



# GOVERNANCE AND MANAGEMENT POLICY

**Policy Number:** CS-23-07-2018

**Version No:** v-2022

**Date last reviewed:** Feb 2022

**Endorsed by:** BoG Chair

**Scheduled Review Date:** Jan 2023

## Mandatory – Quality Area 7

### Policy Statement

It is HPCH's philosophy to provide childcare which is community based, flexible and meets the diverse and unique needs of children in our community. HPCH strives to provide a creative, stimulating, safe and secure environment where we provide a flexible learning environment which fosters children's individuality, recognises individual needs and promotes health and wellbeing of all children.

As a result, HPCH echoes these values in its Governance and Management practices, as set out in this policy. Hampton Park Community House is committed to ensuring there are appropriate systems and processes in place to enable:

- good governance and management of HPCH;
- accountability to its stakeholders (such as families and the Hampton Park community);
- compliance with all regulatory and legislative requirements placed on HPCH (such as notifications, reporting and confidentiality); and
- the organisation to remain solvent and to comply with all its financial obligations.

This policy applies to the HPCH Board of Governance, the Executive Committee and delegated Approved Provider and Director of the Childcare and Education Service.

A key, overarching objective of HPCH is to embed an organisational culture of child safety, through its policies and procedures, as well as our practices and interactions with children. HPCH recognises the importance of leadership fostering a child safe environment. (ref. Child safe Standards 1)

### Background

As a Registered charity Hampton Park Care Group Inc. (Service Provider) must meet the ACNC's Governance Standards to be registered and remain registered with the ACNC.

The governance of HPCH is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of HPCH Registered Services in the Children's Family and





Community Services Operational Domains. Members of the Board of Governance responsible for setting the directions for the service and ensuring its goals and objectives are met in line with its constitution, and all legal and regulatory requirements governing the operation of the business are met.

Under the National Law and National Regulations, HPCH is required to have policies and procedures in place relating to the governance and management of the service, including confidentiality of records (refer to *Privacy and Confidentiality Policy*).

## Legislation and Standards

Relevant legislation and standards include but are not limited to:

*Associations Incorporation Reform Act 2012 (Vic)*

- Australian Charities and Not-for-profits Commission Regulation 2013
- AICD Not-for-Profit Governance Principles
- *Corporations Act 2001 (Cth)*
- *Education and Care Services National Law Act 2010 (National Law)*
- *Education and Care Services National Regulations 2011 (National Regulations)*
- Privacy Act 1988
- Privacy and Data Protection Act 2014
- *National Quality Standard, Quality Area 7: Governance and Leadership*
- ACNC's Governance Standards
- Child Safe Standards

## Definitions

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 the *ELAA Early Childhood Management Manual*.

**Actual conflict of interest:** One where there is a real conflict between the HPCH Board of Governance 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 Board of Governance or committees, 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 Board of Governance or committees, 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 systems in place to support effective management and operation of the service, consistent





with the service's statement of philosophy. Good governance requires effective management systems and clearly delineated roles and responsibilities to support the effective operation of a quality service. (ref. NQF QA7)

**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 Board of Governance 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 Board of Governance member has private interests that could conflict with their responsibilities.

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

## Principles to inform decision making

Representatives of HPCH when making governance and management decisions must follow the principles of:

- **Transparency:** HPCH is transparent and open about how it makes decisions.
- **Accountable:** HPCH is accountable. We will discuss any concerns from stakeholders in an open, flexible and respectful manner, and be accountable for our actions and decisions.
- **Collaboration:** We value to input of our service leaders, educators, staff and volunteers. We also value the collaboration and input of other community.
- **Flexibility:** We respect unique individuality of everyone in our community and strive to provide a service that respects and celebrates individuality by being flexible with how we provide our service.
- **Leadership in child safety:** HPCH's leaders are committed to child safety, and lead by example to champion a culture of child safety across the service. (ref. Standard 1.)

## Implementation

Steps taken by HPCH to ensure Persons with Management and Control (PMC), Nominated Supervisors (NS), Educators, staff members volunteers and contractors follow the above policies and procedures include:

- Regular training;
- Clear and regular communication about responsibilities of nominated supervisors, staff and volunteers, for example through position descriptions and regular performance reviews; and
- Provision or record keeping tools, such as forms which highlight what records need to be kept.
- *Availability of policies:* Policies and procedure listed above are readily available to nominated supervisors, staff and volunteers. These are available in hard copy in the Domain Service Area and online (HPCH Server and website)





## Acceptances and Refusal of Authorisation

Authorisations must be:

- in writing, signed and dated;
- provided by a parent of a child or a person listed in the enrolment record as being authorised to provide an authorisation about that child;
- clearly state the name of the child to whom they relate; and
- updated annually. An authorisation more than 12 months old is not valid.

This applies to authorisations about:

- consent to medical treatment of the child;
- consent to administer medication to the child;
- consent to the child leaving HPCH premises in the care of someone other than a parent;
- allowing an educator to take the child outside the HPCH premises (e.g., on excursions); and
- allowing HPCH to transport the child.

## Policies and Procedures

The Board of Governance delegated Approved Provider is responsible for ensuring that the service has appropriate systems and policies in place for the effective governance and management of the HPCH Children's Service. (ref. regulation 168)

All staff and volunteers of HPCH are responsible for implementing and following these policies and procedures.

## Induction and Ongoing Training

HPCH ensures and requires all HPCH Board members, managers, co-ordinators, educators and other staff receive training on this policy and procedures.

Training is required on induction, annually or as required by legislation. Training involves role playing scenarios with educators and staff to encourage and develop knowledge around these procedures. This policy and procedures are also covered as part of all induction processes.

## Evaluation and Quality Improvement

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

- a. regularly seek feedback from everyone affected by the policy regarding its effectiveness
- b. monitor the implementation, compliance, complaints and incidents in relation to this policy
- c. keep the policy up to date with current legislation, research, policy and best practice
- d. revise the policy and procedures as part of the service's policy review cycle, or as required





- e. notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

This policy and procedures are available to staff in hardcopy from the Domain Area Managers and online on the website and staff portal).

## Quality Improvement

As the approved provider, HPCH must ensure there is an effective self-assessment and quality improvement process (QIP) in place. Refer to Regulations 31, 55, 56, NQF 7.1.2 and 7.2.1. Nominated supervisors and responsible persons are also responsible for ensuring a QIP is maintained by HPCH.

The QIP ensures HPCH engages in ongoing self-assessment against the NQS to drive continuous improvement, ultimately providing quality outcomes for children.

HPCH is required to ensure the QIP is:

- kept at HPCH premises;
- made available for inspection and to families; and
- reviewed and revised at least annually have regard to the National Quality Framework.

As part of HPCH's community orientated philosophy, we encourage families to contribute towards our QIP by engaging in collaborative discussions. NQF 6.1.1

## RELATED POLICIES

- Code of Conduct Policy
- Complaints and Grievances Policy
- Code of Ethics and Confidentiality Policy
- Staffing Policies (including Determining Responsible Persons and Participation of Volunteers and Students)

## SUPPORTING DOCUMENTS

GOVERNANCE FOR GOOD: THE ACNC'S GUIDE FOR CHARITY BOARD MEMBERS

ACFID Code of Conduct and Governance Standards

CMA Standards and the ACNC

ELAA Early Childhood Management Manual.





Authorisation:

Signature of Chair of BOG :

Date of Approval by BOG:

Hampton Park Care Group Inc.

16-02-2022





**ATTACHMENT 1**  
**Sample Conflict of interest disclosure statement**

Name (in full):	
Postal address:	
Position on Board of Governance or Committee	

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).

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

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

- update this disclosure throughout the period of my tenure on the Board of Governance or subcommittee of Hampton Park Community House.
- co-operate in the formulation of a *Conflict of interest management plan*, as required.
- comply with any conditions or restrictions imposed by the Board of Governance or subcommittee to manage, mitigate or eliminate any actual, potential or perceived conflict of interest.

Signed \_\_\_\_\_ Date \_\_\_\_\_

