

## QA7-5 MANAGEMENT COMMITTEE POLICY

Our Service is managed and governed by a Management Committee. The Management Committee oversees all aspects of the operation of the service. The Management Committee is the legal entity and takes on the role of employer and all responsibilities of the Approved Provider under the Education and Care Services National Law 2010, Education and Care Services National Regulations 2010, Family Assistance Law and other relevant legislation as required.

### NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
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.
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.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
Part 2.1	Provider approvals
55	Quality Improvement Plans
168	Education and care service 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 or procedures

### RELATED LEGISLATION



Child Care Subsidy Secretary's Rules 2017	Family Law Act 1975
A New Tax System (Family Assistance) Act 1999	Family Assistance Law — Incorporating all related legislation as identified within the Child Care Provider Handbook <a href="https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook">https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook</a>

## RELATED POLICIES

CCS Governance Policy Child Safe Environment Policy Code of Conduct Policy Dealing with Complaints Policy (Family) Dealing with Complaints Policy (Staff) Dealing with Complaints Policy (General)	Privacy and Confidentiality Policy Record Keeping and Retention Policy Social Media Policy Work Health & Safety Policy Governance Policy
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## PURPOSE

We are committed to providing a strong Management Committee team who are aware of their roles and responsibilities to the Service, children, families, educators, and community. The Management Committee will adhere to Education and Care Services National Law and Regulations, the National Quality Standard, Family Assistance Law and other relevant legislation as required by an employer. The Management Committee will maintain their professionalism at all times, performing in an ethical manner, which is reflective of the Service's philosophy.

## SCOPE

This policy applies to educators, Approved Provider, Nominated Supervisor, staff, families and visitors of the Service.

## IMPLEMENTATION

The Management Committee is elected each year at our Annual General Meeting (AGM). All family members of children who attend the service are invited to join the Management Committee. Within the Management Committee is an executive team, consisting of Chairperson, Treasurer and Secretary, the executive team may include Persons with management or control of the service (PMC) as defined by ACECQA. Persons with management or control may *participate in executive or financial decision-making or have authority or responsibility for, or significant influence over, the planning, direction or control of the activities or the delivery of the education and care service* (ACECQA 2023). All members of the committee, including general members and executive team members have equal decision-making powers and contribute to all decisions.

The Management Committee has an overall responsibility for the sustainability and relevance of the Service.

The Committee provides effective governance to support the operation of our quality education and care and



actively supports families to meaningfully engage with the Service philosophy, policies and procedures and provide feedback to ensure continual improvement.

Our Service operates under the Service Constitution which guides the governance and functioning of the organisation and management committee. The Constitution guides governance rules while providing direction and purpose of the organisation's decision-making processes. The Management Committee will ensure the Service Constitution is reviewed every 3 years. The Service Constitution states the Management Committee must operate with the following minimum positions filled; President, Secretary, Treasurer. Executive team committee members will be elected as per the Service Constitution and positions renewed every 12 months.

### FUNCTIONS OF THE MANAGEMENT COMMITTEE

The Management Committee sets the strategic direction of the Service and is responsible for the overall operation and governance as the Approved Provider of the Service. The Management Committee is to oversee service operations to ensure all requirements of the Education and Care National Law and Regulations are met at all times.

Essentially, the Management Committee has five vital functions and Committee members contribute to one or more of these functions, depending on their interests, experience and skills:

- Finance: review of annual budget, financial statements; legal requirements; fundraising
- Communication: Publicity and public relations, keeping the Service's community informed of Committee decisions, new policies, events, etc.
- Future planning: Being actively involved in the Service's Quality Improvement Plan (QIP), Strategic Plan and the Professional Development Plan for Service staff
- Policy development: review and approval of the Service's policies, procedures, and philosophy as required, in conjunction with the Nominated Supervisor, staff, and families

### SUB-COMMITTEE

At times the Management Committee may organise separate sub-committees to assist with the operation and governance of the service. Sub-committees may be set up long term or for a short-term period to assist the committee to focus on a particular responsibility or task. Examples of sub-committees include staffing committee, WH&S committee, fundraising committee, and policy committee. The Management Committee may delegate decision making powers to the sub-committee group or they may be required to report back to the Management Committee. Prior to a sub-committee being formed a Terms of Reference will be defined including roles, responsibilities and decision-making authorities.



NEW COMMITTEE MEMBERS

Management Committee

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All new Management Committee Members will complete a Declaration of fitness and propriety form (PA02), which is submitted to the Australian Children's Education & Care Quality Authority (ACECQA) to provide evidence they are deemed a fit and proper person as per the Education and Care Services National Law Act 2010 Section 12.

All Committee Members are to hold a valid Working with Children which has been verified.

New Committee Members will undertake an induction to their role, including completion of the New Committee Member Induction Checklist (see: Appendix 1). New Committee Members who are appointed as an executive Management Committee Member are encouraged to undertake formal training for the role (President, Secretary, Treasurer, Public Officer). New Committee members will be provided a copy of the Service Constitution, Service Strategic Plan and Quality Improvement Plan upon appointment.

New Committee Members who take on an executive role within the committee will be required to complete the background checks as identified below (See Authorised Personnel). The regulatory authority will be notified within 14 days of any changes to the executive committee or Persons with management or control.

See Appendix 2 regarding roles and responsibilities of executive management committee positions.

### AUTHORISED PERSONNEL

The Management Committee will ensure all executive members who identify as Persons with Management and Control of the Provider (as per National Quality Framework and Child Care Subsidy (CCS) requirements) undertake fit and proper check as per National Regulations and Family Assistance Law requirements. A declaration of fitness and propriety form must be submitted for all executive committee members and executive committee members must ensure they remain fit and proper while engaged with the management committee, including holding a Working With Children Check/Clearance. All Persons with Management and Control are required to register with PRODA and have their identity verified and background checks conducted.

Fit and Proper checks for Persons with Management and Control:

- Australian National Police Criminal History Check (performed within the last 6 months)
- Working With Children Check
- National Personal Insolvency Index check
- Current and Historical personal name extract search (performed within the last 6 months)
- ASIC Search, evidence the person does not appear on the Banned and Disqualified register (performed within the last 3 months)

The Management Committee will ensure all members registered with PRODA remain fit and proper in accordance with Section 55 of the Child Care Subsidy Minister's Rules 2017.



## NOTIFICATIONS OF CHANGES TO MANAGEMENT

The Management Committee will ensure any changes, including the appointment or removal of committee members, to the Management Committee or Persons with management or control, are reported to ~~ACECQA~~ the regulatory authority within 14 days. New Committee Members are required to complete a Declaration of fitness and propriety form (PA02) which is submitted to the regulatory authority as evidence of fit and proper persons.

The Management Committee will notify the Department of Education of changes within the Management Committee or Persons with management or control, as per obligations within the required timeframe as outlined within the Childcare Provider Handbook. If a Person with management or control or executive committee member is no longer deemed fit and proper the service will notify the regulatory authority within 7 days.

## CONFIDENTIALITY

Our Service has an ethical and legal responsibility to protect the privacy and confidentiality of children. All Management Committee Members are required to read, understand and follow the *Privacy and Confidentiality Policy and Procedure* for the Service. Previous minutes or documentation of items or issues discussed at Management Committee meetings may be confidential in nature. Previous minutes may be requested; however, items may be removed if confidential in nature.

## DECISION MAKING

The Service Constitution set out the requirements regarding how decisions are made, the constitution will advise the structure and positions that must be held within the Management Committee. The Service Constitution will provide guidance on the number of members required to be present for each meeting to go ahead, a quorum is required to determine the number of voting members who are to be present when business decisions are made during the meeting. Committee Members are required to disclose any conflicts of interest, whether actual, potential or perceived when voting on business decisions.

## COMPLAINT MANAGEMENT

The Management Committee members will follow the services *Dealing with Complaints Policy and Procedure*. The Management Committee will ensure staff, families, visitors or community members are encouraged to follow the *Dealing with Complaints Policy and Procedure* in the event they are notified of a complaint or grievance. Any complaint that alleges a breach of the *National Law and National Regulations*, National Quality Standard or alleges that the health, safety or wellbeing of a child at the Service may have been compromised, must be reported by the Approved Provider or Nominated Supervisor to the Regulatory Authority within 24 hours of the complaint being made.



## IN RELATION TO THE SERVICE:

- committee members must ensure they take their role and responsibilities seriously
- all members must adhere to the Service's Code of Conduct and Confidentiality Policy
- all members of the Management Committee must have a valid Working with Children Check
- each new Committee member will receive an induction as per the *New committee member induction checklist*
- Service management will email details of Committee meeting schedules, agendas, and minutes to all families who request this information.
- the Management Committee will be involved in conjunction with families and Educators in the development, approval and review process for all policies and procedures
- the Management Committee will reflect upon and provide feedback on the Quality Improvement Plan (QIP) documenting continuous improvement
- the Management Committee will ensure all ideas and concerns are recognised and addressed in a professional and timely manner
- the Service management will encourage family participation in the Management Committee to represent the family body of the Service
- The constitution will guide the Management Committee on decisions made for the Centre.
- written information regarding the Service's management structure will be available to families at all times.
- the Management Committee will ensure a suitably qualified and experienced Nominated Supervisor/ Director oversees the day to day running of the service
- whilst the Nominated Supervisor is responsible for the day to day running of the Service, it is to be in accordance with the decisions of the Management Committee providing they comply with all regulations and standards
- members of the Management Committee will formally declare any conflicts of interest, whether actual, potential or perceived
- the members of the Management Committee, (other than the Nominated Supervisor and staff representatives), are elected by those families who attend the Service. Families may join the committee at any time throughout the year.
- all families are encouraged to attend the Management Committee meetings and may vote on motions
- meetings will be recorded, including agendas and minutes and decisions made during the meeting
- families may request minutes, meeting schedules, and/or agendas to be emailed if more convenient
- the Management Committee will be made aware of the Service's grievance policy and procedure.
- Written information regarding the Service's management structure will always be made available to families.



- The Management Committee will ensure all ideas and concerns are recognised and addressed.
- The Management Committee consists of a Chairperson, Licensee, Secretary (not staff), Nominated Supervisor, other elected members and a staff representative. The Staff representative is voted in by all staff in the September staff meeting.
- Meetings are held on the last Monday of the month (negotiated each year), on a monthly basis starting from 4.30pm – 5.30pm in the SPLASH room. Creche is provided to those who do not have their children booked in on that day.
- The Management Committee will be made aware of the Service's grievance policy and procedure.

## SOURCE

Australian Children's Education & Care Quality Authority. (2023). [Identifying persons with management or control of a service from 1 July 2023 – Existing Providers - Information sheet](#)

Australian Government Department of Education. (2009) *Belonging, Being and Becoming: The Early Years Learning Framework for Australia*.

Australian Government Department of Education. Child Care Provider Handbook. (2022). <https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook>

Australian Government Department of Education. (2023). [Persons with management or control obligations](#)

Australian Human Rights Commission (2020). *Child Safe Organisations*. <https://childsafe.humanrights.gov.au/>

Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Regulations. (2011). (Amended 2023).

Education and Care Services National Law Act 2010. (Amended 2023).

Guide to the National Quality Standard. (2017). (Amended 2023).

Government of Western Australia. Department of Mines, Industry Relation and Safety. The management committee <https://www.commerce.wa.gov.au/books/inc-guide-incorporated-associations-western-australia/role-and-duties-management-committee>

NSW Department of Education. Roles and responsibilities, Your responsibilities as a person with Management or control <https://education.nsw.gov.au/content/dam/main-education/en/home/early-childhood-education/operating-an-early-childhood-education-service0/Your-Responsibilities-as-a-Person-with-Management-or-Control.PDF>

NSW Department of Fair Trading. Management committee meetings. <https://www.fairtrading.nsw.gov.au/associations-and-co-operatives/associations/running-an-association/management-committee/management-committee-meetings>

Revised National Quality Standard. (2018).

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
NOVEMBER 2016	<ul style="list-style-type: none"> <li>• New Format created and policy created</li> </ul>	SEPTEMBER 2017
OCTOBER 2017	<ul style="list-style-type: none"> <li>• Minor changes made to policy</li> <li>• Updated references to comply with the revised National Quality Standard</li> </ul>	DECEMBER 2018



OCTOBER 2020	<ul style="list-style-type: none"> <li>• Reference to existing <i>Management committee induction checklist</i> incorporated.</li> <li>• Additional information added to points.</li> <li>• Additional inclusions in purpose of policy</li> <li>• Related policies added</li> <li>• Working With Children Check inclusion</li> <li>• additional points added to sections</li> </ul>	OCTOBER 2021
JANUARY 2022	<ul style="list-style-type: none"> <li>• Review of content to include legal obligations required of Management Committee</li> <li>• New content added: New Committee Members, Authorised Personnel, Notifications of changes to management, Confidentiality, Decision Making, Compliant Management, Recruitment</li> <li>• Sources check for currency</li> <li>• Appendix 2 added: Management Committee Roles</li> </ul>	JANUARY 2023
MODIFICATIONS AUGUST 2023	<ul style="list-style-type: none"> <li>• Policy reviewed to included clearer definitions of Persons with Management or control</li> </ul>	JULY 2025





# NEW COMMITTEE MEMBER INDUCTION CHECKLIST

## INFORMATION

The following information has been explained to new committee member/s

- ☐ the history of the Service
- ☐ the role of committee and its authority within the Service
- ☐ the structure of the committee (e.g. positions held)
- ☐ committee members' roles and duties
- ☐ new member's role and duties
- ☐ the legal structure of the committee
- ☐ legal obligations and liabilities of the committee
- ☐ financial status and spending plans
- ☐ current and upcoming projects
- ☐ current issues (if applicable)
- ☐ current sub-committees operating
- ☐ Child Safe Standards/ Reportable Conduct Scheme
- ☐ requirement for COVID-19 mandatory vaccinations (if applicable to your state/territory)

The new member has:

- ☐ been introduced to senior management
- ☐ been introduced to other committee members
- ☐ been introduced to key Service staff (e.g. Nominated Supervisor/Director)
- ☐ had a tour of the Service (if unfamiliar)
- ☐ been provided with a mentor
- ☐ signed and returned a confidentiality agreement
- ☐ signed and returned the Code of Conduct
- ☐ provided valid WWCC documentation
- ☐ provided evidence of COVID-19 vaccinations

The new member has received:

- ☐ rules or constitution of the committee
- ☐ documented committee policies and procedures
- ☐ a document stating the terms and conditions of appointment
- ☐ a document stating the roles, duties, and responsibilities of the position
- ☐ a list of current committee members and their contact details



- ☐ a schedule of upcoming meetings (date, time, and venue)
- ☐ minutes of previous meetings
- ☐ last annual report

In relation to the service, the new member has received or has access to:

- ☐ the Service philosophy
- ☐ policies and procedures
- ☐ *Belonging, Being and Becoming*: EYLF
- ☐ the service's Strategic Plan
- ☐ QIP

MEMBER NAME			
MENTOR NAME			
INDUCTION PROCESS CARRIED OUT BY		SIGNATURE	
<p>I _____, confirm that I have undertaken the new committee member induction for Victor Harbor Childcare and Education Centre and understood the information provided to me.</p> <p>I have received all documentation as per the Induction Checklist.</p> <p>I understand it is my duty to:</p> <ul style="list-style-type: none"> <li>• Act in good faith and for proper purpose</li> <li>• Act with care, skill, and diligence</li> <li>• Not dishonestly use position or information for personal use, and</li> <li>• Avoid conflicts of interest.</li> </ul> <p>Member's signature: _____ Date: _____</p>			

*Declaration adapted from information provided by Justice Connect, 2017*

