

**ANNEXURE "23" OF THE STATEMENT OF RUTH CALLAGHAN DATED 18 OCTOBER 2013**

Witness: \_\_\_\_\_

Signature: \_\_\_\_\_

Ruth Callaghan



SERVICE APPROVAL ID: SE-00012031

Mr Liam Whitley  
YMCA of Sydney  
PO Box 685  
Revesby NSW 2212

Dear Sir,

**YMCA Caringbah Out of School Hours Care,  
located at 468a Port Hacking Road, Caringbah South NSW 2229**

**Findings of an investigation.**

On 30<sup>th</sup> May 2013, authorised officer Michelle Dodson attended YMCA Caringbah Out of School Hours Care to conduct an inspection of the service.

The authorised officer identified a number of matters which did not comply with the provisions of the *Education and Care Services National Law Act 2010* (the National Law) and/or the *Education and Care Services National Regulations 2011* (the National Regulations).

These aspects are referred to in this letter as 'non-compliance matters'.

A table is attached (Attachment A) which sets out:

- Non-compliance matters observed during the inspection
- Relevant provisions of the National Law and/or National Regulations relating to the non-compliance matters

The column in the table "Action Taken by Service" provides the place for you to record the action you have taken in relation to each non-compliance matter. Where possible, please attach evidence which shows that the non-compliance matter has been rectified, for example, photocopies of:

- Staff rosters;
- Staff qualifications;
- Records of purchase of equipment or payment for work;
- Photographs

The declaration at the end of the table must be signed by the approved provider (or person with management and control) and the nominated supervisor of the service. Please ensure that a copy of the completed table is returned to this office

within 14 days of receiving this letter. This document will be added to the Department's records for this education and care service.

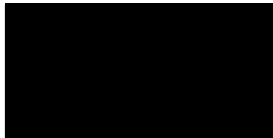
Should the matters not be addressed, compliance action may be commenced.

As the approved provider, it is your responsibility to ensure that YMCA Caringbah Out of School Hours Care meets the requirements of the National Law and Regulations at all times. The service's overall level of compliance, including the prompt rectification of non-compliance matters, will be considered by the Department in future compliance and assessment activities, and the processing of future applications.

Further unannounced inspections of the education and care service may be conducted at any time.

Should you have any questions about this letter, please contact Michelle Dodson, assessment and compliance officer, Inner West Sydney Region on 9707 6708.

Yours sincerely



Kerrin Cook  
Regional Operations Manager  
Inner West Sydney Region  
Early Childhood Education and Care Directorate  
Date: 6/6/2013

Enc: Attachment A

## Attachment A

Name of Education and Care Service: YMCA Caringbah Out of School Hours Care

Please return completed to Michelle Dodson within 14 days.

Reference to Legislation	Nature of non compliance	Action taken by service	Evidence provided Yes/No
<p><b>97 Emergency and evacuation procedures</b>            (1) The emergency and evacuation procedures required under regulation 168 must set out—            (a) instructions for what must be done in the event of an emergency; and            (b) an emergency and evacuation floor plan.            (2) For the purposes of preparing the emergency and evacuation procedures, the approved provider of an education and care service must ensure that a risk assessment is conducted to identify potential emergencies that are relevant to the service.            (3) The approved provider of an education and care service must ensure that—            (a) the emergency and evacuation procedures are rehearsed every 3 months that the service is operating, by the nominated supervisor, staff</p>	<p>R 97            (1) The service has not developed instructions to be displayed in event of an emergency and evacuation.            (2) The approved provider has failed to conduct a risk assessment to identify potential emergencies for the purpose of preparing the emergency and evacuation procedures.            (3) The approved proved has not ensured that emergency and evacuation procedures are rehearsed every 3 months that the service is operating and that these rehearsals are being documented.            (4) The approved provider has not ensured that a copy of the emergency and evacuation floor plan and instructions are displayed in a prominent position near each exit at the education and care service premises. The service has a copy of the floor plan however it is displayed</p>		

<p>members and volunteers and children being educated and cared for by the service; and</p> <p>(b) the rehearsals of the emergency and evacuation procedures are documented.</p> <p>(4) The approved provider of an education and care service must ensure that a copy of the emergency and evacuation floor plan and instructions are displayed in a prominent position near each exit at the education and care service premises.</p>	<p>behind the front door and there are no instructions displayed.</p>		
<p><b>147 Staff members</b></p> <p>The staff record must include the following information in relation to staff members—</p> <p>(a) the full name, address and date of birth of the staff member;</p> <p>(b) evidence—</p> <p>(i) of any relevant qualifications held by the staff member; or</p> <p>(ii) if applicable, that the staff member is actively working towards that qualification as provided under regulation 10;</p> <p>(c) evidence of any approved training (including first aid training) completed by the staff member;</p> <p>(d) if the education and care service is located in a jurisdiction with a working</p>	<p>R147 Staff records do not include the following records:</p> <p>(b) evidence of any relevant training.</p> <p>(c) evidence of first aid, asthma and anaphylaxis management training.</p> <p>(d) working with children checks for the following educator;</p> <p>Samantha Vickers.</p>		

<p>with children law or a working with vulnerable people law, a record of the identifying number of the current check conducted under that law and the expiry date of that check (if applicable).</p>			
<p><b>150 Responsible person</b> The staff record must include the name of the responsible person at the centre-based service for each time that children are being educated and cared for by the service.</p>	<p>R150 Staff records do not include record of the responsible person present for each time children are being cared for.</p>		
<p><b>Law Section: 172 Offence to fail to display prescribed information</b> An approved provider of an education and care service must ensure that the prescribed information about the following is positioned so that it is clearly visible to anyone from the main entrance to the education and care service premises— (b) the service approval</p>	<p>Section172 The approved provider has not ensured that the service approval is displayed in the main entrance to the premises.</p>		
<p><b>185 Law and regulations to be available</b> The approved provider of an education and care service must ensure that a copy of the Law and these Regulations is accessible at the education and care service premises at all times for use by the nominated supervisor, staff</p>	<p>R185 On the day of the visit the responsible person was not able to access a copy of the Children (Education and Care Services National Law Application) Act 2010 No 104.</p>		

members, volunteers, parents of children enrolled at the service and any person seeking to make use of the service.			
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**Completed on behalf of the service by:**

Name: \_\_\_\_\_

Position (nominated supervisor, approved provider): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_