

# MANAGEMENT COMMITTEE POLICY

Our Out of School Hours Care (OSHC) 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	Privacy and Confidentiality Policy
Child Safe Environment Policy	Probation, Induction and Orientation Policy
Code of Conduct Policy	Record Keeping and Retention Policy
Dealing with Complaints Policy (Staff)	Recruitment Policy
Dealing with Complaints Policy	Social Media Policy
Family Communication Policy	Staffing Arrangements Policy
Governance Policy	Work Health and Safety Policy
	Writing and Reviewing and Maintaining Policies

## PURPOSE

We are committed to providing a strong Management Committee team who are aware of their roles and responsibilities to the OSHC 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 children, families, staff, management, approved provider, nominated supervisor, educators and visitors of the OSHC Service.

## IMPLEMENTATION

This *Management Committee Policy* is to be used in conjunction with the *Governance Policy*.

The Management Committee is elected each year at our Annual General Meeting (AGM). All family members of children who attend the OSHC Service are invited to join the Management Committee.

Within the Management Committee is an executive team, 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 members of the committee may include: Executive Committee (President, Treasurer, Secretary and Public Officer), General Committee (Nominated Supervisor/ Director, parent representatives, two community representatives and two staff representatives)

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

Our OSHC 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 and Public Officer. Executive team committee members will be elected as per the Service Constitution and positions renewed every 12 months.

Our OSHC Service embeds the National Child Safe Principles into our organisational leadership, governance and culture. We implement a child safe culture and are committed to child safety and wellbeing. Our Code of Conduct sets out the behaviours that are expected by all members of the Management Committee when interacting with children and young people.

## **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 OSHC 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:** day to day finances, administration issues, employee duties, general organisation; annual budget, financial statements; legal requirements; insurance policies; reporting requirements to Government bodies- (CCS); 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:** Formulating, review, updating and approval of the Service's policies, procedures, and philosophy as required, in conjunction with the Nominated Supervisor, staff, and families
- **Recruitment:** Ensure a suitably qualified and experience Nominated Supervisor is appointed to oversee day to day operations of the service.

## SUB-COMMITTEE

At times the Management Committee may organise separate sub-committees to assist with the operation and governance of the OSHC 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

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/ Vulnerable Person Check 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. 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 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.

## CONFIDENTIALITY

Our OSHC 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.

## RECRUITMENT

The Management Committee is responsible for the recruitment of all staff and employees. The Management Committee will follow the services *Recruitment Policy and Procedures*. The Management Committee will ensure a suitably qualified and experienced nominated supervisor/ director oversees the day to day running of the service. The Management Committee will delegate responsibilities to the nominated supervisor/ director as per the *Job Description* for the position. The Management Committee



will be responsible for ensuring the nominated supervisor/ director meets the responsibilities for the role and position. *Performance Management* will be initiated by the Management Committee as required following any concerns regarding performance of the nominated supervisor/director. The Management Committee is responsible for implementation of the Probation and Induction procedure for new Directors as per the *Probation, Induction and Orientation Policy*.

The Management Committee may organise a sub-committee (Staffing Sub-Committee) to support the Director in the role of recruitment of all staff and employees. The Management Committee may delegate authority of recruitment to the Staffing Sub-Committee to authorise appointment of staff and employees.

Our OSHC Service is committed to be a child safe Education and Care Service and embeds the National [Child Safe Principles](#) as recommended by the National Office for Child Safety. Our robust recruitment processes play a vital role in protecting children from harm.

#### IN RELATION TO THE OSHC SERVICE:

- committee members must ensure they take their role and responsibilities seriously
- all members must adhere to the Service's *Code of Conduct* and *Privacy and Confidentiality Policy*
- all members of the Management Committee must have a valid Working with Children Check/Vulnerable Person check or Criminal History check (where relevant)
- each new Committee member will receive an induction as per the *New committee member induction checklist (see: Appendix 1)*
- Service management will email details of Committee meeting schedules, 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 OSHC Service
- 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 OSHC 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 executive 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 are held **monthly** on the first **Monday** of the month from **6:00pm to 7:30pm**
- meetings will be recorded, including agendas and minutes and decisions made during the meeting
- notices and agendas of forthcoming meetings are posted on the notice board
- the Management Committee will be made aware of the Service's *Dealing with Complaints Policy and Procedure*.

## CONTINUOUS IMPROVEMENT/REFLECTION

Our *Management Committee Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

## CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

New Committee Member Induction Checklist
--

## SOURCES

- Australian Children's Education & Care Quality Authority. (2014).
- Australia Children's Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).
- 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. [My Time, Our Place- Framework for School Age Care in Australia.V2.0, 2022](#)
- 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 2018). (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).

Victoria State Government Education and Training *Guide to Outside School Hours Care (OSHC) Provision (2017)*  
<https://www.education.vic.gov.au/Documents/school/teachers/management/oshcprovisionguide.pdf>  
[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	Libby Haines	Director	December 2023
POLICY REVIEWED	DECEMBER/JUNE 2023	NEXT REVIEW DATE	DECEMBER 2023
VERSION NUMBER	V6.12.23		
MODIFICATIONS	<p>DECEMBER</p> <ul style="list-style-type: none"> <li>annual policy maintenance</li> <li>additional information re: Child Safe Principles</li> <li>sources updated as required</li> <li>delete New member induction Checklist as an appendix within policy (available in CCD library)</li> <li>Childcare Centre Desktop Resources section added</li> </ul> <p>JUNE</p> <ul style="list-style-type: none"> <li>Policy reviewed to include clearer definitions of <i>Persons with Management or control</i></li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
DECEMBER 2022	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>links to DESE edited to Department of Education</li> <li>hyperlinks checked and repaired as required</li> <li>minor formatting edits within text</li> <li>continuous improvement/reflection section added</li> </ul>	DECEMBER 2023	

	<ul style="list-style-type: none"> <li>link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	
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>	DECEMBER 2022
DECEMBER 2020	<ul style="list-style-type: none"> <li>Minor edits</li> <li>Sources checked for currency</li> <li>New Committee Member checklist added as Appendix 1</li> </ul>	DECEMBER 2021
DECEMBER 2019	New policy drafted for OSHC services	DECEMBER 2020

**Appendix 1:**

<b>ROLES AND RESPONSIBILITIES OF THE EXECUTIVE MANAGEMENT COMMITTEE MEMBER</b>
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 the 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.
<b>PRESIDENT</b>
The President acts as the leader and spokesperson of the Management Committee and ensures they meetings are conducted in an orderly and efficient manner. The President will chair and run the meeting to the prepared agenda. The role of the President is to ensure meetings keep to the planned agenda and keeps the discussion during the meeting on track while ensuring the meeting provides clarity and purpose. The President will present any reports submitted to the meeting. The President will have experience and knowledge of the service and is aware of and understands the National Law and National Regulations, Family Assistance Law and the National Quality Standards. The President will assist to ensure tasks are delegated to members of the committee.
<b>VICE PRESIDENT</b>
The role of the Vice-President is to act as the President in periods of absence of the President.

## SECRETARY

The role of the Secretary is to formally record the Management Committee meetings through documentation of the agenda and meeting minutes. The minutes are a true and accurate record of committee meetings detailing attendees and decisions made. The Secretary will ensure all members of the Management Committee receive notice of the meeting through the agenda as well as records of the previous meeting through meeting minutes. The Secretary will ensure items and issues discussed and decisions made at the Management Committee meetings are recorded in the meeting minutes and distributed to members of the committee. The Secretary is to record any correspondence or reports that has been presented to the Management Committee.

## TREASURER

The role of the Treasurer is to ensure all financial transactions regarding the service are recorded according to legislation and reported through a profit and loss statement to the Management Committee each month at the committee meetings. Our Service operates with a paid Financial Officer who reports directly to the Treasurer. The Financial Officer and Treasurer are responsible for presenting an end of financial year statement at the Annual General Meeting, this statement is required to be submitted to NSW Fair Trading [amend to suit your state government organisation as required]

## PUBLIC OFFICER

The Public Officer has the responsibility to notify the NSW Fair Trading [insert state/territory equivalent] of any changes in the service address. This notification must be made within 28 days of the change. The Public Officer is required to keep documents as outlines in the service constitution. The Public Officer may take on a legal representative role in certain situations.