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DETERMINING A RESPONSIBLE PERSON

QUALITY AREA 4: STAFFING ARRANGEMENTS

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National Quality Standard (NQS)

Quality Area 4: Staffing Arrangements

4.1	Staffing Arrangement s	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 2011

Children (Education and Care Services) National Law Act 2010

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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 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 of practices.

Goals – What are we aiming to do?

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 – How will it be done?

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 Service. 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 Service appropriately reflects who presently holds the position.

Our Service 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 is on display at the Service 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 has a minimum of 3 years' experience working as an educator in an Education and Care Service (recommended but not compulsory)
- 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 Service at all times of operation
- the Nominated Supervisor/appointed person signs their name and present time on the Responsible Service Record

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
- 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 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 (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

Evaluation

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

Related policies /documents

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

Statutory legislation and considerations

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

Sources and references

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

Authorisation

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President
2018-19 WECC Management Committee