

Responsible Person Policy

A Responsible Person must be physically in attendance at all times that the Service is educating and caring for children.

Approved providers are responsible for appointing a Responsible Person who is aged 18 years or older, has adequate knowledge and understanding of the provision of education and care to children, and has an ability to effectively supervise and manage an education and care service (ACECQA, 2017)

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing Arrangements	Staffing arrangements enhance children's learning and development
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

150	Responsible Person
168	Policies and Procedures
169	Offence relating to staffing arrangements
117A	Placing the person in day-to-day charge
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor

173	Prescribed information to be displayed
177	Prescribed Records

RELATED POLICIES

Staffing Arrangements Policy Code of Conduct Policy Respect for Children Policy Supervision Policy	Health and Safety Policy Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy Work Health and Safety Policy
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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 is maintained at all times.

SCOPE

This policy applies to the Director, Nominated Supervisor, and educators of the Service.

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.
Responsible Person	A person who is physically at the Service and has the role of Nominated Supervisor or duly appointed person. 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

A Responsible Person will be on the premises at all times, and the details of the Responsible Person will be clearly visible to families and visitors at the main entry of the Service.

If the Responsible Person leaves the premises, they will 'hand over' obligations for the role to another duly appointed person at the Service. It is vital that all hand-overs to a designated Responsible Person are documented when commencing this position throughout the day. The process for determining the Responsible Person will be clear to all educators and staff, and procedures will be followed at all times. Both the outgoing and incoming Responsible Persons will ensure the displayed name of the current Responsible Person at the Service correctly reflects who presently holds the position.

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

A responsible person is:

- An Approved Provider,
- A Nominated Supervisor, *or*
- A duly appointed person, 18 years or older, fit and proper, and have suitable skills.
- A person in day-to-day charge to the service

Management will ensure:

- A Responsible Person is appointed and physically on the premise at all times children are being educated and cared for
- The Responsible Person is over the age of 18 years
- The Responsible Person meets the minimum requirements for qualifications, experiences and management capabilities. (including Child Protection training, Working With Children Check)
- The Responsible Person has adequate knowledge and understanding of the provision of education and care to children
- The Responsible Person has the ability to effectively supervise and manage an education and care service
- The history of the person's compliance with the National Law, former education and care services law, children's services law and an educational law are assessed
- The Responsible Person is a fit and proper person (as per regulatory authority conditions)
- Evidence of completing an approved diploma level education and care qualification or higher is considered as a requirement (Recommended but not compulsory).
- Written consent for the position is provided by the Responsible Person and filed in staff records

- The regulatory authority is notified 7 days prior to a **Nominated Supervisor** starting at the Service or within 14 days after the person has commenced the role through NQA IT System
- The regulatory authority is notified if the **Nominated Supervisor** changes their name or contact details; is no longer employed by the Service, has been removed from the role or withdraws their nomination.
- A Responsible Person will be removed from the position should management become aware of a matter or incident which affects the ability of the person to meet the minimum requirements of the position.
- The staff register has the name of the Responsible Person at the Service for each time children are being educated and cared for by the Service
- A Responsible Person is on duty from the time the Service opens each day until the time the Service closes
- The **PIDTDC** interchanges with the Nominated Supervisor in their absence
- Responsible Persons are aware that they have to sign off when they have finished their duty and will ensure the Nominated Supervisor or appointed Responsible Person (PIDTIC) will sign on and take on the role.

A nominated Supervisor/ appointed Responsible Person will:

- Sign their name and hours of responsibility on the Responsible Service Register.
- Provide written consent to accept the role of Responsible Person
- Ensure that the identity of the Responsible Person on duty is displayed in the main entrance of the service and is easily visible for families and visitors.
- Inform the Director in a timely manner 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 Responsible Person.
- Understand that a Responsible Person placed in day-to-day charge of the Service does not have the same responsibilities under the National Law as the Nominated Supervisor.
- In the case of the nominated supervisor, 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.

- Notify management at the service in writing, if they wish to withdraw their consent to be a Responsible person

SOURCE:

Australian Children’s Education & Care Quality Authority, 2014.

ACEQA. (2017). Responsible Person Requirements for Approved Providers:
<https://www.acecqa.gov.au/sites/default/files/2018-09/ResponsiblePersonRequirements.pdf>

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations, 2015.

Revised National Quality Standards.

REVIEW

POLICY REVIEWED	October 2019	NEXT REVIEW DATE	October 2020
MODIFICATIONS	<ul style="list-style-type: none"> • Changes to wording and descriptions of roles • Information for withdrawal of consent 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
AUGUST 2017	<ul style="list-style-type: none"> • Adjustments made to comply with new regulation changes (Oct 1, 2017) 	AUGUST 2018	
OCTOBER 2017	<ul style="list-style-type: none"> • Updated the references to comply with the revised National Quality Standard 	AUGUST 2018	
OCTOBER 2018	<ul style="list-style-type: none"> • References corrected, added &/or updated. • Incorrect references deleted & replaced. • Sources/references alphabetised. 	OCTOBER 2019	

