

1. Policy Statement

The trustees of the Roman Catholic Church for the Diocese of Maitland – Newcastle as the Approved Provider operates St Nicholas services with an appointed Nominated Supervisor .

The Nominated Supervisor does not have to be on the premises of the service at all times but does in their absence have to place a responsible person in charge.

2. Purpose

The purpose of this Policy and Procedure is to ensure:

- that a Responsible Person will be physically present at our service at all times that children are being educated and cared for.
- Ensure the process for determining the responsible person be clear to all educators and staff, and followed at all times.

3. Procedure Direction

Step	Detail
General	• The Nominated Supervisor will be regarded as the Responsible Person each day • In the event the Nominated Supervisor is absent, another person will be nominated as the Responsible Person and in charge of the day-to-day operation of the service • The person in day-to-day charge does not have the same roles and responsibilities as the Nominated Supervisor • There can be any number of Responsible Persons in a service • The person listed as Responsible Person during operational hours must have their details (full name) displayed with the Nominated Supervisor details and be clearly visible to families. • Responsible Persons must sign as RP on timesheets • Any person who will be a Responsible Person must agree to be placed in day-to-day charge of the service by providing written consent.
Criteria to be determined a Responsible Person	• Must be over 18 years of age • Have practical knowledge of the day-to-day responsibilities of being an educator at the service and how to work through unexpected problems

	• Whether the person has been subject to a compliance action or prohibition notice • Have a demonstrated understanding of: ○ The Education and Care Services National Law and Regulations ○ The National Quality Standards ○ Health and Safety of children including Child Protection responsibilities ○ St Nicholas policies and procedures
Who can be a Responsible Person	The responsible person can be: • The Approved Provider • A Nominated Supervisor • A person in day-to-day charge

4. Roles and Responsibilities

Role	Responsibility
Approved Provider	Must ensure that: • the name of the Nominated Supervisor is displayed at the main entrance of the service. In the absence of Nominated Supervisor, the name of the Responsible Person is on display. • the Nominated Supervisor and Responsible Person in day-to-day charge must be 18 years or older. • the Nominated Supervisor and Responsible Person have given their acceptance of this role in writing • the Nominated Supervisor and Responsible Person has successfully completed accredited child protection training and has sound knowledge of all child protection laws and obligations of the Reportable Conduct Scheme governed by the Children's Guardian Act 2019; and administered by the Office of the Children's Guardian. • the Nominated Supervisor and Responsible Person, has adequate knowledge and understanding of the provision of Education and Care provided to children • has an ability to effectively supervise and manage an Education and Care Service. • the person's history of compliance with the National Regulations, Law and other relevant laws • Notify the Regulatory Authority within 7 days if there is a change of person in the role of Nominated Supervisor through the NQA ITS Portal (ACECQA Notification)

	• No longer employed at the service or if they withdraw their consent to be the Nominated Supervisor. • Change of circumstances that affects their status as fit and proper, such as the suspension or cancellation of a Working with Children Check or if they are subject to disciplinary proceedings. • Ensure there is a sign in and out register at the service and the Nominated Supervisor is clearly identified • Notify the Regulatory Authority within 7 days if adding another Nominated Supervisor to the service
Nominated Supervisor	• Provide written consent to accept the role of the Responsible Person • Ensure that they have a sound understanding of the role of Responsible Person • Ensure that the name of the Responsible Person on duty is displayed in the parent sign in area. • Develop rosters to ensure that there are a sufficient number of Responsible Persons at the service • Ensure the Nominated Supervisor and the Responsible Person is contactable at all times the Education and Care Service is operating. • Understand that a Responsible Person placed in a day-to-day charge of an Approved Service does not have the same statutory responsibilities under the National Law as the Nominated Supervisor.

5. Related Documents

Policies and Procedures

- Supervision Policy and Procedure

Legislation

- [Education and Care Services National Regulations \(2011 SI 653\) - NSW Legislation](#)
Regulations: 117A, 117B, 145, 150, 151, 168, 173, 177, 181, 183
- [Children \(Education and Care Services\) National Law \(NSW\) No 104a of 2010 - NSW Legislation](#)
Sections

National Quality Standard

QA 4.1 Staffing

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QA 7.1.3 Roles and Responsibilities

6. Definitions

Term	Definition
Staff	A St Nicholas team member whose primary role is not working directly with children, including cooks, support office team members, administration team members, support workers, volunteers
Early Education	St Nicholas service providing education and care to children aged 0 – 5 years
OOSH	St Nicholas service providing education and care to school aged children
Nominated Supervisor	Must be nominated by the approved provider of the service and the nominated person must give their written consent. They are responsible for day-to-day management of a service and have responsibilities relating to and including: • educational programs • supervision and safety of children • entry to and exit from the premises • nutrition and food and beverages • administration of medication • drugs and alcohol • sleep and rest • excursions • transportation • staffing ratios and qualifications
Responsible Person	A responsible person is: • the approved provider or a person with management or control • a nominated supervisor • a person in day-to-day charge of the service. The approved provider is responsible for assessing a person's suitability as responsible person.

7. Document Review

- 7.1. This Policy will be reviewed when there is a legislative change, organisational change, delegations change, technology change or at least every 3 years to ensure it continues to be current and effective.

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