

Responsible Person Policy

A Responsible Person must be physically in attendance at all times that the service is educating and caring for children. The Responsible Person is either the Director, Nominated Supervisor or a Certified Supervisor who has been placed in day-to-day charge of the service.

National Quality Standards (NQS)

Quality Area: Staffing arrangements	
4.1	Staffing arrangements enhance children’s learning and development and ensure their safety and wellbeing
4.1.1	Educator-to-child ratios and qualification requirements are maintained at all times.

Quality Area:	
7.1.5	Adults working with children and those engaged in management of the service or residing on the premises are fit and proper.
7.3.1	Records and information are stored appropriately to ensure confidentiality, are available from the service and are maintained in accordance with legislative requirements.
7.3.5	Service practices are based on effectively documented policies and procedures that are available at the service and reviewed regularly

Education and Care Services National Regulations

Children (Education and Care Services) National Law NSW	
150	Responsible Person
168	Policies and Procedures
173	Prescribed information to be displayed
177	Prescribed Records

PURPOSE

Our service is committed to meeting our duty of care obligations under the National Law & Regulations to ensure a Responsible Person is on the premises at all times to ensure the health, safety, wellbeing, learning and development of all children at the service which meets all legislative requirements.

SCOPE

This policy applies to the nominated supervisor, certified supervisor, families, educators, students, and volunteers.

DEFINITIONS

Name	Definition
Nominated Supervisor	A person with responsibility for the day to day management of an approved service. The Nominated Supervisor has a range of responsibilities under the Law and Regulations that govern the operation of education and care services.
Certified Supervisors	Educators who have a Supervisor Certificate and have current knowledge of children protection.
Responsible Person	A person who is physically at the service and has the role of Nominated Supervisor or Certified Supervisor. The Responsible Person has consented to be placed in day to day charge of the service but does not take on the responsibilities of the Nominated Supervisor rather they ensure the consistency and continuity in practices.

IMPLEMENTATION

The name of the responsible person will be clearly displayed in the main entrance of the Service.

If the responsible person needs to change, they will “hand over” obligations for the role to another qualified person at the Service. Both the old and new responsible person will converse directly and ensure the name of the responsible person presented at the Service appropriately reflects who presently holds the position.

Our service will have at least one Responsible Person present at all times when caring for and educating children.

A responsible person is:

- An approved provider
- A nominated supervisor
- A certified supervisor who is in charge of the daily running of the service.

Management will ensure:

- A Responsible Person is designated
- A record which includes the name of the responsible person at the service for each time that children are being educated and cared for by the service.
- The Nominated Supervisor and Certified Supervisor are over the age of 18 years old
- Educators meet the minimum requirements for qualification, experiences and management capabilities
- The Responsible Person is a fit and proper person
- The Responsible Person is on duty during both early and late shifts
- The Certified Supervisor interchanges with the Nominated Supervisor in their absence.

- Educators are aware that they have to sign off when they have finished their duty and will ensure the Nominated Supervisor or Certified Supervisor will sign on and take on the role of Responsible Person.
- Written consent of the Nominated Supervisor role has been accepted
- In the absence of the Nominated Supervisor, a Certified Supervisor is placed in charge of the service.
- The staff record has the name of the responsible person at the service for each time that children are being educated and cared for by the service.

A Nominated Supervisor/Certified Supervisor will:

- Sign their name & present time on the Responsible Service Record
- Hold a Supervisor Certificate
- Provide written consent to accept the role of Certified Supervisor
- Check that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service
- Inform the Director in the event of absence from the service due to leave or illness so they can be replaced by another Responsible Person
- Ensure they have a sound understanding of the role of Responsible Person
- Abide by any conditions placed on the Supervisor Certificate
- Understand that a Certified Supervisor placed in day-to-day charge of the Service does not have the same responsibilities under the National Law as the Nominated Supervisor (i.e.: Director)
- Notify the Regulatory Authority within 7 days of any changes to their personal situation, including a change in mailing address, circumstances that affect their status as fit and proper, such as the suspension or cancellation of a Working with Children Check card or teacher registration, or if they are subject to disciplinary proceedings

Source

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| <ul style="list-style-type: none"> • Australian Children’s Education & Care Quality Authority. (2014). • Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2015 |
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Review

Policy Review Date
May 2021

