

Determining the Responsible Person of the Service Procedure

Procedure

During the interview, the interview panel will:

- Inform the person of their responsibilities as a Nominated Supervisor/person in charge and provide a copy of the role description
- Assess and determine the person’s suitability to be a Nominated Supervisor/Certified Supervisor, including qualifications and certifications and the annual requirement to undertake and evidence training in relation to child protection
- Document evidence that the person is suitable
- Seek and obtain written consent from that person
- Keep documented, signed and dated consent to their nomination in the staff records both at the service and at head office
- Make the staff records available on request to the regulatory authority
- Notify the regulatory authority of any changes to the Nominated Supervisor.

At service level the Nominated Supervisor/Certified Supervisor will:

- Ensure the name of the person in charge of the service at that time is displayed clearly in the main entrance to the service
- Ensure the name of the person in charge and the date and time they were in charge of the service is documented and kept with the staff records.

Nominated Supervisor requirements

The responsible person must:

- Be 18 years or older
- Have adequate knowledge and understanding of the provision of education and care to children
- Have the ability to effectively supervise and manage an education and care service

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- Undertake annual training in relation to child protection.

Appointing a Nominated Supervisor

ECMS must have regard to:

- The person's history with compliance with the National Law and other laws
- Any decision under the law to refuse, suspend, refuse to renew, or cancel a licence, approval, registration, certification or any other authorisation granted to the person under the National Law and other relevant laws
- The person's qualification being either a diploma level or approved teaching qualification, and preferably have at least three years' experience as an Educator
- The level of knowledge, expertise and experience that will enable the person to effectively manage the service in the absence of the approved provider.
- Assess the person's knowledge and understanding of educating and caring for children, including:
 - Children's growth, learning and development
 - How to support and enhance children's learning and development
 - How to support children's wellbeing, health and safety.
- Assess the person's ability to effectively supervise and manage the service, including the ability to:
 - Establish and maintain respectful relationships with children, families and staff.\
 - Guide and direct staff
 - Effectively implement service policies and procedures
 - Make sound decisions and respond to issues and emergencies.

ECMS can request a person to:

- Complete and sign a Compliance History Statement to assist in making an informed decision about the person's suitability to be a Nominated Supervisor
- Complete and sign a declaration stating they are not prohibited (kept on file at both head office and the service)

Person in day-to-day charge requirements

The responsible person must:

- Be 18 years or older
- Have adequate knowledge and understanding of the provision of education and care to children
- Have the ability to effectively supervise and manage an education and care service
- Undertake annual training in relation to child protection.

Appointing a person in day-to-day charge

As per the process for a Nominated Supervisor each person in charge will:

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- Hold either a diploma level, Certificate 3 or approved teaching qualification and undertaken annual child protection training
- Have the level of knowledge, expertise and experience that will enable the person to effectively manage the service for short periods of time in the absence of the Nominated Supervisor and approved provider
- Take into account the person's history with compliance with the National Law and other laws
- Assess the person's knowledge and understanding of educating and caring for children, including:
 - Children's growth, learning and development
 - How to support and enhance children's learning and development
 - How to support children's wellbeing, health and safety.
- Assess the person's ability to effectively supervise and manage the service, including the ability to:
 - Establish and maintain respectful relationships with children, families and staff
 - Guide and direct staff
 - Effectively implement service policies and procedures
 - Make sound decisions and respond to issues and emergencies.

ECMS can request a person to:

- Complete and sign a Compliance History Statement to assist in making an informed decision about the person's suitability to be a Nominated Supervisor
- Complete and sign a declaration stating they are not prohibited (kept on file at both head office and the service).

Notifying the regulatory authorities

Area Managers, ECE, will notify the regulatory authority of changes to a Nominated Supervisor:

- Through the NQA IT system
- Within 7 days prior to the commencement of the Nominated Supervisor or within 14 days after the nominated supervisor has commenced
- Via a separate notification if the nominated supervisor:
 - 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.

Note:

A service may have more than one Nominated Supervisor. The Operations team will need to determine if additional Nominated Supervisors are required at a service and ensure this is budgeted for prior to implementation.

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