

# Quality Area 7: Governance and leadership

## Governance and Management



### Introduction

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Governance is the system or process by which organisations are directed, controlled, and held accountable to ensure that the most beneficial 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.

### Goals – What are we going to do?

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Kootingal and District Preschool is committed to ensuring strong governance and accountability to families, staff, the Management Committee, funding bodies and the broader community by:

- Conducting our affairs legally, ethically and with integrity, ensure compliance with all funding, regulatory and legislative requirements placed on the organisation
- Remaining solvent and comply with all our financial obligations.
- Identifying organisational risks and legal obligations and manage these.
- Ensuring clear processes are in place to support fair, transparent and accountable governance.

### Strategies – To achieve our goals

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#### Management

The management of Kootingal and District Preschool is overseen by the Parent Management Committee. The Committee and director are accountable to members for the performance of the organisation.

#### Committee Role

The Committee has overall responsibility to members for the sustainability and relevance of the service. It will direct its activities towards achieving the organisation's goals and implementing the organisation's Self Reflection Tool and 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 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 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 2010 and the Education and Care Services National Regulations 2018

#### 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
- Ensure policies are current and relevant and these policies are updated 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 that the organisation's policies are implemented

## **Constitution**

The Committee of the Association will:

- Ensure that the organisation's constitution/articles of association are followed at all times
- Ensure that the Constitution/articles of association are reviewed at least every three years
- Ensure that each new member of the parent management committee is provided with a copy of the organisation's Constitution and Self-Assessment Tool 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.

In addition, the 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 Committee delegates the responsibility of implementing the strategic plan and day-to-day management of the organisation to the service's Director.

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

The Committee's authority includes:

- Overseeing the organisation including its control and accountability systems
- Appointing and removing the Director
- Approving the appointment of all new 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 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 organisation's functions
- Approving and monitoring the progress of major capital expenditure.

## **Risk Management**

The Committee will:

- Ensure the organisation operates with and to a valid Constitution/articles of Association and that all governance and management practices of the Committee and staff align with the Constitution/articles of Association.
- Demonstrate achievement of this through accessible meeting minutes and Committee self-assessments
- Assist 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, businesslike, 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 organisation 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 organisation
- Immediately disclose to the 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 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.

## Monitoring, Review and Evaluation

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Management and staff will monitor and review the effectiveness of the Governance and Management policy regularly. Updated information will be incorporated as needed.

This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this policy every 12 months.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with Regulation 172 of the Education and Care Services National Regulations, the service will ensure that families of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

## Links to other policies:

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[Parent Code of Conduct](#)

[Privacy and Confidentiality](#)

[Privacy Collection Statement](#)

[Social Media](#)

## Related Legislation:

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# NQS

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## National Regulations

Reg	168	Education and care service must have policies and procedures
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## Sources:

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- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2018
- NSW Association Incorporation Act 2009
- Guide to the National Quality Framework (2018) – [www.aceqa.gov.au/sites/default/files/2019-10/Guide-to-the-NQF.pdf](http://www.aceqa.gov.au/sites/default/files/2019-10/Guide-to-the-NQF.pdf)
- ACECQA Newsletter Issue 6 2018: Governance in education and care – [www.acecqa.gov.au/newsletters/aceqa-newsletter-issue-6-2018](http://www.acecqa.gov.au/newsletters/aceqa-newsletter-issue-6-2018)

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