

| Document Name | Document Version Number | Review Date |
|---|-------------------------|---------------|
| Children Services Responsible Person Policy – Family Day Care | 1.0.0 | February 2027 |
| Date Adopted | Minute Number | Status |
| 18 February 2026 | 7050 | New Policy |

Purpose

As per *Education and Care Services National Law and Regulations*, the approved provider of the Family Day Care (FDC) Service must ensure that support is provided to Family Day Care (FDC) educators. At all times education and care is provided to children by the approved provider (if the provider is an individual or a person with management or control of the service) a nominated supervisor or a person in day-to-day charge of the service.

Scope

This policy applies to the approved provider, nominated supervisor, staff, educators of the FDC Service.

Definitions

| NAME | DEFINITION |
|----------------------|---|
| Approved provider | A person who holds a provider approval and has primary legal responsibility under the National Law and National Regulations to ensure good governance and management of the service. |
| Nominated supervisor | A person, who is at least 18 years of age, 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. |

Policy Content

Approved providers are responsible for appointing a responsible person who is aged 18 years or older, has adequate knowledge and understanding of the provision of education and care to children, and have the ability to effectively supervise and manage an education and care service (*ACECQA, 2017*).

A Responsible Person can be:

- the approved provider or a person with management or control of the FDC Service
- a nominated supervisor or
- a person in day-to-day charge of the service (PIDTDC).

The Approved Provider will ensure a Responsible Person:

- is nominated for the FDC Service and is responsible for the day-to-day management of the service and support to educators
- is over the age of 18 years
- is contactable by telephone at all times education and care is provided to children in the FDC Service
- holds a current Working with Children Check (or state/territory equivalent)
- meets the minimum requirements for qualification, experiences and management capabilities
- has adequate 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 Child Care Subsidy
- has the ability to effectively supervise and manage an education and care service

- is a fit and proper person and the history of the person's compliance with the National Law, Children's Services Law, Family Assistance Law are assessed
- has completed approved child protection training and is aware of the reportable conduct scheme and processes
- has knowledge and a commitment to the National Principles for Child Safe Organisations
- has evidence of completing an approved diploma level education and care qualification or higher
- provides references including their current and previous employers. These will be checked, and records kept on file
- provides written consent for the position of responsible person and this is filed in staff records
- is removed from the position, if the approved provider deems the individual is no longer considered to meet the fit and proper requirements.

The Approved Provider/Nominated Supervisor will ensure:

- educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy
- families are aware of this Responsible Person Policy
- the regulatory authority is notified 7 days prior to a nominated supervisor starting at the FDC Service or within 14 days after the person has commenced the role through NQA IT System
- the regulatory authority is notified if the nominated supervisor changes their name or contact details; is no longer employed by the FDC Service, has been removed from the role or withdraws their nomination
- the regulatory authority is notified of the suspension or cancellation of a Working with Children Card or other disciplinary proceedings held against them under an education law of a participating jurisdiction action of a nominated supervisor
- a responsible person will be removed from the position should management become aware of a matter or incident which affects the ability of the person to meet the minimum requirements of the position.
- the staff register has the name of the responsible person at the FDC Service for each time children are being educated and cared for by the Service
- a responsible person is on duty from the time the FDC Service opens each day until the time the FDC Service closes
- ensure that the identity of the responsible person on duty is displayed in the main entrance of the each FDC residence/approved venue and is easily visible for families and visitors
- a staff record is kept recording:
 - the full name, address and date of birth of the responsible person/nominated supervisor
 - evidence of relevant qualifications
 - if applicable, evidence that the nominated supervisor is actively working towards that qualification
 - evidence of any approved training (including first aid training and child protection training)
 - verification of a Working with Children Check – identifying number and expiry date
 - written consent for the position of responsible person
 - the PIDTDC interchanges with the nominated supervisor in their absence
 - the individual's compliance history is taken into account prior to appointing the nominated supervisor or responsible person including compliance with:
 - the National Law
 - a former education and care services law
 - a children's services law
 - an education law
 - they consider any decision under the National Law, or any other children's services or education law, to refuse, refuse to renew, suspend, or cancel a licence, approval, registration, certification or other authorisation granted to the person prior to appointing a nominated supervisor
 - documentation is recorded that demonstrates the individual's capacity to supervise and manage the FDC Service, this may include:
 - a Supervisor Certificate (including any conditions of the certificate),

- resume detailing work history,
- reference from previous employer, or
- transcripts of courses or unit relating to staff management or administration of an education and care service
- responsible persons are aware that they have to sign off when they have finished their duty and will ensure the nominated supervisor or appointed responsible person (PIDTIC) will sign on and take on the role.

A Nominated Supervisor/appointed Responsible Person will:

- provide written consent to accept the role of responsible person/nominated supervisor
- sign the name and hours of responsibility on the Responsible Person Register at the principal office of the FDC Service
- ensure that educators are aware of the name and position of the responsible person in charge
- inform the approved provider/management in the event of illness so they can be replaced by another responsible person
- ensure they have a sound understanding of the role of responsible person
- abide by any conditions placed on the responsible person
- in the case of nominated supervisor, notify 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
- notify management in writing, if they wish to withdraw their consent to be a responsible person
- the nominated supervisor will advise all educators and staff who is the appointed responsible person at all times the FDC Service is open
- the nominated supervisor will advise all educators and staff the educators who have been appointed as a responsible person.

If the responsible person needs to change for any reason, they will 'hand over' obligations for the role to another qualified person at the FDC Service. It is vital that all handovers to a designated Responsible Person are documented when commencing this position throughout the day via the Responsible Person Record.

Breach of Policy

Staff members or educators who fail to adhere to this policy may be in breach of their terms of employment and may face disciplinary action.

Continuous Improvement/Reflection

Our Responsible Person Policy will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

Links to Policy

[Code of Ethical Conduct Policy](#)

[Interactions with Children Policy](#)

[Privacy and Confidentiality Policy](#)

[Child Safe Policy](#)

[Child Protection Policy](#)

[Complaints Policy](#)

[Governance and Management of the Service Policy](#)

[Monitoring, Support and Supervision of Family Day Care Educators Policy](#)

Links to Procedure

[Child Safe Environment Procedure](#)

[Dealing with Complaints Procedure](#)

Interactions with Children Procedure
Monitoring and Support of Educators Procedure
Privacy and Confidentiality Procedure

Links to Forms

Responsible Person Record
Responsible Person Acceptance Form (ACECQA)

References

Australian Children's Education & Care Quality Authority. (2014).
Australian Children's Education & Care Authority. (2017). [Responsible Person Requirements for Approved Providers](#)
Australian Children's Education & Care Authority. (2018). [Nominated Supervisors](#).
Australian Children's Education & Care Quality Authority. (2024). [Guide to the National Quality Framework](#).
Education and Care Services National Regulations
National Quality Standards
Early Years Learning Framework
Family Assistance Law

Responsibility

Director – Corporate and Community Services

Document Author

Manager Children Services

Relevant Legislation

Education and Care Services National Law Act 2010. (Amended 2023).
[Education and Care Services National Regulations](#). (Amended 2023).

Associated Records