

Governance and Management of the ELC and OSHC Policy

Introduction

Under the Education and Care Services National Regulations, an Approved Provider must ensure that policies and procedures are in place in relation to the governance and management of the service (regulation 168).

[ACECQA's Occasional Paper 5](#), 'Quality Area 7: Leadership and management in education and care services', found that 'effective leadership and service management are important in guiding and supporting the delivery of quality education and care programs' and the impact is felt across all areas of the National Quality Standard. It is through good governance and management that the effective functioning of the Early Learning Centre (ELC) and Out of School Hours Care (OSHC) can be ensured across all seven quality areas, enabling quality outcomes for children and their families.

IGS recognises the importance of having a framework of rules, relationships, systems and processes within, and by which authority is exercised and controlled in the School.

Approved Providers must meet a wide range of requirements and quality processes, procedures and practices for governance and management including:

- Systems of risk management
- Performance reporting
- Space, equipment and facilities
- Notifications and reporting
- The self-assessment and quality improvement process
- Confidentiality of records

Policy

We are committed to implementing robust governance and management systems, ensuring the effective, transparent and competent operation of the ELC and OSHC.

Key Definitions

Term	Definition
Governance	The system or process by which organisations are directed, controlled

	and held accountable to ensure that the right decisions are made.
Approved Provider	A person who holds a provider approval (National Law). A provider approval authorises a person to apply for one or more service approvals and is valid in all jurisdictions.
Authorised Person	Means: <ul style="list-style-type: none"> a. A person who holds a current working with children check (WWCC), or equivalent; or b. A family member of a child who is being educated and cared for by the service; or c. An authorised nominee of a family member of a child who is being educated and cared for by the service; or d. In the case of an emergency, medical personnel or emergency personnel; or e. A person who is permitted under the jurisdictional working with children law to remain at the service without holding a working with children check (WWCC), or equivalent.
Continuous improvement	Ongoing improvement in the provision of quality education and care services.
Educational Leader	The Educational Leader is a suitably qualified and experienced person who is responsible for leading the development and implementation of educational programs at the service. They're generally supported by the Nominated Supervisor.
Governance	Refers to the systems in place to support effective management and operation of the service, consistent with the service's statement of philosophy. Good governance requires effective management systems and clearly delineated roles and responsibilities to support the effective operation of a quality service.
Management system	A system to manage organisational risks and enable the effective management and operation of a quality service.
Nominated Supervisor	A service must have at least one nominated supervisor. This person is employed by the Approved Provider and must: <ul style="list-style-type: none"> • be at least 18 years of age; • have adequate knowledge and understanding of the provision of education and care to children; • have the knowledge, skills and experience to effectively supervise and manage an education and care service; • be a 'fit and proper' person; and • have consented in writing to be the nominated supervisor. Nominated supervisors are responsible for the day-to-day management of the service.

Person with Management and Control	The person who, whether alone or with others, is responsible for managing the delivery of the service. This person participated in decision-making that affects a substantial part of the provider's business or has the capacity to significantly impact the provider's financial position. They have the same legal responsibility as the Approved Providers. Responsibilities cover three main areas - health and safety, staffing and documentation.
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Eligibility

This policy applies to the IGS Board, School Principal, Nominated Supervisors of the ELC and OSHC, Early Learning staff, OHSC staff and all IGS staff supporting the approved services.

Responsible

Responsibilities for this policy are:

Person	Responsible for
Approved Provider	<ul style="list-style-type: none"> ● Ensure that obligations under the Education and Care Services National Law and National Regulations are met, as well as all other laws relevant to governance and management of the service ● Display the prescribed information in section 172 (regulation 173) ● Provide information to the regulatory authority upon request in relation to being a fit and proper person (sections 13, 14, 21) ● Ensure that the ELC and OSHC are insured and keep evidence of this (section 51; regulations 29, 180) ● Ensure that the number of children at the ELC and OSHC does not exceed the maximum in the service approval (section 51) ● Ensure that the family of a child at the ELC and OSHC is allowed to enter the premises (regulation 157) ● Adopt quality governance and management processes, procedures and practices, in line with the National Quality Standard, especially Quality Area 7 – Governance and leadership ● Establish systems of risk management, financial and internal control, and performance reporting. Monitor management and financial performance to ensure the solvency, financial strength and good performance of the ELC and OSHC ● Develop, review and approve the ELC and OSHC philosophy and purpose, strategic direction and initiatives (Element 7.1.1) ● Take reasonable steps to ensure that nominated supervisors, educators, staff and volunteers follow the Governance and Management Policy and Procedures

- Ensure that copies of the policy and procedures are readily accessible to nominated supervisors, co-ordinators, educators, staff, volunteers and families, and available for inspection
- Notify families at least 14 days before changing the policy or procedures if the changes will:
 - affect the fees charged or the way they are collected; or
 - significantly impact the ELC and or OSHC education and care of children; or
 - significantly impact the family's ability to utilise the service.

Notifications and reporting

- Ensure that all reporting and reporting requirements are met regarding the National Quality Framework, family assistance, taxation, child protection, and other relevant laws
- Notify the regulatory authority about the approved provider and operational changes, and changes in relation to the nominated supervisor, as detailed in section 173 (regulations 174, 174A)
- Notify the regulatory authority about changes to the 'fit and proper' status of the approved provider, any serious incidents, and complaints relating to a serious incident or that the Law has been contravened (section 174; regulations 175, 176, 176A).

Health, safety and wellbeing

- Ensure the health, safety and wellbeing of children in the ELC and OSHC, and take every reasonable precaution to protect children from harm and hazard (section 51; Quality Area 2).

Quality Improvement Plan (QIP)

- Ensure there is an effective self-assessment and quality improvement process in place, including a QIP that is kept at the premises and is made available for inspection and to families (regulations 31, 55; Element 7.2.1)
- Ensure that the QIP is reviewed at least annually (regulation 56).

Space, equipment, facilities

- Ensure that requirements relating to the physical environment, space, equipment and facilities are met, including regulations 104, 106, 107, 108, 109, 110, 116, 117 (Quality Area 3).

Educational needs and program

- Ensure that children's educational and developmental needs are met (section 51; Quality Area 1).

Educators and staff

- Ensure that requirements relating to staffing are met, including implementing the Staffing policy and procedures (including regulation 84)

	<ul style="list-style-type: none"> ● Ensure that roles and responsibilities are clearly defined, understood, and support effective decision making and operation of the ELC and OSHC (Element 7.1.3) ● Ensure that the performance of educators, staff and co-ordinators is regularly evaluated and individual plans are in place to support learning and development (Element 7.2.3) ● Ensure that a nominated supervisor, educators, staff, volunteers and contractors to whom a prohibition notice applies are not engaged by the ELC or OSHC (section 188) ● Ensure the Educational Leader is supported to lead the development and implementation of the educational program and assessment and planning cycle (Element 7.2.2). <p>Nominated supervisors and responsible person</p> <ul style="list-style-type: none"> ● Ensure that requirements relating to the nominated supervisor and responsible person are met, including implementing the Staffing policy and procedures (including section 162, section 162A; regulation 117B). <p>Records and confidentiality</p> <ul style="list-style-type: none"> ● Keep a record of the service’s compliance with the information listed in regulation 167 ● Keep a record of enrolment and other documents listed in section 175 at the ELC or OSHC and be available for inspection by an authorised officer ● Ensure that records are kept confidential and not divulged except as permitted under regulations 181 and 182 ● Ensure that records are stored safely and securely for the period set out in regulation 183 ● Keep enrolment and attendance records (regulations 158, 159, 160, 161, 162) and other documents listed in regulations 160, 177 and 178, ensure they are accurate and available to families on request (section 175). If a service approval is transferred, the documents must be transferred to the receiving approved provider (regulation 184).
Nominated Supervisor	<ul style="list-style-type: none"> ● Ensure that regulatory obligations are met in relation to governance and management ● Adopt quality governance and management processes, procedures and practices, in line with the National Quality Standard, especially Quality Area 7 – Governance and Leadership ● Implement systems of risk management, financial and internal control, and performance reporting. Monitor management and financial performance to ensure the solvency, financial strength and good performance of the ELC or OSHC ● Develop and review the ELC or OSHC philosophy and purpose, strategic direction and initiatives (Element 7.1.1) ● Ensure that the family of a child at the service is allowed to enter the premises when the child is being educated and cared for (regulation

	<p>157).</p> <p>Notifications and reporting</p> <ul style="list-style-type: none"> • Ensure that all notification and reporting requirements are met regarding the National Quality Framework and other relevant laws. <p>Health, safety and wellbeing</p> <ul style="list-style-type: none"> • Ensure the health, safety and wellbeing of children in the ELC or OSHC and take every reasonable precaution to protect children from harm and hazard (Quality Area 2). <p>Quality Improvement Plan (QIP)</p> <ul style="list-style-type: none"> • Ensure there is an effective self-assessment and quality improvement process in place (Element 7.2.1). <p>Educational needs and program</p> <ul style="list-style-type: none"> • Ensure that children’s educational and developmental needs are met (Quality Area 1). <p>Educators and staff</p> <ul style="list-style-type: none"> • Ensure that roles and responsibilities are clearly defined, understood, and support effective decision making and operation of the ELC or OSHC (Element 7.1.2) • Ensure that the performance of educators, staff and co-ordinators is regularly evaluated and individual plans are in place to support learning and development (Element 7.2.3) • Ensure that requirements relating to staffing are met, including implementing the Staffing policy and procedures (Quality Area 4) • Ensure that the educational leader is supported to lead the development and implementation of the educational program and assessment and planning cycle (Element 7.2.2.). <p>Records and confidentiality</p> <ul style="list-style-type: none"> • Ensure that requirements relating to records and confidentiality are met.
ELC Staff	<ul style="list-style-type: none"> • Must be aware of and follow the Governance and Management of the ELC Policy and Procedures. • Must be familiar with and implement the service’s policies and procedures, philosophy, QIP and code of conduct. • Ensure that requirements relating to records and confidentiality are met.
Families	<ul style="list-style-type: none"> • Be aware of the Governance and Management policy and procedures and address any questions to the approved provider or nominated supervisor/responsible person.

Procedures

General Governance and Management

- The management of our ELC and OSHC is overseen by the IGS School Principal as the Approved Provider representative. The IGS School Principal is the Person with Management and Control (PMC).
- The IGS School Principal is accountable for the performance of the Early Learning Centre and OSHC.
- The IGS Board has overall responsibility for the sustainability and relevance of the Early Learning Centre and OSHC.
- The IGS School Principal will direct activities towards achieving the School's strategic plan and implementing the ELC and OSHC Quality Improvement Plan by guiding and mentoring the School's business and affairs in line with the objectives as set out in the School's policies, values, mission and in line with the ELC and OSHC philosophy.
- In carrying out responsibilities, the IGS School Principal undertakes to maximise the value and contribution of the School, ELC and OSHC to the community, and to serve the interests of the School, ELC and OSHC members, employees, families and children. In serving these interests there is an implicit understanding that the rights of the children and students are paramount in decision making.
- The IGS School Principal is designated on behalf of the Board as the employer of all staff of the School, ELC and OSHC and is responsible for the management and control of the ELC and OSHC as the designated Person with Management and Control (PMC) of education and care under the Children Education and Care Services National Law 2010 and the Education and Care National Regulations 2011.

Policies

The IGS School Principal 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 ELC and OSHC must comply with;
- Ensure that these policies comply with relevant legislation; and
- Update these policies on a regular basis.

Compliance Measures

The IGS School Principal will:

- Ensure that mechanisms are in place to assist them to assess that the ELC and OSHC policies are implemented.

Constitution

The IGS School Principal will:

- Ensure the IGS constitution is followed at all times.
- Ensure the constitution is reviewed at least every three years.
- Ensure that each new member of the Board is provided with a copy of the IGS constitution and the ELC and OSHC Quality Improvement Plan on their appointment to the Board.

IGS Board Powers

- The IGS Board sets the strategic direction and monitors the performance of the School, ELC and OSHC. The IGS Board will provide effective governance to ensure excellent overall management of the School, ELC and OSHC business and financial objectives.
- The IGS Board members delegate their powers (with the exception of the power of delegation and responsibilities as Approved Provider) to the IGS School Principal as the Person with Management and Control.
- The IGS Board delegates the responsibility of implementing the strategic plan to the IGS School Principal and the day-to-day management of the ELC and OSHC to the Nominated Supervisors.
- In discharging its powers, each IGS Board member will be bound by the Corporations Act, the Constitution and all policies of the School, ELC and OSHC.
- The IGS Board's authority as delegated to the IGS School Principal includes:
 - Overseeing the ELC and OSHC including its control and accountability systems;
 - Appointing and removing the Nominated Supervisor;
 - Ratifying the appointment of all staff members;
 - Developing organisational strategy and performance objectives;
 - Reviewing, ratifying and monitoring systems of risk management and internal control, codes of conduct, and legal compliance;
 - Monitoring the Nominated Supervisor's performance and implementation of strategy;
 - Approving and monitoring financial and other reporting;
 - Authorising appropriate delegations within the ELC and OSHC;
 - Ensuring appropriate resources are available to carry out the ELC and OSHC functions; and
 - Approving and monitoring the progress of major capital expenditure.

Risk Management

The IGS School Principal will:

- Ensure the ELC and OSHC operate with and to a valid Constitution and that all governance and management practices of the IGS Board and staff align with the Constitution.
- Demonstrate achievement of this through accessible meeting minutes and IGS Board self assessments;
- Assist IGS Board members to receive ongoing support and professional development

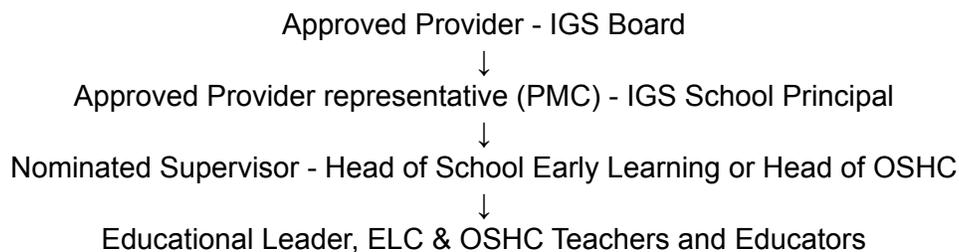
in the implementation of effective and evidence based governance practice.

Code of Conduct

The IGS School Principal will:

- Commit themselves to ethical, businesslike, and lawful conduct, including proper use of authority and professional decorum when acting as a delegate of the Board members;
- Demonstrate un-conflicted loyalty to the interests of the School, ELC and OSHC;
- 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 School, ELC and OSHC;
- Immediately disclose to the IGS Board any and all impending conflicts of interest. The Principal shall absent herself or himself without comment from both the deliberation and final decision-making;
- Not use information exclusive to Board 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.

Organisational chart: Early Learning Centre & OSHC



Related documents

Related Legislation	Education and Care Services National Law Act 2010 Education and Care Services National Regulations: Regulation 168(2)(1)
Related Standards	National Quality Standard, Quality Area 7: Governance and Leadership - Standard 7.1
Key Resources	<ul style="list-style-type: none"> • ACECQA Guide to the National Quality Framework - www.acecqa.gov.au/nqf/about/guide • ACECQA Newsletter Issue 6 2018: Governance in education and care - www.acecqa.gov.au/newsletters/acecqa-newsletter-issue-6-2018 • CELA Sample Policy - Governance and Management 2021 • ACECQA - Occasional Paper 5: Quality Area 7: Leadership and

	<p>management in education and care services www.acecqa.gov.au/media/25871</p> <ul style="list-style-type: none"> • Who's Who at Our Service
Links to other Policies and related documents	<ul style="list-style-type: none"> • IGS Code of Conduct for Staff • IGS Early Learning Centre Risk Register • ELC Feedback and Complaints Policy • Privacy Policy

Document Control

Element	Details
Document name	Governance and Management of the ELC & OSHC Policy
Document owner	IGS School Principal
Version number	1
Effective date	May 2022
Review date	June 2022
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