



Determining Responsible Person Policy

POLICY STATEMENT

At Coowarra OOSH we will ensure a responsible person will be on the premises and contactable for our families at all times. The details of the responsible person at any time will be clearly displayed for educators and families.

A responsible person may be:

1. An individual approved provider or, where the provider is not an individual, persons with management and control of the service;
2. The Nominated Supervisor of the service;
3. A Responsible person who has been placed in day to day charge of the service

DEFINITIONS OF RESPONSIBLE PERSON

NAME	DEFINITION
Approved provider	A person who holds a provider approval and has primary legal responsibility under the National Law and National Regulations to ensure good governance and management of the service.
Nominated supervisor	A person, over the age of 18, 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.
Person in day-to-day charge (PIDTDC)	A person, over the age of 18, 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 in practices.

THE APPROVED PROVIDER/MANAGEMENT WILL ENSURE A RESPONSIBLE PERSON:

- is appointed and physically on the premise at all times children are being educated and cared for
- is over the age of 18 years
- meets the minimum requirements for qualifications, experiences and management capabilities
- holds a valid and current Working with Children Check
- has completed approved child protection training and is aware of the reportable conduct scheme



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- has knowledge and a commitment to the National Principles for Child Safe Organisations
- has adequate knowledge and understanding of the provision of education and care to children, the Education and Care National Law and Regulations and National Quality Standard, the approved framework for school age care- *My Time, Our Place* (MTOP), Family Assistance Law and administration of CCS
- has the ability to effectively supervise and manage an education and care service
- is a fit and proper person (as per regulatory authority conditions)
- has evidence of completing an approved diploma level education and care qualification or higher is considered as a requirement or 'actively working towards' an ACECQA approved qualification
- provides references including their current and previous employers. These will be checked, and records kept on file
- provides written consent for the position of responsible person and this is filed in staff records (not required if the approved provider is the responsible person)
- is removed from the position, if the approved provider deems the individual is no longer considered to meet the fit and proper requirements.

THE APPROVED PROVIDER/NOMINATED SUPERVISOR/MANAGEMENT WILL ENSURE:

- educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy
- the regulatory authority is notified 7 days prior to a nominated supervisor starting at the service or within 14 days after the person has commenced the role through NQA IT System
- the regulatory authority is notified if the nominated supervisor changes their name or contact details; is no longer employed by the Service, has been removed from the role or withdraws their nomination
- the regulatory authority is notified of the suspension or cancellation of a Working with Children Card or other disciplinary proceedings held against them under an education law of a participating jurisdiction action of a nominated supervisor
- a responsible person will be removed from the position should management become aware of a matter or incident which affects the ability of the person to meet the minimum requirements of the position
- the time sheet has the name of the responsible person at the Service for each time children are being educated and cared for by the Service
- a responsible person is on duty from the time the Service opens each day until the time the Service closes
- ensure that the identity of the responsible person on duty is displayed in the main entrance of the Service and is easily visible for families and visitors
- the PIDTDC interchanges with the nominated supervisor in their absence
- the individual's compliance history is taken into account prior to appointing the nominated supervisor or responsible person including compliance with:
 - the National Law
 - a former education and care services law
 - a children's services law
 - an education law



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- they consider any decision under the National Law, or any other children's services or education law, to refuse, refuse to renew, suspend, or cancel a licence, approval, registration, certification or other authorisation granted to the person prior to appointing a nominated supervisor
- documentation is recorded that demonstrates the individual's capacity to supervise and manage the service, this may include:
 - a Supervisor Certificate (including any conditions of the certificate)
 - resume detailing work history
 - reference from previous employer, or
 - transcripts of courses or unit relating to staff management or administration of an education and care service
- responsible persons are aware that they have to sign off when they have finished their duty and will ensure the nominated supervisor or appointed responsible person (PIDTIC) will sign on and take on the role
- a staff record is kept recording
 - the full name, address and date of birth of the responsible person/nominated supervisor;
 - evidence of relevant qualifications
 - if applicable, evidence that the responsible person/nominated supervisor is actively working towards that qualification
 - evidence of any approved training (including first aid training and child protection training)
 - verification of a Working with Children Check – identifying number and expiry date
 - written consent for the position of responsible person.

A NOMINATED SUPERVISOR/APPOINTED RESPONSIBLE PERSON WILL:

- provide written consent to accept the role of responsible person/nominated supervisor
- sign their name and hours of responsibility on the time sheet
- ensure that the identity of the responsible person on duty is displayed in the main entrance of the Service and is easily visible for families and visitors
- inform management (approved provider/nominated supervisor) in a timely manner 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 (PIDTIC) of the Service does not have the same responsibilities under the National Law as the nominated supervisor
- in the case of nominated supervisor, 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 Children Check card or teacher registration), or if they are subject to disciplinary proceedings
- notify management at the service in writing, if they wish to withdraw their consent to be a responsible person



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DETERMINING RESPONSIBLE PERSON

- In the event that the Nominated Supervisor is not present in the service (e.g. before or after the Nominated Supervisors rostered shift; in the event that the Nominated Supervisor is ill or on annual leave etc.) a Responsible person must be nominated, this person must hold the required skills and knowledges and agree to be the Responsible Person Present in the Nominated Supervisors absence. The Assistant Coordinator will ultimately fill this role when the Nominated Supervisor is on leave but in the case of their absence the next Supervisor with the most experience will be nominated.

CONSIDERATIONS

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 LAW AND NATIONAL REGULATIONS	
S. 162	Offence to operate education and care service unless responsible person is present
S.162A	Persons in day-to-day charge and nominated supervisors to have child protection training



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S. 169	Offence relating to staffing arrangements
S. 173	Offence to fail to notify certain circumstances to Regulatory Authority
117A	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
174	Time to notify certain circumstances to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider

RELATED POLICIES

Code of Conduct Policy Health and Safety Policy Interactions with Children, Family and Staff Policy Confidentiality Policy	Respect for Children Policy Staffing Arrangements Policy Supervision Policy Work Health and Safety Policy
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UPDATED AND REVIEWED: August 2025

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