

Determining the Responsible Person Present during Service Operation Policy

Policy Statement & Commitments

It is a requirement of the Education and Care Services National Law that a responsible person is physically present at Brunswick East Primary School Outside School Hours Care Service (BEPS OSHC Service) whenever it is in operation.

The School Council, as the Approved Provider, requires the Coordinator to hold a Certified Supervisor Certificate, as authorised by the Australian Children's Education and Care Quality Authority (ACECQA), and be approved by the Victorian Government Department of Education and Training.

The School Council nominates the Coordinator to be the Nominated Supervisor for the Care Service, which is documented in BEPS OSHC Service's provider approval to operate an education and care service for children, signed by the School Council.

The School Council ensures that the Coordinator assumes management control of BEPS OSHC Service; however, from time to time, when the Coordinator is not available, procedures must be implemented to ensure that obligation under the National Law is met at all times. All educators at BEPS OSHC Service are encouraged to obtain a Supervisor Certificate, which makes them eligible to be a Nominated Supervisor, or to be placed in day-to-day charge when the Coordinator is not physically present at BEPS OSHC Service. BEPS OSHC Service is committed to ensuring that a responsible person is physically present at all times that the Service operates.

It is the responsibility of the School Council and the Coordinator to ensure that this policy is actively implemented. The other educators may have additional responsibilities in the absence of the Coordinator in implementing this policy. Certified Supervisors who are placed in day-to-day charge of BEPS OSHC Service are not the equivalent of a Nominated Supervisor, and do not have the same responsibilities under the National Law as a Nominated Supervisor.

Procedures

- A responsible person must be physically present and have signed a consent form for being placed in charge at all times BEPS OSHC Service is in operation.
- The name and position of the responsible person in charge of BEPS OSHC Service at any given time will be displayed, so that it is easily visible to anyone from the main entrance (notice board)

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- about the sign-in, sign-out area).
- Given that the responsible person in charge may change throughout the day, the requirement to display the name and position of the responsible person in charge will be met by providing this information, and a photo of the responsible person at the time in the main entrance of the OSHC Room.
- The responsible person in charge at BEPS OSHC Service is the Coordinator, when the Coordinator is physically present, if:
 - the School Council has appointed the Coordinator as the Nominated Supervisor at BEPS OSHC Service
 - the Coordinator has accepted this nomination in writing, which is kept in the educator’s record in the administration office and is available for inspection
- The School Council will notify the Victorian Department of Education and Training if the Nominated Supervisor for BEPS OSHC Service changes.
- If the Coordinator is not physically present at BEPS OSHC Service for any period of time, the assistant nominated as the person in charge for that time:
 - holds a Supervisor Certificate
 - has been nominated as the person in day-to-day charge, and accepts this nomination in writing, with signed consent held in the educator’s record in the administration office (and is available for inspection).
- If the Coordinator as the Nominated Supervisor and the nominated person in charge when the Coordinator is absent are both not physically present at BEPS OSHC Service for any time, another responsible person must be appointed in charge of the Service for this period of time.
- Educators at BEPS OSHC Service who hold a Supervisor Certificate are eligible to be the responsible person in day-to-day charge in the absence of the Nominated Supervisor.
- Under the National Law there is no maximum amount of Certified Supervisors who can be employed at BEPS OSHC Service at any one time, so all educators are encouraged to apply for a Supervisor Certificate.

Educators at BEPS OSHC Service who hold a Supervisor Certificate and wish to be considered to be placed in charge on an acting basis for the times where the Coordinator (being the Nominated Supervisor) is not in attendance at the Service, will be asked to discuss their practical knowledge of the day to day responsibilities of being an educator at BEPS OSHC Service, including how you work through unexpected problems, along with demonstrating a knowledge of:

- the *Education and Care Services National Law Act 2010*, and the *Education and Care Service Services National Regulations (2011)*
- equal opportunity employment conditions and the *Professional Child Care Standards 2012*
- health and safety, including child protection responsibilities
- privacy, confidentiality and Equal Opportunity/Anti-Discrimination
- BEPS OSHC Service policies and procedures.

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As the person with responsibility for the day-to-day management of BEPS OSHC Service, the Nominated Supervisor has a range of responsibilities including the following.

Educational programs	Ensuring educational programs are based on and delivered in accordance with an approved learning framework, based on the developmental needs, interests and experiences of each child, and designed to take into account the individual differences of each child.
Supervision and safety of children	Ensuring children are adequately supervised, are not subject to inappropriate discipline, and are protected from harms and hazards.
Entry to and exit from the premises	<p>Ensuring children do not leave the education and care service premises except in accordance with the National Regulations (for example, with a parent, on an authorised excursion, or for emergency medical treatment).</p> <p>Ensuring that a parent/guardian of a child being educated and cared for by the service may enter the service premises at any time when the child is being educated and cared for by the service, except when permitting entry would pose a risk to the safety of the children and educators or conflict with the duty of the supervisor under the National Law, or the supervisor is aware the parent is prohibited by a court order from having contact with the child.</p> <p>Ensuring an unauthorised person (as defined in the National Law) is not at the service while children are present unless the person is under direct supervision.</p>
Food and beverages	<p>Ensuring adequate health and hygiene practices and safe practices for handling, preparing and storing food are implemented at the service to minimise risks to children.</p> <p>Ensuring children being cared for by the service have access to safe drinking water at all times and are offered food and beverages on a regular basis throughout the day.</p> <p>Ensuring that, where food and beverages are supplied by the service, they are nutritious and adequate in quantity, and chosen with regard to the dietary requirements of individual children.</p> <p>Ensuring that, where food and beverages are provided by the service, a weekly menu that accurately describes the food and beverages to be provided is displayed at the premises in a location accessible to parents.</p>
Administration of medication	<p>Ensuring that medication is not administered to a child being cared for by the service unless the administration is authorised (except in the case of anaphylaxis or asthma emergency) and is administered in accordance with the National Regulations.</p> <p>Where medication is administered to a child without authorisation in a case of an anaphylaxis or asthma emergency, ensuring that a parent/guardian of the child</p>

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	and emergency services are notified as soon as practicable.
Prescription and non-prescription of drugs and alcohol	That while educating and caring for children at the service, staff must not consume alcohol or be affected by alcohol or drugs (including prescription medication) so as to impair their capacity to supervise or provide education and care to children.
Excursions	Ensuring that a risk assessment is conducted before an excursion in accordance with the National Regulations, and specifically that the risk assessment is conducted before authorisation is sought to take a child on the excursion.
Educators	Ensuring the prescribed educator-to-child ratios are met and each educator at the service meets the qualification requirements relevant to the educator's role.

This policy should be read in conjunction with:

General Service Information Policy

Sources & Legislative References

Australian Children's Education and Care Authority, Factsheet on Nominated Supervisors, Factsheet on Certified Supervisors, <http://acecqa.gov.au>

Education and Care Services National Law Act 2010 – Sections 5, 44, 56, 161, 162 & 172

Education & Care Services National Regulations (2011) – Regulations 35, 146, 168 & 173

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