

# The Kinder Garden



## Determining Responsible Person Policy

### Aim

The aim of The Kinder Garden is to determine the responsible person that is required to be physically present on the premises at all times that an Approved Service operates.

### Legislative Requirements

Education and Care Services National Regulation 2011  
Education and Care Services National Law Act 2010  
National Quality Standards 2011

### Who is affected by this policy?

Child  
Educators  
Staff  
Families  
Management

### Implementation

It is the Service's responsibility to ensure that a Responsible Person is physically present on the premises at all times, the Service operates.

A Responsible Person can be:

1. The Approved Provider (or person in management or control) or
2. The Nominated Supervisor or
3. A Certified Supervisor who has consented to be placed in day to day charge of the Service. The Certified Supervisor does not have the same responsibilities as a Nominated Supervisor. A Certified Supervisor must consent to this nomination in writing.

All of the above must have an Approved Child Protection Statement of Attainment.

The Approved Provider will ensure:

- Nominated and Certified Supervisors have a clear understanding of the role of the Responsible Person.
- The Responsible Person is appropriately skilled and qualified.
- A Responsible Person is physically present at the Service (given that the responsible person may change throughout the day (eg at a changeover of shifts), this requirement might be met on a whiteboard or interchangeable nameplate in the entrance).

The Approved Provider/Nominated Supervisor must ensure that records are kept of the Responsible Person at any given time, and that a record of who is the Responsible Person on duty, is on display in a prominent position in the foyer of the Service.

**The Approved Provider/Nominated Supervisor will ensure that this policy is maintained and implemented at all times.**

### Sources

Education and Care Services National Law Act 2010  
Education and Care Services National Regulation 2011  
Guide to the National Quality Standard 2011  
Department of Education [www.dec.nsw.gov.au](http://www.dec.nsw.gov.au)  
Guide to the National Law and National Regulations (July 2014)

### Review

The policy will be reviewed annually. Review will be conducted by management, employees, parents and any interested parties.

**Reviewed:** January 2017

**Date for next review:** January 2018