

Early Childhood Management Services

Quality Area 4: Staffing Arrangements Early Childhood Education

Determining the Responsible Person of the Service Policy

Purpose

ECMS must ensure that a responsible person is present at each service at all times the service is educating and caring for children. This information will be current, displayed, and visible from the service’s main entrance. This is also known as the prescribed information area.

The responsible person will be known as the Nominated Supervisor and in their absence the person in day-to-day charge of the service.

Scope

This policy applies to the Approved Provider, Nominated Supervisor, Educators, other staff, students on placement, and volunteers at ECMS.

Principles

ECMS is committed to:

- Ensuring adherence to the Education and Care Services National Law and the Education and Care Services National Regulations
- Ensuring the staffing requirements including child/educator ratios are adhered to at all times
- Ensuring that the health, safety, and wellbeing of children at the service is protected at all times while also promoting their learning and development
- Fulfilling a duty of care to all children attending the service
- Providing accountable and effective staffing and management practices
- Employing Educators with a range of relevant qualifications and experience to provide a quality educational program that meets the needs of children and families in the community

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- Employing Educators according to policy and funding requirements
- Providing educators with ongoing professional development and career development opportunities.

Role and responsibilities

Director of ECE	<p>Accountable for:</p> <ul style="list-style-type: none"> • Ensuring implementation and compliance with this policy and procedure • Approval of information gathered by the Area Manager for the appointment to take effect.
Area Managers	<p>Responsible for:</p> <ul style="list-style-type: none"> • Appointing a person to be the Nominated Supervisor for each service site and ensuring that this person has: <ul style="list-style-type: none"> ○ Received a copy of the Nominated Supervisor Role Description ○ Provided written consent and acceptance of the position ○ Provided the ECMS Compliance History Statement • Determining and documenting the suitability of the person as stated in the responsible person requirements • Ensuring services remain compliant and that the service does not operate without a Nominated Supervisor or Person in Day to Day Charge on the premises at all times the service is in operation • Ensuring that all educators and staff have opportunities to undertake professional development relevant to their role to keep their knowledge and expertise current • Ensuring an Early Childhood Teacher is working with the service for the required period of time specified in the National Regulations and this information is kept within the staff sign-in/out register • Notify the Compliance Desk of:

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	<ul style="list-style-type: none"> ○ Commencement of Nominated Supervisor (7 days prior to appointment or 14 days after commencement) ○ Or if Nominated Supervisor: <ul style="list-style-type: none"> ▪ Changes their name or contact details ▪ Is no longer employed or engaged by ECMS ▪ Has been removed from the role ▪ Withdraws their consent to be a nominated supervisor.
Compliance Manager	<p>Responsible for:</p> <ul style="list-style-type: none"> • Notifying the regulatory authority of changes to a Nominated Supervisor through the NQA IT system • Completing additional internal processes relating to KIM, staff records, and payroll as applicable.
Nominated Supervisor / Person in day-to-day charge	<p>Responsible for:</p> <ul style="list-style-type: none"> • Receiving and understanding the Nominated Supervisor Role Description and acknowledging this responsibility in writing • Being in charge of the service when on duty, being available to support educators, and able to fulfil all aspects of the Nominated Supervisor Role Description • Designating the person in charge of the service and available to support Educators in their absence. In Early Learning Centres, this will be the second in charge (or other suitable delegate provided the above approval processes have been actioned) • Ensure that the name and times for the Nominated Supervisor is clearly documented in the staff sign-in/sign-out records at all times.
People and Capability	<p>Responsible for:</p> <ul style="list-style-type: none"> • Internal process in line with this policy and procedure

If the Nominated Supervisor is unable to designate a person in charge (in the case of a sudden illness) the approved provider or Area Manager will designate a suitable person in charge.

In an emergency and in the absence or unavailability of the Nominated Supervisor or approved provider whoever is the person in charge at the time has the authority to designate a replacement.

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All staff members assessed by ECMS as having the knowledge and expertise to be placed in day-to-day charge will be nominated to be a person in charge if they agree to be nominated.

Sources

<p>Related ECMS policy and procedure</p>	<ul style="list-style-type: none"> • Responsible Person of the Service Procedure • Responsible Person Role Description • ECMS Compliance History Statement • ECMS Staff Record • Child Safe Culture Policy • Child Safe Policy and Procedure • Code of Conduct • Participation of Volunteers and Students Policy and Procedure • Parent Access and involvement Policy and Procedure • Supervision of Children Procedure
<p>Sources and further reading</p>	<ul style="list-style-type: none"> • Child Safe Standards, Victoria • Education and Care Services National Law Act 2010: Sections 12, 13, 14, 161, 162, 165-169 • Education and Care Services National Regulations (Current as at 1 July 2018) 14, 15, 16, 17, 117a, 118, 120, 145-152 • Education and Training Reform Act 2006 (VIC) (amended in 2014) • Equal Opportunity Act 2010 (VIC) • Fair Work Act 2009 • Occupational Health and Safety Act 2004 • Occupational Health and Safety Regulations 2007 • Privacy Act 1988 (Cth) • Privacy and Data Protection Act 2014 (VIC) • Working with Children Act 2005 (VIC) • Working with Children Regulations 2006 (VIC)

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