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Our ref: C/2013/6776

Contact: Steve Kinmond

Telephone: (02) REDACTED

13 March 2014

Original placed in  
mail on 13 March 2014  
with 2 statements &  
complaint attached.

Ms Ruth Callaghan  
General Manager  
Early Childhood Education & Care Directorate  
Locked Bag 5107  
PARRAMATTA NSW 2124

By email: REDACTED

Dear Ms Callaghan

Complaint received by NSW Ombudsman from <sup>CDN</sup> [REDACTED] and <sup>CDP</sup> [REDACTED]

On 10 September 2013 this office received a written complaint from <sup>CDN</sup> [REDACTED] and <sup>CDP</sup> [REDACTED], <sup>CDN</sup> [REDACTED] and <sup>CDP</sup> [REDACTED] raised concerns regarding the reportable conduct investigation conducted by <sup>CEG</sup> [REDACTED] into sexual misconduct allegations made against <sup>CDM</sup> [REDACTED] by a number of children attending the centre. Representatives from this office have met with both <sup>CDN</sup> [REDACTED] and <sup>CDP</sup> [REDACTED] and we are in the process of finalising our response to their complaint

<sup>CHD</sup> [REDACTED]'s suitability to be a child care centre licensee

Information received by our office raises issues relating to <sup>CHD</sup> [REDACTED], prior licensee of <sup>CEG</sup> [REDACTED]

I have attached a copy of two statements given by a previous employee of <sup>CEG</sup> [REDACTED] <sup>REDACTED</sup>. The employee has confirmed that these statements accurately reflect the running of <sup>CEG</sup> [REDACTED] in 2010.

I am providing the attached information to the Early Childhood Education & Care Directorate under Chapter 16A of the *Children and Young Persons (Care and Protection) Act 1998*. I believe the attached information would assist you to:

- (a) make any decision, assessment or plan or to initiate or conduct any investigation, or to provide any service, relating to the safety, welfare or well-being of a class of children or young persons, or
- (b) manage any risk to a class of children or young persons that might arise in the recipient's capacity as an employer or designated agency.

You may wish to take the attached statements into account when making future licensing or regulatory decisions in relation to <sup>CHD</sup> [REDACTED].

CDN [REDACTED]'s correspondence to FaCS Licensing in October 2012

The complaint made by CDN [REDACTED] and CDP [REDACTED] also alleges a lack of response from FaCS Licensing regarding a complaint forwarded to that department by CDP [REDACTED] in October 2012. At that time FaCS was the licensing body for NSW child care centres. CDP [REDACTED] claims that her complaint was not acknowledged or referred to the appropriate department. A copy of CDP [REDACTED]'s complaint to FaCS Licensing of 24 October 2012 is attached. REDACTED

From the information provided it would appear that CDP [REDACTED] had written to Karen Gleeson of FaCS Licensing on 24 October 2012. As Ms Gleeson is now a Principal Investigator with the Directorate and the responsibility of child care centre licensing has been moved from FaCS to the Directorate, we are referring this aspect of CDP [REDACTED]'s complaint directly to you for your response. I ask that the Directorate respond directly to CDP [REDACTED] by phone on REDACTED REDACTED or via email on REDACTED and advise her about the action taken on receipt of her complaint. REDACTED

I would be grateful if you would provide confirmation of receipt of this correspondence.

Thank you for your attention to this matter. Should you have any questions please contact me on REDACTED

Yours sincerely



Steve Kinmond  
Deputy Ombudsman