
	Management Area: Childrens Services	Version No: 1.0 Pages: 4
	Category of Policy: Operational	Approval Date: 01/07/2023 Policy Approver: Head of Children's Services
Policy Title: Determining the Responsible Person Present Policy Author: YMCA's of Australia		

YMCA SOUTH AUSTRALIA

Determining the Responsible Person Present Policy

	Management Area: Childrens Services	Version No: 1.0 Pages: 4
	Category of Policy: Operational	Approval Date: 01/07/2023 Policy Approver: Head of Children's Services
Policy Title: Determining the Responsible Person Present Policy Author: YMCA's of Australia		

1. Purpose

A responsible person is always present at a centre-based Outside School Hours Care (OSHC) when the service is educating and caring for children. YMCA SA are committed to meeting our regulatory requirements in relation to staffing, our responsible person ensures that the service is effectively supervised and managed.

2. Scope

This Policy applies to the Outside School Hours Care (OSHC) approved provider, OSHC service staff, educators and families using the service.

3. Policy


The Responsible Person must:

- Be 18 years of age or older.
- Have adequate knowledge and understanding of education and care provisions.
- Can effectively supervise and manage the service.
- Consent in writing to the nomination. If an approved provider is an individual and has nominated themselves to be a nominated supervisor, there is no need for written consent.
- Have completed child-protection training.
- Have their details on display at the service.


In the absence of the Nominated Supervisor and a Responsible Person, the Area manager will act in place of the Nominated Supervisor/Responsible Person.

4. Roles and Responsibilities

Department / Area	Role / Responsibility

	Management Area: Childrens Services	Version No: 1.0 Pages: 4
	Category of Policy: Operational	Approval Date: 01/07/2023 Policy Approver: Head of Children's Services
Policy Title: Determining the Responsible Person Present Policy Author: YMCA's of Australia		

Management	<p>Ensuring staff follow policies and procedures.</p> <p>Ensure that a staff record includes the name of the responsible person for each time that children are being educated and cared for.</p> <p>Ensure that a nominated supervisor or person in day-to-day charge is present at the service in the absence of the approved provider.</p> <p>Ensure that the person in day-to-day charge consents.</p> <p>Ensure that the nominated supervisor and person in day-to-day charge are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training.</p> <p>Ensure the responsible person is fit and proper</p>
Nominated supervisor/ Responsible person	<p>Ensure that regulatory obligations are met in relation to staffing arrangements.</p> <p>Implement procedures for staffing arrangements.</p> <p>Ensure that quality staffing practices are in place in line with the National Quality Standard, especially Quality Area 4 – Staffing arrangements.</p> <p>Must be present at the service in the absence of the approved provider.</p> <p>Ensure that they themselves, as well as educators, staff, volunteers, and students, are not affected by alcohol or drugs.</p> <p>Must be aware of the existence and application of current child protection law and their obligation.</p> <p>Advise the approved provider if they have changed their name or contact details (the regulatory authority is to be notified)</p> <p>Ensure that their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications are met.</p> <p>Ensure the staff record includes the name of the responsible person for each time that children are being educated and cared for</p> <p>Ensure that a staff record is kept with the details in regulations 145–152.</p> <p>Follow the code of conduct. take appropriate action if the code of conduct is not met.</p> <p>The point of contact for families and staff.</p>

	Management Area: Childrens Services	Version No: 1.0 Pages: 4
	Category of Policy: Operational	Approval Date: 01/07/2023 Policy Approver: Head of Children's Services
Policy Title: Determining the Responsible Person Present Policy Author: YMCA's of Australia		

5. Definitions

The Responsible Person

An Educator who has been placed in day-to-day charge of the service in the absence of the Nominated Supervisor and is always present (National Law, Section 162)

Person in day-to-day charge

A person who is placed in day-to-day charge of an education and care service by an approved provider or a nominated supervisor; and who has consented (Regulation 117A).

Duty of care

Refers to the responsibility of organisations to provide people with an adequate level of protection against harm and all reasonably foreseeable risk of injury.

6. Key Relevant Documents

- [Nominated supervisor and responsible person roles \(esb.sa.gov.au\)](https://www.esb.sa.gov.au)
- [ResponsiblePersonRequirements.pdf \(acecqa.gov.au\)](https://www.acecqa.gov.au/ResponsiblePersonRequirements.pdf)
- [Whos-who-at-our-Service.PDF \(nsw.gov.au\)](https://www.nsw.gov.au/Whos-who-at-our-Service.PDF)
- <https://www.acecqa.gov.au/nqf/national-law-regulations>
- <https://www.acecqa.gov.au/nqf/about/guide>

7. Monitoring Evaluation and Review

This policy will be reviewed every two years or earlier for reasonable cause or upon the request of the YMCA South Australia Board.

8. Version History

Version	Date	Description of changes	Effective Date	Review Date
1.0	01/07/2023	Developed new policy		