



# Governance and Management of the Service Policy

## **Reference:**

*Education and Care Services National Regulations 2011: 99, 158, 168(2)(f)*  
*Children (Education and Care Services National Law Application) Act 2010*  
*National Quality Standards*

*This policy is adapted from Community Early Learning Australia (CELA) sample policies.*

## **Introduction**

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.

## **Goals**

To ensure our organisation and Board practices has good governance. We will achieve this by ~~we will~~:

- Conducting our affairs legally, ethically and with integrity;
- Identify organisational risks and legal obligations and manage these through policies and relevant processes; and
- Ensure that mechanisms are in place for fair and transparent governance.

## **Strategies - How will it be done?**

Jannali Preschool is managed by a Board/Management Committee. The Company Secretary is primarily responsible for advice and information relating to the Governance of the Board and will undertake further training from time to time to ensure that relevant information is current.

- Constitution
- Subscription to ensure we are alerted to changes in the law through Department of Fair Trading Justice Connect
- Conduct training and provide induction with new Board members
- Review practices on a regular basis
- Hold quarterly board meetings
- Maintain 2 independent positions on the board to ensure that there is stability/non bias on the board



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## Management

The management of our education and care service is overseen by the Management Committee/Board of Directors. The Management Committee/Board is accountable to members for the performance of the organisation.

## Board/ Management Committee Role

The Board/Management Committee has overall responsibility to members for the sustainability and relevance of the service. The Board/Management will direct its activities towards achieving the organisation's goals and implementing the organisation's *Quality Improvement Plan* by guiding and monitoring the organisation's business and affairs in line with the objects as set out in the organisation's rules and in line with the organisation's philosophy.

In carrying out its responsibilities, the Board/Management Committee undertakes to maximise the value and contribution of the organisation 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.

The Board/Management Committee is the employer of all staff of the organisation and are responsible for the management and control of the organisation 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 Board/Management 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;
- Ensure that all Staff and Management Committee adhere to the policies; and
- Ensure that the policies are updated on a regular basis.



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## Compliance Measures

### The Board/Management Committee will:

- Ensure that mechanisms are in place such as compliance tools and a compliance calendar to assist them to assess that the organisation's policies are implemented; and
- Prepare a sample service summary sheet for new committee/Board members [see page 59 of CCCC's *So Now You are On the Committee* for a sample service summary sheet].
- Advise the Board at any and all meetings where they may have a perceived or real conflict of interest and raise concerns for any other forms of conflict of interest.

## Constitution

### The Board/Management Committee of the Association will:

- Ensure that the organisation's constitution is followed at all times;
- Ensure that the constitution is reviewed at least every three years; and
- Ensure that each new member of the Board/Management Committee is provided with a copy of the organisation's constitution on their appointment to the Board/Management Committee.

## Board/Management Committee Powers

The Board/Management Committee sets the strategic direction and monitors performance of the organisation. The Board/Management Committee will provide effective governance to ensure excellent overall management of the organisation's business and financial objectives.

In addition, the Board members/Management Committee members may delegate any of their powers (with the exception of the power of delegation and responsibilities as Approved Provider) to a committee of directors, a director, an employee or any other person.

The Board/Management Committee delegates the responsibility of implementing the strategic plan and day-to-day management of the organisation to the service's Director/Co-ordinator/Manager.

In discharging its powers, each Director/Management Committee member will be bound by the Associations Act/Corporations Act, the Constitution and all policies of the organisation.

The Board's/Management Committee's authority includes:

- Overseeing the organisation, including its control and accountability systems;
- Appointing and removing the Director/Co-ordinator/Manager;
- Ratifying the appointment of all staff members;
- Developing organisational strategy and performance objectives;



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- Reviewing, ratifying and monitoring systems of risk management and internal control, codes of conduct, and legal compliance;
- Monitoring the Director's/Co-ordinator's/Manager'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 organisation's functions; and
- Approving and monitoring the progress of major capital expenditure.

### **The Board/Management Committee will:**

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

### **Code of Conduct**

#### **Board/Management Committee members will:**

- Commit themselves members to ethical, businesslike, and lawful conduct, including proper use of authority and professional decorum when acting as Board/Management Committee members or;
- Avoid conflicts of interest with respect to their role. For example, a family should not benefit financially from a special arrangement, such as 'thank you' for voluntary work performed.
- Annually disclose their involvement with other organisations or companies that currently do business or may do business with the organisation;
- Immediately disclose to the Board/Management Committee any and all impending conflicts of interest. That member shall absent herself or himself without comment from both the deliberation and final decision-making;
- Not use information exclusive to Board/Management Committee members for personal gain and will respect the confidentiality of all information obtained during meetings or through their role; and
- Respect the confidentiality appropriate to issues of a sensitive nature.
- Ensure they understand the business of the organisation and are aware of key developments
- attending and participating in 50% of board meetings
- we be an active member of the committee
- attend the Annual General Meeting (unless pressing matter)
- ensure they source advice, provide their opinions and independent judgment in making decisions
- declare and monitor actual or perceived conflicts of interest for all members of the Board, and



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- governing and overseeing an organisation's operations and performance.
- ensure they meet their legal obligations as required by legislation, common law, Constitution and all organisational policies, to:
  - act in good faith and for proper purposes
  - act with care, skill and diligence
  - not dishonestly use position or information
  - to avoid conflicts of interest
- ensure that the business does not become insolvent; and
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- Primarily all Board / Committee members **must** act in the best interest of the business, removed from any personal interests.

### Evaluation

The organisation is recognised 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.



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## Schedule of Delegations:

### 1) Financial Management

FUNCTION	RESPONSIBILITY	PROCESS	APPROVAL
Annual Audit Report	Treasurer/Administration Assistant	Treasurer, Director and Administration Assistant liaise with Auditor	Management Committee
Annual Budget	Management Committee/ Treasurer/ Assistant/Director	Prepared by Treasurer, Director and Administration Assistant	Management Committee
Bad Debt Write-off outside of the budget	Management Committee	As recommended by Director	Management Committee
Client Fee Schedule changes	Management Committee	Fee Schedules developed by Director and Admin Assistant	Management Committee
Funding Applications Acquittals- Certified reporting of financial transactions relating to grants	Director/Grants Officer	Director to prepare applications, Management Committee to assist in identifying funding where possible	Management Committee
Funding Agreements and variations	Management Committee/Director/ Administration Assistant	Reviewed by Director	Management Committee
Monthly Financial Reports	Administration Assistant	Reviewed by Treasurer and presented to Management Committee Meeting by email each month for approval	Management Committee
Monthly Schedule of Payments in line with the annual budget	Administration Assistant	All items and expenditure which have been approved by the Management Committee through the annual budget have been approved. Checked by Director, Treasurer	Director
Opening/closing of bank accounts	Accounts signatories	Recommended by Director & Administration Assistant	Management Committee
Payroll Approval & Payment in line with the annual budget	Administration Assistant/Director	Pay run generated by Administration Assistant and payment authorised via on-line banking	Director
Superannuation	Administration	Report generated by	Director



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Approval & Payment in line with the annual budget	Assistant/Director	Administration Assistant and payment authorised via on-line banking	
Insurance Premiums: eg. Workers' Compensation in line with the annual budget	Administration Assistant	Policy renewals reviewed by Director & reported to the Management Committee	Director
Purchase Approvals for supplies and equipment – outside of the budget	Director/Administration Assistant	Purchase Requisition from employees. Assets & repairs - if over \$500, consult Management Committee	Director/Management Committee, if required.

### 2) Planning and Reporting:

FUNCTION	PREPARATION	PROCESS	APPROVAL
Term Report to Management Committee	Director	Director provides report summarising key activities of Preschool	Management Committee
Management Committee Meeting Agendas	President/Secretary	In consultation with Director submitted to the Management Committee prior to meeting	Management Committee
Staff Meetings	Director/Administration Assistant	Director prepares agenda & facilitates staff meetings. Minutes taken by Administration Assistant. Minutes to be available to the Management Committee on request.	Staff
Incidents/Accidents	Employees	In accordance with Incident reporting policy. Director to report to the President as per regulations.	Management Committee
Complaints	Director	In accordance with Complaints Policy. Director to complete Serious Complaints form (S102). Director to report summary including resolution to the Management Committee monthly	Management Committee
Policies and Procedures	Director in consultation with Management	Director prepares & reviews policies and	Management Committee



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	Committee and Policy Review Officer.	procedures in consultation with Management Committee, Policy Register legislation.	
Strategic Planning and Quality Improvement Plan	Director/Executive Committee/Management Committee	Employees and Management Committee discuss at Strategic Planning meeting. Director to submit draft of strategic plan to Management Committee	Management Committee

### 3) Legal Responsibilities:

FUNCTION	PREPARATION	PROCESS	APPROVAL
Annual General Meetings, General Meetings and Special Resolutions	Management Committee, Secretary	Discussed and recommended at Management Committee meeting	Members
Annual Returns	Administration Assistant, Treasurer & Director	Submitted following external Audit to Treasurer for appropriate signatures	Management Committee
Management Committee Minutes	Secretary	Submitted to all Management Committee members prior to the Management Committee meeting	Management Committee
Approved provider	Director Administration assistant	Management committee complete Approved Provider application forms including Working with Children checks	Management Committee before going to DEC
Nominated Supervisor Certified Supervisor Educational Leader	Management Committee	Management Committee to nominate Nominated Supervisor, the Certified Supervisor (s) and the Educational Advisor using appropriate forms and process. Approvals apply to individuals not services	Management Committee before going to DEC
Delegations of Authority (Schedule of Delegation)	Management Committee	Director or Management Committee may recommend changes	Management Committee





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### 4) Employment and Human Resources:

FUNCTION	PREPARATION	PROCESS	APPROVAL
Contract of Employment – Other than Director	Director	In consultation with Employsure	Director
Employment Contracts –Director	President/Administration Assistant	In consultation with Employsure	Management Committee
Job Descriptions – Other than Director	Director	In consultation with Employsure	Director
Job Descriptions – Director	President/Administration Assistant	In consultation with Employsure	Management Committee
Leave approvals	Employee	Submitted in writing using appropriate forms	Director, if necessary consult with Management Committee
Recruitment of staff - other than Director for an existing role.	Director / Administration Assistant	Per Recruitment Policies and Procedures	Director with recommendations of Selection Panel
Recruitment of staff - Director	Selection Panel/Executive Committee	Per Recruitment Policies and Procedures	Management Committee, from recommendations of Selection Panel
Salary Negotiations	Director	Recommendation submitted to Management Committee by Director in accordance with relevant awards and enterprise agreements	Director, in consultation with Management Committee
Supervision & Performance Reviews of staff for disciplinary matters	Director	In accordance with format for Director. Report to the Management Committee as completed	Director, in consultation with Management Committee
Supervision & Performance Reviews of Director for disciplinary matters	External appointment by Management Committee	Annually. Format designed in consultation with Management Committee	Management Committee
Annual Staff Development and Reflection Plans for staff other than Director	Director	Director in consultation with each staff member	Director – reported on to Management Committee at meeting annually
Annual Staff	Director	Director in consultation	President reported to the



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Development and Reflection Plan for Director		with the President of the Management Committee	Management Committee annually
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### 5) Contractual Obligations:

FUNCTION	PREPARATION	PROCESS	APPROVAL
Equipment/Maintenance/Cleaner – outside of the annual budget	Director	As per financial delegations for purchase approvals	Director or Management Committee
Funding Agreements & Variations - outside of the annual budget	Director	Budgets reviewed by Treasurer	Management Committee
Leases - outside of the annual budget	Director	Director makes recommendation to the Management Committee	Management Committee

### 6) External Relations:

FUNCTION	DELEGATION
Media Liaison	Director or President or Communications Officer
DECS or other regulatory liaison – Day-to-day service matters	Director
ACECQA – National Quality Standards (Australian Children’s Education and Care Quality Authority)	Director
Representing organisation in public meetings and forums	Director or Management Committee
Department of Fair Trading	Director or Management Committee
Australian Charities and Not-For-Profits Commission	Director or Management Committee



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### MANAGEMENT COMMITTEE 2018

<b>President:</b>	Erik Tull	0404 4447 774	<a href="mailto:erik@webshare.ws">erik@webshare.ws</a>
<b>Vice President:</b>	Kym Ferrario	0423304222	<a href="mailto:kymferrario@hotmail.com">kymferrario@hotmail.com</a>
<b>Secretary:</b>	Alison McGuigan	0419 099 258	<a href="mailto:alisonrenee13@hotmail.com">alisonrenee13@hotmail.com</a>
<b>Treasurer:</b>	Johanna Law	0423 191 144	<a href="mailto:Johanna_law77@hotmail.com">Johanna_law77@hotmail.com</a>
<b>Social Committee:</b>			
<b>Sub members</b>			
<b>Grants Officer:</b>	Kris Dempsey	0429 791 361	<a href="mailto:kris.dempsey@gmail.com">kris.dempsey@gmail.com</a>
<b>Maintenance:</b>	Brad Booth	0437 185 785	<a href="mailto:brad@creativehire.com.au">brad@creativehire.com.au</a>
<b>Handymen</b>			
	Phil Mead (g'father)	9528 6969	
<b>WH &amp; S</b>	Nathan Lewis	0414 889 014	<a href="mailto:nathangraylewis@gmail.com">nathangraylewis@gmail.com</a>
<b>Communications Officer</b>	Delainee Holliday	0423 613 380	<a href="mailto:delaineeholliday@hotmail.com">delaineeholliday@hotmail.com</a>
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<b>Administration:</b>	Carolina Roberts	0412 855 687	<a href="mailto:ca.roberts@hotmail.com">ca.roberts@hotmail.com</a>

### Links to other policies/documentation:

- Privacy and Confidentiality Policy