



Governance and Management

Quality Area 7: Leadership and Service Management

Relevant Legislation

Children (Education and Care Services National Law Application) ACT 2010
Education and Care Services National Regulations 2011: 168 - 172
National Quality Standard for Early Childhood Education and Care: Element: 7.1.1, 7.1.2

Aim / Rationale

Governance is the system or process by which organisations are directed, controlled, and held accountable to ensure that the right decisions are made. Our education and care service recognises the importance of having a framework of rules, relationships, systems, and processes within and by which authority is exercised and controlled in the organisation. We view good governance and management as essential to our provision of quality education and care in a responsible manner.

Policy Goals

- ✧ We conduct our affairs legally, ethically, and with integrity.
- ✧ We identify organisational risks and legal obligations and manage these through policies and relevant processes.
- ✧ That mechanisms are in place for fair and transparent governance.

Strategies: What will we do?

Management

The Committee has overall responsibility to members for the sustainability and relevance of the service in accordance with the Constitution.

The Committee will direct its activities towards achieving the Pre-School's goals and implementing the organisations Quality Improvement Plan by guiding and monitoring the organisation's business and affairs in line with the objects as set out in the Constitution and in line with the Pre-School's philosophy.

In carrying out its responsibilities, the Committee undertakes to maximise the value and contribution of the organisations to the community, and to serve the interests of the organisation's members, employees and families and children using the service. In serving these interests, there is an implicit understanding that the rights of the child are paramount in all decision making.

Staffing

The Committee is the employer of all staff of the Pre-School and are responsible for the management and control of the Pre-School as the Approved Provider of education and care under the *Children (Education and Care Services National Law Application) Act 2010* and the Education and Care Services National Regulations.

POLICIES

The Committee will:

- ✧ Ensure that a comprehensive set of policies are in place as required under Education and Care Service Regulations and other regulations and laws that the service must comply with.
- ✧ Ensure that these policies comply with relevant legislation.
- ✧ Update these policies on a regular basis.

COMPLIANCE MEASURES

The Committee will:

- ✧ Ensure that mechanisms are in place such as compliance tools and a compliance calendar to assist them to assess the organisation's policies are implemented.
- ✧ Prepare a service summary sheet for new Committee members.

CONSTITUTION

The Committee will:

- ✧ Ensure that the Pre-School's Constitution is followed at all times.
- ✧ Ensure that the Constitution is reviewed at least every three years.
- ✧ Ensure that each new member of the Committee is provided with a copy of the organisation's Constitution and Quality Improvement Plan on their appointment to the Committee.

COMMITTEE POWERS

- ✧ The Committee sets the strategic direction and monitors performance of the organisation.
- ✧ The Committee will provide effective governance to ensure excellent overall management of the organisation's business and financial objectives.
- ✧ The Committee delegates the responsibility of implementing the strategic plan and day to day management of the Pre-School to the Director.

- ✧ In discharging its powers, each Director and member of the Committee will be bound by the Associations Act, the Constitution and all policies of the Pre-School.

The Committee's authority includes:

- ✧ Have overall responsibility to members for the sustainability and relevance of our Pre-School.
- ✧ Be responsible for the long term viability of our Pre-School.
- ✧ Overseeing the Pre-School, including its control and accountability systems.
- ✧ Appointing and removing the Director.
- ✧ Approving the appointment of all staff members.
- ✧ Developing organisational strategy and performance objectives.
- ✧ Reviewing and monitoring systems of risk management and internal control, codes of conduct and legal compliance.
- ✧ Monitoring the Director's performance and implementation of strategy.
- ✧ Approving and monitoring financial and other reporting.
- ✧ Authorising appropriate delegations within the organisation.
- ✧ Ensuring appropriate resources are available to carry out the Pre-School's functions.
- ✧ Approving and monitoring the progress of major capital expenditure.

RISK MANAGEMENT

The Committee will:

- ✧ Ensure the organisation operates with and the valid Constitution, and that all governance and management practices of the Committee and staff align with the Constitution.
- ✧ Demonstrate achievement of this through accessible meeting minutes and Committee self-assessments.
- ✧ Assist committee members to receive ongoing support and professional development in the implementation of effective and evidence based governance practice.

CODE OF CONDUCT

The Committee members will:

- ✧ Commit themselves to ethical, business like and lawful conduct, including proper use of authority and professional decorum when acting as Committee members.
- ✧ Demonstrate un-conflicted loyalty to the interests of the organization when acting as a Committee member.
- ✧ Avoid conflicts of interest with respect to their role.
- ✧ Annually disclose their involvement with other organisations or companies that currently do business or may do business with the organization.
- ✧ Immediately disclose to the Committee any and all impending conflicts of interest. That member shall absent herself or himself without comment from both deliberation and final decision-making.
- ✧ Not use information exclusive to the Committee members for personal gain and will respect the confidentiality of all information obtained during meetings or through their role.
- ✧ Respect the confidentiality appropriate to issues of a sensitive nature.

Evaluation

The organisation is recognized for effective governance management practices. The organisation's philosophy is adhered to, its goals are reached, and it continues its quality improvement journey. Organisational risks and legal obligations are identified and managed through policies and relevant processes.

Procedures and Forms

Enrolment
Family Handbook

Links to other Policies

Enrolment
Complaints and Feedback
Confidentiality

Sources and Reference

Early childhood Australia (ECA). Code of Ethics, website: www.earlychildhoodaustralia.org.au/codeofethics

DEEWR (2009) *Belonging Being and Becoming: The Early years Learning Framework for Australia*, website: www.deewr.gov.au

DEEWR *Child Care Services Handbook 2011-2012*. (Department of Education, Employment and Workplace Relations), website: www.deewr.gov.au

- Section 4.1 - Legal responsibilities for operating a service
- Section 4.2 - Business type and provision of documentation
- Section 5.1 - Compliance monitoring
- Section 5.2 - Approved childcare services Section 5.3 - Sanctions, offences and financial penalties
- Section 5.4 - Eligibility rules
- Section 5.5 - Key obligations imposed on approved childcare services under family assistance law
- Section 5.6 - Cooperation with authorised officers under the Act - inspection of records and monitoring of compliance
- Section 5.7 - Compliance with all applicable laws imposed by the Australian Government and the state and territory where the service is located
- Section 5.8 - Allocation of childcare places not to be exceeded
- Section 5.9 - Some other things services should know about the family assistance law and associated rule
- Section 5.11 - Responsibilities under funding agreements

Policy Reviewed	Modifications	Next Review Date
2013	Developed	2015
March 2017	Reviewed	2020 or when procedure, practice or legislation changes