

<b>Policy title</b>	7.1 Management and Governance
<b>Policy type</b>	Management
<b>Group</b>	Family and Children

## Rationale

Each of the early years education and care services owned and managed by Moonee Valley City Council, are operated in accordance with relevant Federal and State legislation. As an approved provider, Council understands its responsibility to maintain appropriate governance arrangements to effectively and efficiently manage its early years education and care service.

The purpose of this Policy is to ensure that Council, as an approved provider of education and care services, has a policy and procedures in place for the governance and management of the service, including confidentiality of records, as required by the *Education and Care Services National Regulations 2011* (Regulation 168 (2)(I)), *Children's Services Regulations 2009 (Victoria)* and the *Children's Services Act 1996 (Victoria)*.

## Policy statement

Moonee Valley City Council is committed to:

- professionalism, confidentiality and ethical conduct, and meeting its legal responsibilities associated with setting up and operating a service
- operating according to all legal and funding agreement requirements
- making every effort to reflect the special nature of the community
- encouraging family input and considering family, children and educator/contractor/staff needs in the operation of the service

All decisions are made in a legitimate way and in the best interests of the service.

Group	Responsible Manager	Document	Document No	Approval Date	Review Date
Family and Children's Services	Michele Leonard	7.1 Management and Governance Procedure	17/150819	August 2017	August 2019

<b>Procedure</b>	7.1 Management and Governance Procedure
<b>Policy type</b>	Management
<b>Group</b>	Family and Children

<b>Action</b>	<b>Approved Provider</b>	<b>Responsible Person or Primary Nominee</b>	<b>Educator/contractor</b>	<b>Families</b>	<b>Education and Care Services National Regulations 2011</b>	<b>Education and Care Services National Law Act 2010</b>	<b>Children's Services Regulations 2009 &amp; Children's Services Act 1996</b>
<p>Ensure that services operate in accordance with the conditions of approval from the regulatory authority (Victorian Department of Education and Training). This includes:</p> <ul style="list-style-type: none"> <li>• compliance with the <i>Education and Care Services National Law 2010</i> and <i>Education and Care Services National Regulations 2011</i>, <i>Children's Services Regulations 2009</i> and the <i>Children's Services Act 1996 (Victorian)</i></li> <li>• the presence of a nominated/certified supervisor or Nominee/Responsible Person in day-to-day charge of the service</li> <li>• the design, safety and maintenance of the premises</li> <li>• ensuring the provider, including managing bodies, and any authorised supervisor/nominee in day-to-day charge of the service, are fit and proper</li> <li>• ensuring educators, coordinators, staff and other persons who have contact with children are fit and proper</li> </ul>	✓	✓	✓		r.54 r.145-152 r153-154 r.158-162 r.173 r.185 r.103 r.355-366 r.84 r.168-173	s.161-175	r.28-35 r.38-39 r.40-41 r.43 r.45-46 r.50-53 r.60-61 r.10 s.26-30 s.32B-33

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<ul style="list-style-type: none"> <li>• minimum number of educators with appropriate qualifications being in place at a service</li> <li>• compliance with Child Safe Standards</li> <li>• ensuring the number of children in education and care within various age groups is not exceeded</li> <li>• appropriate Policies, Procedures and records being in place</li> </ul>	✓	✓	✓				
Comply with the Family Assistance Law that is the basis for Commonwealth childcare fee assistance, which includes, but is not limited to, the Childcare Benefit and Childcare Rebate.	✓	✓					
Account for Australian Government funds and comply with funding agreements.	✓	✓					
Liaise with the Victorian Department of Education and Training as the regulatory authority on all matters relating to maintaining the service approval for each service.	✓	✓					
Ensure all staff in management positions at each service are aware of their roles and responsibilities in relation to the legal operation of the service.	✓	✓			r.54 r.145-152 r.153-154 r.158-162 r.173 r.185 r.103 r.355-366 r.84 r.168-173	r.161-175	r.28-35 r.38-39 r.40-41 r.43 r.45-46 r.50-53 r.60-61 r.106 s.26-30 s.32B-33

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Notifying the regulatory authority of changes that may require amendments to provider approval, service approval, supervisor certificates or Responsible Person or Primary Nominee status, as required by the <i>Education and Care Services National Law Act 2010, the Children's Services Act 1996, and the Children's Services Regulations 2009.</i> (Victorian)	✓	✓			r.174-175	r.173-174	Sch1.18 s.32
Ensure that Council's Family and Children's Services' Policies and Procedures are regularly updated to meet current legislative and regulatory requirements.	✓	✓			r.168-172	s.175	r.40-41 r.45-46 s.32B
Ensure staff/educator/contractors awareness and adherence to this Policy and Procedures at all times.	✓	✓	✓		r.170	s.167	r.40-41 r.45-46 s.32B
Ensure each service operates in a financially responsible and sustainable manner.	✓	✓					
The Responsible Person or Primary Nominee are persons who are responsible for the effective supervision and control of the education and care service. They are present at the service to: <ul style="list-style-type: none"> <li>effectively communicate with the authorised supervisor/nominee about strategic day-to-day operational matters relating to the legal operations of the service, and any matters that may affect the Responsible Person's ability to comply to the regulations</li> </ul>	✓	✓			r.168-172 r.355-366 r.99-102 r.160-162 r.84	r.161-175	r.28-35 r.38-39 r.40-41 r.43 r.45-46 r.50-53 r.60-61 r.106 s.26-30 s.32B-33

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<ul style="list-style-type: none"> <li>• facilitate appropriate professional development, supervision and performance management of all educators</li> <li>• assure the quality of the development and implementation of the appropriate learning and development program(s)</li> <li>• oversee the development of programs for the children attending the service</li> <li>• maintain knowledge of relevant legislation and how this relates to the duty of care of educators/contractors during the operation of the service</li> <li>• maintain up-to-date knowledge of Policies and Procedures as required by the Regulations</li> <li>• maintain at least the minimum educator/contractor to child ratios as required by the Regulations</li> <li>• oversee effective excursion plans to ensure the safety of children attending any excursions</li> <li>• facilitate communication between educators/contractors and families</li> <li>• ensure children's records such as enrolments, emergency contacts, medical and developmental progress and attendance are kept up to date</li> </ul>	✓	✓					

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<ul style="list-style-type: none"> <li>report allegations of abuse, injury or illness to the relevant child protection authority as required by the Regulations.</li> </ul>							
<p>Ensure that effective strategies and resources are in place to allow the Responsible Person or Primary Nominee to realistically achieve his/her role as required by the <i>Education and Care Services National Regulations 2011</i> and <i>Children's Services Regulation 2009</i>. This includes:</p> <ul style="list-style-type: none"> <li>facilitating effective communication between the Responsible Person or Primary Nominee</li> <li>the availability of adequate human and physical resources to meet the provisions of the Regulations and Council's Family and Children's Services' Policies and Procedures</li> <li>the availability of adequate financial resources to meet the provisions of the Regulations</li> <li>the performance management and professional development of the Responsible Person or the Primary Nominee</li> </ul>	✓	✓					
Working with the Responsible Person or Primary Nominee to ensure that the philosophy of each service reflects the needs and values of those people for whom the service exists, eg. children, families, and the community.	✓	✓			r.73-76	s.168	r.40-41 r.45-46 s.26B

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Responsibility for the day-to-day management of the service(s) being delegated to the Responsible Person or Primary Nominee. Any matters that the Responsible Person or the Primary Nominee is not confident in resolving, or determines to be of a significant nature, should be brought to the attention of the approved provider for discussion as soon as possible.	✓	✓				s.167	s.26
Decisions about the overall management of the service(s) being made in consultation with all stakeholders. This is to be achieved through surveys, discussions with individuals and at advisory group meetings, involvement in policy review and evaluation of Quality Improvement Plans.	✓ ✓	✓ ✓	✓ ✓				
Adopt Policies and Procedures, which are to be strictly followed.	✓	✓	✓	✓	r.168-172	s.175	r.40-41 r.45-46 s.32B
Be aware of the requirements of this Policy and Procedures and carry out responsibilities.	✓	✓	✓	✓	r.170	s.167	r.40-41 r.45-46 s.32B
Encourage families to participate in the management of the services through: <ul style="list-style-type: none"> <li>• parent/guardian and advisory groups</li> <li>• providing feedback through surveys and other communication strategies</li> <li>• involvement in service activities, social and community events</li> </ul>		✓	✓				

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Participate in advisory groups, social and community activities in a way that suits family needs.				✓			

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## Link to Council Policies

This Policy and Procedures link to the *Moonee Valley City Council Plan 2013-2017* 'Excellence in Governance' theme, and draws from Council's *Excellence in Governance* booklet.

## Resources and useful websites

This Policy and Procedures are aligned to the following National Quality Standard

[www.acecqa.gov.au/national-quality-framework/the-national-quality-standard](http://www.acecqa.gov.au/national-quality-framework/the-national-quality-standard)

ACECQA National Quality Framework Resource Kit.

<http://www.acecqa.gov.au/national-quality-framework/national-quality-framework-resource-kit>

Australian Chamber of Commerce and Industry – [www.acci.asn.au](http://www.acci.asn.au)

Cross, C. and Morton, S., *WOW I'm on the management committee*, published by Professional Support Coordinator WA.

Early Childhood Australia (ECA) (2005), *The Code of Ethics* –

<http://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/>

Federal Department Education and Training Children's Service Handbook –

<https://www.education.gov.au/child-care-service-handbook>

Privacy Law – [www.oaic.gov.au](http://www.oaic.gov.au) and [www.privacy.gov.au/law](http://www.privacy.gov.au/law)

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