



Policy No: CE-POL-018/2.2/2013

## Responsible Person Procedure

**Custodian:** Management  
Committee

**Custodian Contact:**  
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**Version No:** 2.2

**Approved By:**  
Amelia Thiele  
Chairperson

**On behalf of the Management  
Committee.**

**Approval Date:** 20/9/23

**Next Review Date:** 20/9/26

**Supersedes:** Responsible  
person procedure Version 2.1

### 1 Purpose:

The purpose of this procedure is to provide guidelines to determine the identification of the responsible person present at the centre. It is also to ensure the centre complies with the law and regulations relating to the requirement to have a Responsible Person in day to day charge at all times that children are being educated or cared for by the service.

### 2 Scope:

Approved provider (*note that this service has 2 Providers Department for Education & the Management Committee*)  
Nominated Supervisor  
Responsible Persons  
Educators and staff

### 3 Supporting Documents:

[Consent to be a Responsible Person](#)  
[Responsible Person Log Book](#)  
[Professional Development Policy](#)

### 4 Details:

**The Responsible Person on Duty is:**

- the Nominated Supervisor of the service (Director-Education and Care) or, in their absence:
- a person appointed by the Nominated Supervisor to be placed in day to day charge of the service, who accepts the designation in writing.

*(The Responsible Person on duty **does not** have the same responsibilities under the National Law as the Nominated Supervisor, they simply are in day-to-day charge).*

## **Nominated Supervisor**

There can be only one Nominated Supervisor at a service. They are always the nominated supervisor even when they are not present.

At C.a.F.E. Enfield Children's Centre this is the Director- Education and Care who:

- is deemed automatically to hold a supervisor certificate
- is appointed by the Department for Education, and ratified by the Management Committee, as the Nominated Supervisor and consents to the role
- is responsible for day to day management of the service
- has a range of responsibilities including educational programs, supervision and safety of children, entry and exit from the premises, food safety and nutrition, administration of medication, sleep and rest of children, excursions and staffing.

### Notification of change of the Nominated Supervisor

If the Nominated Supervisor of an Approved Service: — ceases to be employed or engaged by the service, or — withdraws consent to the nomination, the Approved Provider must notify the Regulatory Authority at least seven days before the new nominated supervisor is to commence work, or as soon as practicable and not more than 14 days after. (ACECQA Information Sheet)

## **A Responsible Person**

- Is an educator who may be placed in day to day charge of the service, as the Responsible Person on Duty. The designation must be made by the Approved Provider or the Nominated Supervisor and accepted in writing by the person.
- At this Centre such a person must:
  - consent in writing to undertake the role of Responsible Person before being placed in day to day charge of the service .
  - Hold a minimum Diploma of Children's services qualification
  - Hold a current approved first aid qualification, including Asthma and Anaphylaxis (code /HLTAID012)
  - Hold a current WWCC
  - Hold a current Responding to Risks of Harm, Abuse and Neglect Certificate
  - Possess adequate knowledge and understanding of the provision of education and care to children
  - Have the ability to effectively supervise and manage an education and care service

## **5 Procedure**

- Whenever the Nominated Supervisor is on site he/she is the Responsible Person on duty
- The Responsible Person on duty must sign in and out of the *Responsible Person Log Book (in the Administration Office)*, recording the time which they are the responsible person.
- They must ensure that their photo is displayed as the Responsible Person on duty (on the window next to the Administration office)
- When handing over to another Responsible Person (eg at end of shift) the Responsible Person on duty must:
  - take the log book to that person to sign in. This informs them of the change and ensures their consent.
  - Change over the photographs

## 6 Legislation and regulations

National Law Sec 5 (1), 161, 161A, 162

Reg 117A Placing a person in day-to-day charge

Reg 117B Minimum requirements for a person in day-to-day charge

Reg 117C Minimum requirements for a nominated supervisor

Reg150- A record must be kept of the name of the responsible person at the centre for each time that children are being educated and cared for by the service

Reg173 (2) (c). The name of the responsible person in charge at any given time is to be displayed in a prominent position at the entrance to the service.

## 7 Definitions of Terms:

**DfE** Department for Education

**DCSI** Department of Communities and Social Inclusion

**Nominated Supervisor** the person with responsibility for the day-to-day management of an Approved Service.

**Responsible Person on Duty** the person placed in day-to-day charge of an Approved Service in the absence of the nominated supervisor.

**WWCC** Working with Children Check

## 8 References:

Education and Care Services National Regulations 2011

Education & Early Childhood Services Regulations and Standards Act 2011

ACECQA Guide to the National Quality Framework, Section 4 Operational Requirements, QA 4 Staffing Arrangements, accessed online 16/8/23 at url:

<https://www.acecqa.gov.au/national-quality-framework/guide-nqf/section-4-operational-requirements/quality-area-4-staffing-arrangements#4.1.3>

ACECQA Nominated Supervisor Information Sheet (accessed online 16/8/23)

<https://www.acecqa.gov.au/sites/default/files/2018-03/InformationSheetNominatedSupervisor.pdf>

ACECQA NQF Information Sheet Responsible person Requirements for Approved Providers (accessed online 16/8/23)

<https://www.acecqa.gov.au/sites/default/files/2018-09/ResponsiblePersonRequirements.pdf>

## 9 Review Strategy and History:

Review should be conducted every 3 years or earlier if legislative changes are implemented to ensure compliance with this procedure.

Version No.	Reviewed By	Approved By	Approval Date	Review Notes
1	Management Committee Educators	Liam Fudali-Chairperson	1/5/13	New Procedure
1	Nominated supervisor Educators	Joan Gilbert	1/4/15	No changes
2	Management Committee Nominated Supervisor Educators	Josephine Salisbury-Chairperson	8/2/17	Major amendments to Certified Supervisor section to reflect our practice Removed Record Keeping section-replaced with Section 6 Legislation and Regulations

				Updated references & review history
2.1	Management Committee Nominated Supervisor Educators	Alison Cooksley Acting Chairperson	21/10/20	Minor Amendments changed 'Certified Supervisor' - to 'Responsible Person on Duty' Updated references & review history
2.2	Management Committee Nominated Supervisor Educators	Amelia Thiele Chairperson	20/9/23	Minor Amendments Updated references Changed review history to 3 years