

# Governance Policy

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

2.1	Provider approvals
2.2	Service approvals
Division 1	Applications for Service approvals
Division 3	Transfer of Service approvals

## RATIONALE

Governance is 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).

The governance of an organisation is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of a service. Under the National Law and National Regulations, early childhood services are required to have policies and procedures in place relating to the governance and management of the service.

## AIMS

This policy provides a statement of intent in relation to the procedures, policies and legislative framework that governs the operation of KAZ Early Learning Centre. The aim is to ensure accountability to all stakeholders and compliance with all legislative obligations in the overall management of the service. This policy is designed to be read in conjunction with all other policies of the service.

## Background

KAZ Early Learning Centre was established in 2010 and holds a Service Approval to provide high quality, educational programs for 25 children per day between the ages 2 to 6 years.

The Service is open for 49-50 weeks of the year between 7:30am to 5:30 pm Monday to Friday. The Service closes down annually for a 2-3 week period between December and January.

KAZ Early Learning Centre's approved providers are Peter Kazacos, Vicki Kazacos and Stephanie Kazacos. The Nominated Supervisor and Educational Leader is Erin Martin.

Stephanie Kazacos holds a Bachelor of Teaching (Early Childhood) degree and has been working in the childcare industry since 2007. Stephanie Kazacos earned a place on the 2007 Dean's Merit List for the Faculty of Education at the University of Wollongong.

Vicki Kazacos holds a Certificate III qualification and BA Dip. Ed, she was a high school economics teacher for 20 years.

Peter Kazacos has over 40 years of business experience and expertise. He has a wealth of knowledge and experience as a company Director.

Peter Kazacos together with his wife Vicki Kazacos, founded the Kazacos Foundation, an organisation through which they make regular donations to charities. They also founded the Southern Highlands based charity Your Angel which focuses on providing direct support to the disadvantaged and people living with physical and intellectual disabilities in the local community. Your Angel is an Australian Registered charity and aims to help improve the circumstance and opportunities for people in need of support through community initiatives such as The Cook's Cooking School, NAO for Kids Robotics Program, Kaz Kids Workshops, Kaz Magic (Discover Magic Program) and Project Magic (connected to world renowned magician David Copperfield). Thanks to its Incubator Program, Your Angel also provides support to the indigenous community through the establishment, & on-going mentoring, of the now independent Koori Kulcha Aboriginal Corporation.

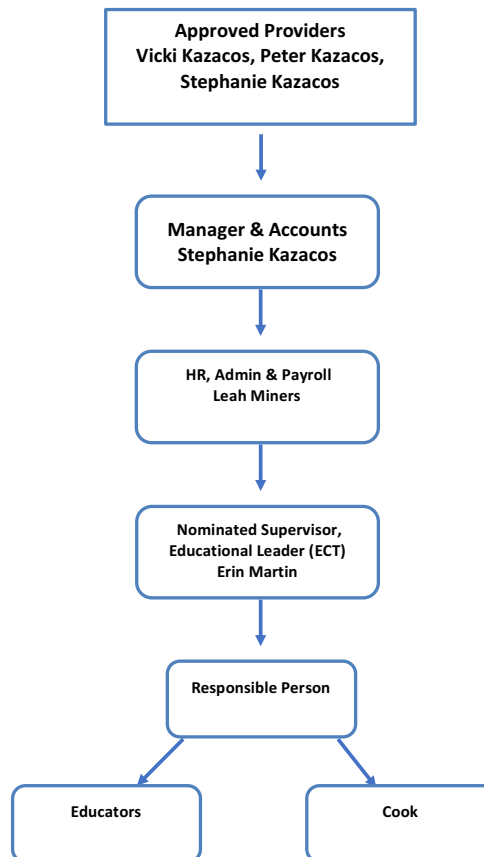
Peter Kazacos currently sits on the board of numerous listed and unlisted companies and government/public and private advisory boards. Peter Kazacos over the years has received countless awards and prizes some of his personal highlight achievements are as follows:

- Peter Kazacos was the recipient of the inaugural, Australian Entrepreneur of the Year 2001 award in the Technology, Communications, E-Commerce and Biotechnology category.
- Peter Kazacos was inducted into the Hall of Fame for the 3rd Annual IT&T Awards in October 2004; this Award was in the category of "Champion of the vendor community".
- Peter Kazacos was inducted into the Hall of Fame at the inaugural ARN IT Industry Awards Ceremony (September 2007).
- Peter Kazacos was the recipient of the prestigious CSIRO Tony Benson Award for Individual Achievement in ICT at the 2008 iAwards; this award is presented in recognition of outstanding accomplishments of an individual in the Australian ICT industry.
- Peter Kazacos was the Southern Highlands Foundation Philanthropist of the Year (2010).
- Peter Kazacos was honoured with the Hellenic Australian Chamber of Commerce and Industry (HACCI) Lifetime Achievement Award in 2016.
- Peter Kazacos was awarded a Medal (OAM) of the Order of Australia in 2018.

The day-to-day service management of KAZ Early Learning Centre is delegated to the Nominated Supervisor. The Nominated Supervisor ensures that the organisation operates in accordance with the organisation's policies and procedures. The Nominated Supervisor must act at all times in accordance with legislative requirements governing the service.

During any absence from the premises the Nominated Supervisor will delegate the day to day responsibility to an Educator who has signed to be a Responsible Person. This person will be referred to as the “Responsible Person on Duty” (see Staffing Policy).

### Organisational Structure Diagram



### Strategies

#### Policies

The Approved Provider and or Nominated Supervisor will:

- Ensure that a comprehensive set of policies are in place as required under **Regulation 168** and other Regulations and laws that the service must comply with.
- Ensure that these policies comply with relevant legislation.
- Update these policies on a regular basis; particularly when there is a change to legislation.
- Will involve staff and families in the development and or review of policies wherever required.

#### Compliance Measures

The Approved Provider and or Nominated Supervisor will:

- Appoint a Nominated Supervisor, who is approved as a suitable, fit and qualified person to oversee the day-to-day operations of the Service.
- The Nominated Supervisor is also the Responsible Person whenever on the premises.
- At anytime the Nominated Supervisor is not on the premises, a substitute Responsible Person who is physically present is placed in charge of the Service's day-to-day operations.
- The details of the Nominated Supervisor and the Responsible Person are clearly displayed in the main entrance of the Service.
- The Nominated Supervisor ensures that the Service's staffing arrangements meet regulatory requirements at all times.
- Ensure that the service is meeting requirements by doing regular checks of procedures throughout the service.
- Ensure that the Quality Improvement Plan is regularly updated to outline areas of improvement and ensuring compliance at all times as outlined in **Regulation 55**.
- Whenever uncertain about compliance in any area the Nominated Supervisor will contact relevant authorities to get clarification.

## Risk Management

The Approved Provider and/or Nominated Supervisor will:

- Ensure risk assessments are conducted on the service whenever necessary including excursions as required in **Regulation 100**.
- All educators are required to hold a working with children's check and be cleared for the service before commencement.
- Uphold Regulation 84 of the National Regulations in regards to maintaining awareness of the existence of child protection laws and the obligations of educators and other employees in their state or territory.
- Ensure that all staffing arrangements meet requirements and premises layouts are designed for effective supervision purposes thus eliminating many risks posed to children in the education and care setting **Regulation 120, 122, 123, 130, 131, 132, 242, and 271**. **(Note the modification to Regulation 123 in that NSW Educator to Child ratios are different. Refer to Regulation 271).**

## Practices

In order to achieve and maintain the service's aims and Philosophy, the Approved Providers will monitor the financial viability and accountability of the centre while also ensuring that:

- Funds are expended appropriately according to any funding and budgets.
- The program is operating within budget.
- Required paperwork is submitted to the relevant funding agencies.
- Any additional financial requirements are completed (e.g. Taxation office).
- Develop with staff and the community an overall philosophy for the centre and policies and practices in line with that philosophy.
- Consult with staff and the community on these policies and management decisions and enable staff to implement them in order to maintain quality child care.
- Provide avenues for effective communication between staff and the Approved Providers.

- Employ and support staff in their roles, and ensure the relevant awards and conditions of employment are complied with.
- Encourage training and development of staff in their roles, and
- Provide leadership, forward planning and guidance to the service, particularly in relation to developing a strategic culture and directions.
- Be responsible for overseeing legal functions and responsibilities.
- Ensure that KAZ Early Learning Centre complies with the Commonwealth Privacy Act 1988 and follows the standards of Australian Privacy Principles to regulate the way in which our service manages personal and sensitive information.

### **Code of Conduct**

- Commit themselves to ethical, and lawful conduct, including proper use of authority and professional decorum when acting as Approved Provider, Nominated Supervisor or Responsible Persons.
- Demonstrate un-conflicted loyalty to the interests of the organisation.
- Avoid conflicts of interest with respect to their role.
- Ensure confidentiality of all personal information of staff and educators working within the service.
- Upholds statement of philosophy of the service and ensures all others do as well.
- Not use information exclusive to KAZ Early Learning Centre 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 in regards to families.
- Treating other persons fairly, courteously and without discrimination, harassment or bullying.
- Upholding the rights of children as set out in the United Nations Convention on the Rights of the Child.
- Be respectful of, and responsive to, persons of all ethnicities, cultures, values and beliefs.
- The Approved Provider and or Nominated Supervisor will monitor and handle any grievances within the service in a timely manner.

### **Information Displayed**

- All information required by Regulation 173 of the Early Education and Care Services Regulations is displayed in the main entrance of the Service.

### **Non-Compliance Risk Management**

To ensure our continued commercial, operational and financial viability our Service will maintain a current Quality Improvement Plan, Professional Development and Training Plan, Personnel files, Professional Indemnity and Public Liability Insurance and a Child Care Management System.

### **Confidentiality Policy**

## Responsibilities for the Approved Provider

- Ensure that each family, staff, volunteers and student is provided with a privacy collection statement upon enrolment, that includes details about how they can access their personal information, have this corrected as needed, make a complaint about a breach of privacy, if one occurs.
- Ensure each staff member, volunteers and student information is correct in personnel and other files. This includes information on qualifications, WWCC, criminal history checks, staff entitlements, contact and emergency information, health information, and any relevant medical and legal information. This would include any other relevant information collected by the service.
- Ensure that information collected from families, educators, committee members and the community is maintained in a private and confidential manner at all times.
- Ensure that such information is not divulged or communicated (directly or indirectly) to another person other than the ways outlined as appropriate in the Education and Care Services National **Regulations, 181**, which says information can be communicated: To the extent necessary for the education, care or medical treatment of the child;
  - To the parent of the child to whom the information relates (except for information in staff records);
  - To the regulatory authority or an authorised officer;
  - As authorised, permitted or required to be given by or under any act or law; and
  - With written consent of the person who provided the information.
- Ensure families are informed upon enrolment how images/photographs of their children will be used on the Internet and/or publications.
- Provide families with information on the Complaints and Feedback procedure if any privacy or confidentiality procedure has been breached. Individuals can make a complaint to the Approved Provider if they believe there has been a breach of their privacy in relation to the Privacy principles. The breach will be assessed by the Approved Provider within 14 days. Where the information collected is incorrect, the information will be corrected. Where a serious breach of privacy is found, appropriate actions will be negotiated between the Approved Provider and the individual to resolve the situation, in line with the Complaints and Feedback procedure.
- Will ensure information provided by families, staff and committee members is only used for the purpose it was collected for.

## Responsibilities for the Nominated Supervisor

- Ensure each families' information is correct in enrolment records. This includes information on immunisation updates, income and financial details (credit card or bank information), contact details of family and emergency contact information, children's developmental records, Family Assistance information, and any medical or legal information – such as family court documentation – required by our education and care service. This would include any information required to be recorded under the National Law and Regulations, the Family Assistance Law other relevant information collected to support the enrolment of a child.
- Provide families with details on the collection of personal information collected:
- This information will include:
- The types of information collected by our education and care service;
- The purpose of collecting information;
- What types of information will be disclosed to the public or other agencies; and when and why disclosure may occur;

- How information is stored at the service;
- Approaches used to keep information secure;
- Who has access to the information;
- The right of the individual to view their personal information;
- The length of time information needs to be archived; and
- How information is disposed.
- Will ensure information provided by families and staff is only used for the purpose it was collected for.

### **Storage of Information**

Ensure that education and care service records, personnel records, CCS information and children's and families information is stored securely reducing the chance of unauthorised access, use or disclosure and remains private and confidential within the education and care environment at all times.

### **Access to Information**

- Will ensure that information kept is not divulged or communicated, directly or indirectly, to anyone other than:
  - Medical and developmental information that is required to adequately provide education and care for the child;
  - Early Childhood Education Directorate, NSW Department of Education or an authorised officer; or
  - As permitted or required by any Act or Law.
- Individuals will be allowed access to their personal information as requested. Individuals must request this information in writing from the Nominated Supervisor. Authorised persons may request to view any information kept on their child.
- Information may be denied under the following conditions: Access to information could compromise the privacy of another individual;
- The request for information is frivolous or vexatious; and
- The information relates to legal issues, or there are legal reasons not to divulge the information such as in cases of custody and legal guardianship.

### **Responsibilities for the Educators**

- Maintain children's information and store documentation according to policy at all times.
- Not share information about the education and care service, management information, other educators or children and families, without written permission or legislative authority.
- In keeping with the Early Childhood Australia (ECA) Code of Ethics (2008), the Education and Care Services National Regulations and the Privacy Legislation, educators and staff employed by our education and care service bound to respect the privacy rights of children enrolled and their families; educators and staff and their families and any other persons associated with the service. Educators will sign a Confidentiality Statement as it relates to privacy and confidentiality of information.

## Schedule of Delegations

1. FINANCIAL MANAGEMENT			
FUNCTION	RESPONSIBILITY	PROCESS	APPROVAL
Annual Budget	Approved Provider	Discussed with Manager, Nominated Supervisor and Approved Provider	Approved Provider
Client Fee Schedule	Approved Provider	Fee Schedules developed by Approved provider and Manager/Admin	Approved Provider
Funding Applications	Manager	Manager to prepare applications, Nominated Supervisor to assist in identifying funding where possible.	Manager
Funding Agreements and variations	Manager	Reviewed by Approved Provider	Approved Provider
Monthly Financial Reports	Manager	Documents prepared by Director.	Approved Provider
Monthly Schedule of payments	Accounts and Approved Provider	Documents prepared and passed to Admin.	Approved Provider
Opening/closing of bank accounts	Accounts signatories	Manager	Approved Provider
Payroll Approval & Payment: - Up to \$30,000	Manager	Documents prepared and passed to Admin.	Approved Provider
Payroll Approval & Payment: over \$30,000	Manager	Documents prepared and passed to Admin.	Approved Provider
Superannuation Approval & Payment	Manager	Documents prepared and passed to Admin.	Approved Provider
Insurance Premiums: Up to \$5000 pa. eg.	Approved Provider	Documents prepared	Approved Provider



Workers' Compensation		and passed to Admin.	
Insurance Premiums: Over \$5000 pa. eg. Public Liability	Manager	Documents prepared and passed to Admin.	Approved Provider
Purchase Approvals for supplies and equipment: - Up to \$3000.	Manager	Documents prepared and passed to Admin.	Approved Provider
Purchase Approvals for supplies and equipment: - Over \$3000.	Manager	Documents prepared and passed to Admin.	Approved Provider
Purchase Approvals for Assets & Repairs: Under \$3000	Manager	Documents prepared and passed to Admin.	Approved Provider
Purchase Approvals for Assets & Repairs: Over \$3000	Manager	Documents prepared and passed to Admin.	Approved Provider

## 2. PLANNING AND REPORTING

FUNCTION	PREPARATION	PROCESS	APPROVAL
Staff Meetings	Nominated Supervisor	Nominated supervisor prepares agenda & facilitates staff meetings.	Approved Provider
Incidents	Employees	In accordance with Incident reporting policy.	Nominated Supervisor
Complaints	Nominated Supervisor	In accordance with Complaints Policy. Nominated Supervisor to report summary including resolution to Manager.	Approved Provider
Policies and Procedures	Manager	Manager prepares & reviews policy and procedure in consultation with parents/guardians,	Manager

		educators and staff.	
Strategic Planning	Manager, Nominated Supervisor & Approved Provider	Discussed in meetings	Approved Provider
<b>3. LEGAL RESPONSIBILITIES</b>			
<b>FUNCTION</b>	<b>PREPARATION</b>	<b>PROCESS</b>	<b>APPROVAL</b>
Amendments to organisation rules	Manager	Approved Provider	Approved Provider
Annual Returns	Accounts	Accountant	Approved Provider
Approved provider	Approved Provider	Approved Provider	Approved Provider
Nominated Supervisor Certified Supervisor Educational Advisor	Manager & Approved Provider	Manager and Approved provider make the selection.	Approved Provider
Delegations of Authority	Manager	Discuss with Approved provider	Approved Provider
<b>4. EMPLOYMENT &amp; HUMAN RESOURCES</b>			
<b>FUNCTION</b>	<b>PREPARATION</b>	<b>PROCESS</b>	<b>APPROVAL</b>
Contract of Employment – Other than Director	Manager	In consultation with Approved Provider	Approved Provider
Employment Contracts –Director	Manager	In consultation with Approved Provider	Approved Provider
Job Descriptions – Other than Director	Manager	In consultation with Nominated Supervisor	Manager
Job Descriptions – Director	Manager	In consultation with Approved Provider	Approved Provider
Leave approvals < 2 week	Employee	Submitted in writing using appropriate forms	Manager
Leave approvals > 2 week	Employee	Submitted in writing using appropriate forms	Manager
Recruitment of staff -	Selection panel	Per Recruitment	Selection panel

other than Nominated Supervisor.		Policies and Procedures	
Recruitment of staff - Director.	Manager & Director & Approved Provider	Per Recruitment Policies and Procedures	Selection panel
Salary Negotiations	Approved Provider	In consultation with Manager	Approved Provider
Supervision & Performance Reviews of staff	Nominated Supervisor	Annually	Nominated Supervisor
Supervision & Performance Reviews of Nominated Supervisor	Manager & Approved Provider	Annually	Manager

#### 5. CONTRACTUAL OBLIGATIONS

FUNCTION	PREPARATION	PROCESS	APPROVAL
Equipment / Maintenance	Manager and Nominated Supervisor	As per financial delegations for purchase approvals	Approved provider and Manager
Funding Agreements & variations	Manager	Budget discussed with Approved Provider	Approved Provider
Leases	Approved Provider	Approved Provider	Approved Provider

#### 6. EXTERNAL RELATIONS

FUNCTION	DELEGATION
Media Liaison	Approved Provider Or Manager
DECS or other regulatory liaison – Day-to-day service matters	Nominated Supervisor & Manager
ACECQA – National Quality Standards (Australian Children’s Education and Care Quality Authority)	Nominated Supervisor & Manager
Representing organisation in public meetings and forum	Manager

**KAZ Early Learning Centre Related Policies and Procedures:**

Staffing Policy  
Workplace Health and Safety Risk Management Policy  
Records: Confidentiality and Storage Policy  
Maintenance Policy

**Related Statutory Obligations & Considerations**

**Australian Children's Education and Care Quality Authority (ACECQA)**

<https://www.acecqa.gov.au/>

**Children (Education and Care Services National Law Application) Act 2010**

<https://www.legislation.nsw.gov.au/acts/2010-104.pdf>

**Education and Care Services National Regulations 2011**

<https://www.legislation.nsw.gov.au/#/view/regulation/2011/653>

**Children and Young Persons (Care and Protection) Act 1998**

<https://www.legislation.nsw.gov.au/#/view/act/1998/157/full>

**Australian Privacy Principles**

[www.oalc.gov.au](http://www.oalc.gov.au)

**Early Childhood Australia (ECA)**

<http://www.earlychildhoodaustralia.org.au/>

**NSW Associations Incorporation Act 2009**

<https://www.legislation.nsw.gov.au/#/view/act/2009/7>

**Freedom of Information Act 1982**

**REVIEW**

This policy will be updated to ensure compliance with all relevant legal requirements every year. Appropriate consultation of all stakeholders (including staff and families) will be conducted on a timely basis. In accordance with Regulation 172 of the *Education and Care Services National Regulation*, families of children enrolled will be notified at least 14 days and their input considered prior to any amendment of policies and procedures that have any impact on their children or family.

**Amendment**

Formatting, web links updated, NQS added, flow chart altered

**Date Issued:**

October 2019

**Review Date:**

October 2020

Family, Educator and Staff Comments: