QUALITY AREA 4:
EDUCATIONAL PROGRAM AND PRACTICE

Determining Responsible Person

"We learn and play on the traditional land of the Bandjalang People of the Bundjalung Nation".

We are a child safe organisation.

Introduction

Under the *Education and Care Services National Law*, it is a legal requirement that a **responsible person** be physically present at a **centre-based education and care service** at all times while the service is operating. This ensures that children are supervised and cared for by individuals who meet the necessary standards of competence and accountability.

Regulation **117B** of the *Education and Care Services National Regulations* outlines the **minimum requirements** for a person to be placed in **day-to-day charge** of a service.

Review Date: 20/10/2027

Goals

A responsible person will be on the premises at all times, and the details of the current Responsible Person 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 followed at all times.

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

Strategies - How will it be done?

A service must always have a responsible person physically present at all times.

A Responsible Person can be:

1. The APPROVED PROVIDER – Management Committee.
2. The NOMINATED SUPERVISOR – this is a person designated by the service as the Nominated Supervisor (the Director's).
3. A person placed in day-to-day charge of the service.

The Approved Provider will:

1. Ensure Nominated Supervisors or person placed in charge have a clear understanding of the role of the Responsible Person;

2. Ensure the Responsible Person is appropriately skilled and qualified, and at least 18 years of age;

3. Ensure a responsible person is physically present at the centre. A substitute for the responsible person will be present where a Waiver is in place.

4. Educator placed in day-to-day charge has completed child protection training.

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, and/ or on OWNA, displayed on the ipad when signing in.

3. Develop rosters in accordance with the availability of responsible persons, centre operation and attendance patterns of children.

The Responsible Person will:

1. Accept the position of responsible person in writing.

2. Ensure a handover of responsibility takes place when one Responsible Person steps down and another takes their place.

3. Place their photo on the Provider Information sign near the main entrance, and/ or ensure it is displayed on the OWNA application.

4. Keep the Nominated Supervisor informed of all important information.

5. Implement policies and procedures in accordance with the Education and Care Regulations.

Sources

- Education and Care Services National Regulations – Regulation (117B) - Sets minimum requirements for a person to be placed in day-to-day charge of a service
- ACECQA – Responsible Person Requirements for Approved Providers
- NSW Legislation – Education and Care Services National Law (Section 162) - Requires a responsible person to be present at all times a service is operating

Evaluation

This policy will be reviewed **every two years**, or in response to:

- Legislative changes
- Regulatory authority feedback
- Internal audits or incidents

Approved Provider Representative:

Name: Ashliegh Mitchell

Role: President

Signature:

Date Adopted: 20/10/2025

Review Date:.....20/10/2027.....

POLICY REVISION		
Reviewed	**Adopted By**	**Review Date**
25/06/2018	Belinda Fayle	25/06/2020
07/07/2021	Aaron Kennedy	07/07/2023
28/11/2023	Narissa Cuskelly	28/11/2025
20/10/2025	Ashliegh Mitchell	20/10/2027