



## PENNANT HILLS WAR MEMORIAL CHILDREN'S CENTRE

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# PENNANT HILLS WAR MEMORIAL CHILDREN'S CENTRE (PHWMCC) GOVERNANCE AND MANAGEMENT OF THE SERVICE POLICY

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## Introduction

Governance is the system or process by which organisations are directed, controlled and held accountable to ensure that the right decisions are made. PHWMCC 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.

## Aim

PHWMCC is committed to ensuring good governance and accountability to our stakeholders by:

- Conducting our affairs legally, ethically and with integrity, ensuring compliance with all regulatory and legislative requirements.
- Remaining solvent and comply with all our financial obligations.
- Identifying organisational risks and legal obligations and manage these through policies and relevant processes.
- Ensuring mechanisms are in place for fair and transparent governance.

## Procedure

### **Management**

The management of PHWMCC is overseen by the Management Committee. The Management Committee is accountable to members of the Association for the performance of the organisation.

### **Management Committee Purpose**

The Management Committee has overall responsibility to members for the sustainability and relevance of the service. The Management Committee will direct its activities towards achieving the centre's goals and implementing the Quality Improvement Plan by guiding and monitoring business and affairs in line with the Constitution of PHWMCC and in line with the preschool philosophy.

In carrying out its responsibilities, the Management Committee undertakes to maximise the value and contribution of the preschool to the community, and to serve the interests of the preschool'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 Management 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 *Education and Care Services National Law 2010* (National Law) and the *Education and Care Services National Regulations 2011* (National Regulations).

## **Policies**

The Management Committee will:

- Ensure that a comprehensive set of policies are in place as required under the National Regulations and other regulations and laws that the service must comply with.
- Ensure that these policies comply with relevant legislation.
- Review these policies on a regular basis.

## **Compliance Measures**

The Management Committee will:

- Ensure that mechanisms are in place to assist them to assess that PHWMCC's policies are implemented.
- Prepare a sample service summary sheet for new committee members.

## **Constitution**

The Management Committee will:

- Ensure that the organisation's Constitution are followed at all times.
- Ensure that the Constitution is reviewed at least every three years.
- Ensure that each new member of the Management Committee is provided with a copy of the organisation's Constitution and Quality Improvement Plan on their appointment to the Management Committee.

## **Management Committee Roles and Responsibilities**

The Management Committee sets the strategic direction and monitors performance of the organisation. The Management Committee will provide effective governance to ensure excellent overall management of PHWMCC's business and financial objectives.

In addition, the Management Committee members may delegate any of their roles (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 Management Committee delegates the responsibility of implementing the strategic plan and day-to-day management of the service to the Director.

In discharging its roles and responsibilities, each Management Committee member will be bound by the Associations Incorporation Act 2009, the Constitution and all policies of PHWMCC.

The Management Committee's authority includes:

- Overseeing the organisation including its control and accountability systems.
- Appointing and removing the Director.
- 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 Director's performance and implementation of strategy.
- Approving and monitoring financial and other reporting.
- Authorising appropriate delegations within PHWMCC.
- Ensuring appropriate resources are available to carry out PHWMCC's functions.
- Approving and monitoring the progress of major capital expenditure.

## **Risk Management**

The Management Committee will:

- Ensure the organisation operates with and to a valid constitution and that all governance and management practices of the Management Committee and staff align with the constitution.
- Demonstrate achievement of this through accessible meeting minutes.
- Assist committee members to receive ongoing support and professional development in the implementation of effective and evidence based governance practice.
- Participate in governance training regularly – at minimum once every three years.
- All Management Committee members will be required to get a volunteer Working With Children Check.

## **Code of Conduct**

Management Committee members will

- Commit themselves as members to ethical, businesslike and lawful conduct, including proper use of authority and professional decorum when acting as Management Committee members.
- Demonstrate un-conflicted loyalty to the interests of PHWMCC.
- Annually disclose their involvement with other organisations or companies that currently do business or may do business with PHWMCC.
- Immediately disclose to the Management 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 Management Committee members for personal gain and will respect the confidentiality of all information obtained during meetings or through their role.
- Respect the confidentiality of all discussions of the Management Committee.
- Abide by the PHWMCC Governance and Management of the Service Policy.

## Office Bearers

<b><i>President</i></b>	Responsible for the leadership of the Management Committee, liaison with the Director and, often, Public Relations.
<b><i>(Senior) Vice-President</i></b>	Supports the role of the President and acts in their absence.
<b><i>Secretary</i></b>	Prepares and circulates meeting agendas, keeps an accurate record of meetings, and may report on and respond to correspondence on behalf of the committee.
<b><i>Assistant Secretary</i></b>	Supports the role of the Secretary and acts in their absence.
<b><i>Treasurer</i></b>	Supported by the Management Committee and preschool staff, ensures that the service prepares an annual budget, that profit and loss is monitored and that correct accounting procedures are in place. The treasurer prepares financial reports to the committee meetings and presents the annual financial statement and auditors report at the Annual General Meeting. In most services, day-to-day financial administration will be delegated to the Director, Administration staff and book keeper.
<b><i>Assistant Treasurer</i></b>	Supports the role of the Treasurer and acts in their absence.
<b><i>Parents Club Representative</i></b>	The President of the Parents' Club or appointee represents the Parents' Club at Management Committee meetings. They provide a monthly report to the Management Committee and co-ordinates Parent Club activities.
<b><i>General Committee Members</i></b>	<p>In addition to the roles of the office bearers, the committee will also have a number of other members who may or may not have delegated responsibilities.</p> <p>General committee members participate actively and constructively in meetings, participate in discussions and decisions, volunteer to support PHWMCC activities as time allows, and represent the preschool at community events.</p>
<b><i>Public Officer</i></b>	<p>The Public Officer is appointed by the Management Committee and holds office until he/she resigns or otherwise vacates the office.</p> <p>The Public Officer is responsible for:</p> <ul style="list-style-type: none"><li>• Notifying Fair Trading of any change in the associations official address within 28 days.</li><li>• Collecting all association documents from former committee members and delivering the documents to the new committee members.</li><li>• Returning all association documents to a committee member within 14 days, upon vacating office.</li><li>• Acting as the official contact for the association, including taking delivery of documents served on the association and bringing them to the attention of the committee as soon as practicable.</li><li>• Custody of any documents as required by the constitution.</li></ul>

## Annual General Meeting

The Annual General Meeting is held annually in February or March.

Reports are given by:

- President
- Treasurer
- Director

- Parent's Club President

## **After the AGM**

### ***Provider Approval Notifications***

All persons elected into the positions of President, Vice President, Secretary and Treasurer must submit a declaration of fitness and propriety (Form PA02) within 14 days using ACECQA's National Quality Agenda IT System (NQAITS) <https://www.acecqa.gov.au/resources/applications>

As part of this form, applicants are required to complete a

- Working With Children Check  
<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>
- Criminal history record check

The Working With Children Check will be verified each year whilst a person is a Member of the Management Committee.

Proof of ID, AGM minutes, evidence of management capability, further information consent form and a letter stating the type of management must be submitted with Form PA02.

### ***Other requirements***

All other persons elected into the Management Committee, regardless of role, require a Working With Children Check, and the WWCC will be verified each year whilst a person is a member of the Management Committee.

### ***Notification of change to information about an approved provider***

Must be lodged within 14 days through the NQAITS.

### ***Responsibilities as an Incorporated Association***

The organisation's annual summary of financial affairs must be submitted to the Australian Charities Not for Profits Commission by 31<sup>st</sup> July each year.

If the public officer has changed, complete the appropriate notification to NSW Fair Trading (Form A9) or ASIC (Form 484) within 28 days of the change.

Fair Trading forms:

<https://www.fairtrading.nsw.gov.au/help-centre/forms/associations-forms>

### ***Responsibilities to the Australian Tax Office and Australian Business Register***

Ensure your registered business details are up to date, including your authorised contact person. This is particularly important should you need to discuss your AUSKEY.

Must be advised within 28 days.

Information required includes changes to your:

- entity name or registered business name
- authorised contact person
- postal, email or business address
- associates
- main business activity
- ACN or ARBN

- Public Officer (this is the person registered with the ATO, not necessarily the person you have registered with Fair Trading)
- name of trustees
- financial institution details

### ***Responsibilities to the Department of Education***

Submit financial statements to the Department of Education by April 30<sup>th</sup> via the Early Childhood Contract Management System.

### ***Other contact details and authorisations to update***

If necessary change your service's bank account signatories.

Update your Responsible Persons (all Management Committee members) and any changed contact details with the ACNC through the ACNC Portal at [www.acnc.gov.au](http://www.acnc.gov.au).

## Monitoring, Evaluation and Review

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

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 R. 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children at the preschool 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 preschool; a family's ability to utilise the preschool; the fees charged or the ways in which fees are collected.

### Definitions:

Regulatory Authority:	Early Childhood Education and Care Directorate
Approved Provider:	Pennant Hills War Memorial Children's Centre Management Committee
Nominated Supervisor:	Director of Pennant Hills War Memorial Children's Centre
Responsible Person:	Nominated Supervisor or an Educator who has been placed in day-to-day charge of the Preschool
Early Childhood Educators:	Teachers and Child Care Workers

<b>Related legislation:</b>	Education and Care Services National Law Act 2010 Education and Care Services National Regulations 2011: Regulation 168 (2), 172 NSW Association Incorporation Act 2009
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<b>Related Guidelines, Standards, Frameworks:</b>	National Quality Standard, Quality Area 7: Governance and Leadership
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<b>Sources:</b>	Community Early Learning Australia – Governance and Management Sample Policy Community Connections Solutions Australia – 2018 Committee Members Guide Department of Fair Trading <a href="https://www.fairtrading.nsw.gov.au/associations-and-co-operatives/associations/starting-an-association/public-officer">https://www.fairtrading.nsw.gov.au/associations-and-co-operatives/associations/starting-an-association/public-officer</a>
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<b>Relevant Documents:</b>	Constitution of Pennant Hills War Memorial Children's Centre Association Incorporated PHWMCC Service Summary Sheet
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<b>Policy Reviewed:</b>	April 2019
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<b>Next Review Date:</b>	April 2022
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## Delegations & Responsibilities

The Management Committee (MC) of Pennant Hills War Memorial Children's Centre has responsibility for the strategic direction of the organisation, management and operation tasks outlined below. The Committee also delegate's responsibilities to other roles as identified below but continue to hold ultimate responsibility. Where approvals include a dollar limit these are also shown. The strategic responsibilities of the Committee are also as outlined in the Constitution). Responsibility for the day-to-day operation and management of the service is delegated to the Director in keeping with service policies, procedures, relevant position/role descriptions and legislation and as indicated below. Only the Management Committee have the power to delegate responsibilities other than what is indicated below.

### 1. Policy & Planning

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Develop foundation documents (Purpose, Vision, Philosophy, code of conduct etc.)	✓	✓		✓	✓
2. Endorse foundation documents (Purpose, Vision, Philosophy, code of conduct etc.)	✓				
3. Develop Strategic Plans	✓	✓			
4. Endorse Strategic Plans	✓				
5. Develop Business/Operational Plans	✓	✓			
6. Endorse Business/Operational Plans	✓				
7. Develop quality improvement process (including self assessment) and plan	✓	✓	✓	✓	✓
8. Endorse quality improvement process (including self assessment) and plan	✓				
9. Develop service policies	✓	✓		✓	✓
10. Endorse service policies	✓				
11. Develop & approve Industrial Agreement **	✓				
12. Develop Systems, Policies & Procedures	✓	✓			
13. Endorse Systems, Policies & Procedures	✓				
14. Ensure compliance with relevant policies	✓	✓		✓	
15. Ensure compliance with, and updating of, operational policies	✓	✓		✓	
16. Effect risk assessment and management (record as necessary)	✓	✓	✓	✓	✓
17. Audit governance policies and practice	✓	✓			
18. Ensure Committee has appropriate knowledge and training	✓	✓			
19. Monitor Committee effectiveness	✓				
20. Orientation and induction of Board members	✓	✓			
21. Communication and collaboration with members/families/community	✓	✓	✓	✓	✓

### 2. Communication, Correspondence & Publications

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Sign routine correspondence		✓	✓		
2. Sign correspondence to members of Parliament or government departments/agencies/authorities	✓	✓			
3. Sign tenders, expressions of interest and other funding submissions	✓	✓			
4. Approve and sign references for employees	✓	✓			
5. Authority to publish written material	✓	✓			
6. Approve marketing and/or promotional strategies & material	✓	✓	✓		
7. Approve website, electronic material and communications	✓	✓	✓		
8. Approve report formats, procedure and time frames (general & financial)	✓				
9. Set agenda for monthly Management Committee meetings	✓				
10. Provide monthly report on operations – (general and financial)	✓	✓			

### 3. Financial

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Prepare Service Budget reflecting provisions & liabilities	✓	✓	✓		
2. Endorsement of Service Budget reflecting provisions & liabilities	✓				
3. Monitor and report monthly on budget progress	✓	✓			
4. Set fees and charges for services	✓				
5. Endorse Acquittal and Reporting of Grants	✓	✓			
6. Endorse Funding Agreements	✓	✓			
7. Sign cheques and authorise electronic payments (2 to sign/authorise).	✓	✓	✓		
8. Process authorised payments		✓	✓		
9. Authorise payroll payments/transactions (2 to sign/authorise).	✓	✓	✓		
10. Process authorised payroll payments/transactions		✓	✓		
11. Authorise transfer funds within accounts (2 to sign/authorise).	✓	✓	✓		
12. Process authorised funds transfers		✓	✓		
13. Income/expenditure entry and cash book reconciliation			✓		
14. Petty cash balancing and reimbursement			✓		
15. Endorse / approve expenditure within budget- under \$3000		✓			
16. Process expenditure within budget – under \$3000		✓	✓	✓	✓
17. Endorse / approve expenditure within budget over \$3000	✓				
18. Process expenditure within budget over \$3000		✓	✓		
19. Process operational and consumables expenditure under \$300		✓	✓	✓	✓
20. Process operational and consumables expenditure over \$300		✓	✓		
21. Approve operating expenditure outside budget	✓				
22. Approve the investment of funds	✓				
23. Approve refunds to the value of over \$2000	✓				
24. Approve refunds to the value of less than \$2000		✓			
25. Lodge recurrent funding claims		✓	✓		
26. Prepare financials for the annual audit report	✓	✓	✓		
27. Approve and sign the final audit report	✓				
28. Write off Bad debts	✓				
29. Approve the opening / closing of bank accounts	✓				
30. Process the opening and closing of bank accounts	✓	✓	✓		
31. Approve and process superannuation payments		✓	✓		
32. Review insurance policies annually	✓	✓	✓		
33. Approve Insurance Premiums	✓	✓			
34. Process Insurance Premiums		✓	✓		

### 4. Legal

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Sign funding agreements	✓				
2. Sign contracts, applications and legal documents	✓	✓			
3. Engage solicitors or other legal counsel to act on behalf of the organisation	✓				
4. Amend constitution and objects of the association	✓				
5. Ensure there is an annual AGM	✓				
6. Ensure regular Management Committee meetings are held and accurate minutes kept	✓				
7. Special resolutions	✓				
8. Engage and Approve referred vendors/suppliers	✓	✓			
9. Carry out regulatory responsibilities re children	✓	✓			
10. Meet WHS responsibilities including record keeping & reporting	✓	✓	✓	✓	✓
11. Negotiate, monitor, develop & sign Director employment contract	✓				

12. Monitor staff employment contracts	✓	✓	✓		
13. Develop staff employment contracts	✓	✓			
14. Sign staff employment contracts	✓	✓			
15. Monitor staff employment agreements	✓	✓			
16. Develop staff employment agreements	✓				
17. Sign staff employment agreements	✓				

## 5. Community Representative

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Respond to enquiries by the media	✓	✓			
2. Contribute general interest articles about activities	✓	✓			
3. Speak at functions/conferences	✓	✓			
4. Make public comment upon Government Policy relating to Children's Services	✓				
5. Communicate with families on Government Policy relating to Children's Services	✓	✓			
6. Represent at meetings and events	✓	✓			

## 6. Supervision

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Position Description/Reclassification					
a. Proposals for Restructure	✓				
b. Develop and update position descriptions	✓	✓			
c. Endorse position descriptions	✓				
2. Recruitment, appointment and Probation					
a. Recruitment and appointment of Director	✓				
b. Recruitment and appointment of permanent staff	✓	✓			
c. Recruitment and appointment of casual staff		✓			
d. Acceptance and support of students and volunteers		✓			
3. Remuneration Approval					
a. Time and attendance records		✓			
b. Travel expenses		✓			
c. Overtime within budget parameters		✓			
d. Overtime outside of budget parameters	✓				
e. Time Off In Lieu (TOIL) within budget parameters		✓			
f. TOIL outside of budget parameters	✓				
4. Leave Approval					
a. Paid and unpaid leave of 2 days or less with no significant impact to the day to day operation		✓			
b. All other paid or unpaid leave	✓				
c. Parental leave	✓				
5. Cessation of Employment					
a. Resignations and retirement	✓	✓			
b. Approve termination/separation of employees on redundancy grounds or medical retirement	✓				
c. Approve termination/separation of employees on general grounds	✓				
6. Workplace Health and Safety					
a. Authorise new/changes to policies	✓				
b. Action Incident/injury reporting and investigation procedures		✓			
c. Manage Incident/injury reporting and investigation reports	✓	✓			
d. Workers compensation claim authorisation	✓	✓			
e. Administration of Workers Compensation Claims		✓	✓		

f. Provision of specialised safety equipment	✓	✓			
g. Arrange WH&S training		✓			
h. Monitor First aid compliance & resources		✓	✓	✓	
i. Child Protection Monitoring and Reporting	✓	✓	✓	✓	✓
j. Regular service and maintenance e.g. fire safety & electrical equipment		✓	✓		
k. Deal with or report all safety concerns immediately	✓	✓	✓	✓	✓

## 7. Managing Performance/professional development

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Management Committee	✓				
2. Management Committee recruitment, induction & training	✓	✓			
3. Employees		✓			
4. Director	✓				
5. Staff professional development		✓			
6. Staff performance, goal setting and monitoring		✓			
7. Director professional development	✓	✓			
8. Staff performance, goal setting and monitoring	✓				

## 8. Dispute Resolution

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Resolve or settle Industrial disputes	✓	✓			
2. Appoint Mediators or Conciliators	✓				
3. Staff Grievance	✓	✓			
4. Dismissal of Staff	✓				
5. Represent at Tribunals	✓	✓			
6. Receive complaints and action resolution	✓	✓	✓	✓	✓
7. Brief legal representatives	✓				
8. Manage unresolved complaints (as per policy)	✓	✓			

## 9. Operations

Delegation/responsibility	MC	Director	Admin	Room Leader	Educators
1. Complete/Submit Licensing (Approved Provider) Documentation	✓	✓			
2. Provide Personal Details Forms for Licensing (with accompanying documentation)	✓				
3. Complete Nominated Supervisor appointment & application form	✓	✓			
4. Submit Nominated Supervisor application form	✓	✓			
5. Endorse Responsible Persons	✓				
6. Ensure compliance with regulations	✓	✓			
7. Ensure Dept./ACECQA reporting and accountability is completed and submitted	✓	✓			
8. Respond to breach notices (within stated period)	✓	✓			
9. Develop Plan for completion of quality assessment system and reporting		✓			
10. Respond to requests for information at licensing, compliance and NQS visits		✓			
11. Document complaints / serious incidents and notify DoE and MC as required	✓	✓			
12. Liaise with ACECQA, DoE on day to day service matters		✓			
13. Track and report levels of resources for children's program and experiences		✓	✓	✓	✓
14. Order materials for children's program and experiences (within budget)		✓	✓		
15. Monitor and report equipment standard and repair		✓	✓	✓	✓
16. Review of delegations and authority	✓				

