



GOVERNANCE AND MANAGEMENT OF THE SERVICE POLICY

Mandatory – Quality Area 7

PURPOSE

This policy outlines the duties, roles and responsibilities of the Committee of Management¹ of Jack and Jill Beaumaris Kindergarten Inc.

POLICY STATEMENT

1. VALUES

Jack and Jill Beaumaris Kindergarten Inc is committed to ensuring that there are appropriate systems and processes in place to enable:

- good governance and management of the organisation
- accountability to its stakeholders
- compliance with all regulatory and legislative requirements placed on the organisation
- the organisation to remain solvent and comply with all its financial obligations.

2. SCOPE

This policy applies to the Approved Provider, the Committee of Management of Jack and Jill Beaumaris Kindergarten Inc and all subcommittees of the Committee of Management.

3. BACKGROUND AND LEGISLATION

Relevant legislation and standards include but are not limited to:

- *Associations Incorporation Reform Act 2012 (Vic)*, as applicable to the service
- *Corporations Act 2001*, as applicable to the service
- *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

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au/>
- Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

4. DEFINITIONS

¹ Also known in some services as Board of Directors or Board of Management etc.

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

Actual conflict of interest: One where there is a real conflict between a Committee of Management/Board member's responsibilities and their private interests.

Conflict of interest: An interest that may affect, or may appear reasonably likely to affect, the judgement or conduct of a member (or members) of the Committee of Management/Board or subcommittee, or may impair their independence or loyalty to the service. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage, whether financial or otherwise, and may not only involve the member of the Committee of Management/Board or subcommittee, but also their relatives, friends or business associates.

Ethical practice: A standard of behaviour that the service deems acceptable in providing their services.

Governance: 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).

Interest: Anything that can have an impact on an individual or a group.

Perceived conflict of interest: Arises where a third party could form the view that a Committee of Management/Board member's private interests could improperly influence the performance of their duties on the Committee of Management/Board, now or in the future.

Potential conflict of interest: Arises where a Committee of Management/Board member has private interests that could conflict with their responsibilities.

Private interests: Includes not only a Committee of Management/Board member's own personal, professional or business interests, but also those of their relatives, friends or business associates.

5. SOURCES AND RELATED POLICIES

Sources

- ELAA *Early Childhood Management Manual, Version 2 2013*
- Our Community: www.ourcommunity.com.au
- Justice Connect: <http://www.justiceconnect.org.au/>

Service policies

- *Code of Conduct Policy*
- *Complaints and Grievances Policy*
- *Privacy and Confidentiality Policy*

PROCEDURES

The Approved Provider is responsible for:

- ensuring that the service has appropriate systems and policies in place for the effective governance and management of the service.

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CORE ELEMENTS OF THE GOVERNANCE MODEL

The following are the core elements of the governance systems at Jack and Jill Beaumaris Kindergarten Inc for which the Committee of Management is responsible:

Stewardship/custodianship

Ensure:

- the service pursues its stated purpose and remains viable
- budget and financial accountability to enable ongoing viability and making best use of the service's resources
- the service manages risks appropriately.

Leadership, forward planning and guidance

Provide leadership, forward planning and guidance to the service, particularly in relation to developing a strategic culture and directions.

Authority, accountability, and control

- Monitor and oversee management including ensuring that good management practices and appropriate checks and balances are in place.
- Be accountable to members of the service.
- Maintain focus, integrity and quality of service.
- Oversee legal functions and responsibilities.
- Declare any actual, potential or perceived conflicts of interest (refer to *Definitions* and Attachment 1 – *Sample Conflict of interest disclosure statement*).

LEGAL LIABILITIES OF MEMBERS OF THE COMMITTEE OF MANAGEMENT/BOARD

The Committee of Management at Jack and Jill Beaumaris Kindergarten Inc is responsible under the constitution to take all reasonable steps to ensure that the laws and regulations relating to the operation of the service are observed. Members of the Committee of Management are responsible for ensuring that:

- adequate policies and procedures are in place to comply with the legislative and regulatory requirements placed on the service
- appropriate systems are in place to monitor compliance
- reasonable care and skill is exercised in fulfilling their roles as part of the governing body of the service
- they act honestly, and with due care and diligence
- they do not use information they have access to, by virtue of being on the Committee of Management improperly
- they do not use their position on the Committee of Management for personal gain or put individual interests ahead of responsibilities.

RESPONSIBILITIES OF THE COMMITTEE OF MANAGEMENT/BOARD

The Committee of Management of Jack and Jill Beaumaris Kindergarten Inc is responsible for:

- developing coherent aims and goals that reflect the interests, values and beliefs of the members and staff, and the stated aims of the service, and have a clear and agreed philosophy which guides business decisions and the work of the Committee of Management and staff
- ensuring there is a sound framework of policies and procedures that complies with all legislative and regulatory requirements, and that enables the daily operation of the service to be geared towards the achievement of the service's vision and mission
- establishing clearly defined roles and responsibilities for the members of the Committee of Management, individually and as a collective, management and staff, and clearly articulate the relationship between the Committee of Management, staff and members of the service

- developing ethical standards and a code of conduct (refer to *Code of Conduct Policy*) which guide actions and decisions in a way that is transparent and consistent with the goals, values and beliefs of the service
- undertaking strategic planning and risk assessment on a regular basis and having appropriate risk management strategies in place to manage risks faced by the service
- ensuring that the actions of and decisions made by the Committee of Management are transparent and will help build confidence among members and stakeholders
- reviewing the service's budget and monitoring financial performance and management to ensure the service is solvent at all times, and has good financial strength
- approving annual financial statements and providing required reports to government
- setting and maintaining appropriate delegations and internal controls
- appointing senior staff (e.g. the CEO or Director, if the service is large) or all staff (if the service is small), and monitoring their performance
- evaluating and improving the performance of the Committee of Management
- focusing on the strategic directions of the organisation and avoiding involvement in day-to-day operational decisions, particularly where the authority is delegated to senior management staff within the service.

CONFIDENTIALITY

All members of the Committee of Management and subcommittees who gain access to confidential, commercially-sensitive and other information of a similar nature, whether in the course of their work or otherwise, shall not disclose that information to anyone unless the disclosure of such information is required by law (refer to *Privacy and Confidentiality Policy*).

Members of the Committee of Management and subcommittees shall respect the confidentiality of those documents and deliberations at Committee of Management or subcommittee meetings, and shall not:

- disclose to anyone the confidential information acquired by virtue of their position on the Committee of Management or subcommittee
- use any information so acquired for their personal or financial benefit, or for the benefit of any other person
- permit any unauthorised person to inspect, or have access to, any confidential documents or other information.

This obligation, placed on a member of the Committee of Management or subcommittee, shall continue even after the individual has completed their term and is no longer on the Committee of Management or subcommittee.

The obligation to maintain confidentiality also applies to any person who is invited to any meetings of the Committee of Management or subcommittee as an observer or in any other capacity.

ETHICAL PRACTICE

The following principles will provide the ethical framework to guide the delivery of services at Jack and Jill Beaumaris Kindergarten Inc:

- treating colleagues, parents/guardians, children, suppliers, public and other stakeholders respectfully and professionally at all times
- dealing courteously with those who hold differing opinions
- respecting cultural differences and diversity within the service, and making every effort to encourage and include all children and families in the community
- having an open and transparent relationship with government, supporters and other funders
- operating with honesty and integrity in all work
- being open and transparent in making decisions and undertaking activities, and if that is not possible, explaining why

- working to the standards set under the *National Quality Framework* and all applicable legislation as a minimum, and striving to continually improve the quality of the services delivered to the community
- disclosing conflicts of interest as soon as they arise and effectively managing them (refer to Attachment 1 – *Sample Conflict of interest disclosure statement*)
- recognising the support and operational contributions of others in an appropriate manner
- assessing and minimising the adverse impacts of decisions and activities on the natural environment.

MANAGING CONFLICTS OF INTEREST

Conflicts of interest, whether actual, potential or perceived (refer to *Definitions*), must be declared by all members of the Committee of Management/Board or subcommittee, and managed effectively to ensure integrity and transparency (refer to Attachment 1 – *Sample Conflict of interest disclosure statement*).

Every member of the Committee of Management or subcommittee has a continuing responsibility to scrutinise their transactions, external business interests and relationships for potential conflicts and to make such disclosures in a timely manner as they arise.

The following process will be followed to manage any conflicts of interest:

- whenever there is a conflict of interest, as defined in this policy, the member concerned must notify the President of such conflict, as soon as possible after identifying the conflict
- the member who is conflicted must not be present during the meeting of the Committee of Management or subcommittee where the matter is being discussed, or participate in any decisions made on that matter. The member concerned must provide the committee with any and all relevant information they possess on the particular matter
- the minutes of the meeting must reflect that the conflict of interest was disclosed and appropriate processes followed to manage the conflict.

A *Conflict of interest disclosure statement* (refer to Attachment 1) must be completed by each member of the Committee of Management/Board and subcommittee upon his or her appointment and annually thereafter. If the information in this statement changes during the year, the member shall disclose the change to the President, and revise the disclosure statement accordingly.

All violations of the requirement to disclose and manage conflicts shall be dealt with in accordance with the constitution of Jack and Jill Beaumaris Kindergarten Inc.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Committee of Management/Board 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 parents/guardians at least 14 days before making any changes to this policy or its procedures.

ATTACHMENTS

- Attachment 1: *Sample Conflict of interest disclosure statement*
- Attachment 2: Committee of Management Roles and Position Descriptions
- Attachment 3: Executive Committee Member- Fit-and-proper Person Form

AUTHORISATION

This policy was adopted by Jack and Jill Beaumaris Kindergarten Inc on 19th October 2016

REVIEW DATE: OCTOBER 2018

ATTACHMENT 1

Sample *Conflict of interest disclosure statement*

| | |
|---|--|
| Name (in full): | |
| Postal address: | |
| Position on Committee of Management or subcommittee | |

Declaration:

I hereby declare the following conflict of interest: (Note: tick all applicable boxes)

ACTUAL POTENTIAL PERCEIVED

Please provide a brief outline of the nature of the conflict (details may be included in a separate confidential envelope, if appropriate).

Please detail the arrangements proposed to resolve/manage the conflict (details may be included in a separate confidential envelope, if appropriate).

I, (insert name in full) _____ hereby agree to:

- update this disclosure throughout the period of my tenure on the Committee of Management or subcommittee of Jack and Jill Beaumaris Kindergarten Inc.
- co-operate in the formulation of a *Conflict of interest management plan*, as required.
- comply with any conditions or restrictions imposed by the Committee of Management or subcommittee to manage, mitigate or eliminate any actual, potential or perceived conflict of interest.

Signed

Date

ATTACHMENT 2

Committee of Management Roles and Position Descriptions

Jack and Jill Beaumaris Kindergarten Inc is managed by a voluntary Committee of Management consisting of parents whose children are enrolled at the centre. The committee is responsible for efficient, accountable and responsible operations of the kindergarten.

President (Executive role)

The President represents the committee and the Kindergarten to the outside world.

Key tasks and responsibilities are:

- Chair monthly committee meetings
- Ensure correct meeting procedures and records maintained
- Address any parent or staff concerns and/or complaints
- Employ and liaise with external contractors
- Manage correspondence and act as point of contact with DET and Bayside Council
- Liaise with the Director and teachers regarding kindergarten matters on a regular basis
- Ensure Kindergarten has clear goals and objectives
- Lead the Executive Committee
- Co-ordinate and support the work of the Committee of Management by delegating the tasks, direction, talent and skills of all members.
- Maintain records, agreements and ensure Kindergarten adheres to all regulations and policy.
- Establish sub-committee if/when required
- Support Vice-President in regard to staff matters
- Ensure effective and open communication with parents and staff
- Receive, document, report (if required) and resolve any complaints or grievances
- Oversee and approve the annual budget with the treasurer
- Act as signatory to the bank accounts
- Prepare and present the annual report at the AGM
- Oversee the formation of new management committee for following year -succession planning
- Be available as the outgoing President for ongoing support and consultation where requested by the incoming President.

Vice-President (Executive role)

The main focus of this role is as the staff liaison officer to all staff employed at the kindergarten. The Vice-President is required to work closely with the President and acts as a support where necessary.

Key tasks include:

- Support the President fulfil their duties
- Represent the committee in developing and maintaining a professional relationship with staff
- Maintain an open and clear line of communication between staff and management
- First point of call for any issues staff may raise with management
- Hold regular staff meetings and share relevant information with staff
- Oversee staff training and development
- Ensure all wage award regulations and conditions are met
- Ensure all staff are aware of any policy and regulation changes
- Ensure all regulations are met in relation to staff
- Advertising and interviewing for new staff as required
- In absence of President, fulfil their responsibilities

Treasurer (Executive role)

The Treasurer's role is currently a paid role. This role covers book keeping, invoicing, payroll and monthly report preparation. Key tasks are:

- Issue cheques and payments online
- Administer the bank accounts

- Help draft the annual budget
- Help the teachers and committee know what they can afford
- Authorise and reimburse petty cash payments
- Invoice for fee payments prior to each term commencing
- Reconcile fee payments and report to President/Committee
- Issue receipts for fee payments
- Liaise with parents to negotiate alternative fee payment plans (if required)
- Check staff timesheets and sign off for payment
- Distribute payslips to all staff
- If staff are sick arrange sick leave entitlements
- Ensure insurances are paid (including building contents and WorkCover)
- Ensure Superannuation is paid
- Ensure allowances have been made to cover long service leave entitlements
- Distribute group certificates at the end of the financial year to all staff

Secretary (Executive role)

The role of the secretary is to assist in communications between the committee, staff, parents and community. The Secretary ensures that all incoming and outgoing correspondence is correct and appropriate.

Key tasks are:

- Send out committee meeting reminder to committee members at least 1 week prior to each meeting, and call for agenda items
- Prepare the Agenda for each meeting
- Attend each committee meeting and take the minutes
- Type up and distribute the minutes and actions list to other committee members
- File a copy of the minutes and agenda in our records
- Prepare election forms for new committee prior to the AGM

Social Co-ordinator and Fundraiser role

This role involves the planning and organisation of social events for the kindergarten community. There is great flexibility to create any event you desire in liaison with the committee. Fundraising is on a needs basis as identified by the Teachers and Treasurer.

Note: Our kindergarten is not dependant on raising funds for ongoing operational costs. However, large purchases or projects require fundraising and grant applications to cover costs.

Social team members

These people will help with social events in a variety of ways, for instance by sourcing goods and services, booking venues, publicising events amongst their kinder group, collecting money and so on.

Bunnings BBQ

To run one of our key fundraising events for the year. Key tasks include:

- Liaise with Bunnings prior to the event, purchase all sausages, bread, sauce, drinks etc.
- Manage the Bunnings fundraiser BBQ.
- Roster parents onto time slots for the day
- Book date for following year.

Enrolments

The role of enrolments officer is responsible for:

- providing enrolment application forms
- collating enrolments
- handling all enrolment enquiries

- maintaining a waiting list
- collecting, receipting and banking enrolment fees
- offering places in line with the enrolments policy and criteria for priority access, and providing relevant paperwork to families in accordance with this policy
- providing a monthly report to the President and teachers regarding the status of enrolments and any difficulties encountered
- storing completed enrolment application forms in a secure site (according to *Privacy and Confidentiality Policy*) as soon as is practicable
- complying with the *Privacy and Confidentiality Policy* of the service
- directing families to either our website or the kindergarten, where they can access a copy of the *Enrolment and Orientation Policy* with the enrolment application form.

Maintenance Officer

This is an indoor/outdoor role. Key tasks are:

- Maintain the kindergarten building and grounds to ensure they are safe for all of our kindergarten community and that they comply with regulations and legislation
- Complete a Hazard/Safety Identification Checklist review quarterly (to comply with Incident, Injury and Trauma Policy) to ensure compliance
- Plan quarterly working bees and follow Working Bee procedures in OHS policy
- Work with council maintenance department regarding council responsibility for building and grounds maintenance
- Organise external contractors for external and internal maintenance
- Oversee the garden maintenance
- Track history and document maintenance carried out and required
- Maintain record of each work status
- Communicate with the President, Director and Treasurer in regards to maintenance requirements and costs involved.

4 YO Rep (Duty and Social)

Key tasks include:

- Collate and circulate a list of all families contact details.
- Provide a roster for parents to volunteer for kindergarten duty sessions
- Organise a few social gatherings for parents to meet and socialise during the year
- Represent or liaise with Teachers and President on behalf of 4YO group

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- Provide a roster for parents to volunteer for kindergarten duty sessions
- Organise a few social gatherings for parents to meet and socialise during the year
- Represent or liaise with Teachers and President on behalf of 4YO group

Marketing (Open Day)

- Confirm date with Council and availability of teachers and other representatives to be present for the Open Day
- Update and prepare all booklets and handouts for the day
- Ensure Kindergarten is well presented on the day
- Attend Open Day and handle or direct enquiries to appropriate people on the day

Communications Co-ordinators

This role is responsible for the kindergarten newsletter and website. Key tasks include:

- Update content on the website
- Edit and add content to the online kindergarten website/calendar
- Prepare a quarterly newsletter
- Comply with kindergarten Privacy Policy

Policies Co-ordinator

The role of the Policies Officer is to write, amend and keep updated the kindergarten's policies and procedures. Key tasks include:

- Ensure all mandatory policies are current
- Ensure our policies are updated to reflect and comply with current regulations and legislation
- Ensure our policies reflect our kindergarten philosophy and community values
- Review policies and assess procedures as required by their recommended review dates
- Create or amend policies or procedures where gaps are identified or new policies are recommended/required
- Liaise with teachers and President in creation of documents
- Make recommendations to committee regarding policy changes
- Maintain the kindergarten's Policy and Procedures Manuals.

Purchasing Officer

The role of Purchasing Officer of general ordering and purchasing of supplies. Key tasks include:

- Research, source and purchase items at the request of teaching staff
- Ensure day to day items, stock levels are maintained (e.g. toilet paper and soap)
- Unpack orders when they arrive
- Send invoices to Treasurer for payment

Grants Co-ordinator

This role involves raising funds for a need identified by the director and endorsed by committee. Key tasks are:

- Identify relevant and appropriate fundraising opportunities
- Write submissions for relevant and appropriate grants on behalf of committee

Note: Our kindergarten is not dependant on raising funds for ongoing operational costs. However, large purchases or projects require the fundraising and grant applications to cover costs.

Plates

To manage this annual fundraising event. Key tasks include:

- Liaise with plate company
- Notify teachers of dates where plate company will attend
- Ensure all orders are paid for
- Ensure all plates are delivered to families

National Quality Liaison Officer

General Committee Members

These roles involve helping out wherever needed or wherever your skill set may be best utilised. These invaluable team members help to spread the workload for other management committee members by completing other smaller projects or tasks throughout the year.

Attachment 3: Executive Committee Member- Fit-and-proper Person Form



I, _____ understand that all executive members of the Committee of Management at Jack and Jill Beaumaris Kindergarten Inc must be assessed as a fit- and- proper person.

I declare that I have a sound history of compliance, will submit to a criminal history check (if requested), and have no history of, or current bankruptcy or insolvency issues. I also declare that, in accepting this role, I have no conflict of interest and will declare any that may arise.

Name: _____
Role: _____
Signed: _____
Date: _____