

1. Policy Statement

The Approved Provider is responsible for ensuring the safety and wellbeing of children at the service and will consider a person's qualifications, experience and age before deciding whether they are suitable to be placed in day-to-day charge. A person is covered, and may be placed in day-to-day charge of the service, when:

- The Approved Provider or the nominated supervisor identifies that they meet the criteria to hold a service supervisor certificate and
- The person gives their written consent to be placed in day-to-day charge of the service (required under regulation 54).

The Approved Provider will ensure a Responsible Person is physically present at the service at all times children are being educated and cared for. Details of the Responsible Person on duty will be communicated and displayed for all users of the service.

2. Legislative Requirements

National Quality Standards

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing Arrangements	Staffing arrangements enhance children's learning and development
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.2	Professional Standards	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

QUALITY AREA 7: GOVERNANCE & LEADERSHIP



7.1	Governance	Governance supports the operation of a quality service
7.1.3	Roles & responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

Education and Care Services National Law and Regulations

SECTION/REGULATION	DESCRIPTION
Section 162	Offence to operate education and care service unless responsible person is present
Section 169	Offence relating to staffing arrangements
Reg 117A	Placing a person in day-to-day charge
Reg 117B	Minimum requirements for a person in day-to-day charge
Reg 117C	Minimum requirements for a nominated supervisor
Reg 150	Responsible Person
Reg 168	Policies and Procedures
Reg 173	Prescribed information to be displayed
Reg 177	Prescribed enrolment and other documents to be kept by approved provider

3. Related Policies

- Code of Conduct Policy
- Interactions with Children, Family and Staff Policy
- Privacy and Confidentiality Policy
- Staffing Policy
- Work Health and Safety Policy

4. Definitions

Living and Learning Together in Christ

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NAME	DEFINITION
Nominated Supervisor	A person with responsibility for the day-to-day management of an approved service. The Nominated Supervisor has a range of responsibilities under the Law and Regulations that govern the operation of education and care services.
Person in day-to-day charge (PIDTDC)	A person who is physically at the service and has the role of Nominated Supervisor or duly appointed person. The Responsible Person has consented to be placed in day-to-day charge of the service but does not take on the responsibilities of the Nominated Supervisor rather, they ensure the consistency and continuity in practices.
Responsible Person	The Approved Provider (if that person is an individual, and in any other case the person with management or control of the service operated by the Approved Provider) or a Nominated Supervisor or Responsible Person who has been placed in day-to-day charge of the service in accordance with the National Regulations.

5. Policy Review

Last reviewed: March 2026

Date for next review: March 2027



Procedural Guidelines

1. Procedures

In accordance with the Education and Care Act and the National Regulations our services is committed to the following in relation to determining the responsible person present:

- Our Service will have one Responsible Person present at all times when caring for and educating children
- The details of the Responsible Person will be clearly visible to families and visitors at the main entry of the Service.
- If the Responsible Person leaves the premises, they will 'hand over' obligations for the role to another duly appointed person at the Service. All handovers to a designated Responsible Person are documented when commencing this position throughout the day.
- The process for determining the Responsible Person will be clear to all educators and staff, and procedures will be followed at all times.
- Both the outgoing and incoming Responsible Persons will ensure the displayed name of the current Responsible Person at the Service correctly reflects who presently holds the position.

2. Roles and Responsibilities

ROLE	RESPONSIBILITIES
Approved Provider	<ul style="list-style-type: none"> • Nominating a Nominated Supervisor at the service • Determining the Responsible Person • Ensuring there is a Responsible Person on the premises at all times the service is delivering education and care programs for children • Ensuring the Responsible Person has given written consent to be in the role • Ensuring that a person nominated as a Responsible Person has appropriate qualifications level, management capabilities, experience, approval to work with children, and is over 18 years of age, as required under the National Law and National Regulations



	<ul style="list-style-type: none"> • Ensuring that the name of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service (National Law: Section 172) • Ensuring that information about the Responsible Person, including name, address, date of birth, evidence of qualifications and approved training, and a Working with Children Check is kept on the staff record (Regulation 146) • Ensuring that, in the absence from the service premises of a Nominated Supervisor, a Responsible Person is placed in day-to-day charge of the service • Ensuring that the nominated responsible persons' have a sound understanding of the role of Responsible Person • Having knowledge and understanding of the provision of education and care to children, the Education and Care National Law and Regulations and National Quality Standard, the approved learning framework (EYLF), Family Assistance Law and administration of CCS • Effectively supervising and managing an education and care service • Providing references including their current and previous employers. These will be checked, and records kept on file • Ensuring the Responsible Person is a fit and proper person (as per regulatory authority conditions) • Notifying the Regulatory Authority if a Nominated Supervisor or Responsible Person has their Working with Children Check card or teacher registration suspended or cancelled, or if they are subject to any disciplinary proceedings under the law. • Request the person to complete and sign a Compliance History Statement to keep on file. (Although not mandatory it supports informed decisions about a person's suitability to be the nominated supervisor or to be placed in day-to-day charge of the service. See Attachment A.)
<p>Responsible Person</p>	<ul style="list-style-type: none"> • Providing written consent to accept the role of Responsible Person • Checking that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service



	<ul style="list-style-type: none"> • Informing the Approved Provider and/or Nominated Supervisor in the event of absence from the service due to leave or illness so they can be replaced by another Responsible Person • Ensuring they have a sound understanding of the role of Responsible Person • Understanding that a Responsible Person placed in day-to-day charge of an approved service does not have the same responsibilities under the National Law as the Nominated Supervisor • Notifying the Approved Provider and the Regulatory Authority within 7 days of any changes to their personal situation, including a change in mailing address, circumstances that affect their status as fit and proper, such as the suspension or cancellation of a Working with Children Check card or teacher registration, or if they are subject to disciplinary proceedings.
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3. Additional Documents

- Compliance history statement for a person to be a person in day-to-day charge or a nominated supervisor <https://www.acecqa.gov.au/resources/applications/sample-forms-and-templates>
- Responsible Person Consent Form
- Responsible Person Register
- Responsible Person Record
- Education and Care Services National Regulations 2011
- Education and Care Services National Law Act 2010
- The National Quality Standards for Education and Care Services 2018 7. Approval
- Breaches or suspected breaches will trigger us to review our current policies and procedures

4. Appendices

Appendix 1 - Compliance history statement for a person to be a person in day-to-day charge (PIDTDC) or a nominated supervisor



*It is not mandatory to use this form.
This form may assist when determining a person's suitability to be the nominated supervisor or to be placed in day-to-day charge of a service. Completed forms should be retained and stored.*

APPENDIX 1

Compliance history statement for a person to be a person in day-to-day charge (PIDTDC) or a nominated supervisor

1. Please provide information about any compliance action or disciplinary proceedings to which you have been subject under:

- the *Education and Care Services National Law*, including the Education and Care Services National Regulations, and
- any of the laws listed at Table 1 below, in any Australian state or territory.

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2. Have you ever had a supervisor certificate that was subject to any conditions or suspended or cancelled by the regulatory authority?

Yes – please provide details below No

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**3. Are you or have you ever been subject to a prohibition notice under the
*Education and Care Services National Law?***

Yes – please provide details below No

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**4. Have you ever held or applied for a licence, approval, registration, certification or other
authorisation under the National Law which the regulatory authority refused, refused to
renew, suspended or cancelled?**

Yes – please provide details below No

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**St Paul
Lutheran School**

St Paul Lutheran School- SPLASH

Determining the Responsible Person Present Policy

March 2026

I, [insert full name]

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of [insert address]

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and born on [insert date of birth] declare that:

1. the information provided in this statement is true and complete, and
2. I am aware that I may be subject to penalties under a Commonwealth or State or Territory Act if I provide false or misleading information.

Signature of person making the declaration:

Signed: **Date**/...../.....

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