

# Determining the Responsible Person at Peak Sports & Learning

## Purpose

This policy will provide guidelines to assist in determining the Responsible Person at Peak Sports and Learning.

Peak Sports and Learning - Provider Approval no. PR-40001129

Peak Sports Learning ATF Peak Sports Unit Trust – Provider Approval no. PR-40004041

## Peak Sports and Learning Nominated Supervisors

Tullimbar, Oak Flats, Ulladulla, North Nowra, Pleasant Heights, TIGS, Nareena Hills, NCS – Grant Neill CS No. 00028189

Shellharbour, Mt Terry, Nowra, Shell Cove – John Good CS No. 00028192

Dapto - Ashleigh Neill CS No. 00028199

## Considerations

Education and Care Services National Regulations	National Quality Standard/s	Other Service policies/documentation	Other
Regulations: 102, 103, 168	Quality Area 4 Staffing Arrangements  Quality Area 7 Governance and Leadership	Staffing Recruitment, Training, Evaluation and Professional Development  Governance Policy	Work, Health and Safety Act (2011) NSW.

## Procedures

Peak Sports and Learning is committed to:

- meeting its duty of care (refer to Definitions) obligations under the law
- ensuring staffing arrangements contribute to the health, safety, wellbeing, learning and development of all children at the service
- meeting legislative requirements for a Responsible Person to be on the service premises at all times.

This policy applies to the Approved Provider, Nominated Supervisor, Responsible Person, educators, staff, students on placement, volunteers and parents/guardians of Peak Sports and Learning

Under the Education and Care Services National Law Act 2010, it is an offence to operate an approved centre-based education and care service unless a Responsible Person is present. Legislation requires that a Responsible Person is physically in attendance at all times the service is educating and caring for

children. The Responsible Person is either the Approved Provider (or the person in management or control of the service), the Nominated Supervisor of the service, or a Responsible Person who has been placed in day-to-day charge of the service.

Peak Sports and Learning will at all times display a sign with the Nominated Supervisor's name and the Responsible Person's name, who is responsible at the time for the delivery of the educational program. This sign will be displayed prominently at the entrance of the service.

Peak Sports and Learning will not operate a service unless there is a Nominated Supervisor appointed for that service. The Nominated Supervisor may not be in attendance at the service at all times, but in their absence, a person with a Supervisor Certificate (a Responsible Person) is to be placed in charge, ensuring there is always someone on the service premises who has been assessed as fit and proper by the Regulatory Authority and appropriately trained by Peak Sports and Learning. The Responsible Person placed in day-to-day charge of a service will not have the same responsibilities under the National Law as the Nominated Supervisor.

Peak Sports and Learning will gain written consent form each Nominated and Responsible Person at Peak Sports and Learning.

Peak Sports and Learning will ensure that information about the Nominated Supervisor and Responsible Persons, including name, address, date of birth, evidence of qualifications and approved training, and a Working with Children Check is kept on the staff record notifying the Regulatory Authority in writing if there is a change of person in the role of Nominated Supervisor

**The Nominated Supervisors for Peak Sports and Learning will be responsible for:**

- providing written consent to accept the role of Nominated Supervisor
- ensuring that, in their absence from the service premises, another person with a suitable skills and qualifications (a Responsible Person – refer to Definitions) is placed in day-to-day charge of the service
- ensuring they have a sound understanding of the role of Responsible Person
- ensuring 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
- developing rosters in accordance with the availability of Responsible Persons, hours of operations and the attendance patterns of children
- 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
- notifying the Approved Provider if the Regulatory Authority cancels their Supervisor Certificate for any reason.

**Responsible Persons for Peak Sports and Learning are responsible for:**

- 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
- 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 abiding by any conditions placed on the Supervisor Certificate

- 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 notifying the Nominated Supervisor.

### Version Control Table

Version Control	Date Released	Next Review	Approved by	Amendment
1	Jan 2014	March 2018	Directors	Amendments to procedures as needed annually.
2	March 2018	November 2019	Directors	Version Control table introduced. Rewritten and edited to reflect 2018 updated Quality Standards.
3	March 2020	November 2022	Directors	Grant Neill allocated as Nominated Supervisor for Nareena Hills and NCS. Moved to new document review timeline.