

Instructions

This form should be used to lodge a complaint to the ACT Regulatory Authority in circumstances where your complaint alleges possible offences and/or engage a risk to the safety, health and wellbeing of children or a child attending an education and care service.

The completed form should be forwarded to complaintsCECA@act.gov.au

The Authority is obligated to protect personal information in accordance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles contained in the Privacy Amendment (Enhancing Privacy Protection) Act 2012. Information provided in this form would only be shared subject to the information sharing provisions under the relevant Legislation.

Direct Complaint Form - Online

Date completing form:	Monday 26 September 2023
Time completing form:	12:32hrs
Your full name:	P01 P01 P01
Date of birth	P02
Contact details: (phone and email)	Mobile: P03 Email: P01 P01
Service to which the complaint relates?	Springbank Rise by Busy Bees Daycare, Casey, ACT 2913 Managing Director (MD): P01 P01 Manager Second in Charge (2IC): P01 P01
Has the complaint been raised directly with the service? If yes what was the response? If not why?	Not all problems within this direct complaint form have been raised with the staff, however there is attached evidence for what has been raised. Attached: Ambulance treatment and transport Tax Invoice P05
Complainant's relationship to the service (how long have you had an association parent/educator for)?	We have had our son, P01, attend the daycare service since early 2020 (3.5 years).
Date/time of incident/ issue to which the complaint relates. If unknown,	Background: P01 P01 has a medical condition, P05. As such he has an Action Plan (AP) that requires several interventions, inclusive of contacting '000' in an Emergency.

approximate timeframes?

On **3 May 2023**, I received a call from the Manager 2IC, stating words to the effect, “**P01** has had a choking incident at the daycare whilst eating chicken”. I asked the 2IC if they had contacted the ambulance to which she responded, “No, I was just down there, and he looks fine”. I questioned if he had an allergic reaction to the food he ate. The Manager 2IC stated, “she will talk to the chef and let me know”.

I continued to request for ambulance up to three times where the Manager 2IC refused and continued to state, “He is fine, I gave him some water and I can see he can swallow and ill head back down there in three minutes; I think it is just his gag reflex going off”. I told her that he is on our ambulance cover, please call the ambulance! I will get there as soon as possible”. She insisted he did not require an ambulance.

I hung up the phone and drove from South Canberra to North and arrived at the day care 20 minutes later.

Upon my arrival I walked to **P01**’s room, and I was shocked by what I saw. His eyes wide as I entered the room, and he was non-stop drooling into a bucket. He spoke one word, “stuck”. From then on, he was unable to speak, all he could do was point to his throat and continuously drool. He looked scared and not his usual self, shifting left and right in an unusual manner of discomfort whilst seated in a chair. I was also scared for him.

The teacher at the time **P01P01 P01** ran over to me and said, “I have done five back blows, he needs an ambulance!”. I thanked her and called the ambulance immediately. The operator asked me what the location was and although I provided the name of the service it was not enough. I asked the educators to provide me the address and no one was able to tell me the address immediately or without hesitation.

The operator continued and asked me to get **P01** to try and cough, which he was unable to do. The operator told me not to give fluids, which the daycare already had done and not let him sit down which they were trying to make him do on arrival.

ACT Paramedics arrived shortly after, the MD and Manager 2IC came into **P01**’s daycare room to bring **P01** and I out into the foyer for assessment. **P01** was pale faced, continued to drool and remain silent. The paramedics decided to travel in two separate vehicles; one paramedic travelled in my car together with **P01** and the other paramedic travelled closely

behind in the ambulance to Canberra Hospital, Woden Paediatric Unit. This was to ensure if **P01**'s health was to decline further, he would be provided with immediate paramedical assistance.

Whilst travelling **P01** continued to drool and sit in discomfort, breathing through his nose, until he threw up a large 50c piece size of chicken. **P01** had instant relief; however, felt instant exhaustion and fell asleep in the car as we continued to drive to the hospital. The paramedic assured me that **P01** was fine to rest now.

Later that afternoon, I received a call from the daycare which I did not answer.

On 4 May 2023 at 1230hrs I received another call from the Manager 2IC. The Manager 2IC said, words to the affect "Hi, I am just giving a curtesy call to see how **P01** is today and let you know we have lodged an incident report". I replied, "Oh okay, thank-you. **P01** is fine, he is at daycare today".

"Oh, is he? I will have to go down and talk to him". The Manager 2IC said surprisingly. I was shocked.

The Manager 2IC wanted to know more about the previous day and asked, "What happened at the hospital?".

I told her that **P01** was ok and that he threw up some chicken in the car on our way.

"Oh, so there was food in his throat was there?". The Manager 2IC stated.

"Yes, quite a large piece of chicken. Around a 50c piece". I mentioned.

"Oh, okay, wow" the Manager 2IC stated.

I did not want to be talking to anyone at the service at the time, but I knew I had to say something in relation to first aid, so I did.

"Isn't it protocol in daycares to contact triple zero for any choking incidents that occur?" I said.

"Well, ah no, he didn't meet the first aid criteria that we are taught, he was red not blue". The Manager 2IC stated, and

	continued, “he seemed fine when I was in there, that is why I encouraged him to drink water so I could see if he was swallowing”. I said, “Well you need to really look at your first aid again, because when I was speaking to the Ambulance on the phone, she told me not to give him water and not to sit him down and your staff were doing that. Had you of contacted the Ambulance you would have been told this”. “Ah, okay. I will have a look”. Manager 2IC said. I ended the call. Since this date, I had two staff members stop me in the hallway of the daycare checking in with me. I expressed how terrifying it was and I am so glad P01 is ok. One conversation from a staff member, P01, that will always stick in my mind, is she saw P01 choking in his chair and she said, “He was a bright red as a tomato, it was so scary to see him like that!”. “Are you alright?”. I said, “Yeah, wouldn’t you have wanted to contact the ambulance if that was your child?!”. She quickly responded with, “Yeah, but we need consent from the family before we can call”. “Funny that”, I said, “I gave consent three times on the phone”. For that moment, I felt a staff member in P01’s daycare supported me, but it was not the MD or the Manager 2IC. I never got a debrief about this horrific situation or an apology how it was poorly managed. This incident should never have occurred and is an absolute failing of the system. The daycare did not contact ‘000’ or follow P01’s AP of suspected P05 or contact emergency service of a confirmed choking incident this day. P01 should not have had to wait for me to arrive this day to feel supported by any means. This was a complete failure to keep our child safe whilst in care and still haunts me to have seen P01 in the state he was.
If delay in reporting, reasons for delay?	I did not put a report in as I initially thought the daycare would ask me if I would like to discuss the situation or be provided a debrief of some sort. As time has gone has been no indication

	from the MD, Manager 2IC or staff members a debrief would occur in the future.
Name of children (in full if possible) involved in the incident/ issue to which the complaint relates?	P01 P01 P01
Age of Children (DOB if possible and relevant?)	P02
Name of educator(s), staff member(s) or other persons involved?	There is no staff that are a constant at his daycare.
Details of the incident/issue: <i>Consider details such as:</i> <i>What happened?</i> <i>Where did it happen?</i> <i>Has it ever happened before?</i> <i>Has it happened to anyone else?</i> <i>Who was present?</i> <i>Who was involved?</i> <i>Have you discussed the incident/issue with anyone else?</i> <i>Has any action been taken?</i>	Please see above: "Date/time of incident/ issue to which the complaint relates. If unknown, approximate timeframes?" What happened: Malpractice and negligence Where: Springbank by Busy Bees, Casey ACT 2913 Kindergarten 2 – Researchers Room. Has it happened before: Unknown Has it happened to anyone else: Unknown Who was present: P01 P01, who has since left to Burgmann Anglican School Who was involved: MD, Manager 2IC, ACT Education Teacher P01P01 P01, P01 P01, additional carers – unknown names. Have you discussed the issue with anyone else: No What action has been taken: Unfortunately, I have never been provided a debrief with the staff with such a horrific incident that has not only affected me, but my son since. I often think about this day and how the daycare did not advocate for our son, follow protocol, or provide him with any assistance except a bowl to continuously drool into amongst his peers.
Did you make any notes at the time, or send any emails? Are you prepared to provide a copy?	I did not make any notes at the time or send any emails.
If necessary would you be prepared to make a statement?	Yes. I would be more than happy to provide a statement.
Is there any other information (documents, memos, emails etc) that you may have that would	Attachment: This report must be attached to my other 'Direct complaint form – P01 1 of 2' in relation to an additional medical emergency that occurred within the above mentioned daycare.

substantiate the allegation(s)?	
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