Governance and Management Policy

Policy first issued	12th August 2016
Current review date	8th August 2024
Personnel responsible	Childcare Operations

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 Law

Section	51	Conditions on service approval
	172	Offence to fail to display prescribed information
	173	Offence to fail to notify certain circumstances to Regulatory Authority
	174	Offence to fail to notify certain information to Regulatory Authority

National Regulations

Reg	29	Condition on service approval – insurance
	31	Condition on service approval – Quality improvement plan
	55	Quality improvement plans
	56	Revision and review of quality improvement plans
	168(2)(h)	Education and Care Services must have policies and procedures providing a child safe environment
	168(2)(l)	Education and care services must have policies and procedures in relation to governance and management of the service
	172	Notification of change to policies and procedures
	173	Prescribed information to be displayed
	174	Time to notify certain circumstances to Regulatory Authority
	175	Prescribed information to be notified to Regulatory Authority
	176	Time to notify certain information to Regulatory Authority
	177	Prescribed enrolment and other documents to be kept by approved provider

Aim

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 Standards and the Early Years Learning Framework.

Related Policies

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

Implementation

Centre Structure

Our Centre is legally structured as a division of a Public Company.

The Approved Provider is The Eltham College Foundation Ltd, a public company limited by guarantee.

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 service
- overseeing control and accountability systems, including systems administering Child Care Subsidy
- supporting the Nominated Supervisor / responsible person in their role and providing resources as appropriate for the effective running of the service.

The Representative of the Approved Provider is the General Manager of The Eltham College Foundation Ltd.
Each of our Centres have at least one Nominated Supervisor who is responsible for the day to day management of the Centre and has a range of responsibilities prescribed in the National Law and Regulations.
Our Nominated Supervisor is supported by a number of staff who have been nominated as Persons in Day to Day Charge of the Centre, an Educational Leader and Room Leaders.
The Representative of the Approved Provider and the Nominated Supervisor are the persons with management or control of the Centre and are responsible for the management of CCS.

Commitment to good governance

Our Centre has adopted the following eight ASX Corporate Governance Principles and Recommendations, which we recognise as suitable for our business.

1. Lay solid foundations for management and oversight.

Management Principles

To ensure our working relationships are characterised by open and respectful communication, accountability and trust, our Centre adheres to the following management principles.

A. Management by Agreement

Nominated Supervisors and educators agree to produce outcomes together. Educators agree on their accountabilities and to work according to existing procedures and policies. Nominated Supervisors agree to provide educators with training, resources and support.

B. Management by Exception

Once a system is in place or the Nominated Supervisor and educators have agreed upon a course of action, the educator is accountable for identifying and reporting whenever something significant occurs that isn't part of the plan.

C. Clearly Defined Reporting Relationships

Everyone in the Centre has only one primary manager. This reduces confusion and increases accountability and transparency.

Information, requests, or delegations that would cause our educators/staff to act or change the course of their actions will only come from the person to whom they report.

Our reporting relationships are:

- Persons with management or control of the Centre, including the Nominated Supervisor, report to the Representative of the Approved Provider
- Persons responsible for the day to day operation of the Centre, including the Person in Day to Day Charge of the Centre, report to the Nominated Supervisor
- Persons appointed as contacts for Child Care Subsidy purposes report to the Nominated Supervisor
- Each Room Leader reports to the Nominated Supervisor.
- Educators report to their Room Leader

D. Guidelines for Effective Delegation

Our Centre will:

- Identify the work/result to delegate and to whom.
- Educators/staff will not delegate responsibilities for which they are accountable or that have been delegated to them with their agreement or that have been attached to someone else's position (unless that person has agreed).
- Put the delegation in writing with a clear due date.
- Discuss the delegation with the educator/staff member whenever possible.
- Get the educator/staff member's agreement, for example, through signed job descriptions, signed delegation agreements.

The person who delegates remains accountable for making sure the right result is achieved.

E. Guidelines for Effective Regulation

Regulating work means monitoring, reviewing, and adjusting it to get the right result.

1. Our Centre will:

- regularly review the work process.
- give quick, clear, and direct feedback and instruction that is timely and specific.
- communicate in writing.
- avoid under-regulating, over-regulating and unnecessary meetings.

2. Structure the management team to add value.

To comply with these principles to the best of our ability and to ensure we can discuss issues and (potential) changes to policies, procedures or the regulatory environment, we will schedule regular communication between all members of our management team through meetings, phone communication including SMS messaging, a communication book, written communication such as letters, notices, and electronic communication including email, video conferencing.

3. Promote ethical and responsible decision-making

Our Centre will make decisions which are consistent with our policies, our obligations and requirements under the National Education and Care Law and Regulations, the Family Assistance Law (eg Child Care Subsidy and Additional Child Care Subsidy), our approved learning framework (EYLF) and the ethical standards in our code of conduct.

4. Safeguard integrity in financial reporting.

Our financial records will be completed/reviewed by an independent accountant /auditor.

The Representative of the Approved Provider and Nominated Supervisor are committed to the prevention and elimination of corruption and fraud, and compliance with all legislative requirements including those in the Family Assistance Law. They will implement measures to ensure child care funding is properly administered and help eligible families meet the costs of genuine child care including:

- **providing families with accurate information** and advice about available child care subsidies and the requirements to update their or their partner's personal information and income details with Services Australia whenever this changes.
- **advising families to check information** in their invoices, receipts and Statement of Entitlements.
- **promoting the Child Care tip-off line** 1800 664 231 where information about incorrect or illegal practices can be given (anonymously if desired), and the tip-of email address tipoffline@dese.gov.au
- **ensuring fitness and propriety of all staff** involved e.g. those with management or control of the Provider, persons responsible for the day to day operation of the service, and or any staff member involved in CCS implementation and administration are fit and proper persons as outlined in our Staffing Arrangements Policy and are registered with the Federal Government's Provider Digital Access (PRODA)
- **ensuring compliance with the administration and reporting requirements** outlined in the Child Care Provider Handbook e.g.
    - promoting a culture of honesty and integrity through our Code of Conduct, ethical principles and Whistleblower Policy.
    - ensuring any directions given to staff are consistent with the Handbook and Family Assistance Law
    - using a Third Party Software Provider to manage CCS enrolments and attendance, and guide compliance and reporting requirements. Passwords will be regularly updated.
    - periodically providing staff with relevant training and resources including those from DESE and our Third Party Software Provider.
    - regularly reminding relevant staff about the need to follow all requirements in the Child Care Provider Handbook, and of the possible consequences of non-compliance or fraud/corruption eg police investigation, termination of employment eg at team meetings.

- implementing an audit procedure where funding records and reports are regularly checked using suitable tools like our Child Care Subsidy Checklist and our Fees Policy.

- **taking action if non-compliance or fraud is identified** eg
  - advising the Federal Department of Education, Skills and Employment (DESE) about the details of the non-compliance as soon as possible, and where relevant, within the timeframes in the attached table
  - taking immediate steps to rectify the non-compliance, including changing systems and procedures to ensure it does not recur.
  - providing staff with relevant training, resources and support. This may include training and resources available from DESE and our Third Party Software Provider.
  - in cases of suspected fraud or corruption, immediately suspending the person's access to the Child Care Management System, notifying DESE and the Police, and terminating a person's employment if the fraud is substantiated.

The persons who are registered in PRODA at our service are the Nominated Supervisor and Head Office staff.

5. Make timely and balanced disclosure

Unless there is a risk to the health, safety or wellbeing of a child enrolled at the service, our service will provide at least 14 days notice before making any change to a policy/procedure that may have a significant impact on our provision of education and care or a family's ability to utilise our service, including making any change that will affect the fees charged or the way fees are collected.

The Representative of the Approved Provider or Nominated Supervisor will also:

- ensure all notifications required under the National Law and Regulations and the Family Assistance Law are made within the timeframes required. Notification requirements are attached to this Policy
- develop a Quality Improvement Plan that is completed regularly, available on request and ready for submission to the Regulatory Authority when requested
- display the following information so it can be clearly seen from the main entrance:
  - the provider approval (provider name, approval number and any conditions)
  - the service approval (service name, approval number and any conditions)
  - name of each nominated supervisor
  - the current rating for each NQS Quality Area and the overall Service rating. This must be done by displaying any ratings certificate issued by the Regulatory Authority or ACECQA on or after 30.7.21
  - any Centre/temporary waivers held including NQS elements/Regulations waived, length of waiver and waiver type
  - hours and days service open
  - name and phone number of complaints officer
  - name and position of Responsible Person currently in charge
  - name of Educational Leader
  - Regulatory Authority's contact details
  - if relevant, notice stating there's a child at risk of anaphylaxis enrolled
  - if relevant, notice stating there's been a case of an infectious disease (defined as a disease requiring exclusion from the service.)

6. Respect the rights of all stakeholders including parents and children

Our Centre will support and encourage the involvement of parents and families by:

- developing and implementing plans to ensure regular communication with families including advice about events, activities and policy updates
- enabling them to have access and provide input to reviews of policies and procedures
- providing space for private consultations
- providing and displaying a range of information about relevant issues
- ensuring we follow all policies and procedures including the Parental Interaction and Involvement Policy and Privacy and Confidentiality Policy.

Our service will respect the rights of children by ensuring:

- the Nominated Supervisor complies with their responsibilities under the National Law and Regulations
- we follow our policies and procedures including the Relationships with Children Policy, Child Protection Policy, Privacy and Confidentiality Policy and Child Safe Policy.
- our children are provided with the experiences and learning which allows them to develop their identities, wellbeing and social connection.

7. Recognise and manage risk

Our Centre will take every reasonable precaution to protect children from harm and any hazard likely to cause injury. We will follow service policies including those covering Workplace Health and Safety, Child Protection, Excursions and the Delivery and Collection of Children and complete regular risk assessments and safety checks. The Nominated Supervisor will diarise to ensure educators and staff regularly engage in formal or informal training to refresh their skills and understanding of practices that ensure the safety of children, families and employees including but not limited to child protection, child safe practices like supervision, ratios and WHS/OHS, emergency evacuations, water safety, sun safety, safe sleep practices, managing medical conditions and incidents/illnesses, risk assessments, safe excursion and transport practices, and workplace bullying, discrimination and harassment.

8. Remunerate fairly and responsibly

Our Centre will always set employment conditions in line with the relevant Award, NES Standards and the FairWork Act. Remuneration will always be set at or above that prescribed by the Award.

Sources

Education and Care Services National Law and Regulations
National Quality Standards
Early Years Learning Framework
Corporate Governance Principles and Recommendations ASX Corporate Governance Council
Family Assistance Law
Child Care Financial Integrity Strategy: Department of Educations, Skills and Training (Cwth)
Child Care Provider Handbook: Department of Educations, Skills and Training (Cwth)

Review

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

- Management
- Employees
- Families
- Interested Parties

Last reviewed: 8 August 2024
Date for next review: August 2025

Notifications

National Law and Regs	Family Assistance Law
Representative of the Approved Provider	
Within 14 days of a change of name	Within 14 days of a change of name
Within 7 days of a change of address or contact details	Within 30 days of change to approved provider's physical or postal address, or as soon as possible if change not foreseeable Within 14 days of the change of email address, website, phone /fax number
Within 7 days of any adverse change in fitness and propriety	
Within 7 days of the appointment of receivers or liquidators or other matters that affect the financial viability of service.	Within 24 hours of the provider entering into administration, receivership, liquidation or bankruptcy, and details
Within 7 days of the death of the Representative of the Approved Provider	
Within 7 days of notification of the suspension or cancellation of child protection clearance or teacher registration, or disciplinary proceedings against NS	
Within 7 days about any proposed changes to service premises	
Nominated Supervisor	
Within 7 days that a Nominated Supervisor is no longer employed at the service, is removed from position or withdraws consent	Within 7 days of a person ceasing to have management or control of the provider, including why
At least 7 days prior to the start of a new Nominated Supervisor or no more than 14 days after	Within 7 days of any new person with management or control, including their name and contact details, WWCC info and declaration of all background checks undertaken
When there is any change to the name or contact details of any nominated supervisor	Within 7 days of becoming aware of change of name or contact details
Persons with Management or Control (including a responsible person under the National Law and Regs)	
Within 14 days of the appointment or removal of a person with management or control of the service	
	Within 7 days of receiving background check showing person has an indictable offence punishable by up to 2 years jail or 40 penalty units, an offence involving violence, sex, fraud, stealing or dishonesty, is an undischarged bankrupt or was a director/secretary when a company went into receivership or liquidation or at any time during the previous 12 months

	Within 24 hours of becoming aware of a serious conviction or finding of guilt
	Within 7 days of becoming aware of event or circumstance that indicates the person is unlikely to be fit and proper to administer CCS or ACCS
	Within 7 days of a person ceasing to have management or control of the provider, including why
	Within 7 days of becoming aware the provider or person with management/ control has or will get an interest in a business which may affect their ability to comply with Family Assistance Law
All persons managing/administering CCS	
	Within 24 hours of becoming aware of amendments, suspension, revocation etc to WWCC
Educators	
	Within 7 days of becoming aware educator obtains qualification from RTO where the provider or person with management or control has an interest and it appears the educator did not earn the qualification or there is a conflict of interest
Contact details	
Within 7 days of changing the address and contact details of the service	Within 30 days of change to physical or postal address of service, or as soon as possible if change not foreseen
Serious incidents and complaints	
within 24 hours of a serious incident or complaint that a serious incident has occurred	
within 24 hours of a complaint the National Law has been contravened	
within 7 days of any circumstance at the service that poses a significant risk to the health, safety and wellbeing of children at the service	
within 7 days of any incident, complaint or allegation of physical/sexual abuse of a child at the service	
Emergency Care	
Within 24 hours of any children being educated and care for in an emergency, including where there is a child protection order or the parent needs urgent health care.	
Fees	
	Total hourly fee (before any reductions) advised within 14 days of service approval/ commencement or any change

Operating Hours	
	Operating hours and days, open and close times advised within 14 days of service approval/ commencement
Within 7 days of any change to the hours and days of operation	within 14 days of any change to the hours and days of operation
Vacancies	
	Number anticipated vacancies from Monday next week by 8 pm each Friday
Ceasing to operate	
Within 7 days of ceasing to operate the service	at least 42 days before ceasing to operate service, or within 24 hours of ceasing where 42 days notice cannot be given
Closure	
Within 24 hours of any incidents that require the Service to close or reduce attendance	Within 24 hours of any unexpected closure
Failure to operate	
Within 14 days of a failure to operate the service within 6 months of approval (or time agreed by Regulatory Authority)	
Transfer	
At least 42 days before the intended transfer of service approval	
Change of service name	
	Within 14 days of a change of service name