



Determining Responsible Person

Approved by board on: 25th July 2023
Scheduled review date: July 2025

Introduction

Our Preschool will ensure a Responsible Person or Nominated Supervisor is physically present at the service at all times children are being educated and cared for. Details of the Responsible Person on duty will be communicated and displayed for all users of the service.

Legislation requires that a Responsible Person is physically in attendance at all times the service is educating and caring for children. The Responsible Person can be: The Approved Provider, the Nominated Supervisor or a Person in Day to Day Charge (PIDTDC).

Goals

Legislation requires that a Nominated Supervisor or Responsible Person is physically in attendance at all times the service is educating and caring for children. The person placed in day to day charge of the service is either the Approved Provider (or the person in management or control of the service), the Nominated Supervisor of the service, or a Responsible Person.

Definitions

Approved Provider

An individual or organisation that has completed an application form and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services.

Nominated Supervisor

A person who has been nominated by the Approved Provider of the service under Part 6 of the Act to be the Nominated Supervisor of that service, and who has consented to that nomination. The Nominated Supervisor has day-to-day responsibility for the service in accordance with the National Regulations. The Nominated Supervisor is the Responsible Person when in attendance.

Person in Day to Day Charge (PIDTC)

A PIDTDC is a responsible person under section 162 of the Law and is the point of contact for parents and staff. A service does not need to have a PIDTDC if a nominated supervisor or approved provider is the responsible person at the service.

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Policy

The Approved Provider is responsible for ensuring the safety and wellbeing of children at the service and will consider a person's qualifications, experience and age when deciding whether they are suitable to be placed in day to day charge.

A person may be placed in day to day charge of the service, when:

- The Approved Provider, Nominated Supervisor or Responsible Person identifies that they meet the criteria required under R117B and 117C and
- They give their written consent to be placed in day to day charge of the service.

Criteria to be Determined a Responsible Person or Nominated Supervisor

Educators at the service who are considered appropriate for the role of Responsible Person or Nominated Supervisor must meet the following requirements:

- Their practical knowledge of the day-to-day responsibilities of being an educator at the service, including how to work through unexpected problems.
- Must be over 18 years of age
- Must have completed an approved Child Protection course. In NSW, nominated supervisors and persons in day-to-day charge are required to have completed the child protection courses approved by the NSW Regulatory Authority (162A Education and Care Services National Law)

A demonstrated understanding of:

- Education and Care Services National Law Act 2010, and the Education and Care Service Services National Regulations 2011
- Equal Opportunity Employment Conditions
- Health and Safety, including Child Protection responsibilities
- Privacy, Confidentiality and Equal Opportunity/Anti-Discrimination policies and procedures; and
- Our education and care service's policies and procedures.

The name of the person in day to day charge of the preschool is clearly visible and this person signs in as the responsible person using Kinder M8.