

1. Who is a responsible person?

A responsible person can be:

- The Approved Provider or a person with centre management or control (e.g. an Executive Committee Member).
- A Nominated Supervisor.
- A nominated person in day-to-day charge of a centre. At C&K, this person is referred to as a Designated Supervisor.

- A responsible person must be present during centre operations and:
 - be 18 years or older
 - 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.
- A responsible person is legally responsible for children's health, safety and wellbeing and centre compliance to *Education and Care Services National Regulations and Law (2011)*.
- An Approved Provider must take reasonable steps to ensure a responsible person is not a prohibited person under National Law. When undertaking reference checks, it is a requirement that referees are asked if they are aware of any compliance action under National Law or any other Law in relation to the candidate. A record of referee responses must be kept on file.

2. Approved Provider

- **Branch centres** - C&K is the Approved Provider.
- **Affiliate centres** - Immediately upon appointment, Executive Committee Members are required to complete and submit the following ACECA forms via the National Quality Agenda IT System:
 - *PA08 Notification of change to information about approved provider*
 - *PA02 Declaration of fitness and propriety*

3. Nominated Supervisor

- Typically, the Nominated Supervisor is the centre Director(s). This expectation is outlined in the position description, during recruitment and upon appointment.
- More than one Nominated Supervisor can be appointed at a centre.
- A Nominated Supervisor does not need to be 'onsite' during centre operations.
- When a Nominated Supervisor is absent for an extended period (e.g. leave), the Early Childhood Education Manager / Committee are required to determine if another Nominated Supervisor should be appointed.
- If a Nominated Supervisor is no longer considered fit or proper, the Approved Provider must consider if it is appropriate to remove this person from the Nominated Supervisor role. The Regulatory Authority can restrict, either entirely or subject to conditions.
- Before an educator can act as a Nominated Supervisor a [NS01 Nominated supervisor consent form](#) (ACECQA) must be completed and submitted to the regulatory authority:

Branch Nominated Supervisors

- Email completed *NS01 Nominated Supervisor Consent Form* to the C&K Recruitment Team / Early Childhood Education Manager.
- The C&K Recruitment Team / Early Childhood Education Manager will forward to the Quality and Regulation Team (nqf@candk.asn.au).
- The Quality and Regulation Team will complete the *NS02 Notification of change to Nominated Supervisor Form* on the NQAITS AND attach the completed *NS01 Nominated Supervisor Consent Form*

Affiliate Nominated Supervisors

- Complete and forward a *NS01 Nominated Supervisor Consent Form* to Committee / nominated delegate.
- Committee / nominated delegate completes the *NS02 Notification of change to Nominated Supervisor Form* via NQAITS AND attach the completed *NS01 Nominated Supervisor Consent Form*.

- The regulatory authority must be notified 7 days prior to the Nominated Supervisor starting, or if that is not possible, within 14 days after the Nominated Supervisor has commenced in the role.
- An Approved Provider must also notify the regulatory authority via the NQAITS if the Nominated Supervisor:
 - changes their name or contact details,
 - is no longer employed or engaged by the centre,
 - has been removed from the role or
 - withdraws their consent to the nomination.

The Quality and Regulation Team is responsible for all Nominated Supervisor NQAITS notifications for branch centres.

4. Designated Supervisor

- A Designated Supervisor is placed temporarily in charge of a centre when the Nominated Supervisor is not physically present, to ensure the centre operates in accordance to *Education and Care Services National Regulations and Law (2011)* and C&K policies and procedures.
- A Designated Supervisor is required to meet the below criteria. Under some circumstances, an Early Childhood Education Manager / Committee can nominate an educator to be a Designated Supervisor if they do not meet criterion 4. However, an educator is required to meet criteria 1 to 3 and at a minimum be actively studying towards an approved Certificate 111 qualification.
- More than one Designated Supervisor can be appointed at a centre.
- The Approved Provider may remove a person from the role if they no longer meet the minimum requirement.
- Written consent (via *Designated Supervisor Consent Form*) must be sought upon appointment and required before an educator can act as a Designated Supervisor. This form must be kept on the staff file.

Designated Supervisor Criteria

1. Be 18 years or older.
2. Have adequate knowledge and understanding of the provision of education and care to children.
3. Be fit and proper and able to effectively supervise and manage a centre AND
4. Have the following:
 - a. A minimum of 3 years' experience working as an educator in an education and care centre AND
 - b. hold an approved Certificate 111 and working towards an approved Diploma level education and care qualification OR hold an approved Diploma level education and care qualification or be working towards or hold an approved early childhood teaching qualification.

5. When a Nominated Supervisor is not physically present at the centre

- When the Nominated Supervisor is not physically present at the centre, a Designated Supervisor is required to be placed in charge of the centre (i.e. be the responsible person).
- Considering the hours of operation of a childcare centre, there may be several Designated Supervisors, who are placed in charge for different time periods throughout a given day.
- In the event a responsible person is not available to step up to be in charge of the day to day operation of a centre, immediately contact your Early Childhood Education Manager / Committee to determine an appropriate plan of action.
- If a responsible person cannot be found, a centre may need to close. Only a Regional Manager or Senior C&K Manager / Committee can authorise a centre closure.

6. Display and records

- All records relating to Nominated and Designated Supervisors must be kept at the centre on staff files. Records of Designated Supervisors who are casual branch educators are kept at C&K Central / HR and are available upon request.
- The times a 'responsible person' is placed in charge of a centre must be recorded daily:
 - **Childcare:** *Childcare Responsible Person Register*
 - **Kindergarten:** *Kindergarten Staff Time Sheet*
- In addition, a *Responsible Person Poster*, indicating who is currently in charge must be prominently displayed for families and visitors.
- The *C&K Service Profile* displays details nominated supervisor(s)'s name and photograph.

Key resources and references

[ACECQA Information Sheet - Responsible person requirements for approved providers](#)