

ARMIDALE & DISTRICT FAMILY DAY CARE

Determining the Responsible Person Present Policy

Related documentation Policy/policies:	Educational Program and Practice, Child Protection, Code of Conduct.
Regulation/s/ Standards:	Education and Care Services National Regulations 47, 54 118,156, 173,231 Education and Care Services Law 2010 – section 117, 164, 106 NQS 7.1
Related procedures:	Workplace Health and Safety (Educators), Workplace Health and Safety (Staff), De-Registration of Educator from the Register
References:	http://: www.acecqa.gov.au/files/Information sheets/Information Sheet - Nominated Supervisors 140602.pdf
Date effective	November 2024
Date for review	November 2027
Purpose	The Approved provider must ensure that a responsible person is available to support Educators in AFDC when they are educating and caring for children.
Responsibility/applies	Directors, Management and Nominated Supervisor.

Key information:

A Responsible Person is:

- The Approved Provider or someone with management or control,
- A Nominated Supervisor, or
- Someone who has been appointed to be in day-to-day control of the service.

Process for the appointment of a Responsible Person:

- The Responsible Person must give written consent to their appointment.
- The name of the Responsible Person must be displayed so that it is visible from the main entrance of the Coordination Unit and at each Educator's residence or service.

Requirements for Responsible Persons:

A Responsible person must be:

- 18 years of age or over,
- Have adequate knowledge and understanding of the provision of education and care to children, and
- Have an ability to effectively supervise and manage an education and care service.

When appointing a Responsible Person, AFDC must have regard to:

- The person's history of compliance with the National Law Regulations and other pre-existing legislation, and
- Any decision under the Law to refuse, suspend, refuse to renew, or cancel a licence, approval, registration, certification or other authorisation granted to the person under the National Law or other pre-existing legislation.

The Approved Providers may ask the nominated person to complete and sign a Compliance History Statement template and keep it on file.

Child protection obligations and training:

- AFDC must ensure Responsible Persons (and staff members) are advised of child protection laws and obligations and have current working with children checks that comply with working with children laws,
- Responsible Persons must have successfully completed child protection training as required by the Regulatory body.

Provision of Assistance to Educators:

AFDC must ensure that when an educator is educating and caring for a child, one of the following is available to provide support to the educator:

- The approved provider, if the approved provider is an individual, or a person with management or control of the service,
- A nominated supervisor of the service,
- A person in day-to-day charge of the service.

The requirement to be available to provide support to a family day care educator includes being available to be contacted by telephone to provide advice and assistance to the educator.