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From,
Vishal Narshibhai Patel

To,
The Royal Commission into
Early Childhood Education and Care,

Dear Sir/Madam,

With reference to the royal commission into Early Childhood Education and Care, I would like to take this opportunity to make my submission as below.

I am living at above mentioned address and I have a neighbour who runs Family Day Care “FDC” from her home [REDACTED]. The educator was our friend of 10 years until dispute started from her customers parking on our driveways. We lodged multiple complaints in to local council, DPTI and Education SA but no one helped us despite acknowledging our problems.

We purchased the property in partnership with our neighbours, who purpose built the house as they wanted to start FDC business, and subdivided the property. The council approved the plans with a condition of Right of Way Easement on both the properties. The purpose of the easement is to prohibit vehicles reversing out from the property on the main road. The front yards of both the properties need to be kept as a common area. This requirement also prohibits vehicles being parked on the driveways and there is a requirement of concrete in the entire front of both the properties.

The neighbours agreed to the council requirements even though they wanted to start the FDC Business from their property. However, they installed artificial grass in the front instead of concrete breaching council requirement. The owners also built an unauthorized construction in the form of veranda in the backyard so that children of her FDC business can play under it. They also provided false and misleading information to Central Metro Family Day Care Scheme which comes under Education SA at the time of obtaining approval for the property for FDC business. At the time of assessment, The Educator told the assessing officer from Education SA that the driveways are parking areas and the veranda in the backyard is a council approved structure.

The dispute started when the customers started parking on our driveways blocking our entry and exit to and from our garage.

When I lodged a complaint in Education SA, they acknowledged the issues but said that it is outside their jurisdiction. But I don't understand why they don't check council approved plans at the time of approving any property. They simply rely on the words of the applicants and when it is found that the words were misleading, they don't take any action and simply

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leave people like me to suffer and take lengthy and stressful legal action. The department also ignored safety of children even though I provided copy of emails from council officer who acknowledged the unauthorised structure. The department also ignored my question in relation to Public Liability Insurance in the event of any accident or incident arising from unauthorised structure.

I believe Education Department needs to be held accountable for their irresponsible actions as it involves safety of children.

This is a dangerous situation where the educator and the Education Department both are aware that the property has unauthorised structures, is breaching council requirements of no parking over easement and no reversing of vehicles. They are also aware that the insurance company will dishonour any claims arisen from unauthorised structures hence the property is technically uninsured. They are also aware that it has safety issues as the children are running around over easement while we are reversing out and the customers are reversing vehicles on the main road which is prohibited by council.

The parents are unaware that the property has such issues and the insurance company can dishonour any claims arisen from illegal structures. They simply trust that the relevant authorities will keep necessary steps to safeguard their children but unfortunately the department has shown no interest in safeguarding the safety of the children.

The Educator has been issued notice by the council but she has ignored it and continued the breaches.

The officers of the Education Department who approves such properties do not possess any knowledge in relation to building standards, rules, regulation and laws. They ignore them and put lives of children in danger. In another situation, one of my friends who has applied for FDC business is unnecessarily being harassed by the assessing officers who have again shown lack of knowledge of building standards.

We have ended up in to starting multiple civil action against the educator which I believe could have been avoided if the department had acted responsibly and the approval was not granted.

I request the commission to make it mandatory to have properties used for any Child Care or Family Day Care business comply with council approved plans and prior approval should be required from council which is a more relevant authority to assess the situation. More care needs to be taken when it comes to approving the properties for **FDC** or Child Care Businesses. The department should be taking qualitative approach instated of quantitative approach when it comes to approvals.

The Department says on their websites and leaflets that providing safe and secure learning environment for children is their utmost priority but their actions prove the opposite.

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The department should be actively looking in to safety of children first before the quality of education provided. In the end, it impacts not only the children in care and their parents but also the neighbourhood of such businesses.

Along with the above-mentioned issues, I would like to bring to the commission's attention that the educators of **FDC** do not provide full attention to the children in care and engage themselves in their personal activities such as chores or even talk to family and friends over the phone for hours and hours. I have heard my neighbour who is an educator running **FDC** talking to her mother or sister over the phone for hours which makes me think how she is going to provide her attention to the children in care. There have been many incidents where parents have complained about injuries to their children and the educators simply provide fake excuses and the incident is never documented.

I suggest CCTV cameras should be made mandatory inside the properties where children are being cared to hold the educators more accountable. The parents are paying full fees for the care provided by the educators but the educators don't provide their full attention which is not fair to the parents.

In the end, feel free to contact me on [REDACTED] in case more information is required.

Thank you.

Yours Faithfully,

Vishal Patel