



Dara School

**Out of School Hours Care
Responsible Person Policy**

October 2022

RESPONSIBLE PERSON POLICY

1. BACKGROUND

Dara OSHC Service is committed to meeting our duty of care obligations under the Education and Care Services National Law and National Regulations by ensuring a Responsible Person is physically on the premises at all times. The responsible person will ensure the health, safety, wellbeing, learning, and development of all children at the service is maintained at all times.

2. SCOPE

This policy applies to the Management, Approved Provider, Nominated Supervisor, Responsible Persons and educators of the OSHC Service.

3. POLICY PRINCIPLES

Dara OSHC is committed to:

- Ensuring integrity of the service is maintained
- Ensuring the health, safety, wellbeing and development of children is being supported
- Ensuring any person/s in a supervisory position are adequately and appropriately qualified
- Maintaining a duty of care to all children at Dara OSHC
- Demonstrating compliance with the National Regulations, National Quality framework and the Children and Young People (Safety) Act 2017 (SA)

4. IMPLEMENTATION

- A Responsible Person will be on the premises at all times, and the details of the Responsible Person will be clearly visible to families and visitors at the main entry of the OSHC Service. A record of the Responsible Person will be documented each day via the Responsible Person Register.
- If the Responsible Person leaves the premises, they will 'hand over' obligations for the role to another duly appointed person at the Service. It is vital that all handovers to a designated Responsible Person are documented when commencing this position throughout the day via the Responsible Person record. The process for determining the Responsible Person will be clear to all educators and staff, and procedures will be followed at all times. Both the outgoing and incoming Responsible Persons will ensure

the displayed name of the current Responsible Person at the Service correctly reflects who presently holds the position.

- A responsible person can be:
 - An Approved Provider or a person with management or control
 - A Nominated Supervisor, or
 - A person in day-to-day charge of the service (PIDTDC)

5. ROLES AND RESPONSIBILITIES

The Approved Provider/Management will ensure:

- 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
- 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 staff register 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
- 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

- o evidence of any approved training (including first aid training and child protection training)
- o verification of a Working with Children Check – identifying number and expiry date
- o written consent for the position of Responsible Person

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 (or state/territory equivalent)
- has completed RRHAN-EC and is aware of the mandatory reporting procedures
- has knowledge and a commitment to the National Child Safe Standards
- 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 (MTO), 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)
- 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)

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 Responsible Service Register
- 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
- Responsible Person appointments will be recorded on the Staff Roster, so all educators and staff are aware of who is appointed Responsible Person at all times the service is open
- the Director/Nominated Supervisor will advise educators and staff the educators who have been appointed as a Responsible Person

6. DEFINITIONS AND ABBREVIATIONS

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
Responsible Person	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.

7. OTHER POLICIES OR DOCUMENTS REALTED TO THIS POLICY

Code of Conduct Policy

Health and Safety Policy

Interactions with Children, Family and Staff Policy H8

Privacy and Confidentiality Policy A5

Respect for Children Policy 10

Staffing Arrangements Policy A8, A9

Supervision Policy H18

Work Health and Safety Policy

Responsible Person Procedure

Responsible Person Offer and Acceptance

8. RELATIONSHIP TO REGULATIONS

National Quality Standards (NQS)

Quality Area 4: Staffing Arrangements

Standard 4.1 Staffing Arrangements

Element 4.1.1 Organisation of educators

Element 4.1.2 Continuity of Staff

Standard 4.2 Professionalism

Element 4.2.1 Professional collaboration

Element 4.2.2 Professional Standards

Quality Area 7: Governance and Leadership

Standard 7.1 Governance

Element 7.1.3 Roles and Responsibilities

Education and Care Services National Law and National Regulations

Section 162 – Offence to operate education and care service unless responsible person is present

Section 169 – Offence relating to staffing arrangements

Regulation 117A – Placing a person in day-to-day charge

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

Regulation 117C – Minimum requirements for a nominated supervisor

Regulation 150 – Responsible Person

Regulation 168 – Policies and Procedures

Regulation 173 – Prescribed information to be displayed

Regulation 177 – Prescribed enrolment and other documents to be kept by approved provider

9. REFERENCES

SOURCE Australian Children’s Education & Care Quality Authority. (2014).

Australian Children’s Education & Care Quality Authority. (2017). Responsible Person Requirements for Approved Providers: <https://www.acecqa.gov.au/sites/default/files/2018-09/ResponsiblePersonRequirements.pdf>

Education and Care Services National Law Act 2010. (Amended 2018).

Education and Care Services National Regulations. (2011).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2017). (Amended 2020).

Guide to the National Quality Standard. (2017).

Revised National Quality Standard. (2018) Australian Government, DEEWR, Child Care Services Handbook [get up to date version](#)

Equal Opportunity Commission, www.eoc.sa.gov.au/

Inclusive directions, www.directions.org.au

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