

			<p>and;</p> <p>e) a ventilated cover to prevent contamination but still allow air to circulate, when not in use</p> <p>f) a play-medium to a depth of not less than 300mm, which is clean and free from toxic and other deleterious materials, and any particles that could pose a choking hazard.</p>	
--	--	--	--	--

You are required to comply with the provision by **30 September 2009**

31 July 2009

Date of notice



Lynne Kaesehagen
Early Childhood Manger

CC: Nominees: and



COPY

Office for Early Childhood Education and Care

Department of Education and Training

FIRST NOTICE

NOTICE REQUIRING COMPLIANCE WITH THE REQUIREMENTS OF THE BUILDING ACT 1975

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

File No/Ref No: 700468

Dear

s.73(1) - Not relevant to

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

I, Lynne Kaesehagen an authorised officer under the *Child Care Act 2002*, require you to comply with the following provisions of the Queensland Development Code (SP5.4: Child Care Centres): P1(d) (f), P3(g), P5(g), P7(d), P8 , P10 and P16

	Performance Criteria	Compliance Matter	Action Required
1	<p>P1 Accessibility</p> <p>(a) inhibit unauthorised access and egress</p> <p>(d) minimise the risk of accidents from falling</p> <p>(f) inhibit young children from gaining access to dangerous areas</p>	<p>Children have access to dangerous areas:</p> <p>1. Front Centre entrance gate latch not in working order.</p> <p>2. Gate latch at bottom of both sets of stairs in outdoor play area not in working order.</p> <p>3. Gate latch on nursery veranda not in working order. Ramp from nursery veranda to nursery outdoor area has no safety rails and might not meet 1:8 gradient requirement.</p> <p>4. Lattice gates under building in outdoor play area not in working order – hinge edge is sharp and a hazard for children.</p>	<p>1 – 3 Repair or replace gate latches.</p> <p>3. Ensure nursery ramp meets safe and suitable.</p> <p>4. Repair lattice gates – including hinges.</p> <p>5. Repair service gates, ensuring the gate is locked to prevent unauthorised access.</p> <p>6. Repair or replace safety balustrade.</p> <p>7. Remove bench from veranda.</p>

Office for Early Childhood Education and Care
Cairns & Atherton Service Centres

3 Floor – 85 Spence Street
Cairns Queensland 4870

PO Box 1682
Cairns Queensland 4870

Telephone 07 4048 9311

Facsimile 07 4048 9306

Website www.deta.qld.gov.au

ABN 76 337 613 647

		<p>5. Double service gate in outdoor play area damaged resulting in a substantial gap which could allow a child to egress.</p> <p>6. Missing and damaged safety balustrade in the outdoor play area exposes children to at least a one metre fall hazard onto a compacted surface.</p> <p>7. Fixed bench on nursery veranda compromises the height integrity of the balustrade and poses fall hazard to young children.</p>	<p>Licensee must ensure:</p> <p>A1(c) access ways between indoor and outdoor areas is if by way of ramps having a gradient not greater than 1:8</p> <p>A1(e) fencing not less than 1.2m high complying with As 1926.1 -1993, is provided around those parts of a centre where children are cared for, including all building and grounds accessible to children.</p> <p>A1(f) any pedestrian access openings in the fencing are protected with a self closing, self latching, gate or door complying with AS 1926.1-1993.</p> <p>A(i) any gate in the perimeter fence Which is required for service vehicles is key locked closed at all times children are outdoors.</p>
2	<p>P3 Indoor play facilities (g)</p>	<p>1. Indoor play areas, and sleep room temperatures not able to be maintained at a comfortable level relative to the prevailing climatic conditions: Air conditioners throughout the centre not in working order.</p>	<p>Repair or replace centre air conditioner and ensure it is kept in good working order.</p> <p>Licensee must ensure:</p> <p>A4(h)(i) a cooling installation capable of maintaining a daytime air temperature inside, in summer, at least 4° C below the outside temperature, and which introduces fresh air at a rate of not less than 10 Litres per second for each child that the area is designed to cater for.</p>
3	<p>P3 Indoor play facilities (a) P7 Toileting facilities (a)</p>	<p>Vinyl flooring throughout centre scratched and heavily soiled and can no longer be cleaned as required.</p>	<p>Repair or replace vinyl. Ensure surface can be cleaned adequately, and is slip free to safeguard children and carers from injury or infection.</p> <p>Licensee must ensure:</p> <p>A7 (d) wall and floor surfaces are impervious without cracks and crevices.</p>
4	<p>P5 Outdoor play facilities (a) - (g)</p>	<p>Outdoor play areas not safe and suitable: 1.Veranda ceiling in poor state of repair : a) torn insulation, b) broken sheeting, c) wooden beams split and damaged, d) gaps in sheeting allowing water on to children's play area rendering the veranda unsafe in wet weather.</p>	<p>1. Repair veranda ceiling to ensure the veranda is a safe place for children to play in wet weather. Licensee must ensure:</p> <p>A5(b) (ii) a shaded area which is part of the total area not less than 2m² for each child of the licensed capacity; and</p> <p>A5(b)(iii) at least 50% of the required shade area in (ii) is roofed with a material impervious to water and UV radiation.</p>

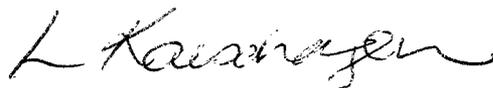
		<p>2. Nursery outdoor grass area not safe and suitable for use by children 0- 15months:</p> <p>a) ramp from veranda to grass lacks safety railings. b) outdoor area has access to dangerous place, such as under building, eroded area with plastic piping and area behind water tank. c) lack of shade & suitable for surface for crawling infants</p>	<p>Licensee must ensure:</p> <p>2. Renovate the nursery outdoor play area to create a safe area for children in 0 -15months to engage in a variety of activities:</p> <p>A5(b)(i) has an outdoor play facilities that have a total area of not less than 7m² for each child of the licensed capacity.</p>
5	<p>P7 Toileting facilities (d) facilitate independent use (g) screened so as to respect the dignity of children</p>	<p>Independent use of toilets, and dignity of children in 3 year - 5 year group compromised:</p> <p>1. toilet roll dispensers not provided 2. one toilet seat missing 3. privacy screen between toilets not provided.</p>	<p>1. Install toilet roll dispensers in toileting facilities for 3 years – 5 years group. 2. Replace toilet seat 3. Install at least one privacy screen between toilets to provide children with a choice to use a toilet with more privacy. Privacy screens might provide a suitable surface/position to locate the toilet roll dispensers.</p>
6	<p>P8 Nappy change facilities (a) – (e)</p>	<p>Bath and nappy change facilities for 0 - 15 month group and 15month to 2½ year group below minimum requirements of the QLD Development Code – P8:</p> <p>Nappy change area, beside baths not 90cm wide to enable children to be changed facing the carer. Nappy change mats have rips in the vinyl surface with foam protruding. Surfaces can not be cleaned as required for hygienic nappy changing.</p> <p>Cupboard doors under toddler nappy bench have water damage and can no longer be cleaned as required.</p>	<p>Nappy change facilities are provided in accordance with the following:</p> <p>A8 (a)(B) have an impervious surfaces without cracks and crevices so as to be easily cleanable. (iv) The wall and floor surfaces are impervious and without cracks and crevices. A8 (b) (ii) for each bath, a built –in area 90cm deep and 80cm wide for drying and dressing children is provided at a height of 900mm, situated within 500mm of the bath. This may double as the required nappy change facility.</p>
7	<p>P9 Personal washing facilities (a) minimise delays for children requiring to use a wash basin (e) safeguard the health of children</p>	<p>1. One child wash basin in 15months to 2½ year toileting facility lacks tap handle to facilitate independent use and minimise delays for children requiring to use a wash basin.</p> <p>2. Both child size wash basins in 15month to 2 ½ year toileting facility lack drainage grate so could pose entrapment hazard.</p>	<p>1. Repair child size tap handle. A9(a) have a wash basin provided for each 10 children</p> <p>2. Replace drainage grates in all child size wash basins.</p>

8	<p>P10 Food preparation area (b) safeguard children from injury (d) Enable food to be prepared in hygienic conditions</p>	<p>Food preparation facilities:</p> <p>a) Lacks a gate or barrier to prevent access by children. b) Lack of air-conditioning, fans or cooling in this small space might compromise the hygienic preparation of foods.</p>	<p>A10 (a) Food preparation facilities are provided in accordance with the following: <i>(i) a barrier, and controls to doors that are unable to be operated by children, are installed to prevent unauthorised access by children into the food preparation area.</i></p> <p>Ensure barrier does not restrict access to staff washbasin. A10 (b) <i>(iv) a washbasin for staff with hot and cold water.</i></p>
9	<p>P12 Play pits</p>	<p>Play pits:</p> <p>1. Lack ventilated covers to prevent contamination.</p> <p>2. Splintering wooden stumps protruding from large sand pit area in outdoor play area– sharp edges from wooden shards a safety hazard.</p>	<p>1. Provide ventilated covers for all sand pits at the centre: A12 (e) Any play pit provided in a child care centre has – A ventilated cover to prevent contamination but still allow air to circulate, when not in use.</p> <p>2. Remove wooden stumps. Licensee to ensure: A12(b) all exposed edges are rounded to prevent injury to children</p>
10	<p>P16 (c) Electrical safety precautions</p>	<p>Electrical safety: Double power outlet less than 10cm off the floor on the nursery veranda poses serious risks to children.</p>	<p>A16 (c) Electric light fittings and power outlets in areas accessible to children are at a minimum height of 1.5 metres above the floor.</p>
11	<p>P17(e) Equipment and electrical safety</p>	<p>Poisonous substances in reach of children throughout centre, such as in spray bottles on benches.</p>	<p>A 17 (e) Premises used for a child care centre have : Storage cupboards for chemical substances and for other dangerous items in areas accessible to children fitted with child –resistant latches.</p>

You are required to comply with the provisions by **30 October 2009**.

1 September 2009

Date of notice



Lynne Kaesehagen
Early Childhood Manager

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

Completed ✓

FILE COPY

7E / 700216
ECO / HB

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

26 August 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, Kay Beattie 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 of the *Child Care Act 2002*:

Section 75: **Licensee overriding responsibility**

The relevant provision *Child Care Regulation 2003*:

Section 57: **Cleaning and maintenance generally**

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

A visit was conducted by an Early Childhood Officer on 21 August 2009 to monitor compliance issues identified in a compliance letter dated 27 July 2009. The following compliance issue remains outstanding:

- A child size toilet in the upstairs bathroom is blocked and has not been repaired.

You are required to remedy the contravention by **9 September 2009**.

The way in which the contravention may be remedied is to ensure the toilet is in good working order.

Yours sincerely



Kay Beattie
A/Early Childhood Manager
Office for Early Childhood Education and Care
Ipswich Service Centre

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 ap

FILE COPY

Completed ✓

7E

(07) 3280 1940
HB:gi
Helen Brighthouse
Early Childhood

File No / Ref No: 801981

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

6 August 2009

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, Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: Licensees overriding responsibility

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 56: Health and hygiene practices

Section 60: Dangerous places and items must be inaccessible to children

Section 57: Cleaning and maintenance generally

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

A visit was conducted by an Early Childhood Officer on 4 August 2009 to monitor compliance issues identified in a compliance letter dated 14 July 2009. The following compliance issue remain outstanding:

- The cover on the small sand pit is not large enough to adequately cover the whole sand pit to prevent contamination.
- Children's play equipment is being stored beside the toilets in the Nursery bathroom.
- Cupboards and drawers containing plastic bags and chemicals did not have safety latches.
- The drains in the playground which are full of leaves and play equipment are blocked.
- Large branches and a build up of dirt are on the top of the shade cover in the playground.
- There were numerous weeds growing along the perimeter fence line accessible to children.

You are required to remedy the contravention by **19 August 2009**.

The way in which the contravention may be remedied is:

- Provide a cover for the sand pit which ensures a safe environment for children to play in.
- Ensure that children's play equipment is stored in an appropriate place.
- Ensure that all cupboards and drawers containing dangerous items have safety latches attached.
- Remove the leaves and equipment from the drains and ensure that the drains are unblocked.
- Remove the branches from the shade cover and clean the shade cover.
- Remove the weeds from the perimeter fence line.

6 August 2009

.....
Date of notice

.....


Kay Beattie
A/Early Childhood Manager
Office for Early Childhood Education and Care
Ipswich Service Centre
.....

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.

FILE COPY

Completed ✓



Queensland
Government

7E

(07) 3280 1940
QSACSC / RB
Robyn Barker
Child Care

Office for
Early Childhood Education and Care

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

File No / Ref No: 802444

Ipswich Service Centre
5-7 Wharf Street
Ipswich Queensland 4305
PO Box 516
Booval Queensland 4304
Telephone 3280 1940
Facsimile 3280 1692
Website www.deta.qld.gov.au
ABN 76 337 613 647

9 April 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, Kay Beattie 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 75 of the *Child Care Act 2002*

Section 75: Licensees overriding responsibility

The relevant provision is section 48 of the *Child Care Regulation 2003*

Section 48: Telephone

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

- The Coordinators mobile phone is the designated phone contact for the service. Not only does the area often experience intermittent mobile phone service coverage, the Coordinator's phone does not have a message bank service for parents to leave messages. Parents may experience difficulty contacting or leaving a message at the service.

You are required to remedy the contravention by 22 February 2009.

The way in which the contravention may be remedied is:

- To ensure the service is contactable at all times.
- Provide evidence that if the phone is not contactable that there is provision for parents to leave a message.

9 April 2009

.....
Date of notice


.....

Kay Beattie
A/Early Childhood Manager
Office for Early Childhood Education and Care
Ipswich Service Centre
.....

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.

COPY



Queensland
Government

(07) 3280 1940
MGCC/RB
Robyn Barker
Child Care

Office for
Early Childhood Education and Care

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

File No/Ref No: 700216

12 March 2009

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

Office for Early Childhood Education
and Care
Ipswich Service Centre
5-7 Wharf Street
Ipswich Queensland 4305
PO Box 516
Booval Queensland 4304
Telephone 3280 1940
Facsimile 3280 1692
Website
www.communities.qld.gov.au
ABN 38 872 506 567

Dear s.73(1) - Not relevant

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

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: **Licensees overriding responsibility**

The relevant provision is of the *Child Care Regulation 2003* is as follows:

Section 56: **Health and hygiene practices**

Section 57: **Cleaning and maintenance generally**

The following cleaning and maintenance issues including the health and hygiene practices of the staff have been identified. These are a potential health and safety risks to children and staff.

Centre kitchen

1. A build up of dirt and grime was evident in the area between the fridge and pantry. There were 3 brooms and the food preparation boards stored in this area. The boards were stored on the floor leaning against the pantry cupboard.
2. Open packets of perishable food items were located in the pantry along with a used/dirty dust pan and brush.
3. Open paint pots with brushes were stored on top of the microwave with splashes of paint evident on the bench top. It was evident that children's eating and drinking utensils and art prep material were being prepared/washed in the same dirty area/sink.
4. The rubbish bin in the kitchen had a build up of food spillages and grime, potentially attracting vermin.
5. Serviettes, drink bottles and children's utensils were stored on open shelving, exposed to vermin.
6. Items including a drinking bottle were being stored on the top of the fridge where dirt and grime were evident.
7. There is a build up of mould, dirt and grime along the join between the bench top and splash back.
8. The window pane and window sill had a build up of dirt, grime and mould in the crevices and on the glass pane.
9. The ceiling fan had a build up of dirt and grime on the fans blades.
10. The kitchen sink used for washing dishes had a dripping tap causing a build up of mould around the drain hole.
11. The pantry cupboard door does not fully close enabling dirt, grime and vermin access to foodstuffs stored in the pantry. Refer point 2

Upstairs playroom

12. The majority of fluorescent lights did not have covers. In the event of the bulb breaking it poses as a safety risk to children.
13. The large carpet mats had curled corners and edges posing a tripping hazard/safety risk for children.
14. Used children's bottles with uncovered teats were located on top of the cupboard adjacent to the children's bathroom and the bench beside the dirty utensils container. Both were accessible to other children. Both bottles contained a sweet substance that could attract flies.
15. Clean plates and cups for use by children were being stored in a box that also contained some of the children's art work.
16. At the entrance door to the upstairs playroom, 2 used wet mops were hanging over the awning bracket accessible to children.

Upstairs children's bathroom

17. The small step leading into the children's bathroom has a rough tiled edge. This step does not have a safety strip and is a tripping hazard. This has been raised with the Licensee/director previously on several occasions.

School children's/ staff toilet

18. The toilet brush was on the floor accessible to children.
19. A build up of dirt and grime was evident on the floor under the hand washing basin and the bath/shower facility.

Outside children's bathroom and laundry

20. Grouting between the floor and skirting boards is cracked and has a build up of dirt, grime and mould.
21. Bottom section of the wooden door frame is broken and coming away from the wall.
22. The children's hand washing basins PVC outlet pipes has mould growing on the joins.
23. The tiled floor under the rubber matting was wet and dirty.
24. The toilet area was dirty and unhygienic the service has a cleaning roster displayed but it had not been completed for some time. Therefore was no evidence of cleaning processes being maintained.
25. A build up of dust, grime, broken cleaning equipment and plastic bags was observed throughout the laundry.
26. The laundry sink was covered in paint and grime.
27. The washing machine lid and bowl had a build up of washing powder, dirt and grime.
28. Outside the children's bathroom a wet mop was leaning against the wall and accessible to children.

Downstairs playroom & bathroom.

The Director informed ECO's that this room/ area had not been used since Christmas time. As this is licensed space this area needs to be ready and available for use.

29. The storage cupboard door in the larger downstairs room (2 ½ – 3 ½ room) being used to store chemicals and electrical equipment was unable closed or secured, allowing children access.
30. The half door between the rooms could not be closed due to the door sticking on the door frame.
31. There was a large gap and sharp edges on the new floor tiles that joined the wall exposing sharp edges. This gap has a build up of dust and grime and poses a safety risk to children.

32. There were dead cockroaches on the floor of the playroom accessible to children.
33. The majority of fluorescent lights did not have covers. In the event of the bulb breaking it poses as a safety risk to children.
34. One of the toilets in the children's bathroom had water pooling at the base of the pedestal and around the floor drain. Some mould was growing around the s bend of the toilet as well.
35. The fridge used to store children's food had mould growing around the seals and in the drip tray at the rear internal wall of the fridge. There were food spillages on the shelves and on the bottom of the fridge.
36. The rubbish bin lid had a build up of dirt and food stuffs.

Outdoor play area.

37. A majority of the sleeper logs used as playground borders had exposed nails and screws. Some were joined with metal tie downs that are raised and loose exposing sharp metal edges. The logs are cracked and splintering posing a safety risk to children.
38. The wooden fort under the fig tree had exposed nails on the stairs leading to the deck and on the deck platform itself.
39. There is a build up of grass and dead tree branches imposing on the rear fence. This area would attract snakes therefore posing a safety risk for children.
40. There are patches of prickles evident in areas near the shaded eating area. A childcare centre should be free of harmful plants.
41. On the small plastic climbing frame and slide there was broken plastic exposing sharp edges. There was evidence of spiders due to a large number of cobwebs.
42. The ramp leading to the children's bathroom has a section of wooden palings broken and/or missing exposing nails.
43. There was a 1.5metre dead bush with sharp/dry branches at eye height located near the shed and is accessible to children.
44. Children were eating from tables that had evidence of bird faeces, paint and dirt.
45. The tables and paved area was not clean after the children had eaten staff did not clean the tables or remove food scraps from the area within 1 hour and was only cleaned when ECO brought this to the attention of the director.
46. A number of children were drinking water from the same cup.
47. There was rotting guava fruit on the ground which attracted many flies and was accessible to children. Both children and staff were picking up the rotting fruit and did not wash their hands afterwards.

You are required to remedy the contravention by 27 March 2009.

The way in which the contravention may be remedied is:

- All areas of a childcare centre are cleaned regularly ensuring that dirt, grime and dust are not evident.
- All health and hygiene practices conducted by staff including the storage of cleaning equipment, storing of food stuffs, storage of eating and drinking

utensils, ensure the health and well being of all the children in care at the centre at all times.

- All areas used by children including eating and drinking utensils, equipment and toilets are well maintained and free of any hazards.
- Outdoor play areas including the removal of sharp and exposed nails and gang nail plates, maintenance of logs and platforms on forts to remove splinters and jagged edges, maintenance of equipment that is broken or has split plastic areas and the removal of dead trees. Movable play equipment must be located in areas that ensure the safety of children (adequate space and soft fall for children to land and play safely). Indoor play areas must be safe for children including the storage of equipment on shelves and eating areas must be clean for children to use.
- All areas must be free of pests.

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: Licensee overriding responsibility

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 60: **Dangerous places and items must be accessible to children**

- 48. The first aid cabinet mounted on the wall was not locked and accessible to children. It contained medications and 1st Aid supplies.
- 49. The storage shelving behind the large television had electrical cords and video equipment accessible to children. This area has large amount furniture stored to prevent children from accessing the shelving. This is poses a safety risk.
- 50. There was a lot of equipment stored on shelving, this was unstable and could pose a safety risk to children.
- 51. In the kitchen the chemical cupboards had broken safety latches enabling access to dangerous chemicals.

Outdoor play area

- 52. The level of sand in the pit was low at one end causing a considerable drop into the pit.

53. The sand pit covers were not completely removed from the sand pit but piled up against the partition fence. This does not allow sufficient airing and storage of the covers to maintain cleanliness.
54. Climbing frames and slides were positioned close to logs and other play equipment (swings) and pose a safety risk to children.

You are required to remedy the contravention by 27 March 2009.

The way in which the contravention may be remedied is ensuring children do not have access to any dangerous items at the centre.

All areas used by children must be safe, including the storage of equipment, the location of outdoor equipment and the level of sand in the sand pit.

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: Licensee overriding responsibility

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 50A: Storage of soiled items

At the time of the visit it was observed by the ECO's that soiled items were not stored in a way that prevents the spread of infection.

55. In the upstairs children's bathroom a soiled item was not stored separately; a pair of children's under wear was not stored adequately.

You are required to remedy the contravention by 27 March 2009.

The way in which the contravention may be remedied is ensuring staff are adequately storing soiled items to prevent the spread of infection.

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 73: Evidence of enrolment in a course of study

56. [s.73(1) - Not relevant to sco] (Group Leader) did not have a certified copy of evidence of enrolment in a Diploma course.
57. [s.73(1) - Not relevant to sco] commenced employment 23/10/08 and did not have evidence of enrolment in a course of study. [s.73(1) - Not relevant to sco] is outside the prescribed timeframe for enrolment in a course of study.

You are required to remedy the contravention by 27 March 2009

The way in which the contravention may be remedied is ensuring evidence of enrolment in a course of study is kept at the service.

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

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

58. [s.73(1) - Not relevant to sco] did not have evidence of a current positive prescribed notice or a copy of the application.

You are required to remedy the contravention by Friday 27 March 2009.

The way in which the contravention may be remedied is by ensuring evidence of a positive suitability notice or application for a suitability notice for each staff member is available at the service.

Please note that failure to rectify the matters contained in this notice may lead to further enforcement action including a 'show cause' which may result in the refusal of the renewal application.

12 March 2009

.....
Date of notice



Kay Beattie
A/Manager
Office for Early Childhood Education and Care
Ipswich 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.



7E
(07) 3280 1940
HD
Helen Brighthouse
Child Care

Office for
Early Childhood Education and Care

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

FILE COPY

File No/Ref No: 802444

25 February 2009

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

Office for Early Childhood Education and Care
Ipswich Service Centre
5-7 Wharf Street
Ipswich Queensland 4305
PO Box 516
Booval Queensland 4304
Telephone 3280 1940
Facsimile 3280 1692
Website www.communities.qld.gov.au
ABN 38 872 506 567

Dear Nominee

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

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: **Licensees overriding responsibility**
Section 85: **Licensee must keep records**
Section 89: **Programs**

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 10: **Specific requirements of program**
Section 13: **Giving information about program to parents and guardians**
Section 63: **Food and Nutrition**
Section 94: **Information to parents/guardians about care provided away from principal place of care**

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

- The programs displayed do not provide information for parents/guardians about indoor and outdoor activities available to children.

- The program available is not adequate to provide appropriate stimulation having regard to the ages of children being cared for at the centre.
- The equipment/facilities including tables and chairs are not adequate to meet the needs of the children in care.
- There was no menu displayed at the service to inform parents of the food being provided to the children.
- The excursion permission forms provided do not include all of the required information to be given to parents.

You are required to remedy the contravention by **16 March 2009**.

The way in which the contravention may be remedied is

- To ensure a program is on display for parents/guardians, that includes all activities programmed for the children.
- To ensure that the facilities are available and set up in order to provide an appropriate program having regards to the ages of children in care.
- To display a menu for parents at all times.
- To provide an updated permission form for excursions, which include all of relevant information required to be given to parents

26 February 2009

.....
Date of notice

.....


Kay Beattie
A/ Early Childhood Manager
Office for Early Childhood Education and Care
Ipswich Service Centre
.....

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.



7E
(07) 3280 1940
HD
Helen Doyle
Child Care

FILE COPY

Office for
Early Childhood Education and Care

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

File No/Ref No: 700522

23 February 2009

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

Dear Nominee

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

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: Licensees overriding responsibility

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 53: Other facilities

Section 60: Dangerous places and items must be inaccessible to children

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

A compliance issue identified in the compliance letter dated 22 January 2009 remains outstanding.

- In the Toddler playground, there is a gap between the bottom of the fence and the ground surface large enough for a child to pass through which leads to the car park.

You are required to remedy the contravention by **9 March 2009**.

The way in which the contravention may be remedied is

- To ensure the fencing is lowered in order to provide a safe and suitable environment.

23 February 2009

.....
Date of notice



Kay Beattie
A/Manager
Office for Early Childhood Education and Care
Ipswich 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.



7E
(07) 3280 1940
HD
Helen Doyle
Child Care

COPY

Office for
Early Childhood Education and Care

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

File No/Ref No: 700399

3 February 2009

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

Dear Nominee

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

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: Licensees overriding responsibility

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 57: Cleaning maintenance generally

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

Non-compliance issues identified in the compliance letter issued on the 31 October 2008 remain outstanding.

- Cracked tiles In the Pre-school bathroom;
- Dirt and grime on the floor/wall tiles in the children's bathrooms.
- In the Laundry; cracked splashback tiles, and a build up of grime and mould.
- In the Kitchen the linoleum is lifting and there is a build of dirt and grime.

- In the Playground;
 - Large areas of the playground surface are compacted dirt or sand and dirt.
 - The edge of the rubberised surface is lifting.
 - Rough and jagged concrete footings and surrounds are exposed.
 - The irrigation system box is protruding out of the ground.
 - Pavers surrounding the sand pit are uneven, broken exposing sharp edges.
 - Sleepers are splintering and coming apart exposing sharp screws.

You are required to remedy the contravention by **26 February 2009**.

The way in which the contravention may be remedied is:

- To ensure the wet areas in the bathrooms and laundry are sealed and impervious to water.
- To replace all cracked tiles in the bathrooms and laundry.
- To ensure all floor and wall surfaces are clean and unable to harbour mould.
- To secure the linoleum in the kitchen.
- To ensure the playground surfaces are safe for use while providing care.
- To secure the edge of the rubberised surface.
- To ensure all concrete and paved areas are fixed so no sharp edges are protruding.
- To ensure that all sleeper edging is not splintering and exposing sharp screws

3 February 2009

.....
Date of notice



Kay Beattie
A/Early Childhood Manager
Office for Early Childhood Education and Care
Ipswich 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.

(COMPLETED)



Queensland
Government

7E
(07) 3280 1940
HD
Helen Doyle
Child Care

Office for
Early Childhood Education and Care

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

File No/Ref No: 800888

30 January 2009

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

Dear Nominee

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

I, Ms Kay Beattie 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 of the *Child Care Act 2002* is as follows:

Section 75: Licensees overriding responsibility

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 57: Cleaning maintenance generally

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

Three compliance issues identified in the compliance letters issued on the 31 October 2008 and 12 December 2008 remain outstanding.

- In the Nursery playground, the wooden fence is still raised creating a gap between the bottom of the fence and the ground surface.

- In the large playground, the wooden box structure which houses a water pump is located next to a fence where there is a considerable drop onto a concrete footpath on the other side. There is no barrier around it preventing children from accessing it as the Director stated children do attempt to climb on the box.
- In the large playground, there are holes in the external wall of the building.

You are required to remedy the contravention by **20 February 2009**.

The way in which the contravention may be remedied is

- To ensure the centre fencing is maintained to provide a safe and suitable environment.
- To ensure that a barrier is located around the wooden box or the wooden box is removed to ensure the safety of all children in care.
- To ensure the holes in the walls are repaired. ✓

30 January 2009

.....
Date of notice


.....

Kay Beattie
A/Manager
Office for Early Childhood Education and Care
Ipswich 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.

FILE COPY

POSTED
6-5-08
KVB



Queensland
Government

Department of
Communities

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

File No/Ref No: 700522 / 7E

6 May 2008

Child Care Regulation
Ipswich Regional Service Centre
5-7 Wharf Street
Ipswich Queensland 4305
PO Box 516
Booval Queensland 4304
Telephone 3280 1940
Facsimile 3280 1692
Website
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.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 section of the *Child Care Act 2002* is as follows:

Section 75: Licensees overriding responsibility

Section 28: Suitability of child care centre and facilities

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 57: Cleaning and Maintenance

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

- Your letter of response dated 25 February 2008 for compliance letter dated 8 February 2008 indicated you would be completing ceiling repairs by 30 April 2008. An Authorised Officer visited the service on 2 May 2008 and noted the ceiling in the Toddler, Nursery and Kindy rooms had not been fixed.

You are required to remedy the contravention by 2 June 2008.

The way in which the contravention may be remedied is:

- To repair the damaged sections of the ceilings.

6 May 2008

.....
Date of notice



.....
Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Ipswich Office

.....
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.

FILE COPY



Queensland
Government

(07) 3280 1940
rw
Raey Wilson
Child Care

Department of
Communities

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

File No/Ref No: 700544/7E

19 December 2008

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*.

The relevant provision of the *Child Care Act 2002* is as follows:-

Section 75: Licensee's overriding responsibility

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

The relevant provisions of the *Child Care Regulation 2003* are as follows:-

Section 57: Cleaning and maintenance generally

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

1. The carpet in the School Age Care Room is torn and is a tripping hazard for children.
2. The hand wash basin in the children's bathroom is cracked.
3. A number of tiles through out the centre are broken. Cracked or in need of resealing.
4. The drains in the bathroom floors have sunk causing tiles to displace and are creating an uneven surface.

5. Paint is peeling off the walls and exposed plasters from damaged walls are visible through out the service. These walls are no longer sealed or impervious.

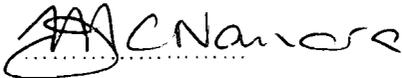
The way in which the contravention may be remedied is to:

1. Repair or replace the carpet in the School Age Care Room.
2. Replace the cracked hand wash basin located in the children's bathroom.
3. Replace the broken and cracked tiles through out the centre.
4. Repair the sunken tiles in the drain area of the floor in the children's bathroom.
5. Repair the peeling paint from the effected walls through out the service to ensure the walls are sealed and impervious.

You are required to remedy the contravention by 9 February 2009.

19 December 2008

.....
Date of notice


.....

Jodie McNamara
Manager
Child Care Regulation Team
Ipswich Service Centre
Moreton 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.

FILE COPY

RECEIVED
6/5/08
KLIS



Queensland
Government

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

Department of
Communities

File No/Ref No: 700829

1 May 2008

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

Child Care Regulation
Ipswich Regional Service Centre
5-7 Wharf Street
Ipswich Queensland 4305
PO Box 516
Booval Queensland 4304
Telephone 3280 1940
Facsimile 3280 1692
Website
www.communities.qld.gov.au
ABN 38 872 506 567

Dear s.73(1) - Not relevant

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 section of the *Child Care Act 2002* is as follows:

Section 75: Licensees overriding responsibility
Section 9: Guiding Principles

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 60: Dangerous places and items must be inaccessible to children.

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

- Your letter of response dated 28 March 2008 for a compliance letter dated 17th March 2008, indicated that the handy man had removed as much of the prickles in the 0 to 2 years playground as they could and the area would be monitored for any regrowth. An Authorised Officer visited the service on 23 April 2008 and noted large areas of prickles growing in the area.
- Your letter of response dated 28 March 2008 for a compliance letter dated 17th March 2008, indicated that three new outdoor mats have been ordered and would be delivered to the centre the next week. An Authorised Officer visited the service on 23 April 2008 and noted that the vinyl on the outdoor mats being used was torn. Foam was accessible to children therefore creating a safety hazard.



Faint text or stamp at the top right of the page.

You are required to remedy the contravention by 16 May 2008.

The way in which the contravention may be remedied is:

- To ensure the playground is free of prickles thus ensuring the safety of children and promoting their wellbeing.
- To replace or repair the vinyl outdoor mats ensuring foam is not accessible to children.

1 May 2008

.....
Date of notice

.....

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Ipswich Office

.....

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.

FILE COPY

POSTED
6-5-08
KLB



Queensland
Government

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

Department of
Communities

File No/Ref No: 700216 /7E

6 May 2008

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

Child Care Regulation
Ipswich Regional Service Centre
5-7 Wharf Street
Ipswich Queensland 4305
PO Box 516
Booval Queensland 4304
Telephone 3280 1940
Facsimile 3280 1692
Website
www.communities.qld.gov.au
ABN 38 872 506 567

Dear s.73(1) - Not relevant to

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*

The relevant provision of the *Child Care Act 2002* is as follows:

Section 28: Suitability of child care centre and facilities

Section 75: Licensees overriding responsibility

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 54: Cleaning maintenance generally

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

A visit was conducted by Authorised Officers on 29 April 2008 to monitor compliance matters identified in a compliance letter dated 4 April 2008.

- Authorised Officers noted that the outside toilet block although a cleaning checklist had been put in place and signed as being cleaned was still dirty.
- Authorised Officers noted that the frayed and worn rope monkey bars were still accessible to children. At the time of the visit Authorised Officers instructed the Director to ensure safety to children. Director attempted to remove rope swing but was unable to detach the "D" shackle. Director placed the rope swing over the bar so that it was inaccessible to children.

You are required to remedy the contravention by 16 May 2008.

2008

2008

The way in which the contravention may be remedied is:

- To ensure the bathroom is maintained in a clean and hygienic manner.
- To ensure the monkey bar is replaced or repaired.

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*

The relevant provision of the *Child Care Act 2002* is as follows:

Section 28: **Suitability of child care centre and facilities**

Section 143: **Compliance with Building Act for child care centre**

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

A visit was conducted by Authorised Officers on 29 April 2008 to monitor compliance matters identified in a compliance letter dated 4 April 2008.

- Authorised Officers noted that the service has only 4 child sized toilets. The service requires at least 1 child sized toilet for every 10 children of licensed capacity.

You are required to remedy the contravention by 16 June 2008.

The way in which the contravention may be remedied is:

- Ensure there are at least 1 child sized toilet for every 10 children of the licensed capacity of the service.

6 May 2008

.....
Date of notice


.....

Jodie McNamara
Manager
Child Care Regulation
Moreton Region
Ipswich Office
.....

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

POSTED
25/2/08
KLB



Queensland
Government

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

Department of
Communities

TO: [s.73(1) - Not relevant to scope of ap]

LICENCE DETAILS: [s.73(1) - Not relevant to scope of applic]

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 section of the *Child Care Act 2002* is as follows:

- Section 75 : Licensees overriding responsibility.
- Section 74 : Licensee must keep evidence of compliance with Commission for Children and Young People Act 2000.

The relevant provision of the *Child Care Regulation 2003* is as follows:

Section 52 : Hand washing facilities

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

The soap dispensers in the children's bathrooms although full of soap were not operational and therefore not accessible by children.

No evidence was available to indicate that [s.73(1) - Not relevant to sco] held a current positive suitability notice required to engage in providing childcare.

The way in which the contravention may be remedied is to repair or replace soap dispensers with something that is hygienic and able to be accessed by the children.

A certified current prescribed suitability notice is required to be held on premises for [s.73(1) - Not rel]

You are required to remedy the contravention by 14 March 2008.

25 February 2008
Date of notice

Manager
Child Care Regulation
Moreton Region
.....

FILE COPY

RECORDED
23/1/08
KLB

23 Jan 2008



Queensland
Government

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

Department of
Communities

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

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

The relevant provision of the *Child Care Act 2002* is as follows:-

Section 28: **Suitability of child care centre and facilities.**

Section 75: **Licensee's overriding responsibility.**

The relevant provisions of the *Child Care Regulation 2003* are as follows:-

Section 60: **Dangerous places and items must be inaccessible to children.**

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

The plant from the next door neighbour is still encroaching in to the playground area. This plant produces green berries and thorns. X

The way in which the contravention may be remedied is to include ongoing monitoring and be added to the centres playground safety checklist and the removal of the plant when it grows over the fence. X

Section 57: **Cleaning and maintenance generally.**

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

1. The small lounge chairs, used by the children, have exposed foam protruding from the chair covers. ✓
2. The door to the children's computer area does not completely close and is a safety risk to children X

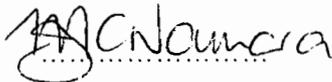
The way in which the contravention may be remedied is to:

1. Repair or replace the children's small lounge chairs. ✓
2. Fix the door to ensure the children's fingers can not be caught between the door and the door fixture ✕

You are required to remedy the contravention by 8 February 2008

23 January 2008

.....
Date of notice



Jodie McNamara
Manager
Child Care Regulation
Moreton 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.

eDocs	
Record Number:	128288
Date:	10/9/08
File Number:	i2/148/11493P1



**Queensland
Government**

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

Department of
Communities

File No. 801281.

9 September 2008

FILE COPY

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

Dear s.73(1) - Not relevant t

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

- I, Ruth McFie 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 the;

***Child Care Act 2002*, section 28, Suitability of child care centre and facilities.**

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

Authorised Officers determined that, during a visit conducted to the service on 24/07/08 there were large puddles of water in the children's outdoor play area. It was also noted that one of the drains was blocked creating a large pool of water in the children's outdoor play area. This matter was noted and raised with you in correspondence dated 28/07/08 in which a request was made for evidence that the outdoor play area was safe and suitable for children be forwarded to this Department. You responded to this correspondence in writing on 07/08/08 and stated that "maintenance has attended to the water in the children's outdoor play area".

Child Care Regulation Unit
Brendan Hansen Building
50-54 Main Street
Hervey Bay Queensland 4655
PO Box 1490
Hervey Bay Queensland 4655

Telephone: (07) 4125 9398
Facsimile: (07) 4125 9397
Website: www.communities.qld.gov.au
ABN: 38 872 506 567

A further visit made by an Authorised Officer on 04/09/08 determined that large puddles of water (approximately 8cm deep and in excess of 200cm wide in some areas) were again evident and that both drainage points were blocked creating large pools of water in the children's outdoor play area. This matter was noted and discussed in telephone correspondence with s.73(1) - Not relevant to sc on 08/09/08.

The way in which the contravention must be remedied is:

- The Licensee must provide the Department with written evidence that the abovementioned maintenance and safety issues have been tended to;
- The Licensee must provide the Department with written assurance that the facilities are safe and suitable for use as a child care centre;

You are required to remedy the contravention by providing a written response to the Department by 5pm on 1 October 2008.

Date of notice
9 September 2008



.....
Ruth McFie
Manager
Child Care Regulation Unit
Wide Bay Burnett 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*

File No. 801723C

10 October 2008

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

Dear s.73(1) - Not relev

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

- I, Ruth McFie, 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 the:

Child Care Act 2002, section 9, Guiding principles

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

During a visit to the service conducted on 08/01/08 to follow up on a complaint that was received by s.73(1) - Not relevant to scope of application on the 4 January 2008, an Authorised Officer observed that staff were unresponsive to the immediate emotional needs of children.

This matter was noted and raised with you in correspondence dated 09/01/08. You responded to this correspondence in writing on 21/01/08 and stated that "The Centre Director has conducted further staff training at a staff meeting held on 17 January 2008 on the Supervision and Behaviour management policies to ensure that children cared for..." and "The Centre Director has conducted further training with all staff to ensure that interactions between staff and children are positive and provided in a way that stimulates, nurtures and develops a child's social, emotional and intellectual development."

During a further visit to the service on 07/10/08 in response to a complaint received by [s.73(1)] on 19/09/08, an Authorised Officer observed the following:

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

- Upon arrival at the centre the Authorised Officer heard a child crying loudly;
- Upon entry into the 0-2 year old age group (Nursery 2) the Authorised Officer observed that [s.47(3)(b) - Contrary] 4 months of age, was crying and appeared to be distressed;
- [s.47(3)(b) - Contrary] had been propped up between a number of cushions and was falling / sinking sideways into the cushions;
- [s.73(1) - Not relevant to scope of application] Group Leader, and [s.73(1) - Not relevant to scope of application] Assistant, sat on the floor across the room from [s.47(3)(b) - Contrary]
- [s.73(1) - Not relevant to scope of application] and [s.73(1) - Not relevant to scope of application] were talking to each other and rocking 4 children in rockers; two of which were asleep;
- The staff members did not respond to [s.47(3)(b) - Contrary] emotional or physical needs and it was not until after the Authorised Officer identified the distressed child with the staff members that [s.73(1) - Not relevant to scope of application] picked [s.47(3)(b) - Contrary] up from the cushions.

The way in which the contravention may be remedied is:

- The Licensee must ensure that interactions with children are to be positive and provided in a way that stimulates, nurtures and develops a child's social, emotional and intellectual development;
- Written evidence must be provided to the Department detailing how the Licensee will ensure that interactions with children will be positive and provided in a way that stimulates, nurtures and develops a child's social, emotional and intellectual development at all times;
- The Licensee must provide written evidence to the Department of a Behaviour Management Training Plan detailing how existing *and* new staff will be trained, on a regular basis, to ensure that interactions with children are positive and provided in a way that stimulates, nurtures and develops a child's social, emotional and intellectual development;
- The Licensee must provided written evidence to the Department detailing how staff interactions and behaviour management strategies will be monitored to ensure that interactions with children are to be positive and provided in a way that stimulates, nurtures and develops a child's social, emotional and intellectual development.

You are required to remedy the contravention by providing a written response to the Department by **5pm on 26 October 2008**.

Date of notice
10 October 2008

.....

Ruth McFie
Manager
Child Care Regulation Team
Hervey Bay Regional Service Centre
Wide Bay Burnett 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 application

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

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

Ref No: 700145C

19 May 2008

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 Ruth McFie 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 *Child Care Act 2002* **section 28**.

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

Residents of the attached dwelling are continuing to access the licensed child care area via the front entrance.

On 25 March 2008 a compliance letter was issued to you. In your faxed response on 1 April 2008 you stated that you had contacted the real estate agent and would make further contact with the land lord of the attached dwelling. On 8 April 2008 this Department issued a further compliance letter to you requesting that you provide written evidence to this Department by 15 April 2008 that residents of the home were not accessing the licensed area. No response has been received.

You are required to remedy the contravention by **1 June 2008**.

Child Care Regulation Unit
Brendan Hansen Building
50-54 Main Street
Hervey Bay Queensland 4655
PO Box 1490
Hervey Bay Queensland 4655

Telephone: (07) 4125 9398
Facsimile: (07) 4125 9397
Website: www.communities.qld.gov.au

ABN: 38 872 506 567

The way in which the contravention may be remedied is: the residents of the attached dwelling may gain access to the residence through the rear entry which is located away from the licensed area.

19 May 2008

Date of notice

Ruth McFie
Manager
Hervey Bay Regional Service Centre
Wide Bay Burnett 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 application
--

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

File No/Ref No: 700145L

1 December 2008

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

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

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

I, Ruth McFie 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 of *Child Care Act 2002*.

The relevant provision is being or has been contravened in the following way: On 6 February 2008 an application for renewal of the licence was received, however further information was required to enable the renewal application to be decided. A letter was sent to you on 23 June 2008 requesting approved plans that show facilities – eg nappy change, toilets hand basins etc. Your response, received on 1 December 2008 did not include this information.

You are required to remedy the contravention by **25 December 2008**.

The way in which the contravention may be remedied is to provide plans that clearly show all facilities in the centre including toilets, hand washing facilities for children and staff, sluices, showers and nappy change facilities.

1 December 2008

Date of notice

.....
Ruth McFie
Manager
Child Care Regulation
Hervey Bay Regional Service Centre
Wide Bay Burnett 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.

CC:

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

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

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

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

- I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

***Child Care Act 2002*, section 28, Suitability of child care centre and facilities**

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the service had

- o Exposed tree stumps in the toddler outdoor play area.
- o The bark soft fall in the preschool outdoor play area was depleted.
- o The sand in the preschool sand pit was depleted.
- o The tyre arch in the preschool outdoor play area was not provided with soft fall.
- o The rubber soft fall under the swings in the pre kindy outdoor play area was hot to touch.

The way in which the contravention may be remedied is:

- o You are to provide evidence that the service facilities are safe and suitable for use by children.

Child Care Regulation Unit
Brendan Hansen Building
50-54 Main Street
Hervey Bay Queensland 4655
PO Box 1490
Hervey Bay Queensland 4655

Telephone: (07) 41259398
Facsimile: (07) 41259397
Website: www.communities.qld.gov.au
ABN: 38 872 506 567

Child Care Regulation 2003, Section 34A Display of notice about staffing.

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the service did not have current information about staffing on display.

The way in which the contravention may be remedied is:

- You are to provide evidence that current information about staffing is on display at the centre.

Child Care Regulation 2003, Section 39 Notice about rest pauses.

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the service did not have a notice about rest pause on display in the 3 to 5 year group or 15 month to 3 year group rooms.

The way in which the contravention may be remedied is:

- You are to provide evidence that rest pause information is on display at the centre.

Child Care Regulation 2003, Section 46 Bedding.

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the service did not provide enough bedding for each child within the licence capacity. 64 beds were available for the licence capacity of 74 children.

The way in which the contravention may be remedied is:

- A copy of centres equipment inventory is to be forwarded to this Department.

Child Care Regulation 2003, Section 50A Storage of soiled items.

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the service had not provided soiled item facilities in all toilet and nappy change areas.

The way in which the contravention may be remedied is:

- You are to provide evidence that soiled item facilities have been provided.

Child Care Regulation 2003, Section 53 Other Facilities.

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the service lacked appropriate equipment suitable for children attending the centre.

The way in which the contravention may be remedied is:

- Copy of centres equipment inventory is to be forwarded to this department.

Child Care Regulation 2003, Section 56 Health and hygiene practices.

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the service had

- Mops hung up to dry through the lattice in the preschool outdoor play area.
- The nappy bin in the 3 to 5 year toilet area was not provided with a lid.
- Equipment was stored in the shower area in the 15 month to 3 year, and 2 to 3 year group rooms.

The way in which the contravention may be remedied is:

- You are to provide evidence that the nappy bin is adequate to prevent the spread of infection from soiled items
- You are to provide evidence that an area for storage of mops is inaccessible to children.
- You are to provide evidence that staff are aware that hygiene areas are not to be used to store equipment.

Child Care Regulation 2003, Section 57 Cleaning and maintenance generally.

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

Authorised Officers determined that, during a visit conducted on 19/12/07 that the

- Nappy change mats in the 3 to 5 year and 2 to 3 year rooms were split.
- The plastic backings on the high chairs in the 0 to 15month and 15month to 3 year groups were split.
- The lid on the toilet cistern in the 15month to 3 year group did not seal properly, and the plumbing on the toilet leaked when flushed.
- A fence paling in the toddler outdoor play area was broken.
- The shapes in the artificial soft fall in the toddler outdoor were lifting.
- There was a large hole in the Perspex roofing in the toddler outdoor play area.
- Drain covers in the junior kindy outdoor play area were broken, and blocked by dirt.
- The clothes line in the junior kindy outdoor play area was broken.
- The insect screen in the 3 to 5 year room was torn.
- Cob webs and dirt were observed in the window tracks in the 3 to 5 year room.
- A small hole was in the wall in the 3 to 5 year room.
- Nails were exposed on the preschool outdoor timber play fort.
- The guttering on the veranda in the preschool outdoor play area was rusted and leaking.

The way in which the contravention may be remedied is:

- You are to provide evidence that the abovementioned compliance matters have been addressed.
- You are to provide evidence of maintenance policies and procedures.

The above mentioned matters were noted and raised with you in correspondence dated 20/12/07, and further phone correspondence on 5/2/08 in which a request was made for evidence that compliance matters had been addressed to be forwarded to this Department. No documentation has been received as at 27/02/08 by this office in relation to these compliance matters.

You are required to remedy the contraventions by providing a written response to the Department by **5.00pm on 7 March 2008**.

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
27 February 2008

.....
Ruth McFie
Manager
Child Care Regulation Unit
Wide Bay Burnett 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.

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

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

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

I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

***Child Care Act 2002*, section 28, Suitability of child care centre and facilities**

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

- Authorised Officers determined that, during a visit conducted on 02/12/08 the access door to the birth to 15 month outdoor play area had a step down which was approximately 25 cm high. This matter was noted and raised with you in correspondence dated 03/12/08 in which a request was made for evidence that indoor and outdoor areas are connected with an access that meets Australian standards and is safe and suitable for use by children be forwarded to this Department.

A further visit made by Authorised Officers on 19/12/08 determined that the access still has a step down which is approximately 25 cm high.

The way in which the contravention may be remedied is:

- Until planned work can be conducted written evidence that the current access route to the outdoor area is safe and suitable for use by children is to be forwarded to this Department.
- Licensee is to provide written evidence by 12 January 2009 that indoor and outdoor areas are connected with an access that meets Australian standards and is safe and suitable for use by children.

Child Care Act 2002, section 28, Suitability of child care centre and facilities

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

- Authorised Officers determined that, during a visit conducted on 02/12/08 the ground along the edge of the artificial grass surface and the grass area was eroded creating a divot which was approximately 40cm long, 20cm wide and 10 cm deep. The divot is located in a high traffic area and is causing a trip hazard. This matter was noted and raised with you in correspondence dated 03/12/08 in which a request was made for evidence that playground area is free from trip hazards and is safe and suitable for use by children

A further visit made by Authorised Officers on 19/12/08 determined that the ground is still eroded and is causing a trip hazard.

The way in which the contravention may be remedied is:

- You are to provide evidence that the area does not pose a trip hazard to children.

Child Care Act 2002, section 28, Suitability of child care centre and facilities

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

- Authorised Officers determined that, during a visit conducted on 02/12/08 the sand pit cover did not cover the entire sand pit area. The sand was observed to contain dirt, leaves and animal faeces. s.73(1) - Not relevant to s (Director) said the sand pit is currently out of order and children do not play in it. This matter was noted and raised with you in correspondence dated 03/12/08 in which a request was made for evidence that the sand pit is provided with a suitable ventilated cover to prevent contamination and does not pose a risk to children and is safe and suitable for use.

A further visit made by Authorised Officers on 19/12/08 determined that the sand pit cover still does not cover the entire sand pit area and the sand still appears to be dirty. s.73(1) - Not rele

s.73(1) (Director) said the sand pit is still out of order and children do not use it. Two children were observed (on three separate occasions) to be playing on the edge of the sand pit burying their toys. Staff did not prevent children from accessing the sand pit.

The way in which the contravention may be remedied is:

- You are to provide evidence that the area is inaccessible to children and does not pose a risk to children.

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 5 January 2009.**

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
22 December 2008

.....
Ruth McFie
Manager
Child Care Regulation Unit
Wide Bay Burnett Region

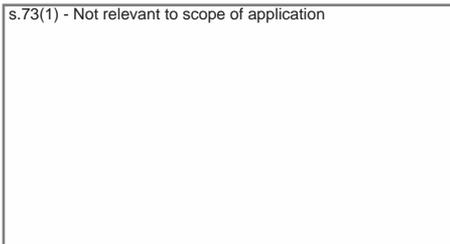
NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (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 application



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

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

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

- I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

Child Care Act 2002, section 28, Suitability of child care centre and facilities

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

Authorised Officers determined that, during a visit conducted on 01/07/09 two gates / barriers had been installed in the 2 ½ to 5 year room restricting access to the indoor area. This matter was noted and raised with you in correspondence dated 2/07/09 in which a request was made for evidence that the gates were safe and suitable for use in a child care centre and did not create a hazard to children and parents accessing the thoroughfare in the Kindy room. A response to correspondence was received by this Office on 17/07/09. The response did not provide evidence as requested. Correspondence with a new date to comply was issued by this office on 23/07/09. A response to correspondence was received by this Office on 07/08/09. The response did not provide evidence as requested.

The way in which the contravention may be remedied is:

- You are to provide evidence that gates provided are safe and suitable for use in a child care centre and do not create a hazard to children and parents accessing the thoroughfare in the Kindy room.

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 17 August 2009**.

No further extensions to timeframes will be granted due to the nature of this matter.

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
10 August 2009

.....
Ruth McFie
Early Childhood Manager
Hervey Bay Service Centre
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.

CC:

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

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

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

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

- I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

***Child Care Act 2002*, section 28, Suitability of child care centre and facilities**

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

Authorised Officers determined that, during a visit conducted on 14/01/09 an access ramp had been installed adjacent to the perimeter fence in the birth to fifteen month outdoor play area. The height from the top of the ramp to the top of the fence did not appear to be 1.2m. This matter was noted and raised with you in correspondence dated 15/01/09 in which a request was made for evidence that fencing not less than 1.2m high is provided around those parts of the centre where children are cared for. No documentation has been received as at 03/02/09 by this office in relation to this compliance matter. A further visit made by Authorised Officers on 03/02/09 determined that the fence still does not appear to be 1.2m high.

The way in which the contravention may be remedied is:

- o You are to provide evidence that fencing not less than 1.2m high is provided around those parts of the centre where children are cared for.

Authorised Officers determined that, during a visit conducted on 14/01/09 the access ramp appeared to be steep and may have posed a risk for children when using it to access the outdoor area. This matter was noted and raised with you in correspondence dated 15/01/09 in which a request was made for evidence that the ramp complied with Australian standards. A request was also made for policies and procedures surrounding the supervision of children while using the access ramp and while playing in the outdoor play area. No documentation has been received as at 03/02/09 by this office in relation to this compliance matter. A further visit made by Authorised Officers on 03/02/09 determined that the access ramp still appears to be steep.

The way in which the contravention may be remedied is:

- You are to provide written evidence from an authorised person that the access ramp meets Australian standards. You are also to provide a policy or procedure surrounding the supervision of children while using the access ramp and while playing in the outdoor play area where the ramp is located.

Child Care Act 2002, section 28, Suitability of child care centre and facilities.

And

Queensland Development Code, Part 22, Version one, A7.

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

Authorised Officers determined that, during a visit conducted on 08/07/08 children over the age of fifteen months were being cared for in the birth to fifteen months age group. This matter was noted and raised with you in correspondence dated 08/07/08 in which a request was made for evidence that children over the age of fifteen months were being cared for in an area with suitable facilities be forwarded to the Department. A further visit made by an Authorised Officer on 07/08/08 determined that children over the age of fifteen months were still being cared for in the birth to fifteen month group. This matter was noted and raised with you in correspondence dated 08/08/08 in which a request was made for evidence that children over the age of fifteen months were being cared for in an area with suitable facilities be forwarded to the Department. Evidence as requested was received by the Department on 15/08/08. A further visit made by Authorised Officers on 03/02/09 determined that there were 2 children over the age of fifteen months booked in to the birth to fifteen month group.

The way in which the contravention may be remedied is:

- You are to provide evidence that children over the age of fifteen months are not being cared for in the Nursery, birth to fifteen month group. Copies of each rooms attendance rolls which indicate the age of each child and the days they attend to be forwarded to this Office.

Child Care Act 2002, section 74, Licensee must keep evidence of compliance with the Commission for Children and Young People and Child Guardian Act 2000.

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

Authorised Officers determined that, during a visit conducted on 14/01/09 there was no evidence of certified copies of positive prescribed notices for s.73(1) - Not relevant and s.73(1) - Not relevant to s. This matter was noted and raised with you in correspondence dated 15/01/09 in which a request that the licensee keep certified copies of positive prescribed notices was made. No documentation has been received as at 03/02/09 by this office in relation to this compliance matter. A further visit made by Authorised Officers on 03/02/09 determined that certified copies of positive notices for s.73(1) - Not relevant and s.73(1) - Not relevant to were not available to be viewed.

The way in which the contravention may be remedied is:

- o You are to provide evidence that the licensee keeps certified copies of positive prescribed notices.

Child Care Regulation 2003, section 22, Caring for children in groups.

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

Authorised Officers determined that, during a visit conducted on 03/07/08 the total number of children in the 4-12year group exceeded the licence capacity of 23 children. This matter was noted and raised with you in correspondence dated 07/07/08 in which a request was made for evidence that that the number of children assigned to each group did not exceed the licence capacity of the room. Evidence as requested was received by this office on 14/07/08. A further visit made by Authorised Officers on 03/02/09 determined that there were 11 children present in the 2-3 year group which has a licence capacity of 10 children.

The way in which the contravention may be remedied is:

- o You are to provide evidence that the number of children booked into each age group does not exceed the licence capacity of the room they are assigned to.

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 27 February 2009.**

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
4 January 2009

.....
Ruth McFie
Early Childhood Manager
Hervey Bay Service Centre
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.

CC:

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

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

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

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

- I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

Child Care Act 2002, section 28, Suitability of child care centre and facilities.

And

Queensland Development Code, Part 22, Version one, A7.

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

Authorised Officers determined that, during a visit conducted on 08/07/08 children over the age of fifteen months were being cared for in the birth to fifteen months age group. This matter was noted and raised with you in correspondence dated 08/07/08 in which a request was made for evidence that children over the age of fifteen months were being cared for in an area with suitable facilities be forwarded to this Department. A further visit made by an Authorised Officer on 07/08/08 determined that children over the age of fifteen months were still being cared for in the birth to fifteen month group.

The way in which the contravention may be remedied is:

- You are to provide evidence that children over the age of fifteen months are not being cared for in the Nursery, birth to fifteen month group. Copies of each rooms attendance rolls which indicate the age of each child and the days they attend to be forwarded to the Department.

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 14 August 2008.**

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
8 August 2008

.....
Ruth McFie
Manager
Child Care Regulation Unit
Wide Bay Burnett Region

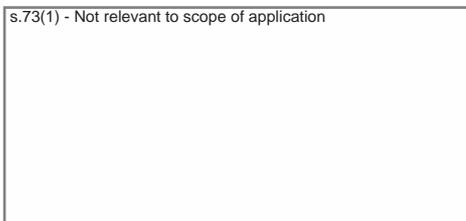
NOTE: Failure to comply with this notice is an offence unless you have a reasonable excuse. The maximum penalty for the offence is-

- (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 application



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

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

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

I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

***Child Care Act 2002*, section 28, Suitability of child care centre and facilities**

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

Authorised Officers determined that, during a visit conducted on 03/07/08 the ground beneath the artificial grass soft fall had sunk causing a trip hazard. This matter was noted and raised with you in correspondence dated 07/07/08 in which a request was made for evidence that the playground was safe and suitable for children be forwarded to this Department. A further visit made by an Authorised Officer on 23/07/08 determined that the ground was still sunken, causing a trip hazard. This matter was noted and raised with you in email correspondence on the 29/07/08, and further phone correspondence with s.73(1) - Not relevant on 29/07/08. No documentation has been received as at 01/01/08 by this office in relation to this compliance matter.

The way in which the contravention may be remedied is:

- o You are to provide evidence that the area does not pose a trip hazard to children.

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 15 August 2008.**

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
1 August 2008

.....
Ruth McFie
Manager
Child Care Regulation Unit
Wide Bay Burnett 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 application
--

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

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

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

- I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

***Child Care Act 2002*, section 28, Suitability of child care centre and facilities**

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

Authorised Officers determined that, during a visit conducted on 18/12/07 that the drain cover in the outdoor play area was not fitted correctly, causing a trip hazard. This matter was noted and raised with you in correspondence dated 18/12/07 in which a request was made for evidence that the outdoor play area is free from trip hazards be forwarded to this Department. A further visit made by Authorised Officers on 18/01/08 determined that the drain cover was still not fitted correctly. This matter was again noted and raised with you in correspondence dated 18/12/07, and further phone correspondence on 5/2/08. No documentation has been received as at 27/02/08 by this office in relation to this compliance matter.

Child Care Regulation Unit
Brendan Hansen Building
50-54 Main Street
Hervey Bay Queensland 4655
PO Box 1490
Hervey Bay Queensland 4655

Telephone: (07) 41259398
Facsimile: (07) 41259396
Website: www.communities.qld.gov.au
ABN: 38 872 506 567

The way in which the contravention may be remedied is:

- You are to provide evidence that the drain cover is fitted properly and no longer poses a trip hazard.
- You are to provide evidence of policies or procedures which address the regular checking of the service outdoor play area for trip hazards.

Authorised Officers determined that, during a visit conducted on 18/12/07 that children under the age of 2 ½ years were being cared for in an area which did not have suitable nappy change facilities. This matter was noted and raised with you in correspondence dated 18/12/07 in which a request was made for evidence that staff were aware that children under the age of 2 ½ years must be cared for in an area which has suitable nappy change facilities situated adjacent to the area be forwarded to this Department. This matter was also discussed through phone correspondence on 4/01/08. A further visit made by Authorised Officers on 18/01/08 determined that staff had been given incorrect information about nappy change facilities, and child staff ratios. This matter was noted and raised with you in correspondence dated 22/01/08, and further phone correspondence on 5/2/08. No documentation has been received as at 27/02/08 by this office in relation to this compliance matter.

The way in which the contravention may be remedied is:

- You are to provide evidence that staff are aware that children under the age of 2 ½ years must be cared for in an area which has suitable nappy change facilities situated adjacent to the area they are being cared for in.

Authorised Officers determined that, during a visit conducted on 18/12/07 that the ground beneath the artificial grass soft fall had sunk causing a trip hazard. This matter was noted and raised with you in correspondence dated 18/12/07 in which a request was made for evidence that the playground was safe and suitable for children be forwarded to this Department. This matter was also discussed through phone correspondence on 4/01/08. A further visit made by Authorised Officers on 18/01/08 determined that ground was still sunken, causing a trip hazard. This matter was noted and raised with you in correspondence dated 22/01/08, and further phone correspondence on 5/2/08. No documentation has been received as at 27/02/08 by this office in relation to this compliance matter.

The way in which the contravention may be remedied is:

- You are to provide evidence that the ground has been fixed and is no longer a trip hazard.

Authorised Officers determined that, during a visit conducted on 18/12/07 that the plumbing in the Preschool bathroom area was not maintained. The taps were missing tops and were not able to turn off properly. This matter was noted and raised with you in correspondence dated 18/12/07 in which a request was made for evidence that the plumbing work had been carried out be forwarded to this Department. This matter was also discussed through phone correspondence on 4/01/08. A further visit made by Authorised Officers on 18/01/08 determined that the plumbing works had not yet been carried out. This matter was noted and raised with you in phone correspondence on

5/2/08. No documentation has been received as at 27/02/08 by this office in relation to this compliance matter.

The way in which the contravention may be remedied is:

- You are to provide evidence that the plumbing work has been carried out and all plumbing is in working order.

Authorised Officers determined that, during a visit conducted on 18/01/08 the TV stand in the 3 to 5 year room was unstable. This matter was noted and raised with you in correspondence dated 22/01/08 in which a request was made for evidence that the TV stand was safe and suitable for use by children be forwarded to this Department, and further phone correspondence on 5/2/08. No documentation has been received as at 27/02/08 by this office in relation to this compliance matter.

The way in which the contravention may be remedied is:

- You are to provide evidence that the TV stand is safe and suitable for use by children.

Child Care Regulation 2003, Section 22 Caring for children in groups.

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

Authorised Officers determined that, during a visit conducted on 18/01/08 that staff had been informed of incorrect child staff ratios for school age care children. This matter was noted and raised with you in correspondence dated 22/01/08 in which a request was made for evidence that staff were aware of child staff ratios as per *Schedule 1 Child Care Regulation 2003* be forwarded to this Department, and further phone correspondence on 5/2/08. No documentation has been received as at 27/02/08 by this office in relation to this compliance matter.

The way in which the contravention may be remedied is:

- You are to provide evidence that staff are aware of the requirements of Schedule 1 of the *Child Care Regulation 2003*.

Child Care Regulation 2003, Section 60 Dangerous places and items must be Inaccessible to children

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

Authorised Officers determined that, during visits conducted on 18/01/08 electrical power outlets accessible to children were not fitted with child safety plugs. This matter was noted and raised with you in correspondence dated 22/01/08 in which a request was made for evidence that staff are aware that power point outlets accessible to children are required to be fitted with suitable covers when not in use be forwarded to this Department, and further phone correspondence on 5/2/08. No documentation has been received as at 27/02/08 by this office in relation to this compliance matter.

The way in which the contravention may be remedied is:

- You are to provide evidence that staff are aware that power outlets accessible to children must be fitted with power point covers when not in use.
- You are to provide evidence of policies and procedures used to check power point covers.

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 7 March 2008**.

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
27 February 2008

.....
Ruth McFie
Manager
Child Care Regulation Unit
Wide Bay Burnett 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.

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

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

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

- I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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.

***Child Care Act 2002*, section 74, Licensee must keep evidence of compliance with Commission for Children and Young People and Child Guardian Act 2000.**

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

Authorised Officers determined that, during a visit conducted on 28/03/08 no evidence of a current positive prescribed notice for [s.73(1) - Not relevant to scope of application] was available. This matter was noted and raised with you in correspondence dated 02/04/08 in which a request was made for evidence that [s.73(1) - Not relevant to scope of application] held a current positive prescribed notice.

A further visit conducted on 14/01/09 determined that no evidence of a certified copy of a current positive prescribed notice for [s.73(1) - Not relevant to scope of application] and [s.73(1) - Not relevant to scope of application] was available. This matter was noted and raised with you in correspondence dated 15/01/09 in which a request was made for evidence that certified copies of current positive prescribed notices are kept.

A further visit conducted on 03/02/09 determined that certified copies of positive notices for [s.73(1) - Not relevant to scope of application] and [s.73(1) - Not relevant to scope of application] were still not available to be viewed. This matter was noted and raised again with you in a compliance notice dated 04/02/09 in which a request was made for evidence that the licensee keeps certified copies of positive prescribed notices.

A further visit conducted on 11/08/09 determined that evidence of current positive prescribed notices for staff was not available to be viewed. This matter was noted and raised again with you in a compliance notice dated 14/08/09 in which a request was made for evidence that the licensee keeps certified copies of positive prescribed notices.

A further visit conducted on 01/09/09 determined that evidence of current positive prescribed notices for s.73(1) - Not relevant was not available to be viewed.

The way in which the contravention may be remedied is:

- Certified copy of a current positive prescribed notice or evidence of application for a positive prescribed notice for s.73(1) - Not relevant is to be made available for viewing at the centre.

Child Care Regulation 2003, section 56, Health and hygiene practices.

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

Authorised Officers determined that, during a visit conducted on 01/07/09 children were observed to wipe their hands on a pull down towel that had been on the floor and used by other children. A staff member was observed to pick the towel up off the floor and hook it back up on the towel dispenser. This matter was noted and raised with you in correspondence dated 02/07/09 in which a request was made for the licensee to provide written evidence that health and hygiene practices are maintained within the centre.

A further visit conducted on 11/08/09 determined that children were observed to wash their hands in the bathroom area and not dry them. Authorised officers determined that no paper towel was available for children to use. Also during this visit children were observed to be sharing food and drink bottles and playing with the flip top rubbish bin during lunch time. Staff were unaware that this was occurring. This matter was noted and raised with you in correspondence dated 14/08/09 in which a request was made for the Licensee to provide written evidence that health and hygiene practices are maintained within the centre

A further visit conducted on 01/09/09 determined that paper towel was not available for children to use in the 2 to 3 year Pre Kindy, 2 ½ to 5 year Kindy and 3 to 6 year Preschool bathroom areas.

The way in which the contravention may be remedied is:

- Licensee is to provide written evidence that health and hygiene practices are maintained within the centre. Evidence of staff awareness of health and hygiene practices to be forwarded to this Office.

Child Care Regulation 2003, section 57, Cleaning and maintenance generally.

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

Authorised Officers determined that, during a visit conducted on 03/07/08 the timber fence in the outdoor play ground had loose palings, leaving gaps in the fence. This matter was noted and raised with you in correspondence dated 07/07/08 in which a request was made for the licensee to ensure the building and facilities were maintained regularly.

A further visit conducted on 01/09/09 determined that the timber fence in the outdoor play ground had a paling missing, leaving a gap in the fence.

The way in which the contravention may be remedied is:

- Licensee is to provide written evidence that the centre and facilities are kept in good repair. Procedures for monitoring the maintenance of the centre to be forwarded to this Office.

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 17 September 2009.**

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
02 September 2009

.....
Ruth McFie
Early Childhood Manager
Hervey Bay Service Centre
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.

CC:

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

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

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

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

- I, *Ruth McFie*, an authorised officer under the *Child Care Act 2002*, 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 the;

***Child Care Act 2002*, section 66, First aid training.**

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

Authorised Officers determined that, during a visit conducted on 28/03/08 no evidence of CPR competency for the centre bus driver s.73(1) - Not relevant to was available and the staff roster for week ending 28/03/08 did not indicate that at least one staff member with the prescribed first aid competency was present at the centre at all times that child care was being provided. This matter was noted and raised with you in correspondence dated 02/04/08 in which a request was made for evidence that s.73(1) - Not relevant to held a current CPR certificate and that a staff member with current first aid competency was present at the centre whenever child care was being provided.

A further visit conducted on 13/05/09 determined that the staff roster, week ending 17/05/09 did not indicate that at least one staff member with the prescribed first aid competency was present at the centre. This matter was noted and raised with you in correspondence dated 14/05/09 in which a request again was made for evidence that a staff member with current first aid competency was present at the centre whenever child care was being provided.

A further visit conducted on 11/08/09 determined that evidence of current first aid competencies for staff was not available to be viewed.

The way in which the contravention may be remedied is:

- Certified copies of current first aid competencies for all staff is to be made available for viewing at the centre.
- You are to provide evidence that a staff member with current first aid competency is present at the centre whenever child care is being provided.

Child Care Act 2002, section 72, Evidence of staff qualifications and competencies.

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

Authorised Officers determined that, during a visit conducted on 28/03/08 no evidence of a qualification or competency for assistant [s.73(1) - Not relevant to scope] was available. This matter was noted and raised with you in correspondence dated 02/04/08 in which a request was made for evidence of completion of a qualification or competency for [s.73(1) - Not relevant to scope]

A further visit conducted on 11/08/09 determined that evidence of qualifications or competencies for staff was not available to be viewed.

The way in which the contravention may be remedied is:

- Certified copies of qualifications or competencies for all staff are to be made available for viewing at the centre.

Child Care Act 2002, section 74, Licensee must keep evidence of compliance with Commission for Children and Young People and Child Guardian Act 2000.

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

Authorised Officers determined that, during a visit conducted on 28/03/08 no evidence of a current positive prescribed notice for [s.73(1) - Not relevant to scope] was available. This matter was noted and raised with you in correspondence dated 02/04/08 in which a request was made for evidence that [s.73(1) - Not relevant to scope] held a current positive prescribed notice.

A further visit conducted on 14/01/09 determined that no evidence of a certified copy of a current positive prescribed notice for [s.73(1) - Not relevant] and [s.73(1) - Not relevant to scope] was available. This matter was noted and raised with you in correspondence dated 15/01/09 in which a request was made for evidence that certified copies of current positive prescribed notices are kept.

A further visit conducted on 03/02/09 determined that certified copies of positive notices for [s.73(1) - Not relevant] and [s.73(1) - Not relevant to scope] were still not available to be viewed. This matter was noted and raised again with you in a compliance notice dated 04/02/09 in which a request was made for evidence that the licensee keeps certified copies of positive prescribed notices.

A further visit conducted on 11/08/09 determined that evidence of current positive prescribed notices for staff was not available to be viewed.

The way in which the contravention may be remedied is:

- Certified copies of current positive prescribed notices for all staff to be made available for viewing at the centre.

Child Care Regulation 2003, section 34A, Display of notice about staffing.

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

Authorised Officers determined that, during a visit conducted on 03/07/08 information about staffing on display was not current information. This matter was noted and raised with you in correspondence dated 07/07/08 in which a request was made for the licensee to display in an area accessible to parents and guardians current information about staffing.

A further visit conducted on 11/08/09 determined that information about staffing on display was not current information.

The way in which the contravention may be remedied is:

- Licensee must display in an area accessible to parents and guardians, current information about staffing.

Child Care Regulation 2003, section 56, Health and hygiene practices.

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

Authorised Officers determined that, during a visit conducted on 01/07/09 children were observed to wipe their hands on a pull down towel that had been on the floor and used by other children. A staff member was observed to pick the towel up off the floor and hook it back up on the towel dispenser. This matter was noted and raised with you in correspondence dated 02/07/09 in which a request was made for the licensee to provide written evidence that health and hygiene practices are maintained within the centre.

A further visit conducted on 11/08/09 determined that children were observed to wash their hands in the bathroom area and not dry them. Authorised officers determined that no paper towel was available for children to use. Also during this visit children were observed to be sharing food and drink bottles and playing with the flip top rubbish bin during lunch time. Staff were unaware that this was occurring.

The way in which the contravention may be remedied is:

- Licensee is to provide written evidence that health and hygiene practices are maintained within the centre. Copies of centre health and hygiene policies and hand washing procedures to be forwarded to this Office.

Child Care Regulation 2003, section 57, Cleaning and maintenance generally.

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

Authorised Officers determined that, during a visit conducted on 03/03/09 the screen door that lead into the toilet / nappy change area in the toddler room did not latch. Children were observed to be sliding the screen door open and closed. This matter was noted and raised with you in correspondence dated 05/03/09 in which a request was made for the

licensee to ensure the child care centre and facilities are kept in good repair and to provide evidence that the screen door did not pose a risk to children.

A further visit conducted on 11/08/09 determined that the screen door latch in the toddler room was broken and children were able to slide the screen door open and closed.

The way in which the contravention may be remedied is:

- Licensee is to provide written evidence that the centre and facilities are kept in good repair. Procedures for monitoring the maintenance of the centre to be forwarded to this Office.

Child Care Regulation 2003, section 60, Dangerous places and items must be inaccessible to children.

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

Authorised Officers determined that, during a visit conducted on 11/03/08 chemicals were stored in an unlocked laundry area which was accessible to children. This matter was noted and raised with you in correspondence dated 11/03/08 in which a request was made for evidence that chemicals are stored in an area which is inaccessible to children.

A further visit conducted on 28/03/08 determined that chemicals were stored in an unlocked laundry area which was accessible to children. This matter was noted and raised with you in correspondence dated 02/04/08 in which you were informed that s.73(1) - Not relevant to acting director, was instructed to lock the laundry door to make it inaccessible to children at the time of visit.

A further visit conducted on 19/12/08 determined that the laundry/ chemical storage area was unlocked and accessible to children. This matter was noted and raised with you in correspondence dated 19/12/08 in which you were informed that s.73(1) - Not relevant to s director, was instructed to lock the laundry door to make it inaccessible to children at the time of visit.

A further visit conducted on 01/07/09 determined that the laundry and staff toilet doors were left open after use by the school age children making the area accessible to children. This matter was noted and raised with you in correspondence dated 02/07/09 in which a request that the Licensee provide evidence that staff are aware that the laundry door is to remain locked when the area is not in use.

A further visit conducted on 11/08/09 determined that the laundry door was left open while a staff member used the staff toilet area. The laundry was accessible to children. During the same visit authorised officers also observed open boxes of supplies containing Glen 20, gumption and thumb tacks stored on the floor in the 2 ½ to 5 year indoor play area. The open boxes were accessible to children.

The way in which the contravention may be remedied is:

- Licensee to provide evidence that dangerous places and items are inaccessible to children.
- A procedure surrounding the use of staff toilet area while ensuring the laundry area remains inaccessible to children is to be forwarded to this Office.

Child Care Regulation 2003, section 102(g), Other information – centre based service, & section 23, Inclusion of a child of a different age.

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

Authorised Officers determined that, during a visit conducted on 26/05/09 there was no evidence of an imputed age record for [s.47(3)(b) - Contrary to the] age 2 yr 11 months enrolled in the 3 to 5 year Kindy group. This matter was noted and raised with you in correspondence dated 27/05/09 in which a request was made for the licensee to provide a copy of the imputed age record for [s.47(3)(b) - Contrary to the]

A further visit conducted on 11/08/09 determined that there was no evidence of an imputed age record for [s.47(3)(b) - Contrary to the Public Inter] age 1 yr 11 months enrolled in the 2 to 3 year pre Kindy group, [s.47(3)(b) - Contrary to the Pu] age 2yrs 5 months enrolled in the 2 ½ to 5 year Kindy group, [s.47(3)(b) - C] [s.47(3)(b) - Con] age 2yrs 5 months enrolled in the 2 ½ to 5 year Kindy group and [s.47(3)(b) - Contrary to the P] age 2yrs 5 months enrolled in the 2 ½ to 5 year Kindy group.

The way in which the contravention may be remedied is:

- Licensee to provide a copy of the imputed age record for [s.47(3)(b) - Contrary to the Public Interest Information] [s.47(3)(b) - Contrary to the Public Interest Inform] and [s.47(3)(b) - Contrary to the P]

You are required to remedy the contraventions by providing a written response no later than **5.00pm on 31 August 2009.**

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of Notice
14 August 2009

.....
Ruth McFie
Early Childhood Manager
Hervey Bay Service Centre
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.

CC:

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

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

File No. 700906C

5 February 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, Ruth McFie 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;

Child Care Act 2002, section 28, Suitability of child care centre and facilities

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

Authorised Officers determined that, during a visit conducted on **26/11/08** the:

- Soft-fall appeared to be depleted throughout the designated soft-fall areas;
- The lining beneath the soft-fall was exposed in some areas;

These matters were noted and raised with you in correspondence dated **01/12/08** in which a request was made by this department that written evidence was required that the facilities used in the course of the service were safe and suitable for use in providing care under the licence, be provided to this Office.

You responded to this correspondence in writing on **19/12/08** and stated that

- "This will be repaired and soft fall replenished 20.12.08."

A further visit made by Authorised Officers on **03/02/09** determined that the soft fall area has not been tended to.

The way in which the contravention may be remedied is:

- You are to provide evidence to the Office that the centre and facilities used in the course of the service are safe and suitable for use in providing child care.

You are required to remedy the contraventions by providing a written response no later than **5.00pm** on **23 February 2009**.

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of notice
5 February 2009

.....
Ruth McFie
Early Childhood Manager
Hervey Bay 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 2002*

File No. 801014C

30 January 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, Ruth McFie 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;

***Child Care Act 2002*, section 28, Suitability of child care centre and facilities**

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

Authorised Officers determined that, during a visit conducted on **15/10/08** the:

- Wooden fort structure in the outdoor play area appeared to be worn and splintered in areas accessible to children;
- Roof of the wooden fort structure appeared to be lifting, exposing nails in one area;
- Wooden sleepers surrounding the soft fall area appeared to be worn and splintered;
- The soft fall surrounding the wooden fort area appeared to be depleted.

These matters were noted and raised with you in correspondence dated **27/10/08** in which a request was made by this department that written evidence was required that the centre and other facilities used in the course of the service were safe and suitable for use by children, be forwarded to this Office.

You responded to this correspondence in writing on **20/11/08** and stated that

- "A work order has been placed for the wooden fort to be repaired or removed depending on advice from QMS."
- "A work order has been placed with QMS."
- "A work order has been placed with QMS for this [the soft fall] to be replenished."

A further visit made by Authorised Officers on **28/01/09** determined that the outdoor play facilities including the wooden fort and softfall, have not been tended to.

The way in which the contravention may be remedied is:

- You are to provide evidence to the Office that the centre and facilities used in the course of the service are safe and suitable for use in providing child care.

You are required to remedy the contraventions by providing a written response no later than **5.00pm** on **23 February** 2009.

Authorised Officers will continue to conduct announced and unannounced visits to confirm compliance with all the requirements of the legislation.

Date of notice
30 January 2009

.....
Ruth McFie
Early Childhood Manager
Hervey Bay 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 2002*

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

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

Dear s.73(1) - Not relevant to

I, Ruth McFie 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 28, Suitability of child care centre and facilities.**

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

Authorised Officers determined that, during a visit conducted on 19/11/08 there was insufficient soft fall (1 mat) surrounding children's climbing equipment (that exceeded 50cm) in the outdoor play area. This matter was noted and raised with you in correspondence dated 24/11/08 in which a request was made for evidence to be forwarded to this office that the facilities were safe and suitable for children. A further visit made by an Authorised Officer on 20/04/08 determined that there was again insufficient soft fall surrounding children's climbing equipment (that exceeded 50cm) in the outdoor play area. Staff members advised the Authorised Officer that there was still no other soft fall available for use at the centre.

Office for Early Childhood Education
and Care
Brendan Hansen Building
50-54 Main Street
Hervey Bay Queensland 4655
PO Box 1490
Hervey Bay Queensland 4655

Telephone: (07) 4125 9379
Facsimile: (07) 4125 9396
Website: www.communities.qld.gov.au
ABN: 76 337 613 647

The way in which the contravention may be remedied is:

- You must ensure that adequate soft fall is provided for all outdoor playground equipment with a fall height exceeding 50cm;
- You must ensure that all facilities are safe and suitable for children's use.

You are required to remedy the contravention by providing a written response to the Office by **5:00pm on 13 May 2009**.

Date of notice
24 April 2009

Ruth McFie
Early Childhood Manager
Hervey Bay 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 2002*

File No/Ref No: 700862

19 February 2009

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, Ruth McFie 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:

***Child Care Act 2002* s28, Suitability of child care centre and facilities**

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

An Authorised Officer determined that, during a visit conducted on 4 December 2008 that the Nursery sand pit had exposed and frayed weed matting around the edge of it which was accessible to the children. The sand pit also contained pieces of weed matting that had separated as well as a large amount of soft fall bark. This matter was noted and raised with you in correspondence dated 12 December 2008. A request was made in this correspondence for written evidence that the play medium in the sand pit area was clean and free from toxic and other deleterious materials, including particles that could pose a choking hazard, be forwarded to this Office.

Office for Early Childhood Education
and Care
Brendan Hansen Building
50-54 Main Street
Hervey Bay Queensland 4655
PO Box 1490
Hervey Bay Queensland 4655

Telephone: (07) 4125 9379
Facsimile: (07) 4125 9396
Website: www.communities.qld.gov.au
ABN: 38 872 506 567

An email received by this Office on the 05 January 2009 from [s.73(1) - Not relevant] states that 'The director from the service is currently obtaining quotes to have the sand pit completely emptied and refilled. This will be completed by the 19.01.09.' A further visit made by an Authorised Officer on 16 February 2009 determined that this matter has not been addressed.

The way in which the contravention may be remedied is to provide this Office with written evidence that the Nursery sand pit is safe and suitable for use for children under the age of 2 years and that the play medium in the sand pit area is clean and free from toxic and other deleterious materials, and any particles that could pose a choking hazard.

You are required to remedy the contravention by providing a written response no later **5pm on 23 March 2009**.

Child Care Act 2002 s74, Licensee must keep evidence of compliance with the Commission for Children and Young People and Child Guardian Act 2002.

An Authorised Officer determined that, during a visit conducted on 4 December 2008 that the service did not have certified copies of suitability notices (Blue Card) for the following staff members: [s.73(1) - Not relevant to scope] [s.73(1) - Not relevant to scope] [s.73(1) - Not relevant to scope] and [s.73(1) - Not relevant to scope]

[s.73(1) - Not relevant to scope] An email received by this Office on the 05 January 2009 from [s.73(1) - Not relevant to scope] states that 'All copies of suitability notices for the staff noted are on file and have been certified.' A further visit made by an Authorised Officer on 16 February 2009 determined that there were no certified copies of Suitability Notices (Blue Card) for [s.73(1) - Not relevant to scope] [s.73(1) - Not relevant to scope] and [s.73(1) - Not relevant to scope] on file at the service.

The way in which the contravention may be remedied is to provide written evidence to this Office that the Licensee has a certified copy of a current positive suitability notice (Blue Card) for the above mentioned staff members.

You are required to remedy the contravention by providing a written response no later **5pm on 2 March 2009**.

Date of notice
19 February 2009

Ruth McFie
Early Childhood Manager
Hervey Bay Service Centre
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.

CC:

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

FIRST NOTICE

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

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

File No: 700395C

19 June 2008

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, Ruth McFie 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 one.

	Performance Criteria	Compliance Matter	Action Required	Due Date
1.	A1 (e) (h) Accessibility. A child care centre, other than a school age care service, is provided with access and barriers in accordance with the following:	The timber fence has loose palings, and gaps that provide foot holes for children. The fence splinters when touched.	Evidence that the timber perimeter fence is compliant with the Queensland Development Code (MP5.4: Child Care Centres) Version one to be forwarded to the Department.	11 July 2008

<p>(e) Fencing not less than 1.2m high complying with AS 1926.1-1993, is provided around those parts of a centre where children are cared for, including all buildings and grounds accessible to children.</p> <p>(h) The centre is fenced to inhibit unauthorized access by children to any serious hazards such as water bodies and roads that are adjacent to the site, to a standard no less than that required for a swimming pool under clause (g).</p>			
---	--	--	--

You are required to comply with the provision by 11 July 2008.

19 June 2008

.....
Date of notice

.....
Ruth McFie
Manager
Child Care Regulation Team
Wide Bay Burnett Region
.....

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

Ref No: 720083C

20 August 2008

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, Ruth McFie 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 74
Licensee must keep evidence of compliance with *Commission for Children and Young People and Child Guardian Act 2000*.

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

An Authorised Officer determined that, during a visit conducted to the service on 31 March 2008 that an application had not been made for a prescribed notice for the coordinator s.73(1) - Not relevant to scope

The matter was noted and raised with you in correspondence dated 7 April 2008.

A further visit was made by an Authorised Officer on 18 August 2008 and it was determined that there was no evidence of a current positive prescribed notice or an application for a prescribed notice for the coordinator s.73(1) - Not relevant

The way in which the contravention may be remedied is to make an immediate application for a positive prescribed notice for s.73(1) - Not relevant to the Commission for Children and Young People and Child Guardian.

You are required to remedy the contravention by providing a written response that includes a certified copy of an application for a current positive prescribed notice for the coordinator s.73(1) - Not relevant no later than **5.00pm on 4 September 2008**

20 August 2008
Date of notice

Ruth McFie
Manager
Hervey Bay Regional Centre
Wide Bay Burnett 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) 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: 720083

30 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, Ruth McFie 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 29, Suitability of homes and facilities**

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

Authorised Officers determined that, during visits conducted on 5/11/07 to:

- carer s.73(1) - Not relevant at s.73(1) - Not relevant to scope of application, that the play area was inadequately fenced.
- carer s.73(1) - Not relevant to scope of ap at s.73(1) - Not relevant to scope of application that the outdoor play area contained a ride on mower, whipper snipper, aerosol sprays, round-up, engine oils, metal shavings and a variety of unknown liquids in containers accessible to children.

The matter was noted and raised with you in correspondence date 12/11/07.

Further visits made by Authorised Officers on 21/7/08 to:

- carer [s.73(1) - Not relevant to scope of application] determined that the outdoor play area contained a motor mower, petrol, oils and other substances. The gates on the verandah stairs were opened allowing children access to the stairs.
- carer [s.73(1) - Not relevant to scope of application] at [s.73(1) - Not relevant to scope of application] identified a mower, petrol and dangerous items in two outdoor sheds. The doors to the sheds were opened and accessible to children. The back yard of the premises was inadequately fenced. The Authorised Officer also identified that the double front gate was opened to the street and at one time during the visit the front door was left opened and children accessed the front yard unsupervised.

The way in which the contravention may be remedied is:

ensure that the outdoor play areas of carers homes are safe and adequately fenced, that dangerous places and items are inaccessible to children at all times, and stair cases are inaccessible to children in accordance with the scheme's policies and checklists.

You are required to remedy the contraventions by providing a written response that includes confirmation that all matters identified have been addressed; no later than **5.00pm on 15 August 2008**.

30 July 2008
Date of notice

Ruth McFie
Manager
Hervey Bay Regional Centre
Wide Bay Burnett 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.

CC:

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

RTI REQUEST- Compliance letters 2008- 2009

Service centre	Total number of compliance letters in 2008	Total number of compliance letters in 2009 as at 22 September 2009
Mt Gravatt / Bayside	485	418
Windsor/ Strathpine	210	137
Cairns/Atherton	97	53
Townsville/Mt Isa	156	105
Rockhampton	13	8
Hervey Bay	141	127
Maroochydore/ Caboolture	136	87
Ipswich/ Logan	531	359
Gold Coast	306	318
Toowoomba	212	154
Mackay	129	98
TOTAL	2416	1864

There is no legislative requirement under the *Child Care Act 2002* to issue a compliance letter. A compliance letter ensures that a licensee is aware of the breach and has an opportunity to resolve it without the need to take action under the legislation. If the matter remains unresolved, the option of issuing a compliance notice under the *Child Care Act 2002* remains.

RTI REQUEST- Compliance notices 2008- 2009

Service centre	Total number of compliance notices in 2008	Total number of compliance notices in 2009 as at 22 September 2009
Mt Gravatt / Bayside	5	1
Windsor/ Strathpine	2	5
Cairns/Atherton	3	8
Townsville/Mt Isa	17	4
Rockhampton	5	Nil
Hervey Bay	13	6
Maroochydore/ Caboolture	3	Nil
Ipswich/ Logan	19	18
Gold Coast	2	2
Toowoomba	Nil	Nil
Mackay	1	1
TOTAL	70	45

A compliance notice is issued under section 142 or 143 of the *Child Care Act 2002* for a contravention of the Act. It is usually preceded by a compliance letter which gives the licensee an opportunity to resolve a contravention without the need to issue a notice.