



# Governance Policy

Policy first issued	12 <sup>th</sup> August 2016
Current review date	16 <sup>th</sup> July 2021
Personnel responsible	Childcare Operations Manager

NQS 7 Governance and Leadership

## NQS

QA 6	6.1.1	Families are supported from enrolment to be involved in the service and contribute to service decisions
	6.1.2	The expertise, culture, values and beliefs of families are respected and families share in decision- making about their child's learning and wellbeing
QA 7	7.1.1	A statement of philosophy guides all aspects of the service's operations
	7.1.2	Systems are in place to manage risk and enable the effective management and operation of a quality service
	7.1.3	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service
	7.2.1	There is an effective self-assessment and quality improvement process in place.

## National Regulations

Regs	168	Education and care services must have policies and procedures
	177	Prescribed enrolment and other documents to be kept by approved provider
	181	Confidentiality of records kept by approved provider
	181-184	Confidentiality and storage of records

## NQS

Our Centre will meet its legal and financial obligations by implementing appropriate governance practices that support our aim to provide high quality child care that meets the objectives and principles of the National Quality Framework, the National Quality Standard and the Early Years Learning Framework.

## Related Policies

Privacy and Confidentiality Policy  
 National Quality Framework Policy  
 Record Keeping and Retention Policy  
 Staffing Arrangements Policy

## Implementation

### Centre Structure

Our Centre has the following organisation structure.

The Approved Provider is: **The Eltham College Foundation Ltd**

The CEO is the licensed representative of the Approved Provider

- The Approved Provider has a range of responsibilities prescribed in the Education and Care Services National Law and Regulations, including keeping accurate records and retaining them for specified timeframes.

### Our Approved Provider is also responsible for:

- Ensuring the financial viability of the Centre
- Overseeing control and accountability systems, including systems administering Child Care Subsidy
- Supporting the Nominated Supervisor / Responsible Person / Certified Supervisors in their role and providing resources as appropriate for the effective running of the Centre.

## Core Elements of the Governance Model

The following are the core elements of the governance systems at the Centre for which the Management / Board is responsible:

### Stewardship / Custodianship

Ensure:

- The Centre pursues its stated purpose and remains viable
- Budget and financial accountability to enable ongoing viability and making best use of the Centre's resources.
- The Centre manages risk appropriately.

### Leadership, forward planning and guidance

Provide leadership, forward planning and guidance to the Centre, particularly in relation to developing a strategic culture and directions.

### Authority, accountability and control

- Monitor and oversee management including ensuring that good management practices and appropriate checks and balances are in place
- Be accountable to members of the Centre
- Maintain focus, integrity and quality of the Centre
- Oversee legal functions and responsibilities
- Declare any actual, potential or perceived conflicts of interest

## Legal Liabilities of Members of the Management / Board

The Management / Board is responsible under the Constitution to take all reasonable steps to ensure that the laws and regulations relating to the operation of the Centre are observed. Members of Management / Board are responsible for ensuring that:

- Adequate policies and procedures are in place to comply with the legislative and regulatory requirements placed on the Centre
- Appropriate systems are in place to monitor compliance. Reasonable care and skill is exercised in fulfilling their roles as part of the governing body of the Centre
- They act honestly, and with due care and diligence
- They do not use information improperly that they have access to, by virtue of being Management / Board
- They do not use their position of Management / Board for personal gain or put individual interests ahead of responsibilities

## Responsibilities of Management / Board

The Management / Board is responsible for:

- Developing coherent aims and goals that reflect the interests, values and beliefs of the staff, and the stated aims of the Centre. Have a clear and agreed philosophy, which guides business decisions and the work of Management / Board and staff ensuring there is a sound framework of policies, and procedures that complies with all legislative and regulatory requirements, and that enables the daily operations of the Centre to be geared towards the achievement of the Centre's vision and mission.
- Establishing clearly defined roles and responsibilities for the members of Management / Board, individually and as a collective, management and staff, and clearly articulate the relationship between the Management / Board and staff at the Centre.
- Developing ethical standards and a code of conduct (refer to *Code of Conduct Policy*) which guide actions and decisions in a way that is transparent and consistent with the goals, values and beliefs of the Centre.

- Undertaking strategic planning and risk assessment on a regular basis and having appropriate risk management strategies in place to manage risks faced by the Centre.
- Ensuring that the actions of and decisions made by the Management / Board are transparent and will help build confidence among members and stakeholders.
- Reviewing the Centre's budget and monitoring financial performance and management to ensure the Centre is solvent at all times, and has good financial strength.
- Approving senior staff (e.g. the CEO or Centre Director, if the Centre is large) or all staff (if the Centre is small), and monitoring their performance.
- Evaluating and improving the performance of Management / Board focusing on the strategic directions of the organisation and avoiding involvement in day-to-day operational decisions, particularly where the authority is delegated to senior management staff within the Centre.

## Confidentiality

All members of Management / Board who gain access to confidential, commercially-sensitive and other information of a similar nature, whether in the course of their work or otherwise, shall not disclose that information to anyone unless the disclosure of such information is required by law (refer to *Privacy and Confidentiality Policy*).

Members of Management / Board shall respect the confidentiality of those documents and deliberations at Management / Board meetings and shall not:

- Disclose to anyone the confidential information acquired by virtue of their position on Management / Board
- Use any information so acquired for their personal or financial benefit, or for the benefit of any other person
- Permit any unauthorised person to inspect, or have access to, any confidential documents or other information

This obligation, placed on Management / Board, shall continue even after the individual has completed their term and is no longer Management / Board.

The obligation to maintain confidentiality also applies to any person who is invited to any meetings of Management / Board as an observer or in any other capacity.

## Managing Conflicts of Interests

Conflict of interest, whether actual, potential or perceived, must be declared by all members of Management / Board, and managed effectively to ensure integrity and transparency (refer to *Conflict of Interest Disclosure Statement*).

Every member of Management / Board has a continuing responsibility to scrutinise their transactions, external business interests and relationships for potential conflicts and to make such disclosures in a timely manner as they arise.

The following process will be followed to manage any conflicts of interest:

- Whenever there is a conflict of interest as defined in this policy, the member concerned must notify the Chairman of such a conflict, as soon as possible after identifying the conflict.
- The member who is conflicted must not be present during the meeting of the Management / Board where the matter is being discussed, or participate in any decisions made on the matter. The member concerned must provide the Board with any and all relevant information they possess on the particular matter.
- All violations of the requirement to disclose and manage conflicts shall be dealt with in accordance with the constitution of the Eltham College Foundation Ltd.

## NQS

Education and Care Services National Regulations 2011

National Quality Standard

Early Years Learning Framework

Corporate Governance Principles and Recommendations ASX Corporate Governance Council

Family Assistance Law

## **Review**

The policy will be reviewed annually. The review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

**Last reviewed: 16.07.21**

**Date for next review: June 2022**