

Responsible Person Policy (Service Leadership & Coverage)

Purpose

This policy outlines the requirements and procedures for appointing, documenting, and displaying the Responsible Person at each ECMS service. It ensures that a suitably qualified and consented individual is present at all times the service is educating and caring for children, as required by the National Law.

Scope

This policy applies to:

- The Approved Provider, persons with management or control, Centre Director, Nominated Supervisor, and persons in day-to-day charge.
- Early Childhood teachers, educators, staff, contractors, students, volunteers, parents/guardians, children, and others enrolled and participating in ECMS programs and services, including during offsite excursions and activities.
- All ECMS-operated Early Learning Centres and Kindergarten programs.

Policy Statement

ECMS is committed to an anti-bias approach in early childhood. ECMS operates within a framework of social justice and equity - this means we celebrate family and cultural diversity and aim to be supportive, responsive, and inclusive of all children. ECMS is committed to ensuring that every service is staffed by capable, authorised, and present leaders who are responsible for day-to-day decision-making. A clearly identified Responsible Person:

- Ensures operational and regulatory oversight
- Supports educators and families
- Contributes to a child-safe culture through visible and accountable leadership

Definitions

Term	Definition
Responsible Person	Either the Nominated Supervisor or a Person in Day-to-Day Charge (PIDTDC) who has been formally appointed and is present at the service.
Nominated Supervisor	A person nominated by the Approved Provider, accepted by the Regulatory Authority, and responsible for the operation of the service.
Person in Day-to-Day Charge	A staff member with sufficient knowledge, qualifications, and experience, appointed by the Approved Provider or Nominated Supervisor to be in charge when the Nominated Supervisor is not present.

Appointment of the Responsible Person

Approved Provider:

- Ensures each ECMS service has an appointed Nominated Supervisor
- Signs off all appointments, based on documented suitability

Area Manager:

- Gathers and verifies qualifications and experience
- Documents assessment of suitability
- Obtains written consent from the individual

Nominated Supervisor:

- Acknowledges appointment in writing
- Is present during operational hours when available
- When absent, designates a Person in Day-to-Day Charge

Person in Day-to-Day Charge:

- Must provide written consent to be placed in charge
- Must be assessed as capable by the Approved Provider
- Supports educators and assumes operational responsibility in the absence of the Nominated Supervisor

Display Requirements

In accordance with **Regulation 173**, each service must:

- Clearly display the full name of the current Responsible Person
- Ensure this information is visible from the service's main entrance
- Update the display each time a change occurs during the day

Documentation and Records

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- Staff sign-in/out must indicate the Responsible Person on duty
- Written consents and suitability assessments are stored in staff files
- Records must be readily available for inspection by the Regulatory Authority

Emergencies and Contingencies

- If the Nominated Supervisor is unexpectedly absent, the most senior available Person in Day-to-Day Charge may designate another suitable person
- If no such person is available, the Area Manager or Approved Provider must make an immediate appointment to maintain compliance

Review

This policy will be reviewed every two years or earlier if legislation or organisational practice changes. The Director, Education is responsible for ensuring timely review and consultation.

Roles & Responsibilities

Director, Education	<ul style="list-style-type: none"> • Policy oversight and system-wide compliance
Approved Provider (CEO delegate)	<ul style="list-style-type: none"> • Appointment and legal accountability for Nominated Supervisors and Persons in Day-to-Day Charge
Area Managers	<ul style="list-style-type: none"> • Oversee local compliance, documentation, and appointment processes
Nominated Supervisors / Centre Directors	<ul style="list-style-type: none"> • Maintain daily visibility and oversight • Designate backup Responsible Persons as needed
Educators and Staff	<ul style="list-style-type: none"> • Know who the Responsible Person is at any time • Refer to the Responsible Person for operational decisions, support, or guidance

Related Legislation, Regulations and Resources

- Education and Care Services National Law Act 2010: Sections 161, 162, 164, 172
- Education and Care Services National Regulations 2011: Regs 117A, 117B, 117C, 150, 168(2)(i), 173(2)(c)

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- National Quality Framework – Quality Area 4: Staffing Arrangements
- Child Safe Standards – Standard 1: Governance, Leadership and Culture

Related Policies and Procedures

- Child Safety and Wellbeing Policy
- Code of Conduct
- ECMS Delegations of Authority
- Privacy and Confidential Information Policy
- Recruitment and Selection Policy
- Supervision of Children Policy

Supporting Procedures

- Supervision Risk Management Procedure

Supporting Documents

- Role Descriptions: Nominated Supervisor / Person in Day-to-Day Charge

Document Version History			
Version	Reason for Amendment	Approved by	Approval date
7.0	Policy reviewed and approved	ECMS Executive	August 2025

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