



BRISBANIA BEFORE & AFTER SCHOOL & VACATION CARE CENTRE INC

Management

Title: Determining Responsible Person

Status: Current

Date of Origin: March 2013

Policy No: P 25

Last Review: May 2024

POLICY STATEMENT

The Education and Care Services National Law determines that a responsible person must always be physically present at a centre-based service that an approved service operates.

PROCEDURE

A responsible person will always be on the premises, and the details of the responsible person at any time will be clearly displayed for educators, staff and families.

The process for determining the responsible person will be clear to all educators and staff, and always followed.

Details of the person responsible are documented and displayed for all users of the service.

A service must always have a responsible person physically present.

A responsible person can be:

1. The **NOMINATED SUPERVISOR** – this is a person with a supervisor's certificate designated by the service as the nominated supervisor.
2. A **CERTIFIED SUPERVISOR** who has been placed in day-to-day charge of the service.

The Approved Provider will:

1. Ensure Nominated Supervisors and Certified Supervisors have a clear understanding of the role of the responsible person.



2. Ensure the responsible person is appropriately skilled and qualified.
3. Ensure a responsible person is always physically present at the centre.
4. Will ensure that the responsible is removed from the position, if the approved provider deems the individual is no longer considered to meet the fit and proper requirements
5. Will ensure that educators, staff, students, and volunteers have knowledge of and adhere to this policy
6. The individual's compliance history is considered prior to appointing the nominated supervisor or responsible person including compliance with:
 - The National law
 - A former education and care service law
 - A children's service law
 - An education laws.
7. 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 license, approval, registration, certification, or other authorisation granted to the person prior to appointing a nominated supervisor.
8. Ensure 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.

The Nominated Supervisor or delegated authority will:

1. Arrange for the keeping of a "responsible person record". This record will document the current responsible person.
2. The name of the responsible person will be displayed in the main entrance at the Service.
3. Develop rosters in accordance with the availability of responsible persons, centre operation and attendance patterns of children.



4. The nominated supervisor will be the responsible person. If they are unavailable, then the second in charge will then take on the role. In the event of the nominated supervisor or second in charge being unavailable, an educator with a certified supervisor’s certificate will be rostered on.

CONSIDERATIONS

Children (Education and Care Services) National Law NSW 2013: 161-162

National Quality Framework 2011: Quality Area 4

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