

25/08/2021



Australian Children's Education & Care Quality Authority

Complaints

Re: Incident that occurred at Hughes After School Care to P01 P01 -P01 11th August 2021

Summary of our concerns:

- Failure to provide a safe environment for P01 on 11/8/2021.
- Lack of a thorough and appropriate investigation into the incident.
- Complete disrespect for P01 and our family (and taking away our right to choose a safe environment for him) by not informing us of the outcome of the investigation prior to P01's attendance on Monday 23rd August.
- Lack of consideration for P01 and his family's well-being regarding the incident.
- Failure to instil confidence in us that our children are in a safe environment at After School Care at Hughes.

Our son P01 P01 is five years old and attends preschool at Hughes on a Monday, Tuesday and alternate Wednesdays. At approximately 17:30 on Wednesday the 11th of August 2021 myself and P01 (my daughter who had been off sick that day whilst I worked from home) arrived at Hughes primary school to pick up my son from the junior's room at after school care. Upon walking into the corridor, I could see P01 playing chess one-on-one with P01 (P01 P05) on the other side of the junior room. P01 stood up from where he was playing chess one-on-one with P01 and ran out of the other door to the junior's room that was further down the corridor towards the children's bathroom. He yelled (as he was 10m away) "hi, I've got to do a wee". I said, "no worries P01, I'll see you in a minute". I would normally have just left P01 to go to the toilet and come back to the junior's room by himself, but I noticed P01 walking down the corridor after him. P01 was walking/skipping after him in an odd manner. Instead of getting P01 bag and signing him out I followed them down the corridor. I do not know for sure that P01 saw I was there, but I am pretty confident that he would have. I do not think P01 saw that I followed them down the corridor because I didn't change my walking direction until after he had turned around. P01 followed P01 directly into the bathroom. I thought that this was very strange. I assumed that there were some other kids in the bathroom that he was encouraging to go back to the junior's room. I then heard P01 say "What are you doing, why are you doing that" and I could tell that P01 was uncomfortable from his tone of voice. I immediately entered the Children's bathroom- P01 was standing at the trough and he had nearly finished pulling his pants up, P01 was standing next to P01 facing the trough with his penis out of the front of his pants and he was holding it in one hand. He looked at me with a shocked face and turned his body away. I did not see urine coming out of his penis and therefore I can not be certain that he was actually urinating. I therefore think you need to consider as part of your investigation that he could have been masturbating. I immediately ushered/ picked up P01 and carried him out of the bathroom.

I went back into the Juniors room, and I said to P01 " P01 just did a wee standing next to P01 This can't be usual practice. Has this ever happened before?". She replied in a shocked tone that "He should absolutely not do that; we are not meant to be in that bathroom with a child". I asked

her what I should do about it, and she wasn't sure. I asked her if P01 was the most senior staff person on site and if I should report it to her and P01 replied that "yes I should"

I then went up to the seniors After School care and found P01 and I asked her to speak to me outside (so the other children couldn't hear what was said). I explained to her what had happened and how I felt that it was significantly inappropriate and that I wanted to report it formally to make sure it never happened again. P01 agreed that this behaviour was inappropriate, she said that her manager would be back from leave the following week and she would let them know then. At that stage I needed to get my two children home. Once we got to the car, I rang my wife P01 and explained what had happened. I didn't realise but P01 had immediately googled the number for Woden Community Services manager and called and spoke to P01P01. Meanwhile P01 classroom teacher drove into the carpark with a group of other teachers. I spoke to P01 (executive teacher at Hughes) as I was so shocked by what had happened. P01 agreed that P01's behaviour was inappropriate, and she asked if she could notify P01P01, the Principal of Hughes Public School. P01 rang my mobile later that evening to find out what happened and to check on us.

P01P01 rang me back the following day and told me that P01 had handed his keys in that morning and had been suspended pending an investigation. She reassured me that it would be a thorough investigation that would be reported to ACECQA and the Ombudsman and that we would be notified of the outcome as soon as it was known. I assumed that I would have been contacted to provide further details of the incident, but I received no calls or emails until Tuesday 24th August.

P01 and I are essential workers, and we have no other option than to continue to send our children to school and After School Care since the COVID lockdown on Thursday 12th August 2021. On Monday 23rd August P01 arrived at After School care at 5:20pm. P01 and P01 were the only students there, they were in the hall with P01 and one or two other teachers. When P01 arrived P01 immediately walked into the kitchenette and didn't come out again. P01 rang me to ask if I had heard anything about his return to work (to which I replied that I hadn't). I rang P01P01 to report my dissatisfaction and ongoing concern that evening. She rang me back the next day. She informed me that the investigation had been completed, that P01 was found to display no ill intent and that he is back at work with some increased supervision and training. I expressed my lack of trust in the investigation given that I had not been interviewed and nor had my son been interviewed for details regarding the incident. I requested to speak to someone more senior regarding this incident and the way it has been handled. I spoke to P01 P01 later that day and she has initiated the investigation again and I received a voice message from P01P01 later that day to say that he had been stood down again to investigate my ongoing concerns. We are temporarily scrambling to find alternative arrangements for our children because I do not have trust in this process.

Further Details that are relevant to your investigation into this incident –

P01 has always enthusiastically greeted P01 and has often been playing games with him one-on-one when we arrive to pick him up. Whilst we have not seen any inappropriate behaviour prior to this incident I have been slightly concerned about the extra attention he pays to P01

It is important to note that firstly P01 and P01 were in a children's bathroom. Secondly, there were individual cubicles immediately behind where P01 and P01 were standing (although I do not think it would have been appropriate for P01 to use these either) it begs the question as to why he decided to stand immediately next to P01 I do not think it is appropriate for P01 to be in the

children's bathroom at all, he also should not be in there when any children are in there. He absolutely should not be in there one-on-one with any child. Even more significantly he shouldn't be standing next to my son whilst my son has his pants down and is going to the toilet and horrifyingly, P01 should absolutely not have exposed himself to my son.

Since the incident occurred, I have had time to think about the incident and my Mum instincts are screaming for concern for P01 and any future child in P01's care. Whilst I believe there is a very small possibility that P01 has directly disobeyed policy and procedure but that this was innocent; I believe it is far more likely that this is a significant red flag for paedophilic behaviour. I can not shake the feeling that he did this whilst I was in the building to show P01 that it was ok to be in the bathroom together and be unclothed.

I am concerned that P01 managed to do this to my son whilst I was in the building. I have received training into child protection having worked with children for 16 years and I am quite aware of how savvy predatory people can be to take opportunities to take advantage of children. I am concerned that any ability to supervise P01 into the future to guarantee that he could never do this or any other inappropriate behaviour towards a child would be very difficult to do in a busy After School Care environment. The other teacher in the Juniors room had no idea where P01 was, and she would have been completely unaware of this incident had I not been there.

Since this incident was reported on the 11/8/2021 I have not been asked by any staff member of Woden Community Services about my son's wellbeing. P01 arrived at After School Care on Monday 23rd August and P01 was back at work in the same room as P01 for 2 ½ hours. Woden Community Services failed to give us the opportunity to talk to P01 about how he felt about being in P01's care again. We are also concerned that after the incident we spoke with our children about the inappropriateness of P01 behaviour and what adults should and shouldn't do. In P01 returning to work without us having the opportunity to talk to P01 first sends a confusing message to P01 that P01's behaviour was acceptable. The lack of notice regarding P01 return to work was also disrespectful to me and my wife as P01's parents as this took away our opportunity to find alternative arrangements if we were uncomfortable with the outcome of the initial investigation.

What we would like from this complaint:

- We would like there to be a more thorough investigation into the incident and P01's work performance.
- We would like to be notified of the outcome of the investigation. If P01 is to be returned to work at Hughes Primary School After School care program again this MUST occur prior to P01 and P01 attending care.
- A review of your policies/ procedures and additional training of all staff. I do not believe the initial investigation was thorough enough given the seriousness of the incident. I also would like all staff to be reminded of appropriate behaviour and policies and procedures regarding child protection.
- Additional efforts be made to ensure a safe environment for all children at After School Care at all times.

Thank you for considering,

P01 P01 & P01 P01 (P01's parents)

P01 P01

P01 P03 P01 P03