2 Enforcement options for licensed child care.

RELEVANT CONSIDERATIONS

(A) The *Child Care Act 2002* - sections 8, 9, 28, 45, and 75.

8. Object

(1) The object of this Act is to protect, and promote the best interests of children receiving child care.

9. Guiding principles

This Act is to be administered, and licensed services are to be conducted, under the following principle—

- (a) the best interests of a child are the paramount concern;
- (b) child care should be provided to a child in a way that—
 - (i) protects the child from harm; and
 - (iii) promotes the child's wellbeing; and
 - (iv) provides positive experiences to the child;
- (c) licensed child care should be provided to a child in a way that stimulates and develops the child's creative, emotional, intellectual, lingual, physical, recreational and social potential.

28 Suitability of child care centre and facilities

- (1) This section applies to a licence to conduct a centre based service.
- (2) The chief executive must be satisfied the child care centre is safe and suitable for use as a child care centre.
- (3) The chief executive must be satisfied the other facilities used, or proposed to be used, in the course of the service are safe and suitable for use in providing child care under the licence.

13th Floor 111 George Street
Brisbane Queensland 4000

GPO Box 806 Brisbane
Queensland 4001 Australia

General Enquiries

Telephone +61 7 3235 4312

Facsimile +61 7 3235 4327

Email dgooffice@disability.qld.gov.au

Website www.communities.qld.gov.au

Website www.disability.qld.gov.au

DOC ABN 38 872 506 567

DSQ ABN 25 791 185 155

45. Suspension or revocation of licence

- (1) The chief executive may suspend or revoke a licence at any time if the chief executive is satisfied:
 - (a) the licensee is contravening, or has contravened, this Act or a condition of the licence in a way, or to an extent, that justifies the suspension or revocation; or
- (8) To remove any doubt, it is declared that subsection (1)(a) applies to a contravention of this Act whether or not the contravention is an offence.

Example—

Subsection (1)(a) applies to a contravention of section 75, 76, 77, 86, 89 or 98 or a provision of a regulation that is not an offence.

75 Licensee's overriding responsibility

- (1) The licensee of a child care service must conduct the service in a way that has sufficient regard to the guiding principles for this Act.²⁴
- (2) In particular, the licensee of a child care service must conduct the service in a way that ensures the safety of the children in care at all times and promotes their wellbeing.

(B) Department of Communities Policy 352-2 Enforcement options for licensed child care, which states:

Policy Statement

The department is committed to ensuring the proper operation of licensed child care services through the fair and appropriate use of the powers of enforcement under the *Child Care Act 2002*.

Principles

The department will:

- endeavour to engage licensees cooperatively in resolving issues of non-compliance;
- use the powers of enforcement where necessary to ensure the safety of children in licensed child care services and the proper operation of those services; and
- ensure that the Objects and Guiding Principles of the *Child Care Act 2002* (sections 8 and 9) are reflected in decisions to take enforcement action.

Suspending or revoking a licence

Section 45 sets out the grounds upon which a licence may be suspended or revoked. In addition to the specific grounds for suspension or revocation detailed in the balance of the section, subsection 45(1)(a) provides that the Chief Executive may suspend or revoke a licence if satisfied that the licensee is contravening or has contravened the Act or a condition of the licence in a way or to an extent that justifies the suspension or revocation.

In respect of subsection 45(1) (a), the Director-General will take steps to suspend a licence where:

- the licensee has failed to comply with a provision of the legislation that is compromising the safety and wellbeing of children in the service; or
- there is a history and pattern of non-compliance and the licensee has not demonstrated a capacity or willingness to comply with the legislation.

The Director-General will revoke a licence where there has been a serious breach of the legislation relating to the safety and wellbeing of the children in the service and the licensee is unable to demonstrate that the service can be operated in accordance with the requirements of the legislation. In considering whether the licence should be revoked, the Director-General will take into account any views of parents made known to him/her, however, the best interests of the children in the service will be the paramount consideration, in accordance with the Guiding Principles of the Act (section 9(a)).

REASONS FOR PROPOSING TO SUSPEND THE LICENCE

The reason I propose to suspend your licence is that I am concerned, in accordance with section 45 (1)(a) of the *Child Care Act 2002*, that you as licensee have contravened and are continuing to contravene this Act in a way which justifies the suspension of the licence.

I am concerned that, during the period 10 April – 25 June 2008 a large number of safety and maintenance issues were continually raised. As licensee, you are responsible for ensuring the centre is safe and suitable for the provision of child care throughout the term of the licence.

During the period from 10 April 2008 to 25 June 2008, authorised officers visited the centre on 12 occasions to monitor compliance and to respond to one complaint from the public.

The department has issued 12 compliance letters to you on separate occasions relating to breaches of the *Child Care Act 2002* and *Child Care Regulation 2003*, to remedy contraventions of the *Child Care Act 2002* and *Child Care Regulation 2003*. The matters relate to:

Section 28 (2) and (3) of the *Child Care Act 2002* and sections 46 (2), 47, 52, 53, 56, 57 and 60 of the *Child Care Regulation 2003* regarding the facilities provided to the children, health and hygiene practices and cleaning and maintenance of the centre. The compliance matters include:

- the limited indoor and outdoor equipment available is unclean and in poor repair
- the outdoor play area is overgrown, has uneven surfaces and insufficient soft fall
- fencing is in poor repair
- tiled floor areas are chipped and have broken tiles
- vermin and rat faeces are evident in the children's play areas
- hand washing facilities are not adequate for staff using nappy change areas.

Sections 66, 72, 73 and 74 of the *Child Care Act 2002* and sections 10, 11, 13, 22, 24, 34A, 35, 122 and 125 of the *Child Care Regulation 2003* regarding programs, staff records, the care of children in groups, display of notice about staffing, and display of notice about groups. The compliance matters include:

- group sizes for children aged 15 months to three years exceeded
- notices about groups not displayed for parents
- notices about staff not displayed for parents
- records of staff qualifications (including suitability notices and first aid) not available
- lack of programs developed for the children.

In addition, the department has issued three compliance notices to you, under section 142 of the *Child Care Act 2002*, in relation to:

- Section 28 (2) and (3) of the *Child Care Act 2002*, sections 34A, 52, 53, 56, 57, 60 of the *Child Care Regulation 2003* regarding staffing notices, cleaning and maintenance and health and hygiene practices.

Attached hereto, and forming my reasons for my proposal to suspend your licence, is a table that details each of your contraventions of the *Child Care Act 2002* and *Child Care Regulation 2002*, the enforcement action taken by this department to date and your response to this action.

The compliance history is outlined in Attachment A.

CONCLUSION

You are invited to show cause, within 30 days of the receipt of this notice, why I should not suspend or revoke the licence to operate the

s.73(1) - Not rel

s.73(1) - Not relevant to scope of application

Your written submission must be sent to me at the following address:

The Director- General, Department of Communities, GPO Box 806, Brisbane, Qld, 4001.

Any submission you make will be considered and a decision will be made regarding the suspension of the licence.

for *Bette Kili*
.....
Linda A Apelt
DIRECTOR-GENERAL

08/08/08
.....
Date of notice

s.73(1) - Not relevant to scope of application

Licensee: s.73(1) - Not relevant to s
Compliance History

10 April – 29 July 2008

The following abbreviations are used in this table:

“Act” to refer to the *Child Care Act 2002*“Reg” to refer to the *Child Care Regulation 2003*

“QDC” to refer to 1 September 2003 version of MP5.4 of the Queensland Development Code

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|------------------------------------|---|---|--|---|
| Maintenance | | | | |
| 10 April 2008 Unannounced Visit | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> The sliding door difficult to open in Nursery Concrete area is not sealed and uneven (Nursery) Play furniture and equipment in poor state of repair Playroom mats are frayed Paint flaking from walls The surface on the free standing partition is rough and flakes off The children's tables exposed chip board Lockers broken - safety and maintenance issue Children have access to an unsuitable area through a low window that is not locked. The power leads for the hand dryer, computer, cassette player, mirror ball and other exposed leads and cabling are accessible to children Storeroom was not locked and children have access to cleaning products Cleaning cloths not appropriate for use – cloths sighted were dried out and dirty Beds are worn and have exposed foam | <p>Act 28(2) Reg 57 Reg 57 Act 28(3) Reg 57 Reg 57 Act 28(2) Reg 57 Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57 Act 28(3) Reg 57</p> <p>Act 28(2) Reg 60</p> <p>Act 28(3) Reg 60(c)</p> <p>Reg 60(a)</p> <p>Reg 56</p> <p>Reg 57</p> | <p>Compliance Letter issued 11 April 2008</p> <p>Due date for compliance 21 April 2008</p> | <p>Written response from the Nominee received on 14 May 2008 –</p> <ul style="list-style-type: none"> Request for extension to address unsealed and uneven concrete floor. Floors have been cleaned, staff are mopping their floors twice a day to prevent dirty floors, service trialling new floor cleaning detergent and have raised this issue with the manufacturer. <p>Written response from the Nominee received on 30 May 2008 –</p> <ul style="list-style-type: none"> Stage area is to be covered with a covering as soon as a professional company can schedule. Expected date for completion is 30 June 2008. The tiled floor areas between the indoor and outdoor entrances is to be covered with a covering that is suitable and is to be done by a professional and expected |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|------------------|--|---|---|--|
| | <ul style="list-style-type: none"> Children's bedding and linen stored in a communal container. Limited play equipment available to children Floors and sliding doors have a build up of dirt and grime Floor surfaces are uneven and pose a tripping hazard Barrier broken between playroom and bathroom – peeling paint, rusty and not closing Locks on cupboard are broken Collage trolley was not clean Soiled items were left in bath Missing shower head – 15m – 3 yrs and 2-3 years room. Trough frame has sharp edges The location and height of the nappy change bench poses a risk to older children bumping their heads Nappy storage structure is not stable or securely fixed Kitchen cupboards don't have doors – plates and cups exposed on shelves – not vermin proof Gate from nursery area is not securely fixed Fencing is in poor state of repair, including gaps in and around all fencing areas Wood frame surrounding sandpit has sharp edges Sand and soft fall levels are depleted and not clean Weeds are growing throughout the sand/soft fall areas The shade sail over the sandpit is mouldy Plastic piping shielding phone cabling is cracked and broken – children had access to exposed wires. The fort areas was cracked and broken – bolts protruding, platform timber split The slides are worn and have exposed fibreglass The tyres are perishing have cobwebs, flaking paint Timber surrounds to undercover sandpit warped and cracked Animal enclosure adjacent to playground area and hay storage areas is unclean Rubbish bin had no lid – located in preschool playground and being used as food scrap bin | <p>Reg 56 Reg 53 Reg 57 Act 28(2) Reg 57 Act 28(3) Reg 57</p> <p>Reg 57, 60 Reg 57 Reg 56, 57 Reg 57 Act 28(3), Reg 57</p> <p>Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57 Act 28(3) Reg 57, 60 Act 28(3) Reg 57 Act 28(2) Reg 57, 60 Act 28(3) Act 28(3) Reg 57 Reg 57 Act 28(2) Reg 57, 60(c) Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57 Act 28(3) Reg 57 Act 28(3) Reg 57</p> <p>Reg 56, 61(2)</p> <p>Reg 56</p> | | <p>to be completed by 30 June 2008. (Matter not completed as at 1 July 2008)</p> <p>Written response received from the Nominee during the visit to the service on 1 July 2008 –</p> <ul style="list-style-type: none"> The concrete area (Nursery) that is unsealed and uneven is to be repaired and will be covered with a covering that is suitable for children's usage. To be completed by 28 July 2008. New equipment has been purchased and budgets set up to ensure that this is replenished on a quarterly basis. (An equipment inventory was provided by the Nominee that was blank and incomplete. On 2 July 2008 an authorised officer requested a completed list to be sent. Follow up call was made to the Nominee on 9 July 2008 who advised that it would be provided by the close of business 9 July 2008. The equipment inventory has not been received to date. New forts and slides will be installed in the playground. The work is to be completed by 28 July 2008. The stage area has been sealed and will have suitable covering placed over it as soon as it's ready. To be completed on 28 July 2008. Chipped tiled floor areas between indoor and outdoor entrances are to be repaired when the cover goes down on outside areas. To be completed 28 July 2008. |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|------------------------------------|---|--|--|--|
| | <ul style="list-style-type: none"> Boundary gate to car park was unlocked Downpipe broken and leaking Timber near downpipe is rotten Stage area timber is split Concrete flooring is uneven in outdoor play areas Lockers are unstable Play mats are frayed in the preschool room and undercover area Tree stumps have been ground down – trip hazard/ pest infestation Drains grates and plumbing pipes throughout the outdoor area are exposed Metal gates leading to outdoor area from rooms are sharp, unstable and flaking paint Garden beds are un kept and copper log garden edging is split Irrigation pipe exposed Tiled floor areas between indoor and outdoor entrances are chipped and have broken tiles Equipment is not clean | <p>Act 28(2) Reg 60 Act 28(2) Reg 57 Act 28(2) Reg 57 Act 28(3) Reg 57 Act 28(2) Act 28(3) Reg 57</p> <p>Reg 57</p> <p>Act 28(2) Reg 57</p> <p>Act 28(2)</p> <p>Act 28(3) Reg 57, 60 Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57 Act 28(3) Reg 57</p> <p>Reg 57</p> | | |
| 16 April 2008 Unannounced Visit | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> Tap handles missing in 3-5 years group bathroom Hole in wall of the 3-5 years group toilet Cornice was coming away from wall 3-5 years group Perimeter gate in outdoor playground unlocked Hand dryer not working in 3-5 room, no other means of hand drying provided Child had fallen asleep on the playroom floor – child was sick, beds available. The outdoor area out the front of 3-5 years and 2-3 years groups in poor repair – ground surface hard with rocks, foreign objects, debris, tree stumps Adult hand basin not located in nappy change area for (2-3 years group) | <p>Act 28(2) Reg 57 Act 28(2) Reg 57 Act 28(2) Reg 57 Act 75 Reg 60</p> <p>Reg 52, 57</p> <p>Act 9, 75</p> <p>Act 28(2) Reg 57</p> | <p>Compliance Letter issued 16 April 2008</p> <p>Due date for compliance 21 April 2008</p> | <p>Written response received during the visit to the service on 1 July 2008 –</p> <ul style="list-style-type: none"> The loose wires have been removed and is no longer a hazard. Telephone cable in a poly pipe secured to a rail has had a small crack fixed. <p>Visits by Authorised Officers on 22 & 29 April 2008 confirmed the following compliance items were completed –</p> <ul style="list-style-type: none"> Play furniture and equipment has been repaired. Some new furniture purchased. Frayed playroom mats are mended Paint not flaking from walls |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|------------------|--|--------------------------------------|---|--|
| | <ul style="list-style-type: none"> Electrical certificate requested due to electrical installation including loose wires and numerous outlets | Reg 52(1), 56 Act 28(2) Reg 60(c) | | <ul style="list-style-type: none"> The surface on the free standing partition has been repaired The children's tables don't have exposed chip board Lockers repaired Children do not have access to exposed leads and cabling Storeroom now locked and children do not have access to cleaning products Beds have been replaced Play Furniture has been repaired Floors and sliding doors have been cleaned Uneven floor surfaces have been addressed Locks on cupboard have been repaired Shower head replaced Nappy change bench repositioned and does not pose a risk to older children bumping their heads Nappy storage structure has been repaired Gate from nursery area is securely fixed Fencing has been repaired Lockers now stable Metal gates leading to outdoor area from rooms have been repaired Equipment has been cleaned and stored properly <p>Email response from Nominee dated 22 April 2008 requesting extension on outstanding items</p> |
| 22 April | During the visit the following compliance matters were identified and | | Compliance | Email response from nominee s.73(1) - Not relevant on 14 |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|---------------------------|--|---|--|---|
| 2008 Unannounced Visit | <p>raised in a Compliance Letter –</p> <ul style="list-style-type: none"> Floors and sliding doors have a build up of dirt and grime Vermin and rat faeces in play areas Cots in sleep room positioned in close proximity Little or no supervision provided to children in the cot room in the Nursery group Steps positioned against fence line providing foot holes Child left unsupervised in 15 months - 3 years group Notice about groups not displayed Notice about staff not displayed <p>During the same visit the following compliance matters were identified and raised in a Compliance Notice –</p> <ul style="list-style-type: none"> The sliding door difficult to open in Nursery Concrete area is not sealed and uneven (Nursery) Play furniture and equipment in poor state of repair Playroom mats are frayed The surface on the free standing partition is rough and flakes off The children's tables exposed chip board Lockers broken The power leads for the hand dryer, computer, cassette player, mirror ball and other exposed leads and cabling are accessible to children Beds are worn and have exposed foam Limited play equipment available to children Floors and sliding doors have a build up of dirt and grime Locks on cupboard are broken Collage trolley was not clean Missing shower head Trough frame has sharp edges The location and height of the nappy change bench poses a risk to older children bumping their heads Nappy storage structure is not stable or securely fixed | <p>Reg 57 Reg 57 Reg 46(2) Act 9(b), 75</p> <p>Act 28(3) Reg 60 Act 9(b), 75 Reg 35 Reg 34A</p> <p>Act 28(2) Reg 57 Reg 57 Act 28(3) Reg 57 Reg 57 Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57 Act 28(3) Reg 57</p> <p>Act 28(3) Reg 60(c)</p> <p>Reg 57 Reg 53 Reg 57 Reg 57, 60 Reg 57 Reg 57 Act 28(3) Reg 57 Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57 Act 28(3) Reg 57</p> | <p>Letter issued 22 April 2008 Due date for compliance 2 May 2008</p> <p>Compliance Notice issued 22 April 2008 Due date for compliance 7 May 2008</p> | <p>May 2008 –</p> <ul style="list-style-type: none"> The preschool floors have been cleaned, staff are mopping the floors twice a day to prevent dirty floors and the service is also trialling new floor cleaning detergent and have raised this issue with the manufacturer. An action plan around staff cleaning practice was provided <p>Visit by Authorised Officers on 9 May 2008 confirmed the following items from the Compliance Letter were completed –</p> <ul style="list-style-type: none"> Vermin and rat faeces have been removed Cots in sleep room positioned appropriately Supervision of children in the cot room has been addressed Steps positioned against the fence line have been removed Supervision addressed to ensure child not left alone Notice about groups displayed Notice about staff displayed <p>Visit by Authorised Officers on 9 May 2008 confirmed the following items from the Compliance Notice were completed –</p> <ul style="list-style-type: none"> The sliding door in Nursery was repaired Collage trolley was clean Hole in wall of the 3-5 years group toilet has been repaired Nappy change area (2-3 years group) now has access to adequate hand |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|---|--|---|--|---|
| | <ul style="list-style-type: none"> Gate from nursery area is not securely fixed Fencing is in poor state of repair, including gaps in and around all fencing areas The fort areas was cracked and broken The slides are worn and have exposed fibreglass Stage area timber is split Lockers are unstable Metal gates leading to outdoor area from rooms are sharp Tiled floor areas between indoor and outdoor entrances are chipped and have broken tiles Equipment is not clean Hole in wall of the bathroom in the 3-5 years group The outdoor area out the front of 3-5 years and 2-3 years groups in poor repair – ground surface hard with rocks, foreign objects, debris, tree stumps Nappy change area (2-3 years group) did not have adequate adult hand washing facilities | <p>Act 28(2) Reg 57, 60 Act 28(3) Reg 57 Act 28(3) Reg 57 Act 28(3) Reg 57 Act 28(3) Reg 60 Act 28(3) Reg 57, 60 Act 28(3) Reg 57</p> <p>Reg 56 Reg 57</p> <p>Act 28(2) Reg 57</p> <p>Reg 52, 56</p> | | <p>washing facilities</p> <p>Letters requesting an extension to the due date for outstanding matters from the Compliance Notice received on 17 May 2008 and 30 May 2008.</p> |
| 29 April 2008 Extension of timeframes granted | <p>A letter was issued to the nominee granting an extension in the timeframe required for compliance in relation to the Compliance Notice issued on 22 May 2008 relating to –</p> <ul style="list-style-type: none"> The power leads for the hand dryer, computer, cassette player, mirror ball and other exposed leads and cabling are accessible to children. Nappy change area (2-3 years group) did not have adequate hand washing facilities as the adult basin was located a distance away on the back wall. Electrical certificate requested due to electrical installation including loose wires and numerous outlets | <p>Act 28(3) Reg 60(c)</p> <p>Reg 52, 56</p> <p>Act 28(2), Reg 60(c)</p> | <p>Request for extension granted for Compliance Notice issued on 22 April 2008</p> | <p>Visit by Authorised Officers on 9 May 2008 confirmed the following items from the Compliance Notice were completed –</p> <ul style="list-style-type: none"> The power leads for the hand dryer, computer, cassette player, mirror ball and other exposed leads and cabling are inaccessible to children. Electrical certificate outstanding. |
| 29 April 2008 Unannounced Visit | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> No hand drying facilities in 2-3 years group bathroom Child sighted leaning over the fence line, standing on plastic slide up against fence | <p>Reg 52 Act 9(b), 75 Reg 60(b)</p> | <p>Compliance Letter issued 1 May 2008 Due dates for compliance 9</p> | <p>The following compliance matters were rectified during the visit –</p> <ul style="list-style-type: none"> Paper towels available in 2-3 years group bathroom |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|--|---|---|---|---|
| | <ul style="list-style-type: none"> Plastic bags accessible to children (3-5 years group) Nursery fence gate not secure to wall | Act 28(2) Reg 57, 60 | May 2008 & 16 May 2008 | <ul style="list-style-type: none"> Equipment not positioned near fence line, addressing hazard previously identified where a child was viewed to be leaning over the fence line. |
| 9 May 2008 Unannounced Visit | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> Swing in the Nursery playroom did not have any soft fall underneath Sandpit Gazebo in the outdoor playground had gaps in the plywood creating finger entrapments | <p>Act 28(3)</p> <p>Act 28(3)</p> | <p>Compliance Letter issued 15 May 2008</p> <p>Due date for compliance 23 May 2008</p> | <p>Email response from Nominee was received on 30 May 2008 –</p> <ul style="list-style-type: none"> An Australian standard soft-fall mat has been placed underneath the swing in the Nursery room to provide adequate soft fall 26 May 2008 Sandpit Gazebo was removed on 27 May 2008. <p>NB: Remedy of Sandpit Gazebo resulted in non-compliance with the Queensland Development Code. – (no shade over sandpit)</p> |
| 15 May 2008 Extension of timeframes granted | <p>Revised Compliance Letter issued following request from the nominee relating to –</p> <ul style="list-style-type: none"> Concrete area is not sealed and uneven (Nursery) Trough frame has sharp edges The location and height of the nappy change bench poses a risk to older children bumping their heads Fencing is in poor state of repair, including gaps in and around all fencing areas The fort areas was cracked and broken The slides are worn and have exposed fibreglass Stage area timber is split Tiled floor areas between indoor and outdoor entrances are chipped and have broken tiles | <p>Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57</p> <p>Act 28(2) Reg 57, 60</p> <p>Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57</p> | <p>Compliance Letter issued 15 May 2008</p> <p>Due dates for compliance 30 May 2008, 21 May 2008 & 30 June 2008 depending on seriousness of issue</p> | |
| 16 May 2008 Unannounced Visit | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> Group sizes - 20 children accommodated in the 15 months-3 years group Floors in the 2-3 years group bathroom was unclean with dirt, | <p>Reg 22, Schedule 1</p> <p>Reg 56, 57</p> | <p>Compliance Letter issued 19 May 2008</p> <p>Due dates for</p> | <ul style="list-style-type: none"> During the visit authorised officers instructed children to be separated into two groups with appropriate staff engaged. |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|----------------------------------|--|--|--|--|
| | sand, and toilet paper | | compliance 19 May 2008, & 30 May 2008 depending on the seriousness of the matter. | Visit by Authorised Officers on 21 May 2008 confirmed the following item from the Compliance Letter was completed – <ul style="list-style-type: none"> Floors in the 2-3 years group bathroom were cleaned and tidy |
| 19 May 2008 Unannounced Visit | During the visit the following compliance matters were identified – <ul style="list-style-type: none"> Boundary gate to car park is unlocked Two wooden poles in the playground act as foot holds to the perimeter fence | Act 28(2) Reg 60 Act 28(2) | Compliance Notice issued 20 May 2008 Due date for compliance 6 June 2008 Compliance Letter issued 19 May 2008 Due date for compliance 30 May 2008 | Visit by Authorised Officers on 29 May 2008 confirmed the following items from the Compliance Letter were completed – <ul style="list-style-type: none"> Boundary gate to car park was locked. Two wooden poles in the playground act acting as foot holds to the perimeter fence had been removed Program was displayed and available for review Staff records were viewed and complete. |
| 21 May 2008 Unannounced Visit | During the visit the following compliance matter was identified – <ul style="list-style-type: none"> Group sizes - 11 children accommodated in the 15 months to 3 years group No current program displayed/available for review in 2-3 years group The curtain rod holders in the playrooms were coming away from the wall. Staff records incomplete/ not available in relation to suitability, appropriate qualifications and first aid and CPR competencies. | Reg 22, Schedule 1 Act 89 Reg 10-13 Reg 57 Act 66, 72, 73, 74 Reg 24, 122, 125 | Compliance Notice issued 22 May 2008 Due date for compliance 6 June 2008 Compliance Letter issued 21 May 2008 Due date for compliance 6 June 2008 | Written response received from the Nominee on 1 July 2008 – <ul style="list-style-type: none"> Staff will have a current programme displayed at the start of their shift each Monday morning. Programming time is given to each group leader to ensure this. Staff are reminded that this is a job requirement and continuous failure to ensure this will result in a warning. The curtain rod holders are to be repaired by the builder on 3 July 2008. NB: No written response was provided from the licensee regarding group sizes. |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|---|--|--|--|---|
| 21 May 2008 Extension of timeframes granted | Revised Compliance Letter issued following request from the nominee relating to – <ul style="list-style-type: none"> Floors have a build up of dirt and grime (3-5 years group) The outdoor area out the front of 3-5 years and 2-3 years groups in poor repair | Reg 57 Act 28(2) | Compliance Letter issued 23 May 2008 Due dates for compliance 2 June 2008 & 30 June 2008 depending on the seriousness of the matter. | Written response received from the Nominee on 17 May 2008 – <ul style="list-style-type: none"> The outdoor area adjacent to the 3–5 years and 2-3 years groups is at the back of the children's rooms and is not used for the children's play space. At this stage children do not have access to the area and doors will be permanently locked so staff and children have no access to it. We are in the progress of planting new tree's in this area and will be laying a ground cover to prevent dirt from blowing around. This area will not be opened up for children in the near future. Expected date to finish 31 June 2008. |
| 26 May 2008 Extension of timeframes granted | Revised Compliance Letter issued following request from the nominee relating to – <ul style="list-style-type: none"> Exposed leads and cabling are accessible to children Limited play equipment available to children Nappy change area (2-3 years group) did not have adequate hand washing facilities. Electrical certificate requested due to electrical installation including loose wires and numerous outlets | Act 28(3) Reg 60(c) Reg 53 Reg 52, 56 Act 28(2) Reg 60(c) | Compliance Letter issued 26 May 2008 Due dates for compliance 30 May 2008, 31 May 2008 & 30 June 2008 depending on the seriousness of the matter. | |
| 29 May 2008 Unannounced Visit | During the visit the following compliance matters were identified – <ul style="list-style-type: none"> Hand drying facilities not available to all children Two broken toilets in the 3-5 years group | Reg 52 Act 28(3) Reg 57 | Compliance Letter issued 29 May 2008 Due date for compliance | Written response from the Nominee received on 1 July 2008 – <ul style="list-style-type: none"> Paper towel dispensers have been placed in all bathrooms, and a supply of paper towels are stocked. Children do |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|--|--|---|---|--|
| | | | 13 June 2008 | sometimes flick and wipe their hands on their pants as they are in a hurry to play. |
| 26 May 2008 Extension of timeframes granted | <p>Revised Compliance Letter issued following request from the nominee relating to –</p> <ul style="list-style-type: none"> Concrete area is not sealed and uneven (Nursery) Limited play equipment available to children Trough frame has sharp edges The location and height of the nappy change bench poses a risk to older children bumping their heads Fencing is in poor state of repair, including gaps in and around all fencing areas Removal Sandpit Gazebo in the outdoor playground has resulted in no shade being provided over the play pit Two wooden poles in the playground act as foot holds to the perimeter fence | <p>Reg 57 Reg 53 Act 28(3) Reg 57</p> <p>Act 28(3) Reg 57</p> <p>Act 28(2) Reg 57</p> <p>Act 28(3)</p> <p>Act 28(2)</p> | <p>Compliance Letter issued 2 June 2008 Due dates for compliance 5 June 2008, 8 June 2008 & 9 June 2008 depending on seriousness.</p> | <p>Written response from the Nominee received on 1 July 2008 –</p> <ul style="list-style-type: none"> The trough frame has been built up so no sharp edges are apparent. |
| 5 June 2008 Announced Visit | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> The power leads for the stereo were accessible to children Storeroom was not locked and children have access to cleaning products Children not wearing hats outside Nappy bin in 15 months-3 years group was overflowing Sand in play pit in unclean condition Waste service truck was on site creating potent sewage smells | <p>Act 28(3) Reg 60(c) Reg 60(a)</p> <p>Act 9(b) Reg 56 Reg 56 Act 28(3) Reg 57 Act 9(b) Reg 56</p> | <p>Compliance Letter issued 12 June 2008 Due date for compliance 30 June 2008</p> | <p>Visit by Authorised Officers on 5 June 2008 confirmed the following item from the Compliance Letter was completed –</p> <ul style="list-style-type: none"> All toilets have been replaced in the 3-5 years group <p>Visit by Authorised Officers on 1 July 2008 confirmed the following items from the Compliance Letter were completed –</p> <ul style="list-style-type: none"> The power leads for the stereo were inaccessible to children Storeroom was locked and children do not have access to cleaning products Sand in play pit has been replaced <p>Written response from the Nominee received on 1 July 2008 –</p> <ul style="list-style-type: none"> Staff instructed to ensure that all cords are inaccessible to children and out of reach |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|--|---|---|--|--|
| | | | | <ul style="list-style-type: none"> Some children had not brought hats most children had hats and staff were directed to find spare hats or direct children to undercover area's to play. New sand has been ordered and this area will be filled when sand arrives on 1 July 2008. The truck service has been advised to ensure that this is done at a time when no children are present. |
| 17 June 2008 Compliance Letter reissued | <p>Compliance Letter reissued after original Letter issued on 21 May 2008 used an incorrect staff name -</p> <ul style="list-style-type: none"> No current program display/available for review 3-5 years group The curtain rod holders in the playrooms were coming away from the wall Staff records incomplete/ not available including suitability, appropriate qualifications and SFA and CPR competencies | <p>Act 89 Reg 10-13 Reg 57</p> <p>Act 66, 72, 73, 74 Reg 24, 122, 125</p> | <p>Compliance Letter issued 17 June 2008 Due date for compliance 4 July 2008</p> | <p>Written response from the Nominee received on 26 June 2008 -</p> <ul style="list-style-type: none"> Staff member has been explained to have programme available start of each Monday <p>Written response from the Nominee received on 1 July 2008 -</p> <ul style="list-style-type: none"> Curtain rods to be completed by the by 3 July 2008. S.73 has finished her Certificate III and will be furthering her studies by studying her Diploma. S.73 has a positive blue card. Rosters reflect staff qualifications to ensure that at least one staff member at the centre has a current first aid and CPR certificate. |
| 17 June 2008 Announced Visit | <p>During the visit the following compliance matter was identified -</p> <ul style="list-style-type: none"> No director present at the service. Other staff rostered on did not have a qualification prescribed for a director. | <p>Act 64 Reg 40, 41</p> | <p>Compliance Letter issued 25 June 2008 Due date for compliance 4 July 2008</p> | <p>Visit by Authorised Officers on 17 June 2008 confirmed the following item from the Compliance Letter was completed -</p> <ul style="list-style-type: none"> Trough frame has been repaired <p>Written response from the Nominee received on 1</p> |

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|---------------------|-------------------------------|--------------------------------|---|---|
| | | | | <p>July 2008 -</p> <ul style="list-style-type: none"> <div data-bbox="1659 347 1868 387" data-label="Text">s.73()</div> Diploma Qualified (studying Advanced Diploma) was acting director for this day. <div data-bbox="1899 411 1989 451" data-label="Text">s.73()</div> was on the premises between the hours of 7.30am to 4.30pm. |

Compliance matters identified since 25 June 2008.

| DATE and PURPOSE | COMPLIANCE ISSUE/S IDENTIFIED | REFERENCE TO LEGISLATION | ACTION TAKEN- VISIT/ PHONE CALL/ LETTER OR NOTICE | LICENSEE RESPONSE and/or COMPLIANCE MATTERS RESOLVED |
|-----------------------------------|--|---|--|--|
| 26 June 2008 Unannounced Visit | <p>A complaint was received on 26 June 2008 relating to the following –</p> <ul style="list-style-type: none"> • Notice about staff not displayed • Group sizes – Many young children in a group with one staff member • Children not wearing hats outside • No director present at the service. <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> • Notice about staff not displayed • Plastic bags accessible to children (3-5 years group) • No current program displayed/available for review in 2-3 years group. (New staff member confirmed no programming had occurred prior to this). Children in the 3-5 years group were running around the room throwing books and no activities or experiences were provided for the children. • Hand drying facilities not available to children in 15 months-3 years group • Curtains hanging in the 2-3 years group had holes and are deteriorating with material flaking off from curtain. • Broken basket in the 2-3 years group • Children in 3-5 years group were not asked to wash their hands prior to eating afternoon tea • Children in the 2-3 years group were not provided with bed linen appropriate for the climate conditions. Authorised Officer requested a staff member turn the fans off as the room was considerably cold. | <p>Reg 34A Reg 22, Schedule 1 Act 9(b) Reg 56 Act 64 Reg 40, 41(3)</p> <p>Reg 34A Reg 60(b) Act 89 Reg 10-13</p> <p>Reg 52</p> <p>Reg 57</p> <p>Reg 57 Reg 56</p> <p>Reg 47, 56</p> | <p>Compliance was raised with the Nominee at the time of the visit but a Compliance Letter has not been issued.</p> <p>Service file referred to Office for Children for advice regarding further enforcement action.</p> | <p>Visit by Authorised Officers on 26 June 2008 confirmed the following items from the Compliance Letter were completed –</p> <ul style="list-style-type: none"> • Children were wearing hats • Nappy bin in 15 months-3 years group no longer overflowing |
| 1 July 2008 | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> • Floors throughout the service were unclean | Reg 57 | Compliance was raised | During the visit by Authorised Officers on 1 July 2008 workmen using a polyurethane sealant on |

| | | | | |
|---------------------------------|--|--|---|--|
| Announced Visit | <ul style="list-style-type: none"> In all groups children were running around, drawing on their faces there appeared to be no activities/choices to engage children Broken bins in the 3-5 years group bathroom Broken lock in the 15 months-3 years group cupboard door access to staff handbags. Children were opening the door. The shower recess in the bathroom 15 months-3 years group was unclean Mat in the 2½-3 years group was unclean The workmen placing a polyurethane sealant around the stage area during operating hours Product information sheet provided at the time of the visit indicated health and safety concerns with vapour around children. | Act 89 Reg 10-13 Reg 56 Act 28(3) Reg 57, 60 Reg 56, 57 Reg 56, 57 Act 9(b), 75 Reg 56, 60(a) | with the Nominee at the time of the visit but a Compliance Letter has not been issued. Service file referred to Office for Children for advice regarding further enforcement action. | the stage area were directed by the officers to cease work. |
| 29 July 2008 Announced Visit | <p>During the visit the following compliance matters were identified –</p> <ul style="list-style-type: none"> Not all the children were being signed into the room's attendance records Programming was inadequate. There appeared to be no activities/choices to engage children. (There was a new staff member working in the room on this day). Table in the room in the Nursery; leg of the table had plastic edging coming away. Floors throughout the service were dirty and unclean with sand and debris. Current staffing information was not displayed and available Storeroom door from the 2 – 3 yrs group was unlocked | Reg 43 Act 89 Act 28(3) Reg 57 Reg 56, 57 Reg 34A Act 9, 75 | Compliance was raised with the Nominee at the time of the visit but a Compliance Letter has not been issued. Service file referred to Office for Children for advice regarding further enforcement action. | <p>Visit by Authorised Officers on 29 July 2008 confirmed the following items from the Compliance Letter were completed –</p> <ul style="list-style-type: none"> New sandpit roofing installed Edging to sand area removed – sand being spread out with grass to be laid under shade sails Fort area/slide not removed – new one being purchased. Sand area underneath has been removed and replaced with bark. Nursery playground – new sand and new shade sail replaced. No evidence at present that area is being used as a sandpit – soft fall for swings and play gym only observed at visit. New top to stage area replaced. Nominee advised that the undercover area will not be replaced until the warmer months – when sealant will adhere better. |

**SHOW CAUSE NOTICE
(AMENDMENT OF LICENCE)
Section 42 of the *Child Care Act 2002***

TO:
Licensee

s.73(1) - Not relevant to scope of application

LICENCE DETAILS:

s.73(1) - Not relevant to scope of application

Pursuant to section 42 of the *Child Care Act 2002*, I call upon s.73(1) - Not relevant to ("the Licensee") to show cause why the licence to operate s.73(1) - Not relevant to scope of application

s.73(1) - Not relevant to scope of application

should not be amended to

reduce the term of the licence so that the licence expires on 15 February 2008.

In determining to request you show cause, I have considered the following provisions of the *Child Care Act 2002* and Department of Communities policy number 352-1 Enforcement options for licensed child care.

RELEVANT CONSIDERATIONS

(a) The *Child Care Act 2002* - sections 8 (1), 9, 28, 42, 66, 72, 74, 75 and 89.

8. Object

(1) The object of this Act is to protect, and promote the best interests of children receiving child care.

9 Guiding principles

This Act is to be administered, and licensed services are to be conducted, under the following principles—

- (a) the best interests of a child are the paramount concern;
- (b) child care should be provided to a child in a way that—
 - (i) protects the child from harm; and
 - (ii) respects the child's dignity and privacy; and
 - (iii) promotes the child's wellbeing; and
 - (iv) provides positive experiences to the child;
- (c) licensed child care should be provided to a child in a way that stimulates and develops the child's creative, emotional, intellectual, lingual, physical, recreational and social potential;
- (d) parents have the primary responsibility for the upbringing, protection and development of their children, and should be supported in that role;
- (e) child care should be planned and provided in a way that—
 - (i) involves parents and other members of the community; and
 - (ii) reflects the multicultural and multilingual nature of the community.

28 Suitability of child care centre and facilities

(1) This section applies to a licence to conduct a centre based service.

(2) The chief executive must be satisfied the child care centre is safe and suitable for use as a child care centre.

(3) The chief executive must be satisfied the other facilities used, or proposed to be used, in the course of the service are safe and suitable for use in providing child care under the licence.

(4) The matters the chief executive must consider under subsection (2) include whether the centre is on, or includes, a level above ground level.

(5) If the centre is in premises that also contain a home, the chief executive must be satisfied that—

(a) the centre and the home have separate entrances; and

(b) there is no direct access, inside the premises, between the centre and the home; and

(c) in all the circumstances, it is appropriate that child care be provided in the centre.

(6) For this Act, premises are suitable for use as a child care centre only if the premises comply with the Building Act requirements.

(7) In this section—

“child care centre” includes premises proposed to be used as child care centre.

42 Amendment of licence by chief executive

(1) The chief executive may amend a licence at any time without receiving an application from the licensee for the amendment.

Example—

The chief executive may change a condition of the licence for a centre based service, or impose a new condition, so that—

(a) the service's licensed capacity is reduced; or

(b) child care may no longer be provided from a particular part of the child care centre.

(2) The chief executive must first give the licensee a notice (“**show cause notice**”) stating—

(a) that the chief executive proposes to amend the licence; and

(b) the proposed amendment; and

(c) the reasons for the proposed amendment; and

(d) that the licensee may, within a stated time of at least 30 days, give the chief executive a written response to the proposed amendment.

(3) After considering any response from the licensee within the time stated in the show cause notice, the chief executive may make some or all of the proposed amendment.

(4) If the chief executive decides not to amend the licence, the chief executive must give the licensee notice of the decision.

(5) At the licensee's written request, or with the licensee's written agreement, the chief executive may—

(a) amend a licence without giving a show cause notice; or

(b) amend a licence in a way that has not been stated in a show cause notice; or

(c) amend a licence before the expiration of the time stated in a show cause notice for the licensee's response to the proposed amendment.

(6) An amendment under this section has effect when the chief executive gives notice of the amendment to the licensee or at any later time stated in the notice.

66 First aid training

Whenever child care is being provided at a place under a licence for a centre based service, the licensee must ensure at least 1 staff member with the prescribed first aid competency is present at the place.

72 Evidence of staff qualifications and competencies

(1) This section applies if—

- (a) a person who is a carer in, or staff member of, a child care service has a particular qualification or competency; and
- (b) the licensee of the service would be contravening this Act if the person did not have the qualification or competency.

(2) The licensee must keep a document that, under subsection (3), is evidence that the person has the qualification or competency.

(3) For this Act, a document is evidence that a person holds a particular qualification or competency if it is—

- (a) an original award issued to the person on obtaining the qualification or completing the training for the competency; or
- (b) a copy of an original award mentioned in paragraph (a), certified in the way prescribed under a regulation.

74 Licensee must keep evidence of compliance with Commission for Children and Young People and Child Guardian Act 2000

(1) This section applies if—

- (a) a person is engaged as a carer in, or staff member of, a child care service; and
- (b) the engagement would contravene the *Commission for Children and Young People and Child Guardian Act 2000* if the person did not have a current positive prescribed notice or an application for a prescribed notice had not been made.

(2) If the person has a current positive prescribed notice, the licensee must keep—

- (a) a copy of the notice issued to the licensee by the Commissioner for Children and Young People and Child Guardian; or
- (b) a copy of the notice, certified in the way prescribed under a regulation.

(3) If an application for a prescribed notice about the person has been made but has not yet been decided, the licensee must keep a copy of the application.

75 Licensee's overriding responsibility

(1) The licensee of a child care service must conduct the service in a way that has sufficient regard to the guiding principles for this Act.

(2) In particular, the licensee of a child care service must conduct the service in a way that ensures the safety of the children in care at all times and promotes their wellbeing.

89 Programs

(1) The licensee of a centre based service must ensure all child care provided under the licence is provided under an appropriate program that is designed to stimulate and develop each child's creative, emotional, intellectual, lingual, physical, recreational and social potential.

(2) A regulation may make provision about programs including, for example, by imposing requirements about—

- (a) the contents of a program; or
- (b) keeping records about programs; or
- (c) monitoring the operation of programs and reviewing their content; or
- (d) giving information about programs to parents and guardians.

(b) The *Child Care Regulation 2003* – sections 8-13, 53, 56, 57, 60, and 125

8 Licensee must ensure compliance—Act, s 89

The licensee of a centre based service must ensure this division is complied with in relation to each program under which child care is provided in the course of the service.

9 Matters relevant to content of program

The program's contents must have regard to—

- (a) the number of children at the child care centre to whom child care is provided at one time under the program; and
- (b) for each of the children—
 - (i) the time for which the child is in care on each occasion; and
 - (ii) how often the child is in care; and
 - (iii) the child's age.

10 Specific requirements of program

The program must—

- (a) include a balance of activities and learning experiences, including—
 - (i) indoor and outdoor activities; and
 - (ii) individual and group activities; and
- (b) allow, in appropriate circumstances, for supervised periods for the children to rest or sleep; and
- (c) include opportunities for the children to make choices; and
- (d) be flexible and responsive to changes in the children's abilities, interests and skills; and
- (e) be designed to nurture each child's self-esteem, self-reliance and competence; and
- (f) be inclusive of children of all abilities; and
- (g) ensure each child's social and cultural background is respected and valued; and
- (h) reflect an understanding of Australia's Aboriginal and Torres Strait Islander heritage and its multicultural heritage.

11 Planning and development of program

The program must be planned and developed—

- (a) from an ongoing observation of the children and assessment of their individual strengths, needs and interests; and
- (b) with the involvement of the parents, children, staff members and, as appropriate, other relevant professionals; and
- (c) through regular evaluation of the program's implementation.

12 Documentation of program

The program, in the form in which it is being implemented from time to time, must be set out in a written document that includes a statement of—

- (a) the service's philosophy in relation to learning and child development outcomes and how it is intended the outcomes will be achieved; and
- (b) the goals relating to the knowledge and skills to be developed through the program.

13 Giving information about program to parents and guardians

- (1) A notice must be displayed, at an appropriate place at the child care centre accessible to parents and guardians, giving general information about the program.
- (2) A parent or guardian of a child in care must be given, on request, information about the content or operation of the program so far as it relates to the child.

53 Other facilities

- (1) A child care centre must have other facilities, including furniture, indoor and outdoor equipment and utensils for eating and drinking, that are adequate for the children ordinarily cared for at the centre.

(2) The facilities must be appropriate for the children, having regard to their age and other relevant matters.

(3) The chief executive may issue guidelines about what facilities the chief executive considers to be adequate or appropriate for this section.

56 Health and hygiene practices

Each staff member must observe good health and hygiene practices while providing care in the course of the service.

57 Cleaning and maintenance generally

A child care centre and its facilities must be kept in good repair, clean and free of pests.

60 Dangerous places and items must be inaccessible to children

Children must not have access to any dangerous part of a child care centre or dangerous item kept at the centre, including any of the following—

- (a) poisons, disinfectants and corrosive substances;
- (b) plastic cling film and plastic bags;
- (c) dangerous electrical equipment;
- (d) hot water pipes.

125 Certification of copies of suitability notices—Act, ss 74 and 97

A copy of a suitability notice kept under section 74(2)(b) or 97(4) of the Act must be certified to be a true copy by a justice, commissioner for declarations, notary public or lawyer.

(c) Department of Communities Policy 352-2 Enforcement options for licensed child care services, which states:

Policy Statement

The department is committed to ensuring the safety of children in licensed child care services and the proper operation of licensed child care services through the fair and appropriate use of the powers of enforcement under the *Child Care Act 2002*.

Enforcement action will be taken where –

- a breach of the legislation has been identified,
- the non-compliance has been raised with the licensee (unless the breach raises immediate issues of safety for the children in the child care service), and
- the licensee is unable or unwilling to demonstrate compliance with the legislation within a reasonable timeframe.

The particular enforcement tool used will depend on the seriousness of the non-compliance, the licensee's history of compliance, and the willingness or capacity of the licensee to rectify the breach within a reasonable time.

Principles

The department will:

- endeavour to engage licensees cooperatively in resolving issues of non-compliance;
- use the powers of enforcement where necessary to ensure the safety of children in licensed child care services and the proper operation of those services; and

- ensure that the Object and Guiding Principles of the *Child Care Act 2002* (sections 8 and 9) are reflected in decisions to take enforcement action.

(d) Department of Communities Procedure Related Policy No.: 352-2 Enforcement options for licensed child care services, which states:

3. Amending, suspending or revoking a licence

The Director-General has not delegated the power to amend (unless the amendment is at the request of the licensee), suspend or revoke a licence.

The Regional Director in consultation with the Director, Office for Children, will prepare a brief for the Director-General providing the information relevant to the decision and a recommendation about amending, suspending or revoking the licence.

If a licence is amended, suspended or revoked (under sections 43, 45, or 46), the department will advise the Commission for Children and Young People and the Child Guardian in accordance with the requirements of section 50A of the *Child Care Act 2002*. However, the Commission will only be advised in circumstances where the enforcement action may be relevant to the functions or powers of the Commission (in accordance with the Act).

(a) Amending a licence (sections 42 and 43)

The department will take steps to amend a licence as a means of enforcement where -

- the licensee is in breach of a provision of the legislation; and
- the licensee cannot operate the service in accordance with the legislation unless the amendment is made; and
- the licensee can continue to operate the service effectively with the licence in its amended form without breaching the legislation.

REASONS FOR PROPOSING TO AMEND THE LICENCE

I propose to amend the licence for the following reasons:

Authorised officers from the Moreton Region have communicated with you regularly since 10 April 2008 regarding compliance matters at the service. Compliance notices were issued to you on 22 April 2008, 20 May 2008 and 22 May 2008. In addition, a show cause notice proposing to suspend the licence was issued to you on 12 August 2008.

Whilst some compliance matters have been attended to, I am concerned that some have not been resolved. In particular I am concerned about the matters outlined in Attachment 1. Further, I note that during the period since 10 April 2008, some matters have been temporarily addressed before again being identified as matters of non-compliance by authorised officers under the *Child Care Act 2002*.

The current compliance status of the service, whilst not entirely satisfactory, satisfies me that the service can operate effectively whilst addressing the minor outstanding matters, therefore not requiring that I suspend the licence.

The reduction of the term of the licence provides opportunity for you to remedy the outstanding matters and satisfy me that compliance can be maintained. This action will allow authorised officers to monitor your progress towards compliance during the remainder of the term of the licence and provide an opportunity for the department review the child care centre again prior to the licence being renewed.

CONCLUSION

Pursuant to section 42 of the *Child Care Act 2002*, you are invited to show cause, within 30 days of the receipt of this letter, why I should not amend the licence to operate

s.73(1) - Not relevant to scope of application

Your written submission must be sent to me at the following address: The Director-General, Department of Communities, GPO Box 806 Brisbane 4001.

Under Section 42 (3) of the *Child Care Act 2002*, any submission you make will be considered. After this a decision will be made regarding whether to amend the licence.

9/10/08

.....
Date of notice



.....
Linda A Apelt
DIRECTOR-GENERAL



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Office for
Early Childhood Education and Care

File No: 12/148/01208

13 May 2009

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant to scope of

s.73(1) - Not relevant to scope of application

I, Lynette Bidgood, an authorised officer under the *Child Care Act 2002*, reasonably believe that you have contravened a provision of the Act in circumstances that make it likely the contravention will continue.

The relevant provisions are Section 60, Section 70 and Section 72 of the *Child Care Act 2002*, and Section 112 and Section 118 of the *Child Care Regulation 2003*.

The relevant provisions have been contravened in the following way:

During the visit conducted on 13 March 2009, an Authorised Officer sighted evidence of staff member s.73(1) - Not relevant to scope of qualification which was not listed on the Approved Child Care Qualifications list. Written evidence received at Mackay Service Centre on 12 May 2009 identified s.73(1) - Not relevant to scope of qualification was determined as not meeting the relevant requirements for the position of Assistant for a licensed centre based service.

The way in which the contravention may be remedied is to:

- Ensure the presence of suitability qualified staff at the centre based service; and
- The licensee to provide written documentation as evidence that all staff employed at the centre based service are suitability qualified under section 72 and section 73 of the *Child Care Act 2002*.

You are required to remedy the contravention by 16 June 2009.

Mackay/Whitsunday Service Centre
Level 2 Healthpoint Pharmacy Building
67-69 Sydney Street
Mackay Qld 4740
PO Box 858
Mackay Qld 4740
Telephone: 4967 4412
Facsimile: 4967 4424
Website: www.communities.qld.gov.au

13 May 2009

L. Bidgood

Lynette Bidgood
Early Childhood Manager
Mackay Service Centre

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: s.73(1) - Not relevant to scope of application





COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No: 700693

s.73(1) - Not relevant to scope of application

10 February 2009

Compliance Notice 10/2/09

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant

s.73(1) - Not relevant to scope of application

I, Patricia Walker an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening a provision of the *Child Care Act 2002*.

The relevant provision is section 28 (2) *Child Care Act 2002* and section 57 *Child Care Regulation 2003*.

The relevant provision is being contravened in the following way: Boundary timber fencing in the Early Start playground is damaged resulting in movement in the fencing when pushed. Boundary fencing in the larger playground also requires repairs and maintenance to ensure it is stable.

You are required to remedy the contravention by 24 March 2009.

The way in which the contravention may be remedied is to ensure the fencing is repaired or replaced in a way that complies with AS 1926.1 – 1993, as per the requirements of the Queensland Development Code, dated 1 September 2003.

10 February 2009

.....
Date of notice

Patricia Alaine Walker
Early Childhood Team Leader
Strathpine Service Centre

Office for Early Childhood Education and Care
Strathpine Service Centre
Ground Level, Crossroads Building
454 Gympie Road
STRATHPINE QLD 4500
PO Box 46
STRATHPINE QLD 4500
Telephone 3384 8280
Facsimile 3384 8291
Website www.communities.qld.gov.au
ABN 38 872 506 567

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: s.73(1) - Not relevant to scope of app
Licensee



Queensland
Government

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Office for
Early Childhood Education and Care

File No: 700693

10 February 2009

 **COPY**

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant to scope of

s.73(1) - Not relevant to scope of application

I, Patricia Walker an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening a provision of the *Child Care Act 2002*.

The relevant provision is section 28 (2) *Child Care Act 2002* and section 57 *Child Care Regulation 2003*.


The relevant provision is being contravened in the following way: Boundary timber fencing in the Early Start playground is damaged resulting in movement in the fencing when pushed. Boundary fencing in the larger playground also requires repairs and maintenance to ensure it is stable.

You are required to remedy the contravention by 24 March 2009.

The way in which the contravention may be remedied is to ensure the fencing is repaired or replaced in a way that complies with AS 1926.1 – 1993, as per the requirements of the Queensland Development Code, dated 1 September 2003.

10 February 2009

.....
Date of notice


.....
Patricia Alaine Walker
Early Childhood Team Leader
Strathpine Service Centre

Office for Early Childhood Education and Care
Strathpine Service Centre
Ground Level, Crossroads Building
454 Gympie Road
STRATHPINE QLD 4500
PO Box 46
STRATHPINE QLD 4500
Telephone 3384 8280
Facsimile 3384 8291
Website www.communities.qld.gov.au
ABN 38 872 506 567

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC: s.73(1) - Not relevant to scope

Nominee



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

File No: 700781

15 August 2008

COPY

s.73(1) - Not relevant to scope of application

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant

I, Therese Donnelly, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☒ Are contravening a provision of the *Child Care Act 2002* and
- ☒ Have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provisions are Sections 60, 63, 72, 73, 75, 89 of the *Child Care Act 2002* (Act) and sections 8 – 13, 15, 22, 23, 24, 25, 35, 102, 119 of the *Child Care Regulation 2003*.

The relevant provisions are being or have been contravened in the following way:

- The following documents were not available on request and that these documents were not kept by the licensee;
 - Evidence of study and evidence that a person is undertaking the course were not available for all staff. (s73 Act, s 119 Reg);
 - Evidence of staff qualifications was not available for all staff. (S72 Act);
- Child care being provided under the licence is not being provided under an appropriate program as there was no documentary evidence that a program was available (S89 Act and s8 – 13 Reg).
- The required number of staff and other staff present was not maintained during the rest period condition when electing to use this provision (S63 Act, s25 Reg).
- The current information stating the prescribed information about each the groups at the centre is not correct as the number of rooms open at any one time varies and the notices are not reflective of groupings (S35 Reg);
- Staff member's attendance records were not available for Tuesday 12 August 2008 and Wednesday 13 August 2008. (S102 Reg);

Caboolture Service Centre
Sunshine Coast Region
Level 2, 33 King Street
(Cnr Beerburum Road)
Caboolture Queensland 4510

PO Box 954
Caboolture Queensland 4510

Telephone: 5490 1058
Facsimile: 5428 1518
Website:
www.communities.qld.gov.au
ABN 38 872 506 567

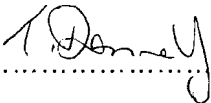
- The children in care at the child care centre did not comply with the limits for the group stated in Schedule 1. On Wednesday 13 August 2008, 20 children aged 2.7 years – school age were being cared for in one group with two staff members. (S22, s24 Reg)
 - No documentation (completed imputed age form) was available for a s.47(3)(b) - C
 - s.47(3)(b) - (2.10 years) who was assigned to a group 3 – school age. (S23 Reg)
 - Room rolls obtained during visit on Wednesday 13 August 2008 indicate children are assigned to groups outside the ages of children stated in Schedule 1. (S15, S22 Reg)

You are required to remedy the contravention by 12 September 2008.

The way in which the contravention may be remedied is;

- Provide certified copies of staff qualifications and evidence of study,
- Evidence of an appropriate program being offered.
- Evidence of compliance with staff: child ratios whilst utilising a rest period condition as outlined in the legislation.
- Evidence children are assigned to correct age groups according to Schedule 1.
- Provide copies of the staff attendance records for all staff.

15 August 2008
Date of notice



Therese Donnelly
Manager
Sunshine Coast Region

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

FAXED
18-6-08



Queensland
Government

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Department of
Communities

File No: 700781

18 June 2008

s.73(1) - Not relevant to scope of application

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant

I, Therese Donnelly, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☒ Are contravening a provision of the *Child Care Act 2002* and
- ☒ Have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated.

The relevant provisions are Sections 63, 66, 72, 73, 74, 75, 89 of the *Child Care Act 2002* (Act) and sections 8 – 13, 22, 24, and 25 of the *Child Care Regulation 2003*.

The relevant provisions are being or have been contravened in the following way:

- Two children, un-supervised by staff, left the centre premises by climbing over the perimeter fence and accessed s.73(1) - Not relevant to scope of application. A passing motorist alerted the centre to the fact that the children were on the road. The licensee of the service did not ensure the safety of the children in care at all times and did not promote their well being (S75 Act).
- The following documents were not available on request and the Licensee confirmed during a telelink on Tuesday 17 June 2008 that these documents were not kept by the licensee;
 - Copies of the current positive prescribed notice or a copy of the notice certified in a way prescribed under a regulation were not available for all staff (S74 Act);
- Evidence of enrolment in a course and evidence of study were not available for all staff. Some of the evidence was not certified in the way prescribed under a regulation (s73 Act);

Caboolture Service Centre
Sunshine Coast Region
Level 2
(Cnr Beerburum Road)
Caboolture
Queensland 4510 Australia

PO Box 954
Caboolture
Queensland 4510 Australia

Telephone: +61 7 5490 1058
Facsimile: +61 7 5428 1518
Website: www.communities.qld.gov.au
ABN 38 872 506 567

1

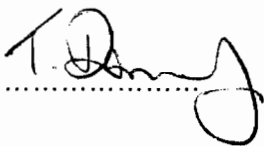
- Evidence of staff qualifications was not available for all staff. Some of the evidence was not certified in the way prescribed under a regulation (S72 Act); and
- Evidence of the prescribed first aid competency for at least one rostered staff member who is present at the service was not available (S66 Act).
- Child care being provided under the licence is not being provided under an appropriate program as there was no documentary evidence that a program was available (S89 Act and s8 – 13 Reg).
- The required number of qualified staff and other staff present was not maintained during the rest period condition when electing not to use this provision (S63 Act, s22, s24 and s25 Reg). From records obtained at the centre including staff attendance records and staff qualifications it appears that there were only two staff (s.73(1) - Not relevant Group Leader and (s.73(1) - Not relevant assistant) present with the children at the time of the incident. Verbal reports from staff indicate that there were in fact three staff present however there is no documentation to support this.

You are required to remedy the contravention by Friday 4 July 2008.

The way in which the contravention may be remedied is;

- Undertake and provide evidence of staff training regarding supervision and appropriate placement of staff to fully supervise the outdoor area.
- Provide certified copies of staff qualifications, evidence of study, first aid competencies and prescribed positive notices for all staff.
- Undertake and provide evidence of appropriate staff training on programming
- Evidence of an appropriate program being offered.
- Evidence of compliance with staff: child ratios as outlined in the legislation.

18 June 2008
Date of notice



Therese Donnelly
Manager
Sunshine Coast Region
.....

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Ref No: 801688

Office for
Early Childhood Education and Care

6 August 2009

COPY

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant

s.73(1) - Not relevant to scope of application

I, Patricia Walker an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002*

The relevant provision is section 34a and s52 of the *Child Care Regulations 2003*.

The relevant provision is being or has been contravened in the following way:

- Information about staffing was not displayed at the service.
- Hand drying facilities were not available in any bathrooms.

You are required to remedy the contravention by 13 August 2009.

The way in which the contravention may be remedied is:

- Licensee to ensure a notice is displayed stating the current information about
 - (a) the number of staff members working at the centre on each day of the week, including at different times on a single day; and
 - (b) each staff member's qualification and position.
- Licensee to ensure that a child care centre has hand washing facilities in the toilets, including facilities that are adequate and appropriate for the children ordinarily cared for at the centre.

6 August 09
Date of notice

Patricia Walker
A/Early Childhood Manager
Strathpine Service centre
Brisbane North
Office for Early Childhood Education and Care

Office for Early Childhood Education and Care
Strathpine Service Centre
Ground Level, Crossroads Building
454 Gympie Road
STRATHPINE QLD 4500
PO Box 46
STRATHPINE QLD 4500
Telephone 3384 8280
Facsimile 3384 8291
Website www.companies.qld.gov.au
ASN 76 33 76 13 647

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Office for
Early Childhood Education and Care

Ref No: 802268

18 May 2009

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not relevant to scope of application

s.73(1) - Not relevant to scope of application

I, Patricia Walker an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- are contravening a provision of the *Child Care Act 2002*

The relevant provision is section 63 of the *Child Care Act* and section 25(3)(b) of the *Child Care Regulation 2003*.

The relevant provision is being or has been contravened in the following way:

- Staffing during the rest period did not include adequate numbers of adult staff members.

You are required to remedy the contravention by 25 May 2009.

The way in which the contravention may be remedied is:

- For the Licensee to ensure that staffing during a rest period meets legislative requirements. In addition to the qualified carers working in the groups, there must be at least two adult staff members present at the centre and able to attend with any of the groups immediately if required.

18 May 2009
Date of notice

P. Walker

Patricia Walker
A/Early Childhood Manager
Strathpine Service Centre
Brisbane North
Office for Early Childhood Education and Care



NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

(a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or

(b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

Office for Early Childhood Education and Care
Strathpine Service Centre
Ground Level, Crossroads Building
454 Gympie Road
STRATHPINE QLD 4500

PO Box 46
STRATHPINE QLD 4500

Telephone 3384 8280

Facsimile 3384 8291

Website www.communities.qld.gov.au
ABN 38 872 506 567



COPY



Queensland
Government

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

Office for
Early Childhood Education and Care

Ref No: 700356

14 August 2009

s.73(1) - Not relevant to scope of application

Dear

s.73(1) - Not relevant

s.73(1) - Not relevant to scope of application

I, Patricia Walker an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening a provision of the *Child Care Act 2002*.

The relevant provision is section s26 of the *Child Care Act 2002*.

The relevant provision is being contravened in the following way:

- The licensee has not provided evidence of current positive suitability notices for each of its executive officers and the Nominee.

You are required to remedy the contravention by 14 September 2009.

The way in which the contravention may be remedied is to:

- Provide evidence of suitability either in the form of certified copies of positive suitability notice or a copy of an application for suitability made to the Commission for Children & Young People and Child Guardian.
- The outstanding documentation required is for the following executive officers of the QUT Student Guild

s.73(1) - Not relevant to scope

s.73(1) - Not relevant to sco

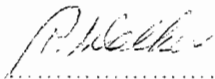
s.73(1) - Not relevant to scope of

s.73(1) - Not relevant to scope of a

Welfare Director
President/Nominee
Indigenous Director
Sport & Recreation Director

14 August 2009

.....
Date of notice



.....
Patricia Walker
A/Early Childhood Manager

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.

The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

Office for Early Childhood Education and Care
Strathpine Service Centre
Ground Level Crossroads Building
434 Gympie Road
STRATHPINE QLD 4500
PO Box 44
STRATHPINE QLD 4500
Telephone 3334 3230
Facsimile 3334 3231
Website www.communities.qld.gov.au
ABN 33 570 502 537

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

TO: s.73(1) - Not relevant to scope of application

LICENCE DETAILS: s.73(1) - Not relevant to scope of application

I, Steve Waddell, an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening provisions of the *Child Care Act 2002* and *Child Care Regulation 2003*.

The relevant provisions are section 73 of the *Child Care Act 2002* ; and sections 112, 118 and 119 of the *Child Care Regulation 2003*.

The relevant provisions are being contravened in the following way:

- (i) Staff member s.73(1) - Not relevant to scop has been engaged as an assistant at the service since November 2005. s.73(1) - Not relevant to has not enrolled in an appropriate course leading to a qualification for an assistant. s.73(1) - Not relevant is not a qualified assistant.

You are required to remedy the contraventions by 18 February 2008.

The ways in which the contraventions may be remedied are:

- (i) The licensee is required to provide evidence that a suitably qualified staff member, or a staff member who has enrolled in an appropriate course leading to a qualification for an assistant, has been engaged into the position.

4 January 2008

.....
Date of notice

.....
Steve Waddell
Manager
Mount Isa Integrated Service Centre
Department of Communities

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
(b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No/Ref No: 12/148/16828-P1

1st July 2008

s.73(1) - Not relevant to scope of applicati

Dear Licensee

s.73(1) - Not relevant to scope of application

I, Steve Waddell, an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening a provision of the *Child Care Act 2002*.

The relevant provision is sections 57, 58 and 73 of the *Child Care Act 2002* and sections 112, 113 and 119 of the *Child Care Regulation 2003*.

The relevant provisions are being contravened in the following way:

- (a) Staff member [s.73(1) - Not relevant to scope of applicati] identified as group leader at the service since 25th of February 2008. [s.73(1) - Not relevant to scope of applicati] has not enrolled in an appropriate course leading to a qualification for a group leader. [s.73(1) - Not relevant to scope of applicati] is not a qualified group leader.
- (b) Staff member [s.73(1) - Not relevant to scope of applicati] identified as assistant at the service since 3rd of December 2007. [s.73(1) - Not relevant to scope of applicati] has not enrolled in an appropriate course leading to a qualification for an assistant. [s.73(1) - Not relevant to scope of applicati] is not a qualified assistant.
- (c) Staff member [s.73(1) - Not relevant to scope of applicati] identified as assistant at the service since 8th of November 2007. [s.73(1) - Not relevant to scope of applicati] has not enrolled in an appropriate course leading to a qualification for an assistant. [s.73(1) - Not relevant to scope of applicati] is not a qualified assistant.

You are required to remedy the contravention by 17th of July 2008.

The way in which the contravention may be remedied is: the licensee is required to provide evidence that suitably qualified staff members have been engaged in the positions.

1st July 2008

.....
Date of notice

.....
Steve Waddell
Manager
Mount Isa Integrated Service Centre
Department of Communities

.....
NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-
 (a) if it is an offence to contravene the relevant provision – the maximum penalty for
 contravening that provision, or
 (b) otherwise – 5 penalty units.
At the date of issue of this notice, 1 penalty unit = \$75.

CC:

s.73(1) - Not relevant to scope of application

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No/Ref No: 700938

10th June 2008

s.73(1) - Not relevant to scope of application

Dear s.73(1) - Not rele

s.73(1) - Not relevant to scope of application

I, Steve Waddell, an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening provisions of the *Child Care Act 2002*

The relevant provisions are:

- (a) *Section 9 of the Child Care Act 2002 and sections 45 and 46 of the Child Care Regulation 2003.*
- (b) *Section 9 of the Child Care Act 2002 and sections 46 and 56 of the Child Care Regulation 2003; and*
- (c) *Section 9 of the Child Care Act 2002.*

The relevant provisions are being or have been contravened in the following way:

- (a) insufficient numbers of beds for the licensed capacity of the centre.
- (b) A number of the sleeping mattresses provided for children are torn preventing them from being waterproof and hygienic.
- (c) Sharp edges on metal legs of stretcher beds pose a potential hazard to children

You are required to remedy the contravention by 26th of June 2008.

10th June 2008

.....
Date of notice

.....
Steve Waddell
Manager
Mount Isa Integrated Service Centre
Department of Communities
.....

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

(a) if it is an offence to contravene the relevant provision – the maximum penalty for
contravening that provision, or

(b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC:

s.73(1) - Not relevant to scope of application

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

TO:

s.73(1) - Not relevant to scope of applica

LICENCE DETAILS:

s.73(1) - Not relevant to scope of application

I, Steve Waddell, an authorised officer under the *Child Care Act 2002*, reasonably believe that you are contravening provisions of the *Child Care Act 2002* and *Child Care Regulation 2003*.

The relevant provisions are sections s9, s75, s85 of the *Child Care Act 2002*; and sections s43 and s57 of the *Child Care Regulation 2003*.

The relevant provisions are being contravened in the following way:

- (i) Torn black plastic in large sandpit.
- (ii) Inadequate records being kept in relation to arrival and departure of children in care.

You are required to remedy the contraventions by 11th of February 2008.

The ways in which the contraventions may be remedied are:

- (i) Appropriate measures to be taken to remove risk of child choking on plastic.
- (ii) Licensee must ensure that when a child in care arrives at the child care centre-
 - (a) If the child is accompanied by an adult – the adult enters the arrival time and the adult's name in the centre's attendance book and signs the entry;
 - or
 - (b) Otherwise – a staff member enters the arrival time in the centre's attendance book and signs the entry.and;
When a child in care leaves the child care centre-
 - (a) if the child leaves with an adult – the adult enters the departure time and the adult's name in the centre's attendance book and signs the entry; or
 - (b) otherwise – a staff member enters the departure time in the centre's attendance book and signs the entry.

29 January 2008

Date of notice

.....
Steve Waddell
Manager
Mount Isa Integrated Service Centre
Department of Communities

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No : 800772
1 December 2008

s.73(1) - Not relevant to scope of application

Dear Licencee,

Re :

s.73(1) - Not relevant to scope of application

I, Steve Waddell, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

☒ are contravening a provision of the *Child Care Act 2002*.

The relevant provision is section **26** of the *Child Care Act 2002*.

The relevant provision is being or has been contravened in the following way:

The chief executive must be satisfied that each of the following persons is suitable to conduct the child care service:-

- (a) the licensee;
- (b) if the licensee is a corporation-
 - (i) each of its executive officers and
 - (ii) the nominee for the licence.

An individual is not suitable to conduct a child care service unless the individual has a current positive prescribed notice.

- Departmental records indicate that s.73(1) - Not relevant to scope of ap (President of the Committee) and s.73(1) - Not relevant to scope (Secretary for the Committee) do not currently hold positive prescribed notices and both are licensees for the service;
- The matter was first identified in September 2007 and evidence of applications made to CCYPCG were sighted at that time;
- During subsequent routine monitoring visit on 28 March 2008 evidence of positive prescribed notices could not be provided for either committee members and the licensee was issued a compliance letter on 18 April 2008;

- Subsequent follow up between department and licensee ensued on 3 June 2008 and 11 June 2008. The department was provided with copies of new applications made by both committee members;
- During subsequent routine monitoring visit on 19 November 2008 evidence of positive prescribed notices could not be provided for either of the committee members;
- To date the matter remains outstanding.

You are required to remedy the contravention by:
Close of business 30 January 2009.

The way in which the contravention may be remedied is:

1. **Copies of current positive prescribed notices received from the Commission for** s.73(1)
s.73(1) - Not relevant to scope **and** s.73(1) - Not relevant to scope **is to be provided to the department.**
Copies are to be certified in the way prescribed under a regulation.

1 December 2008
Date of notice



Steve Waddell
Manager
Community Capacity and Service Quality and Child Care Regulation
Department of Communities
Mt Isa Integrated Service Centre

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
 The maximum penalty for the offence is-
 (a) if it is an offence to contravene the relevant provision – the maximum penalty for
 contravening that provision, or
 (b) otherwise – 5 penalty units.
 At the date of issue of this notice, 1 penalty unit = \$75.

Cc: s.73(1) - Not relevant to scope of ag



COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No : 700268
12 December 2008

s.73(1) - Not relevant to scope of application

Dear Licensee,

Re : s.73(1) - Not relevant to scope of application

I, Melinda Wiegmann, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

☒ are contravening a provision of the *Child Care Act 2002*.

The relevant provision is section 73 of the *Child Care Act 2002*.

The relevant provision is being or has been contravened in the following way:

- (1) This section applies if-
- (a) a person who is a carer in, or staff member of, a child care service is enrolled in a course of study and;
 - (b) the licensee of the service would be contravening this Act if the person was not enrolled in the course.

- (2) The licensee must keep a document that is evidence that the person is enrolled in a course of study.

Maximum penalty – 5 penalty units.

For this Act, a document is evidence that a person has enrolled in a course of study if it is-

- (a) a document, given to the person by the institution conducting the course, indicating that the person is enrolled in the course or;
- (b) a copy of a document mentioned in paragraph (a), certified in the way prescribed under a regulation.

- Departmental records indicate that [s.73(1) - Not relevant to scope] commenced at the service in the position of assistant on 31 December 2007.
- [s.73(1) - Not relevant] was required to enrol in an appropriate course of study within six months of commencing in her position. The required date for enrolment was no later than 30 June 2008.
- During a routine visit on 16 May 2008 departmental officer advised Director, [s.73(1) - Not relevant] of the requirement for [s.73(1) - Not relevant] to enrol and the required date for enrolment.
- During a routine visit on 15 September 2008 departmental officer noted that [s.73(1) - Not relevant] had not yet enrolled. A compliance letter was issued to the licensee and a courtesy copy was emailed to [s.73(1) - Not relevant] for her information. Evidence of compliance for [s.73(1) - Not relevant] was required by COB 10 October 2008.
- On 3 November 2008 departmental officer received a copy of a completed enrolment application for [s.73(1) - Not relevant]. Departmental officer emailed [s.73(1) - Not relevant] and advised that the evidence submitted was not considered as evidence and it was advised that the RTO be contacted to provide a letter of confirmation of enrolment for [s.73(1) - Not relevant].
- On 19 November 2008 departmental officer emailed [s.73(1) - Not relevant] requesting advice on progress.
- On 24 November 2008 departmental officer received a letter from [s.73(1) - Not relevant] advising that they are still waiting on confirmation to be received and that it will be forwarded to the department once it arrives.
- On 9 December 2008 departmental officer emailed [s.73(1) - Not relevant] requesting advice on progress. It was also advised that if evidence of enrolment for [s.73(1) - Not relevant] was not received by the end of the week that a compliance notice may be issued to the licensee.
- On 11 December 2008 departmental officer received an email with an attachment for [s.73(1) - Not relevant] regarding evidence of enrolment. Upon closer inspection of the attachment it was found to be a blank enrolment form. Departmental officer emailed and advised that the evidence submitted was not considered as evidence and it was again requested that the RTO be contacted to provide a letter of confirmation of enrolment for [s.73(1) - Not relevant].
- As of COB Friday 12 December 2008 the matter remains outstanding.

You are required to remedy the contravention by:
Close of business 30 January 2009.

The way in which the contravention may be remedied is:

The department requires evidence of enrolment in an appropriate course of study for [s.73(1) - Not relevant]. Evidence is to be provided in the following way:

- a document, given to the person by the institution conducting the course, indicating that the person is enrolled in the course or;
- a copy of a document mentioned in paragraph (a), certified in the way prescribed under a regulation.

12 December 2008
Date of notice



Melinda Wiegmann
Community Support Officer
Community Capacity and Service Quality and Child Care Regulation
Department of Communities
Mt Isa Integrated Service Centre

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

Cc:

s.73(1) - Not relevant to scope

FAXED
24/11/08
David + Packed
RM.



**Queensland
Government**

Department of
Communities

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No : 740076
27 November 2008

s.73(1) - Not relevant to scope of application

Dear Licencee,

Re : s.73(1) - Not relevant to scope of application

I, Steve Waddell, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

☒ are contravening a provision of the *Child Care Act 2002*.

The relevant provision is section 66 of the *Child Care Act 2002*.

The relevant provision is being or has been contravened in the following way:

Whenever child care is being provided at a place under a licence for a centre-based service, the licensee must ensure at least 1 staff member with the prescribed first aid competency is present at the place.

- Departmental records indicate that there are currently no staff members with the prescribed competency;
- The matter was first identified in April 2008;
- The licensee has been issued 4 (four) compliance letters in relation to the matter – 29 April 2008, 15 August 2008, 10 September 2008 and 3 November 2008;
- To date the matter remains outstanding.

You are required to remedy the contravention by:
Close of business 27 January 2009.

The way in which the contravention may be remedied is:

1.

As per section 72 of the *Child Care Act 2002*

- The original award issued to the person on obtaining the qualification or completing the training for the competency or;
- A copy of an original award mentioned as above, certified in the way prescribed under a regulation.

27 November 2008

Date of notice



Steve Waddell

Manager

Community Capacity and Service Quality and Child Care Regulation

Department of Communities

Mt Isa Integrated Service Centre

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.

The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

Cc:

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No/Ref No: 12/148/15871

9 May 2008

s.73(1) - Not relevant to scope of application

Dear Licensee

s.73(1) - Not relevant to scope of application

I, Catherine Smith, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002* and
- ☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is section 53 and 57 of the *Child Care Regulation 2003*

The relevant provision is being or has been contravened in the following way:

- Insufficient resources to support dramatic play in Toddler Room
- Insufficient construction and manipulative equipment in Junior Kindy and Toddler rooms to support the program
- Insufficient equipment for school age children for outdoor play
- Outdoor mats have frayed edges
- Equipment in shed unavailable for use due to poor repair

You are required to remedy the contravention by **26 May 2008**

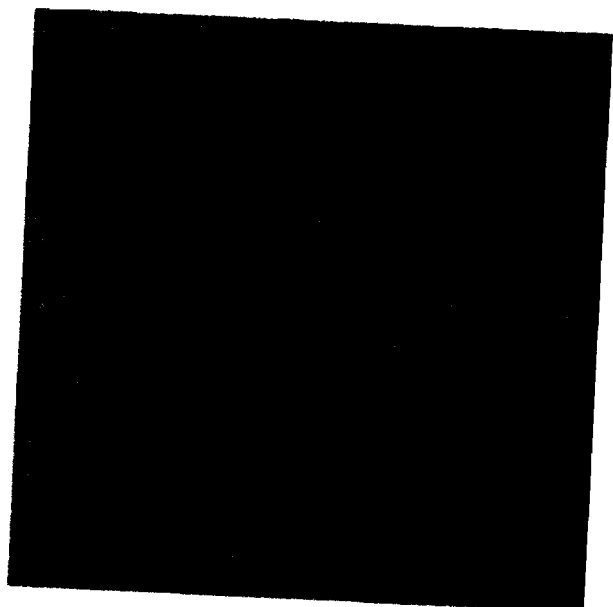
The way in which the contravention may be remedied is

- Purchase sufficient resources to support the program for all age groups of children in care
- Replace outdoor mats
- Repair equipment in shed

9 May 2008

.....
Date of notice

Catherine Smith
Manager



NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

(a) if it is an offence to contravene the relevant provision – the maximum penalty for
contravening that provision, or

(b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

15 December 2008

s.73(1) - Not relevant to scope of application

Dear Licensee

s.73(1) - Not relevant to scope of application

I, Catherine Smith, an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening provisions of the *Child Care Act 2002* and
- ☐ have contravened provisions of the Act in circumstances that make it likely the contraventions will continue or be repeated

The relevant provisions are:

- Section 87 *Child Care Act 2002*
- Section 57 *Child Care Regulation 2003*
- Section 50A *Child Care Regulation 2003*
- Section 34A *Child Care Regulation 2003*
- Section 60 *Child Care Regulation 2003*
- Section 75 *Child Care Act 2002*

The relevant provisions are being or have been contravened in the following way:

- Section 87 *Child Care Act 2002* – medication records for children are kept in a way that unauthorised persons have access to them
- Section 57 *Child Care Regulation 2003* – sandpit overgrown with weeds; roof of gazebo not repaired; badly torn seats in playrooms; shower recess dirty
- Section 50A *Child Care Regulation 2003* – nappy bins accessible to children in Nursery and Toddler rooms
- Section 34A *Child Care Regulation 2003* – notice about staffing incomplete
- Section 60 *Child Care Regulation 2003* – children have access to water main pipes and controls in main playground
- Section 75 *Child Care Act 2002* – A-frames with fall height exceeding 50cms in main playground were not placed on softfall

You are required to remedy the contraventions by Friday 2 January 2009.

15 December 2008
Date of notice

Catherine Smith
Manager
Child Care Regulation Team
Townsville Service Centre
North Queensland Region

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

Encl: Photographs

Child Care Regulation
Department of Communities
North Queensland Region
7th Floor Suncorp Building
PO Box 1168
61 Sturt Street
Townsville Queensland 4810
Telephone 4799 7110
Facsimile 4799 5511
Website www.communities.qld.gov.au
ABN 38 872 506 567

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

File No/Ref No:

30th April 2008

s.73(1) - Not relevant to scope of application

Dear Licensee

s.73(1) - Not relevant to scope of application

I, Catherine Smith an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

- ☐ are contravening a provision of the *Child Care Act 2002* and
- ☐ have contravened a provision of the Act in circumstances that make it likely the contravention will continue or be repeated

The relevant provision is section 53 *Child Care Regulation 2003*.

The relevant provision is being or has been contravened in the following way

- There is insufficient outdoor equipment to support the program for a 75 place centre.
- There is insufficient indoor equipment to support the program in the 15months – 2.5 year group.

You are required to remedy the contravention by 14th May 2008.

The way in which the contravention may be remedied is to purchase outdoor equipment to support the program for a 75 place Centre and indoor equipment to support the program for the 15months – 2.5 year group.

30th April 2008

.....
Date of notice

.....

Catherine Smith
A/Manager
Child Care Regulation
Townsville Service Centre
Department of Communities
North Queensland Region

NOTE: Failure to comply with a this notice is an offence unless you have a reasonable excuse.
The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

COMPLIANCE NOTICE
Section 142 of the *Child Care Act 2002*

14 July 2008

s.73(1) - Not relevant to scope of application

Dear

s.73(1) - Not relevant to

s.73(1) - Not relevant to scope of application

I, Catherine Smith an authorised officer under the *Child Care Act 2002*, reasonably believe that you –

☐ are contravening a provision of the *Child Care Act 2002* and

The relevant provision is section s57 *Child Care Regulation 2003*.

The relevant provision is being or has been contravened in the following way:

- Soft fall very low in playground. Edging around soft fall area exposed and is potential safety hazard for children using playground.
-

You are required to remedy the contravention by 1 August 2008.

15 July 2008

.....
Catherine Smith
A/Manager
Child Care Regulation
Department of Communities
North Queensland Region

NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (a) if it is an offence to contravene the relevant provision – the maximum penalty for contravening that provision, or
- (b) otherwise – 5 penalty units.

At the date of issue of this notice, 1 penalty unit = \$75.

CC:

s.73(1) - Not relevant to scope of applica