

## 1.13 Determining the Responsible Person in Charge

### Background

Legislation sets out specific requirements for the staffing arrangements for approved centre-based services. These requirements cover the number of staff, their qualifications and experience.

Particularly noteworthy are the requirements for the Responsible Person. A Responsible Person must be on the premises at all times the service is educating and caring for children. The Responsible Person can be (a) the Approved Provider if this is an individual or, if the Approved Provider is an organisation or company, then someone with management and control of the service, (b) the Nominated Supervisor of the service or (c) an Educator who has been placed in day-to-day charge of the service and have filled in: Compliance history statement for a person to be a person in day-to-day charge (PIDTDC) or a nominated supervisor.

### Policy statement

This Policy outlines the steps the Service takes to ensure it complies with regulatory staffing requirements at all times. In particular, it details how the Service ensures a Responsible Person is on the premises at all times, and how the identity of that person is made known to staff, parents and visitors.

### Strategies and practices

- The Approved Provider of the Service has appointed a Nominated Supervisor to ensure: the Service's operations meet the regulatory requirements at all times; consistency and continuity in practice; and, high quality care and education are provided to the children. QA 7.1.4
- The Nominated Supervisor is also the Responsible Person whenever on the premises. QA 7.3.2
- The Nominated Supervisor develops rosters in accordance with the availability of Responsible Persons, service operation and attendance patterns of the children. QA 7.3.2
- At any time the Nominated Supervisor is not on the premises, a Responsible Person who is physically present is placed in charge of the Service's day-to-day operations only (i.e. the Responsible Person does not assume all of the responsibilities of the Nominated Supervisor). This acceptance of the additional responsibilities by the replacement is a standing arrangement agreed to in writing by the replacement, and details are maintained in the staff file. QA 4.2.1
- Whenever leaving the premises, the Nominated Supervisor informs the substitute Responsible Person, and displays the person's name at reception. On return, the Nominated Supervisor informs the substitute and removes the sign. QA 7.3.1, 7.3.2
- The details of the Responsible Person at any given time are clearly displayed in the main entrance of the Service. QA 7.1.1
- The Approved Provider ensures that:
  - Nominated Supervisors and Certified Supervisors have a clear understanding of the role of the Responsible Person
  - The Responsible Person is appropriately skilled and qualified.

- The Responsible Person is physically present at the Service. If the Responsible Person is not available at the service, a substitute for the Responsible Person will be put in place and the record book will
- The Service's Policies and Procedures are clear and delineate its practices. QA 7.3.5
- Before commencing at the Service, all educators, staff, students and volunteers are given an orientation wherein they are made purposefully aware of the Service's Policies and Procedures, and of their responsibilities under them. QA 7.1.2

### **Responsibilities of parents**

- To be aware of who is the Responsible Person at that time they are in the Service.

### **Links to other policies**

- Child Protection and Risk Management Policy
- Educator Professionalism and Ethics Policy
- Students, Volunteers and Visitors Policy
- Staffing
- Governance and Management

### **Sources**

- Education and Care Services National Regulations 2011.
- Guide to the National Quality Standard 2011.

### **Further reading and useful websites**

- Australian Children's Education and Care Quality Authority – <http://www.acecqa.gov.au/>
- Community Childcare Co-operative Ltd. NSW. (2013). *The Really Simple Guide to Being an Approved Provider*. <http://cccnsw.org.au/resources/nqf> accessed 24 November 2013
- Community Childcare Co-operative Ltd. NSW. (2013). *The Really Simple Guide to Being a Nominated Supervisor*. <http://cccnsw.org.au/resources/nqf> accessed 24 November 2013
- Department of Education and Communities NSW. (2013). *Frequently asked questions on the National Quality Framework and the current NSW Regulation*. <http://www.dec.nsw.gov.au/what-we-offer/regulation-and-accreditation/early-childhood-education-care/faqs> accessed 24 November 2013
- Office for Early Education and Care (Queensland) – <http://deta.qld.gov.au/earlychildhood/>
- Community Services, Office for Children, Youth and Family Support (ACT) – <http://www.communityservices.act.gov.au/ocys>
- Department of Education and Communities, Early Childhood Education And Care (NSW) – <http://www.dec.nsw.gov.au/what-we-offer/regulation-and-accreditation/early-childhood-education-care/>
- Department of Education, Training and Employment, Office for Early Childhood Education and *Care (QLD)* – <http://deta.qld.gov.au/earlychildhood/>

- Department of Education and Children's Services, Early Childhood (NT) –  
<http://www.education.nt.gov.au/teachers-educators/ec>
- Education and Early Childhood Services Registration and Standards Board of South Australia  
<http://www.eecrsb.sa.gov.au/>
- Department of Education, Education and Care Unit (TAS) –  
[http://www.education.tas.gov.au/parents\\_carers/early\\_years/education-and-care/Pages/Education-and-Care-Unit.aspx](http://www.education.tas.gov.au/parents_carers/early_years/education-and-care/Pages/Education-and-Care-Unit.aspx)
- Department of Education and Early Childhood Development (VIC) –  
<http://www.education.vic.gov.au/childhood/Pages/default.aspx>
- Department for Communities, Education and Care (WA) –  
<http://www.communities.wa.gov.au/CHILDRENANDFAMILIES/CHILDCARE/Pages/default.aspx>
- The Commission for Children and Young People and Child Guardian (Queensland) –  
<http://www.ccypcg.qld.gov.au/index.aspx>

**Date(s) reviewed:**

<b>15/03/2016</b>							
<b>05/01/2017</b>							
<b>05/01/2018</b>							
<b>28/02/2019</b>							

**Next review Date: 28/02/2020**