



Australian Children's  
Education & Care  
Quality Authority

**The National Law requires that approved providers must not operate a service unless there is at least one nominated supervisor for that service (section 161).**

**As part of an application for service approval, approved providers must identify the nominated supervisor/s for the service. All nominated persons must give their written consent to the nomination, which is included in the notification to the regulatory authority and is also to be kept as part of the service staff records.**

Approved providers must determine if a person is suitable to be a nominated supervisor. Each nominated supervisor must successfully complete child protection training if required in their jurisdiction. Information on the requirements to be appointed a nominated supervisor is included in the 'Responsible person requirements for approved provider' information sheet at [www.acecqa.gov.au](http://www.acecqa.gov.au).

## RESPONSIBILITIES

As the persons responsible for the day-to-day management of an approved service, nominated supervisors have a range of responsibilities under the National Law and National Regulations including:

### 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
  - designed to take into account the individual differences of each child (section 168)

# NOMINATED SUPERVISORS

## Supervision and safety of children

- ensuring children are adequately supervised, are not subject to inappropriate discipline, and are protected from harms and hazards (sections 165-167)

## Entry to and exit from the premises

- 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)
- ensuring 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 Regulations, or
  - the supervisor is aware the parent is prohibited by a court order from having contact with the child (regulation 99)
- 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 (section 170)

### **Food and beverages**

- 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 (regulation 77)
- 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 (regulation 78)
- ensuring that, where food and beverages are supplied by the service, they are:
  - nutritious and adequate in quantity
  - chosen with regard to the dietary requirements of individual children (regulation 79)
- 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 (regulation 80)

### **Administration of medication**

- 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 (regulations 93-96)
- where medication is administered to a child without authorisation in a case of an anaphylaxis or asthma emergency, ensuring that a parent of the child and emergency services are notified as soon as practicable (regulation 94)

### **Prescription and non-prescription drugs and alcohol**

- that while educating and caring for children at the service, all 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 (regulation 83)

### **Sleep and rest**

- taking reasonable steps to ensure that the needs for sleep and rest of children are met, having regard to the ages, development stages and individual needs of children (regulation 81)

### **Excursions**

- ensuring that a risk assessment is conducted before an excursion in accordance with the National Regulations (regulations 100-101), and specifically that the risk assessment is conducted before authorisation is sought to take a child on the excursion (regulation 102)

### **Staffing**

- 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 (regulations 123 - 128)

## **OTHER SECTIONS OF THE NATIONAL LAW AND NATIONAL REGULATIONS THAT RELATE TO NOMINATED SUPERVISORS INCLUDE THE FOLLOWING:**

### **Notification of change**

If a nominated supervisor of an approved service:

- ceases to be employed or engaged by the service, or
- withdraws consent to the nomination

The approved provider must notify the regulatory authority at least seven days prior to the nominated supervisor starting, or as soon as practicable and not more than 14 days after (section 173(2)(b) and regulation 174(1)).

### **Requirement to display details about the service's nominated supervisor**

The approved provider must display the name of each nominated supervisor in a place where it is clearly visible to anyone from the main entrance to the education and care service premises. For family day care service premises, this includes the main entrance to the family day care office, and the family day care residences and venues (section 172).

### **More Information**

Contact your state or territory regulatory authority for more information on approvals. The contact details for regulatory authorities are available at [www.acecqa.gov.au](http://www.acecqa.gov.au).