

Responsible Person Policy

2018

National Quality Standard

2.1	Each child's health is promoted.
2.3	Each child is protected
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.

National Regulations

97	Emergency and Evacuation
150	Responsible Person
168	Education and Care Service must have policies and procedures
173	Prescribed information to be displayed
177	Prescribed enrolment and other information to be kept by approved provider

Aim

An Approved Provider operates the Medowie Gumnut Preschool and is also the appointed Nominated Supervisor. The Nominated Supervisor does not have to be in attendance at Medowie Gumnut Preschool at all times, but in her absence, a nominated Supervisor is placed in charge as the 'Responsible Person'. The Director of Medowie Gumnut Preschool will ensure that a Responsible Person is physically present at Medowie Gumnut Preschool at all times children are being cared for. Details of the Responsible Person on duty will be communicated and displayed for all users of the Medowie Gumnut Preschool.

Rationale

The Education and Care Services National Law determines that a Responsible Person must be physically present at a centre based service at all times that the service operates. The Responsible Person is either the Approved Provider, The Nominated Supervisor, or a Certified Supervisor who has been placed in day-to-day charge of the service.

Who is affected by this Policy?

- * Management
- * Educators
- * Children
- * Families

Implementation

Practice

Appointing a Responsible Person

The Approved Provider is responsible for ensuring the safety and wellbeing of children at the service and will consider a person's qualifications, experience and age when deciding whether they are suitable to be placed in day to day charge.

A person is covered, and may be placed in day today charge of the service, when:

- * the Approved Provider or the nominated supervisor identifies that they meet the criteria to hold a service supervisor certificate and

- * they give their written consent to be placed in day to day charge of the service(required under regulation 54).

Criteria to be determined a Responsible Person

Educators at the service who have been deemed suitable by the Approved Provider or Nominated Supervisor as a Certified Supervisor and wish to be considered for the role of Responsible Person in the absence of the Nominated Supervisor will be considered based on:

- * Their practical knowledge of the day-to-day responsibilities of being an educator at the service, including how to work through unexpected problems.

- * Must be over 18 years of age.

- * A demonstrated understanding of:

- Education and Care Services National Law Act 2010, and the Education and Care Service Services National Regulations 2011

- Equal Opportunity Employment Conditions

- Health and Safety, including Child Protection responsibilities

- Privacy, Confidentiality and Equal Opportunity/Anti-Discrimination policies and procedures

- Medowie Gumnut Preschool's policies and procedures.

- * Consideration will be also given regarding whether the individual has been subject to compliance action or disciplinary proceedings under a children's services law, education law, or a previous education and care services law, in any state or territory. Candidates will be asked to submit a Compliance History Statement.

Roles and Responsibilities

The Approved Provider will:

- * Ensuring there is a Responsible Person (refer to Background and Definitions) on the premises at all times the service is delivering education and care programs for children.
- * Ensuring 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 (National Law: Section 172).
- * Ensuring that the name of the Nominated Supervisor is displayed prominently at the service.
- * Notifying the Regulatory Authority in writing if there is a change of person in the role of Nominated Supervisor (Section 56, Regulation 35).
- * Ensuring that, in the absence from the service premises of a Nominated Supervisor, the Responsible Person is placed in day-to-day charge of the service.
- * Ensuring that the Nominated Supervisor and Certified Supervisors have a sound understanding of the role of Responsible Person.
- * Ensuring there are sufficient staff with Supervisor Certificates to meet the legislative requirement for a Responsible Person at the service during periods of leave or illness.

The Approved Provider will:

1. Ensure the Nominated Supervisor and Certified Supervisors have a clear understanding of the role of the Responsible Person;
2. Ensure the responsible person is appropriately skilled and qualified;
3. Ensure a responsible person is physically present at the centre.

The Nominated Supervisor will:

- * Providing written consent to accept the role of Nominated Supervisor.
- * Ensuring that, in their absence from the service premises, another Certified Supervisor placed in day-to-day charge of the service.
- * Ensuring they have a sound understanding of the role of Responsible Person.
- * Ensuring 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.
- * Developing rosters in accordance with the availability of Responsible Persons, hours of operations and the attendance patterns of children.
- * Notifying the Approved Provider and 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

The Nominated Supervisor or delegated authority will:

1. Arrange for the keeping of a "responsible person record". This record will document the current responsible person.
2. The name of the responsible person will be displayed in the main entrance at the service.
3. Develop rosters in accordance with the availability of responsible persons, centre operation and attendance patterns of children.

The Responsible Person will:

- * Provide written consent to accept the role of Responsible Person.
- * 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.
- * Ensure they have a sound understanding of the role of Responsible Person.
- * Understand that a Responsible Person placed in day-to-day charge of an approved service does not have the same responsibilities under the National Law as the Nominated Supervisor.

Families will:

- * Read and understand this policy.
- * Be aware of the Responsible Person at the service on a daily basis.

Evaluation

A responsible person is physically present at the preschool at all times and this is documented and displayed.

Sources

- * Early Childhood Australia: <http://www.earlychildhoodaustralia.org.au/>
- * Fairwork: <http://www.fairwork.gov.au/Pages/default.aspx>
- * Privacy Act: <http://www.privacy.gov.au/law/act>
- * Safework Australia: <http://safeworkaustralia.gov.au/Pages/default.aspx>
- * The Australian Children's Education & Care Quality Authority: <http://www.acecqa.gov.au/>
- * Children Education and Care Services National Law Application Act 2010
- * Education and Care Services National Regulations 2011

Review

Last Reviewed: 17/52018

Date for Next Review: May 2019