

Governance and Management

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

Introduction

The Governance Policy provides the overall direction, effectiveness, supervision and accountability of a Service. Management is responsible for guiding the direction of the service, ensuring that its goals and objectives are met in line with the philosophy, and all legal and regulatory requirements governing the operation of the service.

Goals

Our Service aims to ensure all legal and financial requirements are implemented and recognised through appropriate governance practices, providing quality education and care, meeting the principles, practices and elements of the Early Years Learning Framework and the National Quality Standard. We believe that children's safety, rights, and best interests are the paramount consideration for all Service operations, decisions and functions. Our Service ensures that child safety, wellbeing and best interests take priority over all other considerations, including financial interests or other obligations of management, and are embedded in our daily practices, policies and procedures.

Strategies

Under the Education and Care Services National Regulations, the approved provider must ensure that policies and procedures are in place in relation to the governance and management of the service (Regulation 168) and that they take reasonable steps to ensure those policies and procedures are followed (Regulation 170). ACECQA 2021

Governance is the process that directs and controls our Service, ensuring accountability, and supporting decision making. The Approved Provider and Nominated Supervisor of the Service accept the legal responsibilities associated with establishing, administering, and maintaining the Service. PHELC has the following established positions:

Approved Provider	Chris Baldry
Nominated Supervisor	Suzi Scott and Angella de Beer
Educational Leader	Kristen Marais
Responsible Persons	• Kristen Marais • Sarah Woodbury • Ines Cruz Zavala • Christine Lee • Shirley Lok • Iris Li

The Approved Provider is legally responsible for:

- ensuring compliance with the Education and Care Services National Law and Education and Care Services National Regulations
- complying with Family Assistance Law
- appointing a Nominated Supervisor, an Educational Leader and a Director/coordinator for the Service
- displaying the prescribed information as listed in Regulation 173 including the current rating levels for each quality area stated in the National Quality Standard
- ensuring background checks, including criminal history and Working with Children Checks are completed for all staff and educators
- determining whether or not a person working in the service is a 'fit and proper person'
- provide information to the regulatory authority upon request in relation to being a 'fit and proper person'
- implementing a probation and induction orientation program to ensure employees are aware of their roles and responsibilities, understanding of the values and organisational culture of the Service, policies and procedures, child protection law and other legislation
- supporting the Nominated Supervisor [Responsible Persons] in their role, providing adequate resources to ensure effective administration of the Service
- developing a clear and agreed philosophy, which guides business decisions and the work of management and staff
- acting honestly and with due diligence
- ensuring that families of enrolled children have access to enter the premises (Regulation 157)
- ensuring there is a sound foundation of policies and procedures that complies with all legislative and regulatory requirements, and that enables the daily operation of the Service to be in line with the Service's philosophy and goals
- maintaining up to date and current policies and procedures for compliance by all educators
- ensuring the health, safety and wellbeing of children and taking every reasonable precaution to protect children from harm or hazard
- ensuring policies and procedures are followed in the event that a child is injured, becomes ill or suffers a trauma (Regulation 85)
 - confirming incident, injury, illness or trauma records are stored in a kept in a safe and secure place until the child is 25 years of age. In the event of a death of child while being cared for by the service or may have occurred as a result of an incident, the records must be kept until 7 (seven) years after the death.
- being an employer, including all legal and ethical responsibilities that this entails
- appointing staff and monitoring their performance
- ensuring educator qualification requirements are current
- ensuring all educators and staff have a clear understanding of the hierarchy of management

- providing clear and direct written and verbal feedback and instruction that is suitable and appropriate to the task
- ensuring the Service remains financially viable and can meet its debts and other obligations as they fall due
- ensuring the Service holds a current insurance policy for public liability with a minimum cover of \$10, 000, 000
- managing control and accountability systems
- reviewing the Service's budget and monitoring financial performance and management to ensure the Service is solvent at all times and has sound financial strength
- approving annual financial statements and providing required reports to government bodies and maintaining appropriate delegations and internal controls
- complying with funding agreements where appropriate
- reviewing the work process regularly
- completing a Quality Improvement Plan (QIP) for the Service and updating it at least annually
- ensuring the QIP is updated upon request by the regulatory authority and submitted to the regulatory authority upon request (Reg. 31, 56)
- developing coherent aims and goals that reflect the interests, values and beliefs of all stakeholders of the Service
- establishing clearly defined roles and responsibilities for the members of staff, individually and as a collective, and clearly articulating the relationship between all stakeholders
- ensuring the educational program is based on an approved learning framework (EYLF) and contributes to each child's sense of identity and wellbeing
- complying with all other NSW and Australian governments' legislation that impacts upon the management and operations of a Service ensuring all notification and reporting requirements are met regarding the National Quality Framework and other legislation
- ensuring a copy of the Education and Care Services National Regulations and National Law is available at all times at the service for use by educators, staff, families and visitors (Reg. 185)
- ensuring that requirements relating to the physical environment, space, equipment and facilities are met
- notifying families at least 14 days before changes to policy or procedures that:
 - affect the fees charged or the way they are collected
 - significantly impact the service's education and care of children, or
 - significantly impact the family's ability to utilise the service.

Nominated Supervisor is responsible for:

- adhering to the Education and Care Services National Law and National Regulations
- developing ethical standards and a code of conduct which guide actions and decisions in a way that is consistent and reflective of the Service's expectations

- undertaking periodical planning and risk assessments and having appropriate risk management strategies in place to manage risks faced by the Service
- ensuring that actions taken, and decisions made are clear and consistent and will help build confidence in all stakeholders
- the day-to-day management of the Service
- ensuring all notification and reporting requirements are met regarding the National Quality Framework and other legislation
- producing outcomes together with educators and staff. Educators must agree on their responsibilities and work according to current policies and procedures.
- providing educators with training, resources and support
- identifying and reporting if something significant occurs (for example: Work Health and Safety; Fraud Prevention; Complaint handling)
- identifying work required for completion and delegate to the appropriate educator/staff
- ensuring educators and staff do not delegate responsibilities for which they are accountable for or have been delegated to them by Management
- delegate all tasks in writing with a clear due date
- ensuring educators are adhering to service policies and procedures.

Philosophy

- The development and review of the philosophy and policies will be a continuous process on an annual basis or when required.
- The philosophy and associated statement of purpose will reinforce all other documentation and the practices of the Service. The philosophy will reflect the principles of the approved national framework *"Belonging, Being and Becoming: The Early Years Learning Framework for Australia"*
- There will be a collaborative and consultative process to support the development and maintenance of the philosophy that will include children, parents and educators.
- All documents will be dated and include nominated review dates.
- The PHELC is a part of the Pacific Group of Christian Schools – a Christ-centred community where each child is loved, valued and guided in discovering their God-given gifts and purpose. Our educational philosophy reflects our deep respect and care for the children, families, staff and the wider community we serve. It's a living expression of our faith, made visible in our daily interaction, programs and teaching practices.

Code of Conduct

The standards of behaviour outlined in our *Code of Conduct Policy* provide guidance for all staff to make personal and ethical decisions related to confidentiality, recruitment, duty of care, record keeping, professional relationships and appropriate use of resources within the Service. Employees, educators, staff and management are informed that inappropriate conduct and behaviour, including bullying, sexual harassment, discrimination and harassment will not be tolerated.

Confidentiality

All members of staff including the Nominated Supervisor, Responsible Person, educators, and staff who gain access to confidential information, whether in the course of their work or otherwise, shall not disclose information to anyone unless the disclosure of such information is required by law and will respect the confidentiality of all documents and meetings that occur. Child Information Sharing may be mandated to promote children's wellbeing and safety under state legislation.

This also includes:

- using information acquired for their personal or financial benefit, or for the benefit of any other person.
- permitting any unauthorised person to inspect or have access to any confidential documents or other information.
- any information received or transmitted via mobile telephone (including text/SMS) or any other electronic device (e.g., email) shall be treated with the same confidentiality as any other written form of communication and must be stored confidentially.

This obligation, placed on the Nominated Supervisor, Responsible Person, educator, and staff shall continue even after the individual is no longer employed by the Service.

CHILD SAFE ENVIRONMENT

Our Service is committed to ensuring all educators, staff, students, and volunteers understand and consistently implement our child safe policies, including *Child Protection*, *Child Safe Environment*, *Code of Conduct Policy* to maintain a child safe environment in accordance with the National Principles for Child Safe Organisations – (Child Safe Standards). No staff member, educator, volunteer will engage in or overlook any inappropriate conduct towards a child while on the Service premises, during Service activities, excursions or any activity related to the Service. We ensure children being educated and care for are adequately supervised at all times and including when using digital devices as part of the educational program.

To ensure children's safety, access to the Service will be refused to any parent, guardian or authorised person where their behaviour, actions or known circumstances pose a risk to the safety or wellbeing of children, staff, volunteers or visitors. The approved provider will keep copies of all court orders and other legal documents in the child's enrolment

records to ensure that a parent is not permitted access to the Service or their child when a court order or parenting order prohibits such access.

Our Service ensures that educators, staff, volunteers, and students are informed about the different ways children may express concerns, distress and disclose harm as well as the process for responding to disclosures from children- including a complaint that alleges a child is exhibiting sexual behaviours that may be harmful to the child or another child. (ACECQA, 2023.)

Ethical Decision-Making

Our Service will make decisions which are consistent with our policies and procedures and that work in conjunction with the Education and Care Services National Law and National Regulations, our approved learning framework (EYLF), and the ethical standards within the ECA Code of Ethics.

Review and Evaluation of the Service

- Ongoing review and evaluation will support the continuing development of the Service. We will ensure that the evaluation involves all stakeholders.
- The development of a Quality Improvement Plan (QIP) will form part of the reflection procedure. Reflection on what works within the Service and what needs additional development will be included in the QIP.

Maintenance of Records

- The Service will adhere to record keeping requirements outlined in the National Regulations (177)
- The Service will adhere to the storage of confidential records outlined in the National Regulations (181-184)
- The Service has a responsibility to keep sufficient records about staff, families, and children in order to operate dependably and lawfully
- The Service will safeguard the interests of all children, their families, and the staff, using procedures to ensure appropriate privacy and confidentiality practices are upheld
- The Approved Provider assists in determining the process, storage location, and timeline for storage of records, using the National Regulations as a minimum standard

The Service's quality and compliance history must be displayed, covering the past 2 years of compliance history, any prosecution information and compliance actions that are under review. Our Service will update the quality and compliance history statement following a change to NQS ratings issued or compliance notices issued, within 7 days.

The approved provider will collect and maintain digital staff records within the [National Educator Register](#) from 2026 and ensure the register is updated within 14 days following any changes about a staff member, educator, student or volunteer engaged in the Service.

Managing Conflicts of Interest

- Conflict of interest, whether actual, potential or perceived, must be declared by all members of Nominated Supervisor, Senior Staff and managed effectively to ensure integrity.
- Every stakeholder that is in a position of management has a responsibility to ensure their transactions, external business interests and relationships will not cause 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:
 1. Whenever there is a conflict of interest, the member concerned must notify the Approved Provider about the conflict.
 2. The member with a conflict of interest must not be present during the Management meeting where the matter is being discussed or participate in any decisions made on that matter. The member concerned must provide the Licensee with all relevant information they possess on the particular matter.
 3. The minutes of the meeting must reflect that the conflict of interest was disclosed, and appropriate processes followed to manage the conflict.
 4. A Conflict of interest disclosure statement must be completed by each member of Staff member upon his or her appointment and annually thereafter. If the information in this statement changes during the year, the member shall disclose the change to the Approved Provider/ and revise the disclosure statement accordingly.

NATIONAL QUALITY FRAMEWORK (NQF) AND NATIONAL QUALITY STANDARD (NQS)

Our Service will ensure full compliance with the National Law and National Regulations at all times, and the approved provider will maintain provider approval under the NQF by continuing to meet all eligibility, suitability, and operational requirements to deliver education and care Services. The approved provider will follow and implement all directions or orders issued by the regulatory authority or Minister of Education. Our Service will participate in the NQS process as outlined within the Guide to the National Quality Framework. The approved provider and nominated supervisor will ensure all educators and staff are prepared for assessments and ratings, ongoing quality improvement, and compliance with all regulatory requirements. Our Service will work towards achieving an 'Exceeding' rating in all seven quality areas defined in the NQS of the NQF.

NOTIFICATION AND REPORTING

The approved provider is responsible for ensuring all notification and reporting requirements are met regarding the National Quality Framework, Family Assistance Law, Child Protection, Reportable Conduct Scheme, taxation and other

legislation as required, as outlined within the *Notification and Reporting Guide*. Educators and staff will be informed of notification requirements during induction training and ongoing guidance, to ensure incidents are reported to the approved provider in a timely manner.

All notifications are made to the regulatory authority in writing, through the NQA ITS within the specified timeframes as outlined with the National Quality Framework. All notifications made to the Department of Education as per Family Assistance Law are made via the Provider Portal or CCS Software Xplor.

National Quality Standard

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service that is child safe.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service that is child safe.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinations and staff members performance is regularly evaluated and individual plans are in place to support learning and development.

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S. 2A	Paramount consideration—safety, rights and best interests of children
S. 3A	Paramount consideration
S. 4	How functions to be exercised
S. 19	Conditions on provider approval
S. 51	Conditions on service approval
S.162	Offence to operate education and care service unless responsible person is present
S.166A	Offence to subject child to inappropriate conduct
S.172	Offence to fail to display prescribed information
S. 173	Offence to fail to notify certain circumstances to Regulatory Authority
S. 174	Offence to fail to notify certain information to Regulatory Authority
S. 174AB	Approved provider must notify Regulatory Authority of event under section 174AA

S. 175	Offence relating to requirement to keep enrolment and other documents
Part 6A	Devices in education and care services
S. 188	Offence to engage person to whom prohibition notice applies
S. 269B	National Early Childhood Worker Register
S. 269E	Approved provider must give information to the National Authority for the National Early Childhood Worker Register
29	Condition on service approval-insurance
31	Condition on service approval-quality improvement plan
55	Quality improvement plan
56	Review and revision of quality improvement plans
73	Educational program
74	Record of child assessments or evaluations for delivery of educational program
84	Awareness of child protection law
104	Fencing
106	Laundry and hygiene facilities
107	Space requirements- indoor
108	Space requirements- outdoor
109	Toilet and hygiene facilities
110	Ventilation and light
117B	Minimum requirements for person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
157	Access for parents
158	Children's attendance record to kept by approved provider
160	Child enrolment records to be kept by the approved provider and family day care educator
161	Authorisations to be kept in enrolment record
162	Health information to be kept in enrolment record

167	Record of service's compliance
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
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 the Regulatory Authority
176	Time to notify certain information to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider
180	Evidence of prescribed insurance
181	Confidentiality of records kept by approved provider
183	Storage of records and other documents
184	Storage of records after service approval transferred
185	Law and regulations to be available

Relevant references:

Australian Children's Education & Care Quality Authority. (2014).

ACECQA. (2021). Policy and procedure guidelines. Governance and Management Guidelines. Australian Government. Department of Education. Child Care Provider Handbook. (2022) <https://www.education.gov.au/child-care-package/child-care-provider-handbook>

Early Childhood Australia Code of Ethics. (2016).

Early Learning Association Australia (ELLA) Employee management and development kit (2014)
<https://elaa.org.au/resources/free-resources/employee-management-development-kit/>

Education and Care Services National Law Act 2010. (Amended 2018).

Education and Care Services National Regulations. (2011).

Guide to the National Quality Framework. (2017). (Amended 2020).

Revised National Quality Standard. (2018).

Work Health and Safety Act 2011 (Cth).

Related Policies:

Acceptance and Refusal Authorisation Policy

Administration of First Aid Policy

CCS Governance Policy

Code of Conduct Policy Child Protection Policy

Child Safe Environment Policy Control of Infectious Diseases Policy

Dealing with Complaints Policy

Delivery of Children to, and collection from EEC Service Policy

Emergency and Evacuation Policy

Enrolment Policy

Interactions with Children, Staff and Families Policy

Medical Conditions Policy

Nutrition Food Safety Policy

Payment of Fees Policy

Privacy and Confidentiality Policy

Probation and Induction Orientation Policy

Record Keeping and Retention Policy

Safe Transportation Policy

Sleep and Rest Policy

Staffing Arrangements Policy

Student and Volunteer Policy

Sun Safety Policy

Water Safety Policy

Review:

POLICY REVIEWED: March 2026

POLICY REVIEWED BY: Suzi Scott

NEXT REVIEW DATE: March 2027

MODIFICATIONS: Inclusion of paramountcy principle

Inclusion of NQF information, notification and reporting information

Inclusion of Child Safe Environment requirements

Inclusion of inappropriate conduct within Code of Conduct