

# PROCEDURES

## RESPONSIBLE PERSON IN PRESCHOOL

Responsibility of: Early Childhood Education and Care  
 Effective Date: March 2019  
 Next Review Date: March 2021  
 Target Audience: Principals, preschool teachers and educators

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These procedures should be read in conjunction with the Policy: [Preschool Specific policy and procedures](#).

### 1. INTRODUCTION

The [Education and Care Services National Law](#) (the National Law) and the [Education and Care Services National Regulations](#) (the Regulations) require that a designated responsible person must be present at the preschool premises at all times when education and care is being provided. Under the National Law and National Regulations a responsible person is the person in day-to-day charge of the preschool and can be:

- a) the approved provider;
- b) a nominated supervisor, who has been delegated by the approved provider to be in overall charge of the preschool service and has accepted this responsibility in writing;
- c) a person in day-to-day charge of the service, who has been delegated by either the approved provider, or nominated supervisor and has accepted this responsibility in writing.

To manage these requirements, the following delegation framework has been established:

Role	Government preschool arrangements
Approved provider	The Department of Education (the department) is the approved provider of all Northern Territory Government preschools. Responsibility for this role has been delegated to the Deputy Chief Executive Education NT and Executive Directors School Improvement and Leadership.
Nominated supervisor	The department has nominated all principals as the nominated supervisor for their respective preschool.
Person in day-to-day charge	The school principal may delegate this role to an educator within the school, usually the preschool teacher.

These procedures outline the process for ensuring that responsible person delegations are managed in accordance with the National Law and National Regulations.

### 2. DEFINITIONS

The **approved provider** is a person or legal entity who holds provider approval under the National Quality Framework (NQF). Provider approval is a prerequisite for operating an approved education and care service.

The **NQF** is a regulatory system agreed to by all Australian governments, through the Council of Australian Governments, to raise quality and drive continuous improvement in early childhood education and care services, including outside school hours care services.

## DoE Procedures: *Responsible person in preschool*

The **National Quality Agenda IT System (NQA ITS)** is the national system used to manage the regulation of approved providers and approved services across Australia. Approved providers can use this system to submit applications and notifications to the regulatory authority at <https://www.acecqa.gov.au/resources/applications>.

The **nominated supervisor** is a person nominated by the approved provider who is responsible for the day-to-day management of an education and care service.

**NTG** refers to Northern Territory Government

**Quality Education and Care NT (QECNT)** is the NT's regulatory authority responsible for administering the National Law and National Regulations in the NT.

**Responsible person in day-to-day charge** is a person who is delegated by the approved provider or nominated supervisor and has accepted this responsibility in writing. They must meet the following minimum requirements to be appointed to the role:

- must be 18 years of age or older
- have adequate knowledge and understanding of the provision of education and care to children
- have a history of compliance with relevant laws outlined under regulation 117B(2)(a) of the National Regulations
- have an ability to effectively supervise and manage an education and care service.

### 3. ROLES AND RESPONSIBILITIES

The **approved provider** (Deputy Chief Executive Education NT and the Executive Directors of School Improvement and Leadership) is responsible for:

- delegating all school principals responsible for an NTG preschool service in scope of the NQF as the nominated supervisor of that preschool and notifying QECNT in writing of any changes to this arrangement
- allocating sufficient resources to ensure the responsible person in charge of the preschool service at any given time has the capacity and ability to manage the day-to-day operations of the service in accordance with the National Law and National Regulations.

The **school principal**:

- accepts responsibility for the day-to-day management of the school, including the preschool, at the time of contract  
Note: where a principal is on higher duties for less than six weeks, the nominal school principal continues to be the nominated supervisor; acting principals in the position for a period longer than six weeks without a principal contract are required to complete a nominated supervisor consent form
- must understand and carry out the responsibilities of the nominated supervisor in accordance with the National Law and National Regulations and related departmental policies and procedures
- is required to ensure a change of nominated supervisor notification in the NQA ITS is completed either seven days prior or within 14 days of the commencement of a new principal
- is required to identify the person or persons who will be considered a responsible person and ensure they are present on the preschool premises at all times the preschool is operating
- must ensure the responsible person or persons have been designated in writing and have accepted this designation in writing
- must ensure the responsible person or persons placed in day-to-day charge of the preschool service at any given time have the capacity, ability and resources to manage the operations of the service in accordance with the National Law and National Regulations.

## DoE Procedures: *Responsible person in preschool*

The **responsible person** must:

- agree in writing to being placed in day-to-day charge of the preschool in the absence of the approved provider and nominated supervisor
- operate the service in accordance with the requirements of the National Law and National Regulations and related departmental policies and procedures
- remain on the preschool premises at all times during operating hours while in this role, unless another responsible person is present
- ensure prescribed information about the nominated supervisor and responsible person or persons is displayed in accordance with the National Regulations.

**Early Childhood Education and Care:**

- may provide advice and support to principals and preschool staff about the roles of the nominated supervisor and responsible person as necessary.

### 4. NOMINATED SUPERVISOR DELEGATION MANAGEMENT

The department, as the approved provider, has formally advised QECNT that a principal who manages an NTG preschool in scope of the NQF is the nominated supervisor of their respective preschool service.

The role of school principal includes responsibility for oversight of the day-to-day operations of any respective preschool service. When an individual signs an employment contract accepting the role of school principal, the individual is also accepting the role of nominated supervisor for the school's respective preschool service.

The National Law requires that a notification of a new nominated supervisor be made at least seven days prior to the commencement of the new nominated supervisor, however, where this is not possible, the department must lodge this notification within 14 days after the commencement of a nominated supervisor.

It is the principal's responsibility to lodge a change of nominated supervisor notification whenever:

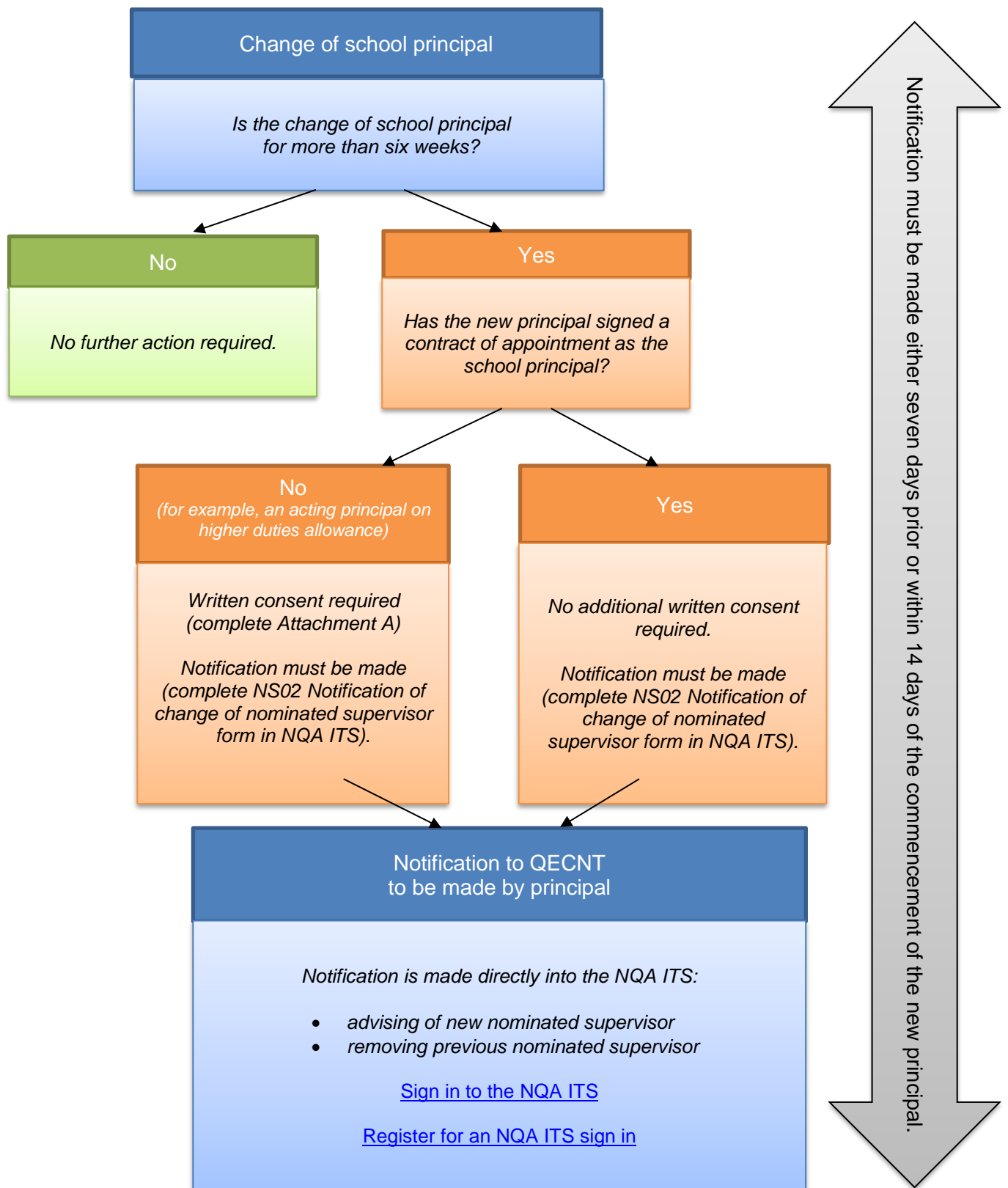
- there is a change of school principal
- an additional nominated supervisor accepts the role in writing (acting principal for a period longer than six weeks).

Notifications are processed through the NQA ITS. To register for a login or to sign into the NQA ITS:

- go to <https://public.nqaits.acecqa.gov.au/Pages/Landing.aspx>; or
- QECNT as follows:
  - email: [qualityecnt.det@nt.gov.au](mailto:qualityecnt.det@nt.gov.au)
  - phone 8999 3561

The process for managing nominated supervisor delegations and notifications is outlined in Figure 1.

Figure 1: Nominated supervisor delegation management in preschools



## **5. PLACING A RESPONSIBLE PERSON IN DAY-TO-DAY CHARGE OF A PRESCHOOL**

When the principal identifies educators who meet the minimum requirements for appointment to the role (prescribed under Regulation 117B):

- a) the educator should be asked, in the first instance, if he/she is willing to accept the role of a responsible person for the preschool in the absence of the approved provider and nominated supervisor; and
- b) if the educator agrees, the principal and educator must complete this delegation in writing (Attachment 1: Consent to being placed in day-to-day charge of a preschool refers). A copy of this delegation must be kept on file at the preschool premises and be made available upon request by an authorised officer from QECNT.

## **6. PRESCRIBED INFORMATION TO BE DISPLAYED AT THE PRESCHOOL SERVICE**

The following prescribed information about the nominated supervisor and responsible person or persons must be displayed in the main entrance of the preschool (prescribed under Regulation 173 (1)(c) and (2)(c)):

- c) name of the nominated supervisor; and
- d) name and position of the responsible person/s in charge of the preschool at any given time.

## **7. ATTACHMENTS**

Attachment 1: Consent to being placed in day-to-day charge of a preschool

## **8. RESOURCES**

Australian Children's Education and Care Quality Authority Information Sheets

- [Nominated Supervisors](#)
- [Responsible persons requirements for Approved Providers](#)

NQA ITS Service Desk

- [Getting Started Online](#)
- Service Desk details:
  - email: [ngaits@acecqa.gov.au](mailto:ngaits@acecqa.gov.au)
  - phone: 1300 667 319

QECNT

- email: [qualityecnt.det@nt.gov.au](mailto:qualityecnt.det@nt.gov.au)
- phone 8999 3561