



Your Ref: 74-03650/16

Hon Simone McGurk MLA

**Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services**

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Dear Ms McGurk,

**Re: Correspondence dated 25<sup>th</sup> July 2018 and meeting dated 26<sup>th</sup> June 2018.**

Firstly, thank you for meeting with me to discuss Lachlan's death and subsequent campaign for changes in and around the family day care industry. I received your follow up correspondence late last week. There are a few items that I would greatly appreciate clarification on prior to our meeting on the 15<sup>th</sup> August 2018 with the Premier and Attorney General if possible. Otherwise if it would be more convenient for you, I am also happy to discuss further at the meeting.

- What do conditions imposed on an Approved Provider mean regarding regulation?
  - Can those conditions be changed or removed easily in the future?
  - How are those conditions enforced?
  - What repercussions could an Approved Provider face should they not meet those conditions?
- If conditions are imposed to implement change quickly in the short term, will legislative change follow to ensure the longevity of the amendments?
  - If it had to be a choice between one or the other, I would take the opportunity to action long term changes reinforcing trust in family day care and ensuring the future is safer for the children who attend them.

In addition to advocating for quarterly safety/compliance inspections, a fixed landline at all family day care services and the banning of water hazards to services catering under 5 years please also find below follow up queries to the other items listed in my brief;

- We fully support the coordinator to educator ratio and educator cap amendments you mentioned.
  - In addition to this item, what formal training do the coordinators have in risk assessment and work place safety?
    - One of our brief proposals was for a practical training program specifically structured around the family day care environment. Is this currently available?
- Are any measures being considered where Approved Providers will be held accountable in law; specifically where failure to regulate or enforce compliance results in serious injury or fatality of a child within one of their registered services?
  - Is there any information on what this might look like or to what extent?
  - If not, why not?
- Are amendments being considered specifically for family day care educators regarding penalties where failure of duties results in serious injury or fatality of a child under their care?
  - Is there any information on what this might look like also?
  - If not, why not?

Thank you again for meeting with me in June.



One of the hardest parts of our journey has been the lack of communication and information available to us each step of the way. In the absence of information the imagination was left to run wild trying to fill in the gaps of what happened to Lachlan, what his last moments would have been like and many horrifying variations of the inevitable outcome. Now that we have meaningful answers to what happened, it is time to enact meaningful change. I sincerely hope that we can work together in collaboration and transparency to achieve a positive outcome for Family Day Care, Western Australian children and Lachlan's family.

If there is anything that I can assist yourself or the Department of Communities with in relation to proposed changes or increasing awareness/engagement regarding the importance of supervision and physical safety in the day care environment, please do not hesitate to ask.

I look forward to hearing from you again soon.

Yours sincerely,

Melanie & Luke Mitchell

