

RESPONSIBLE PERSON POLICY

As per Education and Care Services National Law and Regulations, a Responsible Person must physically be in attendance at all times that the OSHC service is educating and caring for children. At every Happy Haven OSHC service, the allocated Responsible Person will oversee the session and liaise with educators and families where necessary. As the Approved Provider, Happy Haven OSHC has a responsibility to ensure that the service is adequately managed and supervised, by having a Responsible Person always present who is in day-to-day charge. Happy Haven OSHC takes reasonable steps to ensure that the Responsible Person has effective decision making and leadership skills to meet the minimum legal requirements of the Education and Care Services National Law and Regulations.

Approved providers are responsible for appointing a Responsible Person who is aged 18 years or older, has adequate knowledge and understanding of the provision of education and care to children, and has an ability to effectively supervise and manage an education and care service (ACECQA, 2017).

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service

7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.
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EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
162	Offence to operate education and care service unless responsible person is present
169	Offence relating to staffing arrangements
117A	Placing a person in day-to-day charge
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
145	Staff record
150	Responsible Person
168	Education and care service must have policies and procedures
173	Prescribed information to be displayed
177	Prescribed enrolment and other documents to be kept by approved provider

RELATED POLICIES

Code of Conduct Policy Health and Safety Policy Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy	Respect for Children Policy Staffing Arrangements Policy Supervision Policy Work Health and Safety Policy
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PURPOSE

Happy Haven OSHC is committed to meeting our duty of care obligations under the Education and Care Services National Law and National Regulations to ensure a Responsible Person is always physically on the premises to ensure the health, safety, wellbeing, learning, and development of all children at the service is maintained at all times.

SCOPE

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

IMPLEMENTATION

Happy Haven OSHC will have one Responsible Person present at all times when caring for and educating children.

The identity of the Responsible Person (RP) must also be on display at the Happy Haven OSHC service in the main entrance and should be easily visible for families and visitors upon arriving to the service. This display must be changed at the beginning of each session (Before School Care and After School Care). This display must also be changed when the current Responsible Person hands over to the incoming Responsible Person (Vacation Care and Pupil Free Days).

DEFINITION

Nominated supervisor: A person, over the age 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 adult 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 during the service.

NOTIFICATION OF RESPONSIBLE PERSON

The People and Culture team will clearly identify the Responsible Person during the creation of the weekly roster. In accordance with National Regulation 150, Happy Haven OSHC will maintain records of the Responsible Person's name via the Rostering Software (at time of writing, Deputy).

REQUIREMENTS AND DUTIES OF A RESPONSIBLE PERSON:

- Is over the age of 18
- The responsible person is always appointed and physically on the premise children are being educated and cared for
- Meets the minimum requirement for qualifications, experience, and management capabilities
- Must hold a valid Working with Children Check

- Have a sound understanding of the role of a Responsible Person which can be completed through attending a Responsible Person training
- Holds adequate knowledge and understanding of
 - the provisions of education and care to children
 - Education and Care National Law
 - Regulations and National Quality Standard
 - Approved framework for school age children (MTOF, EYLF)
 - Administration of Childcare Subsidy (CCS)
- Has the ability to effectively supervise and manage the OSHC service
- If the Responsible Person is leaving the service and handing over their duties, they will pass on any important information regarding the session to the incoming Responsible Person.

QUALIFICATIONS OF A RESPONSIBLE PERSON

The Responsible Person is preferred to be a Qualified educator (a person holding an approved diploma or degree or is actively working towards obtaining one). Qualification is not compulsory but recommended, therefore an educator that is deemed to be able to manage and supervise the service in addition to possessing relevant experience at the service may be rostered as a Responsible Person. All Responsible Person delegation will be overseen by the People and Culture Team in consultation with Nominated Supervisor.

Senior Leadership/Nominated Supervisors will ensure that the Responsible Person meets the requirements by:

- Conducting thorough background checks of the educator prior to employment
- Having educator sign declarations that they are not prohibited under the National Law
- Removing a Responsible Person when they become aware of a matter or incident which affects the ability of the person to meet the minimum requirements of the position

- the Nominated Supervisor/ Senior Leadership will hold the following information:
 - 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
 - evidence of any approved training (including first aid training and child protection training)
 - verification of a Working with Children Check – identifying number and expiry date
 - references including their current and previous employers. These will be checked, and records kept on file

SOURCE

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

Australian Children's Education & Care 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)

REVIEW

POLICY REVIEWED	FEBRUARY 2022	NEXT REVIEW DATE	FEBRUARY 2023
MODIFICATIONS	<ul style="list-style-type: none"> - additions added from Education and Care Services National Regulations - editing and formatting 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
FEBRUARY 2021	<ul style="list-style-type: none"> • minor edits to policy • deleted requirement to have an Australian Police Check for responsible person (Only required for Nominated Supervisor) 	OCTOBER 2021	
	<ul style="list-style-type: none"> • 		