


Policy

Early Years Policy – Governance and Management of the Service

Date of Adoption	14 April 2015		
Adoption Method	<input type="checkbox"/> Council	<input type="checkbox"/> CEO	<input checked="" type="checkbox"/> Director Community
Director Signature	Signed by:  <small>A4566C08D5B4450...</small>		Date 14-11-2024
Responsible Officer and Unit	Samantha Waymouth, Coordinator Early Years Services		
Nominated Review Period	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Every 4 years	<input type="checkbox"/> Other (<i>please specify</i>)
Last Endorsement Date	October 2020		
Next Endorsement Date	November 2025		

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

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Purpose/Objective

This policy outlines the duties, roles and responsibilities of Council as an approved provider of Early Years Services.

Background/Reasons for Policy

The governance of an organisation is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of a service. Council is responsible for setting the directions for the service and ensuring that its goals and objectives are met, and all legal and regulatory requirements governing the operation of the business are met.

Under the *Education and Care Services National Law Act 2010* (National Law) and *Education and Care Services National Regulations 2011* (National Regulations), early childhood services are required to have policies and procedures in place relating to the governance and management of the service, including confidentiality of records.

Gender Impact Assessment

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this policy.

Definitions

Term	Definition
Fit and proper person	<p>The regulatory authority assesses whether an approved provider or a person with management or control of a service is a fit and proper person to be involved in the provision of an education and care service.</p> <p>In determining whether they are a fit and proper person, the regulatory authority will consider:</p> <ul style="list-style-type: none"> the person's history of compliance with any education and care services, children's services or education law, and any decision under one of those laws to refuse, refuse to renew, suspend or

	<p>cancel a licence, approval, registration or certification issued to the person under that law</p> <ul style="list-style-type: none"> • their criminal history, to the extent that it may affect their suitability for the role of provider (including working with children clearance, such as a WWCC, or teacher registration details, jurisdiction dependant) • whether they are bankrupt or insolvent • whether they have the financial circumstances to enable them to sustain ongoing operation of a service • whether they have a medical condition that may cause them to be incapable of being responsible for the service • whether they have the management capability to operate a service • actions taken under Commonwealth Family Assistance Law, including sanctions and suspensions.
Governance	<p>The process by which organisations are directed, controlled and held to account. It encompasses authority, accountability, stewardship, leadership, directions and control exercised in the organisation - Australian National Audit Office, 1999.</p>
Quality Improvement Plan (QIP)	<p>A document created by an approved provider to help self-assess service performance in delivering quality education and care and to plan future improvements.</p> <p>Regulatory authorities consider the service's QIP as part of the quality assessment and rating process. The QIP does not have to be provided in any specific format, but must include:</p> <ol style="list-style-type: none"> 1. An assessment of the quality of service practices against the National Quality Standard and the National Regulations

	<p>2. Identified areas for improvement</p> <p>3. A statement of the service's philosophy</p>
Service philosophy	<p>A statement the approved provider must develop and include in their QIP that outlines the purpose and principles under which the service operates. It:</p> <ul style="list-style-type: none"> • underpins the decisions, policies and daily practices of the service • reflects a shared understanding of the role of the service among staff, children, families and the community • guides educators' pedagogy, planning and practice when delivering the educational program.

References

- > Our Community: www.ourcommunity.com.au
- > Early Years Management Policy Framework 2016:
<https://www.education.vic.gov.au/Documents/childhood/providers/edcare/EYMPolicyFramework.pdf>
- > Early Years Management Kindergarten Operating Guidelines 2016:
<https://www.education.vic.gov.au/Documents/childhood/providers/edcare/EYMOperationalGuidelines.pdf>
- > ELAA Early Years Management Governance Support Manual:
<https://elaa.org.au/resources/free-resources/eym-governance-support-manual/>
- > Justice Connect: <http://www.justiceconnect.org.au/>

Related Policies

- > Complaint and Unreasonable Behaviour Policy (Council)
- > Customer Service Charter (Council)

- > Early Years Enrolment and Fee Policy
- > Early Years Policy - Orientation and Settling In
- > Early Years Policy - Staffing Requirements
- > Employee Code of Conduct (Council)
- > Privacy Policy (Council)

Related Legislation

- > *Education and Care Services National Law Act 2010*
- > *Education and Care Services National Regulations 2011: Regulation 168(2)(l)*
- > *National Quality Standard, Quality Area 7: Leadership and Service Management*
 - *Standard 7.3: Administrative systems enable the effective management of a quality service*

Responsibilities

Mandatory – Quality Area 7

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Ensuring 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	R	✓			

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Displaying the prescribed information in National Law: Section 172 (<i>Regulation 173</i>)	R	✓			
Providing information to the regulatory authority, upon request, in relation to being a fit and proper person (<i>National Law: Sections 13, 14, 21</i>)	R				
Ensuring that the service is insured and keep evidence of this (<i>National Law: Section 51; Regulations 29, 180</i>)	R				
Ensuring that the number of children at the service does not exceed the maximum in the service approval (<i>National Law: Section 51</i>)	R	✓			
Ensuring that the family of a child at the service is allowed to enter the premises (<i>Regulation 157</i>)	R	✓	✓		✓
Adopting quality governance and management processes, procedures and practices, in line with the National Quality Standard, especially Quality Area 7 – Governance and Leadership	R	✓			
Establishing 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 service	R				
Developing, reviewing and approving the service philosophy and purpose, strategic direction and initiatives	R	✓	✓		

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Taking reasonable steps to ensure that nominated supervisors, educators, staff and volunteers follow the Early Years Policy - Governance and Management of the Service	R				
Ensuring that copies of the policy are readily accessible to nominated supervisors, educators, staff, volunteers and families, and available for inspection	R				
<p>Notifying families at least 14 days before changing the policy or procedures if the changes will:</p> <ul style="list-style-type: none"> ● affect the fees charged or the way they are collected or ● significantly impact the service's education and care of children or ● significantly impact the family's ability to utilise the service 	R				
Notifications and reporting					
Ensuring that all reporting and reporting requirements are met regarding the National Quality Framework, child protection, and other relevant laws	R	✓			
Notifying the regulatory authority about the approved provider and operational changes, and changes in relation to the nominated supervisor, as detailed in National Law: Section 173 (<i>Regulations 174, 174A</i>)	R	✓			

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Notifying 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 National Law has been contravened (<i>National Law: section 174; Regulations 175, 176, 176A</i>)	R	✓			
Health, safety and wellbeing					
Ensuring the health, safety and wellbeing of children in the service and taking every reasonable precaution to protect children from harm and hazard (<i>National Law: Section 51</i>)	R	✓	✓		✓
Quality Improvement Plan (QIP)					
Ensuring there is an effective self-assessment and quality improvement process in place, including a QIP (refer to Definitions) that is kept at the premises or and is made available for inspection and to families (<i>Regulations 31, 55</i>)	R	✓	✓		
Ensuring that the QIP is reviewed at least annually (<i>Regulation 56</i>)	R	✓	✓		
Space, equipment, facilities					
Ensuring that requirements relating to the physical environment, space, equipment and facilities are met, including <i>Regulations 104, 106, 107, 108, 109, 110, 116, 117</i>	R	✓	✓		✓

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Educational needs and program					
Ensuring that children’s educational and developmental needs are met (<i>National Law: Section 51</i>)	R	✓	✓		
Early childhood teachers, educators and staff					
Ensuring that requirements relating to staffing are met, including implementing the Early Years Policy - Staffing Requirements (<i>Regulation 84</i>)	R	✓			
Ensuring that roles and responsibilities are clearly defined, understood, and support effective decision making and operation of the service	R	✓			
Ensuring that the performance of educators, staff and coordinators is regularly evaluated, and individual plans are in place to support learning and development	R	✓			
Ensuring that a nominated supervisor, educators, staff, volunteers and contractors to whom a prohibition notice applies are not engaged by the service (<i>National Law: Section 188</i>)	R				
Ensuring the educational leader is supported to lead the development and implementation of the educational program and assessment and planning cycle	R	✓			
Nominated supervisors and responsible person					

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Ensuring that requirements relating to the nominated supervisor and responsible person are met, including implementing the Early Years Policy - Staffing Requirements (<i>National Law: Section 162, 162A; Regulation 117B</i>)	R				
Records and confidentiality					
Keeping a record of the service's compliance with the information listed in <i>Regulation 167</i>	R	✓			
Keeping a record of enrolment and other documents listed in <i>National Law: Section 175</i> at the service and be available for inspection by an authorised officer	R	✓	✓		
Ensuring that records are kept confidential and not divulged except as permitted under <i>Regulations 181 and 182</i>	R	✓	✓		✓
Ensuring that records are stored safely and securely for the period set out in <i>Regulation 183</i>	R	✓	✓		✓
Keeping enrolment and attendance records (<i>Regulations 158, 159, 160, 161, 162</i>) and other documents listed in <i>Regulations 160, 177 and 178</i> , ensure they are accurate and available to families on request (<i>National Law: section 175</i>). If a service approval is transferred, the documents must be transferred to the receiving approved provider (<i>Regulation 184</i>)	R	✓	✓		

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up-to-date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify all stakeholders, including parents/guardians, at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

Attachments

Nil