

# POLICY NO 49: STAFFING – DETERMINING THE RESPONSIBLE PERSONS PRESENT

**Key Policy Contact Person:** Manager, Our Village Family Childcare

**POLICY STATEMENT:**

Our Village Family Childcare Service is committed to professionalism, confidentiality, and ethical conduct. The service understands its responsibility to maintain appropriate management, Coordination Unit and Educator arrangements for the service that reflects the legal status and authority to hold provider approval and service approval and effectively manage the service.

Educators can always access the Manager (Nominated Supervisor) and/or Approved Provider and/or a Coordinator and/or the Child Youth and Family Services General Manager of the service through one of the following:

- Phone (Landline)
- Mobile Phone
- Email
- Text Message
- Face to face

**CRITICAL INFORMATION:**

***Sunbury and Cobaw Community Health (Approved Provider) will:***

- Ensure the responsible person is appropriately skilled and qualified.
- Ensure the Manager (Nominated Supervisor) and Coordinators have a clear understanding of the role of the Responsible Person
- Ensure a written undertaking will be conducted by the Responsible Person
- Ensure that there is a contingency plan for the service in time of illness or extended leave of the Manager (Nominated Supervisor)
- Ensure the Coordination Unit staff will be always available for support and assistance to Educators the service operates.
- Ensure assistance is provided by the Manager (Nominated Supervisor) or a coordinator if required.
- Ensure the names and phone numbers of the Responsible Person in charge of the service at any given time is displayed so that it is always easily visible to anyone at the location of the principal office

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**PURPOSE:**

To ensure that Our Village Family Childcare Service operates according to the Education and Care Service National Regulations, (current version July 1, 2023) and Education and Care Services National Law Act 2010 (version 015) in that SCCH Management, and Coordination Unit staff are aware of the responsibilities of the service.

**SCOPE/RESPONSIBILITIES:**

This document applies to all Educators, Families, Coordination Unit Staff, Management Staff, Volunteers and Students of Our Village Family Childcare Service.

**STATEMENT OF DIVERSITY**

Sunbury and Cobaw Community Health is committed to improving the health of our community and being accessible to all, including people from culturally and linguistically diverse (CALD) communities, those from Aboriginal and Torres Strait Islander background, people with a disability, Lesbian Gay Bisexual Transgender Intersex and Queer (LGBTIQA+) people and other socially vulnerable groups and supporting their communities across the lifespan from birth to older age.

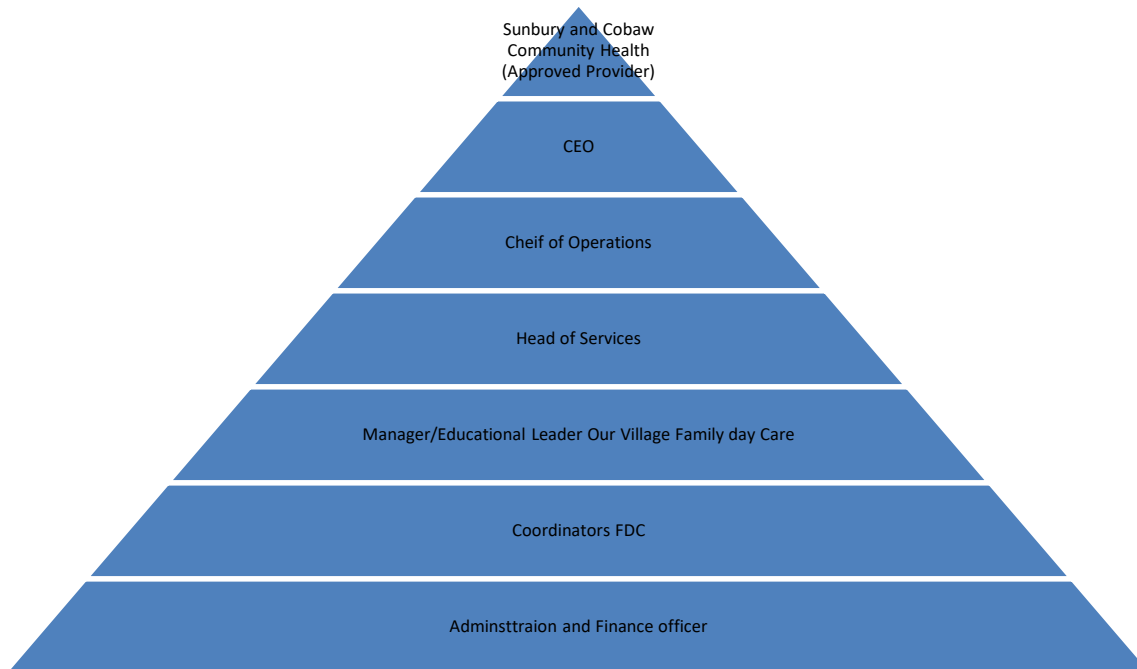
**DEFINITIONS:**

<b>Approved Provider</b>	The Person or organisation who holds the Provider Approval for the service
<b>Person with Management or Control</b>	A person in an executive or management role, authority, or responsibility for, or significant influence over an approved provider entity.
<b>Nominated Supervisor</b>	A person nominated by the Approved provider to supervise and manage the service.
<b>Person in Day-to-Day Charge</b>	A person delegated by the Nominated Supervisor to be in charge o the service in their absence.
<b>Responsible Person</b>	A Responsible Person must be always present the service is delivering education and care to children. A Responsible Person can be: <ul style="list-style-type: none"> <li>- Approved Provider</li> <li>- Person with Management or Control</li> <li>- Nominated Supervisor</li> </ul>

	- Person in day-to-day charge of the service.
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**PROCEDURES:**

**The Service is managed by a leadership team as per the SCCH Organisational Structure**



***Sunbury and Cobaw Community Health (Approved Provider) will:***

**Determine the Responsible Person**

- Delegate Person with Management or Control – CEO of SCCH
- Ensure the Manager (Nominated Supervisor) and Coordinators have a clear understanding of the role of the Responsible Person
- Ensure the name and position of the responsible Person in charge of the service is displayed and easily visible.
- Ensure a written undertaking will be conducted by the Responsible Person
- Ensure that there is a contingency plan for the service in time of illness or extended leave of the Manager (Nominated Supervisor)
- Ensure a staff record is created and maintained for every staff member.
- Ensure assistance is provided by the Manager (Nominated Supervisor) or a coordinator if required.
- Ensure the names and phone numbers of the Responsible Person in charge of the service at any given time is displayed so that it is always easily visible to anyone at the location of the principal office.
- Ensure that Our Village Family Childcare will comply with the Regulatory Authority requirements in relation to the approval of Coordinators, Manager (Nominated Supervisor) in accordance with the approved provider’s certification.

- Ensure that the Manager (Nominated Supervisor) or Responsible Person in charge will respond to any issues arising where the health and safety of a child is at risk or the issue involves a breach of the Education and Care Service National Regulations, (current version July 1, 2023).
- Ensure all staff at Our Village Family Childcare have access to the mobile phone numbers for the Manager (Nominated Supervisor), Coordinators, Head of Services, Chief operating Officer and SCCCH CEO (Approved Provider).

### **Notifications**

Notification must be given to the regulatory authority in the following situations:

- Approved Providers must ensure PMC information is up to date and accurate. Any PMC changes must be notified to the regulatory authority within 14 days.
- A change to the name or contact details of the Nominated Supervisor.
- The Nominated Supervisor is no longer employed by the service or has been removed from the role.
- The Nominated Supervisor withdraws their consent to the nomination.
- If a Nominated Supervisor has their Working with Children Check or VIT Registration suspended or cancelled, or if they are subject to any disciplinary proceedings under the law.
- Notifications must be made within 7 days of the event or within 7 days of the approved provider becoming aware of the event.

### **Nominated Supervisor**

The Chief of Operations, Head of Services and OVFC Manager is assigned as the Nominated Supervisors. They must:

- Accept the position in writing as per the Nominated Supervisor Consent Form This form must be provided to DET either 7 days prior to their commencement date, or if this is not possible, within 14 days of their commencement date.
- Hold current Child Protection Training.
- Ensure the name of the Nominated Supervisor is displayed prominently at the service.
- Ensure that every residence will have displayed names and contact details for the Manager (Nominated Supervisor), Coordination Unit staff, Head of Services, Chief operating Officer and SCCCH CEO
- Ensure that if the Manager (Nominated Supervisor) or Approved Provider is unavailable then a Coordinator will be placed in day-to-day charge of the service – the process will be in accordance with the Education and Care Services National Regulations (current version 30 2021) Regulation 154.
- Ensure that Educators seeking support, guidance or a decision are requested to phone the Coordination Unit to speak to a Coordinator.
- Ensure the Coordination Unit staff will be always available for support and assistance to Educators the service operates.
- Ensure that during office hours if Manager (Nominated Supervisor) is not on site:
  - The Educator shall seek to speak with a Co-ordination Unit staff member who will contact Manager (Nominated Supervisor) by mobile phone if required and/or where the health, safety and wellbeing of a child are at risk.
  - The Manager (Nominated Supervisor) will return the Educator's call as soon as possible.

- The Nominated Supervisor and/or the Person with management or Control must ensure the nominated Person in day-to-Day Charge:
  - Is appropriately skilled and qualified.
  - Must be always available the service is delivering education and care to children.
  
- Person in Day-to-Day Charge must have a comprehensive understanding of the role of being the Responsible Person – this includes:
  - The provision of high-quality care and education for children.
  - Proper understanding of service policies and procedures.
  - Ability to supervise and manage the service.
  - Have a history of compliance with early childhood legislation and other relevant laws.
  - Not have been subject to any decision under any early childhood legislation to refuse, refuse to renew, suspend, or cancel a licence, approval, registration, certification, or other authorisation granted to the person e.g., Suspension or cancellation of their Working with Children Check.
  - Hold current Child Protection Training.

**APPENDIX:**

- SCCH Client Empowerment Policy and Procedure
- SCCH Code of Conduct

**REFERENCES:**

- [Education and Care Services National Regulations, \(version July 1, 2023\) Regulation: 154, 168, 174](#)
- [Guide to the national Quality Framework – Quality Area 7](#)
- [Education and Care Services National Law Act 2010 Section 173](#)
- Department of Education [Persons with Management or Control](#)
- [AECEQA](#)

**RELATED POLICIES & PROCEDURES/ WORK INSTRUCTIONS:**

- Code of Conduct – 40
- Child Safety and Wellbeing - 55
- Child Safe Environment and Child Protection – 7
- SCCH Client Empowerment Policy and Procedure
- SCCH Code of Conduct

**VERSION CONTROL AND LEGISLATION:**

For office use only (to be completed by the Quality, Safety & Compliance unit)			
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