

RESPONSIBLE PERSON POLICY

Updated: June 2025



What are we talking about in this document?

This policy is related to the appointment of a Responsible Person and their responsibilities to ensure the safety, health and wellbeing of the children and educators within the service.



Who is this for?

This policy applies to children, families, staff, management, students, and visitors of the service.



Why do we need this policy?

We are committed to meeting our duty of care obligations under the Education and Care Services National Law (WA) Act 2012 and the Education and Care Services National Regulations 2012. This policy ensures a Responsible Person is on the premises at all times children are being educated and cared for.

Policy Contents

[The Important Stuff](#)

[Requirements to be offered the role of Responsible Person](#)

[Removal of responsibility](#)

[Record keeping](#)

[Notice to Regulatory Authority regarding Nominated Supervisors](#)

[Procedures and Guidelines](#)

[Procedure for the appointment of a Responsible Person](#)

[Roles and Responsibilities](#)

[Nominated Supervisor](#)

[Responsible Person](#)



Key Terms

Term	Meaning	Source
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 Laws and Regulations that govern the operation of education and care services.	https://www.acecqa.gov.au/media/22801
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.	National Law (Section 162)
Responsible Person	The approved provider or a person with management or control of the service, a	National Law (Section 162)

	nominated supervisor, or a person in day-to-day charge of the service [Section 162].	
--	--	--



The Important Stuff

This policy is a requirement under Regulation 168 of the Education and Care Services National Regulations 2012. A Responsible Person will be on the premises at all times children are being educated and cared for [Section 162], and the details of the Responsible Person will be clearly visible to families and visitors in the administration area or entry to the service [Regulation 173(2)]. A record of the Responsible Person will be documented each day via the Responsible Person Register [Regulation 150].

If the Responsible Person leaves the premises, they will 'hand over' obligations to another duly appointed person at the service. It is vital that all handovers are documented in the register [Regulation 150].

A responsible person can be:

- The approved provider or a person with management or control
- A Nominated Supervisor
- A person in day-to-day charge of the service [Section 162].

Requirements to be offered the role of Responsible Person

- Must be over 18 years of age [Regulation 117B]
- Must meet the following minimum requirements for qualifications, experience and management capabilities:
 - Holds a current and valid Working with Children Check
 - Holds a current and approved Child Protection training certificate
 - Holds a current and approved First Aid Qualification, including Asthma and Anaphylaxis Management
 - Holds a current and approved Food Safety training certificate
 - Has an understanding of the National Child Safe Standards
 - Has at least 3 years' experience working as an educator (recommended)
 - Note: This is recommended, but not compulsory. Nominated Supervisors may decide a qualification or other relevant experience outweighs experience as an educator.
 - Approved Early Childhood Education and Care Diploma or above qualification (recommended)
 - Note: This is recommended, but not compulsory. Nominated Supervisors may deem an educator as suitable to act as a Responsible Person due to their knowledge and experience, even if they do not hold a Diploma or above qualification.
- Must have adequate knowledge and understanding of the provision of education and care to children [Regulation 117B]
- Must have an adequate understanding of Family Assistance Law and the administration of the Child Care Subsidy (CCS)
- Must have adequate knowledge of the Education and Care Services National Law (WA) and Regulations, the National Quality Standard and the Approved Learning Frameworks

- Must have the ability to effectively supervise and manage an education and care service
- Must be fit and proper (as per regulatory conditions) [Regulation 117B]

Removal of responsibility

Educators may be removed from the responsibility of being the Responsible Person at the discretion of the Nominated Supervisor or Approved Provider.

Responsible Person record keeping

In addition to the staff record which is kept for all staff [Regulation 145], a record must be kept of the name of the Responsible Person for each time that children are being educated and cared for by the service [Regulation 150].

The [Responsible Person Record](#) will specify the dates and times of the handover of responsibility and be signed by the Responsible Persons. Notes will be added to the register where required for handovers where there is in-depth or important information to be passed on.

Notice to Regulatory Authority regarding Nominated Supervisors

- The Approved Provider must give written notice to the Regulatory Authority if a new Nominated Supervisor is appointed. This notice must be given — (i) at least 7 days before the individual is to commence work as a nominated supervisor; or (ii) if that period of notice is not possible in the circumstances, as soon as practicable but not more than 14 days after the individual commences work as a nominated supervisor [Section 56].
- The Regulatory Authority must be notified of any change to the name or contact details of the Nominated Supervisor [Section 56A].
- The Regulatory Authority must be notified within 7 days [Regulation 174] if the Nominated Supervisor
 - has a change to their circumstances that affects their status as fit and proper (such as the cancellation or suspension of a WWCC, TRBWA registration); or
 - is the subject of disciplinary proceedings [Section 173(2)(a)].
 - ceases to be employed or engaged by the service; or
 - is removed from the role of Nominated Supervisor; or
 - withdraws consent to the nomination [Section 173(2)(b)].



Procedures & Guidelines

Procedure for the appointment of a Responsible Person

1. The Nominated Supervisor will ensure the educator meets the requirements for the role of Responsible Person using the [Responsible Person Consent Form](#).
2. The Nominated Supervisor will discuss the role of the Responsible Person and ask the educator if they are willing to consent to become a Responsible Person.
3. The Nominated Supervisor will provide the educator with the Responsible Person Consent Form to read and sign.

4. The educator becoming a Responsible Person will complete a [Prohibition Notice Declaration and Compliance History Statement](#).
5. The Nominated Supervisor and educator will complete the [Responsible Person Orientation](#).
6. The educator can now be added to the roster as a Responsible Person.

Roles and Responsibilities

Nominated Supervisor

- Regarding appointment of a Responsible Person, ensure
 - Each Responsible Person meets the requirements as listed above.
 - The Human Resources Manager is contacted to access and review reference checks.
 - Each Responsible Person has provided written consent for the position [Regulation 117A(b)] and the consent form has been sent to the Human Resources Manager to file with the staff records.
 - Each Responsible Person has completed a comprehensive induction and has a clear understanding of the role [Regulation 117B(1)(b)(ii)].
- Regarding adherence to regulations and ongoing management, ensure
 - Responsible Person(s) is/are appointed.
 - A Responsible Person is on the premises at all times children are being educated and cared for [Section 162].
 - The service roster or record clearly communicates which Responsible Person is on duty for when children are being educated and cared for (from open to close).
 - The details of the Responsible Person are always clearly visible to families and visitors at the main entry to the service [Regulation 173(2)].
 - The Responsible Person Record is accurate and kept up to date at all times [Regulation 150].
 - Handover occurs at the change of Responsible Person, ensuring that all information is clearly communicated and notes are made where necessary.
- Regarding removal of a Responsible Person
 - A Responsible Person will be removed from the role should management become aware of a matter or incident which affects the ability of the person to meet the minimum requirements of the position [Regulation 117B].

Responsible Person

- Regarding consenting to the role
 - Provide written consent to accept the role of the Responsible Person using the Responsible Person Consent Form [Regulation 117A(b)].
 - Notify the Nominated Supervisor in writing if they wish to withdraw their consent to be a Responsible Person.
 - A reduction in responsibilities may result in a change of position.
- Regarding the responsibilities of the role
 - Have a sound understanding of the role of the Responsible Person [Regulation 117B(1)(b)(ii)].
 - Inform the Nominated Supervisor of any absence from the service as soon as possible to allow time for another Responsible Person to be appointed.

- Inform the Nominated Supervisor immediately of any changes that will affect their ability to act as the Responsible Person.
- Understand that the Responsible Person does not have the same responsibilities as the Nominated Supervisor.
- Regarding working in the role
 - Abide by all conditions and requirements of the Responsible Person.
 - Sign their name and present time of responsibility on the Responsible Person Record, ensuring to handover any important information [Regulation 150].
 - Ensure the details of the Responsible Person are always clearly visible to families and visitors at the main entry to the service [Regulation 173(2)].



Supporting Documents

Policies

[Arrival, Departure and Authorisation Policy](#)
[Child Protection Policy](#)
[Emergency Management Policy](#)
[Excursion, Incursion and Safe Transportation Policy](#)
[Incident, Illness and Administration of First Aid Policy](#)
[Medical Conditions Policy](#)
[Supervision of Children Policy](#)
[Workplace Health and Safety Policy](#)

Other Documents

[Responsible Person Consent Form](#)
[Prohibition Notice Declaration and Compliance History Statement](#)
[Responsible Person Orientation](#)
[Responsible Person Record](#)

Resources

[Education and Care Services National Law \(WA\) Act 2012](#)
[Education and Care Services National Regulations 2012](#)



Sources

- Australian Children's Education & Care Quality Authority (ACECQA).
- Early Childhood Australia Code of Ethics. (2016).
- Education and Care Services National Law (WA) Act 2012. (2023).
- Education and Care Services National Regulations 2012. (2023).
- Guide to the National Quality Framework. (2023).
- National Principles for Child Safe Organisations WA: Guidelines. (2019).



Links to Regulations

National Quality Standard

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.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
Quality Area 7: Governance and Leadership		
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated and individual plans are in place to support learning and development.

Education and Care Services National Regulations	
117A	Placing a person in day-to-day charge
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
145	Staff record
146	Nominated supervisor
150	Responsible person
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
173	Prescribed information to be displayed
177	Prescribed enrolment and other documents to be kept by approved provider

Education and Care Services National Law	
56	Notice of change to nominated supervisor
56A	Notice of change of a nominated supervisor's name or contact details
162	Offence to operate education and care service unless responsible person is present
162A	Persons in day-to-day charge and nominated supervisors to have child protection training
169	Offence relating to staffing arrangements
172	Offence to fail to display prescribed information
175	Offence relating to requirement to keep enrolment and other documents



Review & Document Control	
Policy Reviewed	Modifications
12th January 2018	Creation from old Staffing Arrangements Policy.
1st February 2018	Added new Quality Standards. Changed Director to Centre Coordinator.
28th September 2018	NQS changes effective 1.10.18
June 2019	Updated with new Keiki logo
May 2020	Updated to new format. Changes to layout, showing the RP requirements separate to responsibilities. Information added include notify NS asap to allow another RP to complete responsibilities. Added NS section re changes to their eligibility to be a RP. Remove Supervisor Certificate. Update Sources with a link to Responsible Person Requirements ACECQA Added section about requesting HR manager send the references
May 2021	Added diagram. Added Procedure to Policy. Updated consent form. Added Child Safe Standards. Information on Nominated Supervisor.

January 2023	New format. Update to record keeping to provide clarity on regulatory requirements. Reword nominated supervisor notification information to provide clarity. Reformat of roles and responsibilities for readability. Links to forms added.
January 2024	New format. Links and supporting documents checked and updated.
June 2025	Reviewed - no changes required.

Disclaimer

It is each employee, family and visitor to the service's responsibility to read, understand, follow and address any concerns with management about this policy.

Are you looking at the most recent version of this document?

You can find it at: <https://keikiearlylearning.com.au/policies-and-procedures/>

Warning: uncontrolled when printed. This document was current at time of printing and may be subject to change without notice. This policy is the property of Keiki Early Learning and cannot be reproduced without permission