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DETERMINING A RESPONSIBLE PERSON

QUALITY AREA 4: STAFFING ARRANGEMENTS

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.

Quality Area 7: Governance and Leadership

7.1	Governance	Governance supports the operation of a quality service
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

Education and Care Services National Regulations 2011

Children (Education and Care Services) National Law Act 2010	
Section 162	Offence to operate education and care service unless person is present
Section 169	Offense relating to staff arrangements
117 A	Placing a person in day to day charge
117B	Minimum requirements for a person in day to day charge
117C	Minimum requirements for a nominated supervisor
150	Responsible Person
168	Policies and Procedures
173	Prescribed information to be displayed
177	Prescribed enrolment and other documents to be kept by approved provider

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 nominated supervisors and/or persons in day-to-day charge that are aged 18 years or older, fit and proper and have suitable skills. (ACECQA Summary of Changes)

Introduction

Woden Early Childhood Centre (WECC) is committed to meeting our duty of care obligations under the National Law and Regulations. This means ensuring that a Responsible Person is on the premises at all times to oversee the health, safety, wellbeing, learning and development of all children at the Service.

The Education and Care Services National Law determines that a Responsible Person must be physically present at a centre-based service at all times of operation that WECC operates.

Scope

This policy applies to the Director, Nominated Supervisor, educators, families, students, and volunteers of the Centre.

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 of practices.

Goals

WECC will ensure that:

- a Responsible Person will be on the premises at all times of operation
- the details of the responsible person at any time will be clearly displayed for all users of WECC
- the process for determining the Responsible Person will be clear to all educators and followed at all times

Strategies

A Responsible Person will be on the premises at all times, and their details will be readily available to all users of WECC.

If the Responsible Person needs to change, they will 'hand over' obligations for the role to another duly appointed person at the Centre. It is vital that the Responsible Person is documented when taking over this

position. The process for determining the Responsible Person will be clear to all educators and staff and followed at all times. Both the old and new Responsible Person will converse directly and ensure the name of the Responsible Person presented at the Centre appropriately reflects who presently holds the position.

Our Centre will have one Responsible Person present at all times of operation.

A Responsible Person is:

- an Approved Provider
- a Nominated Supervisor
- a duly appointed person, 18 years or older, fit and proper, and with suitable skills

The Nominated Supervisor or Director will ensure:

- a Responsible Person is appointed
- a record which includes the name of the Responsible Person on display at the Centre at all times
- the Responsible Person is over the age of 18 years old
- the Responsible Person has a clear understanding of the role
- the Responsible Person is appropriately skilled and qualified
- the Responsible Person is a fit and proper person
- the Responsible Person is on duty during both early and late shifts
- the Responsible Person interchanges with the Nominated Supervisor in their absence
- that educators who are performing the role of the Responsible Person are aware that they must sign off when they have finished their duty, and will ensure the Nominated Supervisor then signs on and takes on the role of Responsible Person
- written consent of the Nominated Supervisor/Responsible Person role has been accepted
- the staff record, documents the name of the Responsible Person at the Centre at all times of operation
- the Nominated Supervisor/appointed person signs their name and present time on the Responsible Service Record which is on our OWNA app.

The Nominated Supervisor or appointed person will:

- arrange for the keeping of a 'Responsible Person Record'. This record will document the current Responsible Person
- sign their name and note the time on the Responsible Service Record (OWNA)
- provide written consent to accept the role of Responsible Person
- arrange for the name of the Responsible Person to be displayed in the main entrance at WECC
- develop rosters in accordance with the availability of the Responsible Person, and attendance patterns of children
- inform the Director in the event of absence from the Centre 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 Centre 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 Vulnerable People Check card or teacher registration, or if they are subject to disciplinary proceedings

Related policies /documents

- *Child protection*
- *Providing a child-safe environment*

Sources and references

- Education and Care Services Nation Law Act 2010
- Education and Care Services National Regulations 2011

Policy Reviewed	September 2022	Ratified Date	Next Review Date
Modifications	<ul style="list-style-type: none"> • Additional information added to National Quality Standards • Additional information added to Education and care services national regulations • Minor wording edits • Addition of review table 	Sept 2022	Sept 2025
Policy Reviewed	May 2018	Ratified Date	Next Review Date
Modifications	<ul style="list-style-type: none"> • Existing Policy 	May 2018	May 2020
Policy Reviewed	May 2014	Ratified Date	Next Review Date
Modifications	<ul style="list-style-type: none"> • Existing Policy 	May 2014	May 2016
Policy Reviewed	May 2013	Ratified Date	Next Review Date
Modifications	<ul style="list-style-type: none"> • Existing Policy 	May 2013	May 2015

Authorisation

Paul Halloran
 President
 2021-22 WECC Management Committee