

10.6.1 Determining the Nominated Supervisor Checklist, Delegation and Consent

Name:		Position:		Date of birth: (must be over 18)	
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The Role of the Nominated Supervisor

The Education and Care Services National Law Act 2010 requires that a service has a **Nominated Supervisor** to operate. The Nominated Supervisor must provide their consent to the nomination in writing. As the person with responsibility for the day-to-day management of an Approved Service, a Nominated Supervisor has a range of responsibilities including:

- Monitor and respond to the requirements and obligations set out under the Education and Care Services National Law Act (2010) and Regulations (2011), ensuring that the service operates within these legislative frameworks;
- Manage the day-to-day operations of the service including the organising and coordinating of tasks;
- Lead the delivery of the service ensuring the preparation and development of the services program meets the needs of children and families;
- Monitoring compliance with the service's policies and procedures and ensuring these guidelines adequately reflect the requirements needed in providing quality care and education;
- Ensure practices to support the safety and wellbeing of children are followed and provide immediate response of suspicions of harm, incidents, illness, injury and trauma;
- Communicate all incidents or significant events involving children, educators or visitors to the service to the Approved Provider as soon as practicable (must be under 24 hours);
- Respond to requests and enquiries from parents, educators and management; and
- Attend to relevant operational requirements.

Suitability Checklist			
Criteria	Indicator of Suitability	Comments and Evidence	
Qualifications			
Hold or be actively working towards minimum 2 year or higher relevant qualification	<ul style="list-style-type: none"> • Evidence of enrolment and progression • Qualification listed on ACECQA register • 50% or more completion considered as a better practice in determining the responsible person 		<input type="checkbox"/>
Working with Children Check (Blue Card or Exemption)	<ul style="list-style-type: none"> • Evidence of positive notice or exemption 	<ul style="list-style-type: none"> • Number – Blue Card Number. • Expiry - enter a date. 	<input type="checkbox"/>
First Aid, Asthma and Anaphylaxis	<ul style="list-style-type: none"> • Evidence of completion/competency (certificate) • Details of course code/s (valid with ACECQA register) • Dates of expiry/validity 		<input type="checkbox"/>
No previous history of (non)compliance with National Law and other (including previous) relevant law	<ul style="list-style-type: none"> • No disclosure of any decision to refuse, suspend, refuse to renew, or cancel a licence, approval, registration, certification or other authorisation granted to the person under the National Law and other relevant laws 	<i>Compliance History Statement and Prohibition Notice Declaration</i> can be completed and kept on file.	<input type="checkbox"/>

Knowledge			
Understanding of the Education and Care Services National Law Act 2010 and Regulations 2011	<ul style="list-style-type: none"> • Management observations, feedback and employee records • Completed training or demonstrated knowledge through testing/conversation or references • Completion of Responsible Persons training 		<input type="checkbox"/>
Understanding of relevant laws and provisions such as; <ul style="list-style-type: none"> • <i>Child Protection Act 1999</i> • <i>Work Health Safety 2011</i> 	<ul style="list-style-type: none"> • Management observations, feedback and employee records • Completed training in: <ul style="list-style-type: none"> ○ Child Protection ○ Work Health and Safety 		<input type="checkbox"/>
Demonstrated understanding of service's policies and procedures including sound knowledge of policies relating to: <ul style="list-style-type: none"> • Emergency evacuation procedures • Behaviour guidance and support practices • Illness, injury, incident and trauma • Children with additional and medical needs/conditions • Children's arrival and departures • Notification procedures 	<ul style="list-style-type: none"> • Management observations, feedback and employee records demonstrates a working knowledge of service policies and expectation • Induction and orientation procedure completed – with signed staff handbook and/or acknowledgement of service policy • Educator's conduct is consistent with service standards • Demonstrated understanding through communication with management or references • Participation in previous policy development and review 		<input type="checkbox"/>
Skills and Capacity			
Sound communication and interpersonal skills to supervise, manage and lead educators	<ul style="list-style-type: none"> • Management observations, feedback and employee records demonstrates the ability to communicate effectively and build collaborative relationships. • Recommendations from references • Previous experience, level of qualification and completed training 		<input type="checkbox"/>
Sound understanding and demonstrated practice in supporting children's behaviour, safety and wellbeing	<ul style="list-style-type: none"> • Management observations, feedback and employee records demonstrate skilful in responding to the needs and behaviour of children • Recommendations from references • Previous experience, level of qualification and completed training • Completion of relevant training 		<input type="checkbox"/>
Capacity to provide adequate supervision and demonstrated responsiveness to needs, including prioritising and coordinate critical tasks	<ul style="list-style-type: none"> • Management observations, feedback and employee records demonstrate critical thinking and responsiveness • Previous engagement with quality improvement and compliance tasks • Recommendations from references • Previous experience, level of qualification and completed training 		<input type="checkbox"/>
Ability and Work Experience			
Demonstrated ability to respond adequately to incidents involving children's health and safety	<ul style="list-style-type: none"> • Can articulate responsibilities in managing and notifying of incidents • Observations and feedback of the ability to identify and manage risks appropriately • Experience in leading previous emergency drills • Recommendations from references • Previous experience, level of qualification and completed training 		<input type="checkbox"/>

Ability to lead emergency and evacuation procedures	<ul style="list-style-type: none"> • Can articulate role and priorities in coordinating emergency evacuation • Experience in leading previous emergency drills • Recommendations from references • Previous experience, level of qualification and completed training 		<input type="checkbox"/>
Can effectively collaborate and engage with external stakeholders	<ul style="list-style-type: none"> • Can articulate strategies for effective communication with family and the school community • Understand the types of information reasonably expected that a responsible person would communicate to parents/caregivers • Demonstrated experience in developing warm trusting relationships with families and parents • Can articulate a suitable capability to communicate with the Regulatory Authority during a compliance visit 		<input type="checkbox"/>
Demonstrated ability to work with ethical practice and meet expectations without close supervision.	<ul style="list-style-type: none"> • Management observations, feedback and employee records demonstrate the ability to autonomously • Experience with responsibility and decision-making is sound • Responds to receiving feedback and instruction constructively 		<input type="checkbox"/>

Suitability Assessment Completed by

Name		Position		Date	
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Acknowledgement of National Law and Regulation Obligations *(Completed by Proposed Nominated Supervisor)*

Area of Responsibility	Initial
<p>Educational program (E&CS Nat. Regulation s168(2))</p> <p>I understand that I am responsible to ensure educational programs are:</p> <ul style="list-style-type: none"> • based on and delivered in accordance with My Time, Our Place – Framework for School Age Care in Australia • based on the developmental needs, interests and experiences of each child • designed to take into account the individual differences of each child 	
<p>Supervision and support of children (E&CS Nat. Law s165(2), s166(2) & s167(2))</p> <p>I understand that I am responsible to ensure children are adequately supervised at all times that the children are in the care of the service and while children are being cared for they are not subject to any form of corporal punishment or discipline that is unreasonable in the circumstances.</p> <p>I understand that it is my obligation to ensure every reasonable precaution is taken to protect children being educated and cared for from harms and hazards that are likely to cause injury.</p>	
<p>Incident, injury, trauma, illness and emergency procedures (E&CS Nat. Regulation 85 & 95)</p> <p>I understand that I must follow the service's Incident, injury, trauma and illness policy and procedures when a child is injured, becomes ill or suffers a trauma.</p> <p>I understand that I will support the Approved Provider in ensuring telephone or other communication device is available to communicate with parents and emergency services in the event of an emergency.</p>	

<p>Entry and departure from the premises (E&CS Nat. Law s170, E&CS Nat. Regulation 99, & 157(2))</p> <p>I understand I am responsible to ensure children do not leave the education and care service premises except when (accordance with the National Regulations):</p> <ul style="list-style-type: none"> • given into the care of a parents, authorised nominee or a person authorised by an authorised nominee • leaving the premises in accordance with the written authorisation of the child's parents or authorised nominee (named in the enrolment) • take on an excursion (in accordance with regulations) • a child requires medical, hospital or ambulance care or because of another emergency <p>I understand I am responsible to ensure that a parent 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 staff or conflict with the duty of the supervisor under the National Law, or where you reasonably believe permitting the parent's entry would contravene a court order.</p> <p>I understand I am responsible to ensure a person not authorised (as defined in the Nat. Law) is not at the service while children are present unless the person is under direct supervision.</p>	
<p>Food and beverages (E&CS Nat. Regulation 79(2) & 80(2))</p> <p>I understand I am responsible to ensure 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>I understand I am responsible to ensure 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>I understand I am responsible to ensure that, where food and beverages are supplied by the service, it is:</p> <ul style="list-style-type: none"> • nutritious and adequate in quantity; • chosen with regard to the dietary requirements of individual children; and • a weekly menu accurately describing the food and beverages to be provided is displayed at the premises in a location accessible to parents. 	
<p>Administration of medication (E&CS Nat. Regulation 93(3), 94, & 95)</p> <p>I understand I am responsible to ensure 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 and the services policy and procedures:</p> <ul style="list-style-type: none"> • if the medication has been prescribed by a registered medical practitioner, from its original container, bearing the original label with the name of the child to whom the medication is to be administered, and before the expiry or use by date; or • from its original container, bearing the original label and instructions and before the expiry or use by date; and • in accordance with any instruction attached to the medication or provided by a registered medical practitioner. <p>I understand in the case of an anaphylaxis or asthma emergency, medication is administered to a child without authorisation, I will ensure that a parent of the child and emergency services are notified as soon as practicable.</p>	
<p>Prescription medication, drugs and alcohol (E&CS Nat. Regulation 83(2))</p> <p>I understand that while educating and caring for children at the service, I must not consume alcohol or be affected by alcohol or drugs (including prescription medication) so as to impair my capacity to supervise or provide education and care to children.</p>	
<p>Sleep and rest (E&CS Nat. Regulation 81(2))</p> <p>I understand my responsibilities in taking reasonable steps to ensure that the needs for children's sleep and rest of children are met. In doing so you will have regard to the ages, development stages and individual needs of children.</p>	

<p>Excursions (E&CS Nat. Regulation 100(2), 101 & 102)</p> <p>I understand my responsibility to ensure that a risk assessment is carried before authorisation for an excursion is sought. When completing a risk assessment for approval, I understand the E&CS Nat. Regulations require specific elements to be addressed. I must identify and assess risk, and specify how these risks will be managed and minimised.</p> <p>I understand I must ensure that children being cared for by the service must not be taken outside of the service premises on an excursing without written consent by a parent or persons named on the enrolment form. This consent must outline specifics outlined in the E&CS Nat. Regulation 102 (4).</p>			
<p>Staffing (E&CS Nat. Regulation s169)</p> <p>I understand my responsibility to ensure the prescribed educator to child ratios are met and each educator at the service meets the qualification requirements relevant to the educator's role.</p>			
<p>Appointment of Responsible Persons (E&CS Nat. Regulation 117B & E&CS Nat. Law s162A)</p> <p>I understand that I must not place a person in day-to-day charge unless the person:</p> <ul style="list-style-type: none"> • is over 18 years; • has had their compliance with education and care law and history has been declared; • has taken reasonable steps to ensure adequate knowledge and understanding of providing education and care; • has the ability to effectively supervise and manage a service; and • has received instruction to the awareness and application of the <i>Child Protection Act 1999 (Qld)</i> and their obligations as a mandatory reporter. 			
<p>Consent</p>			
<p>I, name of Nominated Supervisor, agree to fulfilling the role of Nominated Supervisor at <<insert name of service>> when rostered or requested. In doing so, I acknowledge:</p> <ul style="list-style-type: none"> • I have read and understand the role description and agree to meet these requirements; • I am confident in my capacity to perform all requirements of the role; • I have not been subject to any compliance actions or disciplinary proceedings under the Education and Care Services National Law Act (2010) and Regulations (2011) or relevant other legislation. 			
Signature		Date	
<p>Approved Provider Endorsement</p>			
Name		Position	
Signature		Date	