



Governance & Management of St. Kevin's OHSC

Purpose

This policy will provide guidelines to staff, parents/guardians, school staff, & the community in relation to how St. Kevin's OHSC Centre will ensure:

- Good Governance, Stewardship & Communication
- The Committee has clear and concise guidelines, structure, decision making authority
- Financial & Planning Responsibility is understood,
- Privacy and confidentiality obligations are understood

Policy statement

1 Values -

Kevin's Out of Hours School Care is committed to:

- Ensuring the financial stability of the organisation
- Ensuring committee work is rewarding, efficient, effective and enjoyable.
- Ensuring committee roles are clearly defined, manageable and effective
- Providing stability for staff and parents through responsible planning and financial management

2 Scope

This policy applies to staff, committee, students on placement, volunteers and parents/guardians whose child/ren are attending, or who wish to enrol child/ren, in St Kevin's Out of Hours School Care (OHSC) Centre early childhood programs.

3 Background and legislation

Background

The requirements for good governance is set down by several areas of law, eg Associations Incorporations Act 1981, as well as under the Education and care services National Regulations, Quality Areas 7 Leadership and service management. But overwhelmingly, it makes good business sense to ensure good governance in any association as it creates:

- An easy decision making environment
- Strong bonds between the committee
- A strong future for the organisation
- Greater commitment to working on and staying on the committee

"Good governance is not an outcome, it's a process; there is never a point of perfection as it organically ebbs and flows."

(Department of Planning and community development web site)

The term 'governance' refers to a NFP community organisation's board and its collective legal responsibility as an incorporated association according to the Associations Incorporation Act 1981, and the organisation's rules.

Governance is about how the organisation is run and can be defined in many ways:

- the overarching framework that keeps the organisation functioning soundly and democratically (various laws and constitution)
- 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 process by which an organisation is given direction, its activities are monitored and its personnel are held accountable
- a set of duties, responsibilities and liabilities that are outlined in the structures, systems and understandings of the organisation that enables committee members to make the right decisions and set the right course.

What constitutes good governance?

Good governance is the effective and efficient use of policies and practices to guide the operation of the organisation. It enables the committee to make decisions in the best interests of the organisation, ensures that the organisation is well managed constitutionally, legally and financially. It also ensures that the committee is abiding by the requirements of the governing legislation.

Essential elements of good governance are:

1. Good governance structure
2. Good policies, processes and procedures
3. The right mix of people on boards or committees of management

Our organisation needs good governance to remain viable and to address issues such as authority, accountability, leadership and direction.

What is a Committee

A committee is defined as a body of elected or appointed members who jointly oversee the activities of the organisation. It is the supreme governing body of the organisation. In an organisation with voting members, the committee acts on behalf of, and is subordinate to, the organisation's full membership, which usually chooses the members of the committee.

A committee's activities are determined by the powers, duties, and responsibilities delegated to it or conferred on it by the constitution. The constitution commonly also specifies the number of members of the committee, how they are to be chosen, and when they are to meet.

Legislation

Relevant legislation may include but is not limited to:

- Corporations act 2011
- Associations Incorporations Act 1981
- Associations Incorporations Regulations 2009
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011 (ECSNR)
- National Quality Standard
- Child Wellbeing and Safety Act 2005
- Occupational Health and Safety Act 2004

4 Definitions

Department of Education and Employee workplace relations (DEEWR): federal government responsible for the licensing and regulation of out of hours school care.

Governance - Governance is about how your organisation is run – the structures and systems that enable you to make the right decisions and keep your service on track. The elected committee of management/board are responsible for developing, understanding and implementing the governance of the organisation.

5 Sources and related policies

Sources:

- KPV – Kindergarten parents Victoria – fact sheets
- Department of Planning and community development -
<http://www.dpcd.vic.gov.au/communitydevelopment/community-sector/resources-for-nfpps/governance>

Centre Policies:

- Code of Conduct
- Privacy Policy
- Philosophy
- Complaints & Grievance Policy

Procedures

The committee is responsible for:

- Reading all information in relation to the constitution, Committee handbook, philosophy, code of conduct and other policies which relate to their roles
- Acting in a responsible manner
- Providing handbook, constitution, philosophy and other information required at induction in the induction pack
- Ensuring a timely and accurate handover of their work when required
- Being aware of all policies but understanding the content of the philosophy, code of conduct and privacy policies and how to work within their framework
- Raising any issues in relation to any beaches in policies or procedures and in particular in relation to the philosophy, code of conduct, privacy policy.
- Understanding there are various levels of legislation which dictate how the OHSC centre runs and how to find out more detail if required
- Have a copy of their roles/responsibilities and understand what their role is
- Understand that on a committee everyone is responsible for making decisions
- Understand that they must disclose any conflicts of interest whilst working on the committee
- Contribute to the strategic plan, annual budget, AGM reports, AGM meetings, general meetings as appropriate to their role
- Provide detail/background in relation to decisions made within their jurisdiction when requested
- Be open and honest about any issues which may arise within their area of responsibility
- Understand the importance of passing the association onto the next office bearers in as good a position or better than was passed onto them
- Have a duty of care under common law to act honestly and with care and diligence
- Inform the secretary of any agenda items for raising at a committee meeting
- Follow guidelines in the committee handbook in relation to committee meetings, etiquette, communication, decision making etc
- Ensure they follow the handbook in relation to recruiting, handover, induction and succession planning
- Ensure all financial arrangements are transparent and above all legal
- Read all official documentation such as minute to ensure they are valid and true
- Process all matters of a private matter in accordance with the privacy policy/legislation
- Follow the constitution and its regulations
- Ensuring sub committees are created when required and that they follow the guidelines in the committee handbook (eg define terms of reference etc)
- Ensure they understand what constitutes a valid decision, delegation of authority and democratic decisions
- Ensure they understand what makes up a quorum, voting and the executive
- Ensure Consumers Victoria are advised of any changes to our constitution
- Ensure all meetings are held in accordance with the constitution
- Ensure the AGM is held in accordance with the constitution and reports provided to Consumer Victoria and other legislative bodies (i.e. DHS if receiving funding etc)

- Ensure they know the location of the constitution
- Ensure there is an annual budget and the budget is tracked monthly
- Understand that people are volunteers on the committee and everything should be done to ensure they are not placed in any difficult positions during their committee work

Staff are responsible for:

- Acting in a responsible manner
- Ensuring they are aware of their duty to come to committee meetings
- Ensuring they understand that St Kevins OHSC is run by an association
- Ensure they adopt the values in the philosophy, code of conduct, privacy policy in all aspects of their work
- Raising any issues in relation to any breaches in policies or procedures and in particular in relation to the philosophy, code of conduct, privacy policy.
- Understanding there are various levels of legislation which dictate how the OHSC centre runs and how to find out more detail if required
- Ensuring they have a copy of the committee's roles/responsibilities and contacts
- Contribute to the strategic plan, annual budget, AGM reports, AGM meetings, general meetings as appropriate to their role
- Be open and honest about any issues which may arise within their area of responsibility
- Inform the secretary of any agenda items for raising at a committee meeting
- Work professionally and cooperatively with the committee
- Work within the annual budget and advise the committee of any issues with the budget, including items not budgeted for, overspends, request for new toys etc

The parents/guardians are responsible for:

- Being open and honest with committee
- Reporting any issues in relation to governance, communication and management to the committee

Evaluation

In order to assess whether the policy has achieved the values and purpose, the committee will:

- Assess whether adequate and positive interactions with between committee members are staff are being maintained at all times
- Take into account feedback from staff, parents/guardians and committee members regarding the policy
- Monitor compliance with the procedures set out in the policy, including complying to laws and guidelines
- Record and monitor complaints and incidents relating to this policy to determine the cause and amend procedures as required

Attachments

List all the attachments included in this policy:

Attachment 1 –Good Governance At St. Kevin's OHSC Centre

Attachment 2 - Policies & Procedures

Attachment 3 - Privacy and confidentiality

Authorisation

The policy was adopted by the **St. Kevin's OHSC Centre** committee of management at a committee meeting on **21st November 2012**

Review date: 21/11/2014

Attachment 1 –Good Governance At St. Kevin’s OHSC Centre

The following tables contains principles for good management of the service. Each principle has an explanation of how St. Kevin’s OHSC ensures the principle is adhered to.

Governance	
Principle	How St. Kevin’s Endeavours to Meet the Principle
Coherent aims and goals that reflect the interests, values and goals of the membership and staff, and the stated aims of the organisation	Mission statement Budget/plan Strategic Plan Philosophy Committee Meetings
A clear and agreed philosophy which guides business decisions and the work of the committee and staff. St. Kevin’s OHSC has a philosophy for the centre as well as a code of conduct.	Philosophy Code of Conduct
Sound framework of policies and procedures that comply with legislative and regulatory requirements, and enables the daily operation of the organisation to be geared towards the achievements of the vision and mission of the organisation	Policy & Procedures Manual
Clearly defined roles and responsibilities for committee members individually and as a collective, and clearly articulated relationship between the committee, staff and members.	Each committee member has a position description and there is a committee structure which defines the inter-relationships
Ethical standards and codes of conduct which enable the committee to be guided in their actions and decisions in a way that is transparent and consistent with the values and beliefs of the organisation.	code of conduct philosophy. Committee handbook
Strategic planning and risk management which enable the committee to think through and document what they are doing, for whom and why they are doing it, understand the risks associated with their actions or inaction and manage these risks appropriately.	Strategic Plan Budget
Transparency about actions and decisions made by the committee that will help build confidence amongst members and stakeholders, and ensure that everyone is working towards the best interests of the members of the association.	Committee handbook Policies & Procedures
An organisation which functions democratically	Committee Committee handbook constitution
Direction for its activities, the way activities are monitored and its level of personnel accountability	Committee handbook

Stewardship	
Stewardship/leadership This includes responsibility for properly utilising and developing the resources, including people and assets of the association.	Constitution Code of Conduct Philosophy Committee handbook
Duty of Care Under common law to act honestly and with care and diligence	committee handbook provides clear information on this responsibility
Clear understanding of roles and responsibilities and respecting and supporting each other	committee handbook provides clear information on this responsibility
Active involvement - The committee is most effective and efficient when its members regularly attend the meetings, are on time and are prepared for the meeting, having considered any papers or issues listed on the agenda for discussion.	committee handbook provides clear information on this responsibility. It describes how meetings are to occur, and members contribution
Informed decision making by all committee members is important and they must be fully informed and understand the consequences of any decisions made by them.	committee handbook provides clear information on this responsibility. It describes how meetings are to occur, and members contribution
Transparent financial management processes and a clear understanding of the financial situation of the organisation is an essential aspect of good governance and enables committee members to fulfil their stewardship obligations.	Mandatory finance reports to be provided to each committee meeting are detailed in the committee handbook.
As stewards of the association you have an obligation to future users to ensure the continued operation of the service	committee handbook provides clear information on this responsibility.
Any opportunity to improve the current assets and resources should be considered by the committee.	Vice president is responsible for grant applications
The Committee	
Clear procedures for running the meeting which ensures everyone is heard	committee handbook provides clear information on this responsibility as does the Constitution
Formal recording of meetings (agendas, minutes) which ensures all members of the association can understand what has happened at the committee meeting	Constitution Committee handbook
Meeting etiquette is documented and followed	Committee handbook Code of Conduct Philosophy
Process to ensure matters of a private nature are handled in accordance with privacy legislation	Committee handbook Privacy
Clear guidelines for respectful communication	Committee handbook Code of Conduct Philosophy
Committee is aware of the regulations in the constitution	Committee handbook Constitution
Committee has a success plan in place to ensure continuity of the service with committee changes	Committee handbook

Committee is proactive in finding new committee managers who have appropriate skills to complete the role.	Committee handbook
The committee has a handover process in place to ensure a smooth transition to the new committee	Committee handbook
Decision making and delegation	
Delegation authority is clear and understood by the committee (including setting terms of reference for subcommittees)	Committee handbook Constitution
Policies are in place for delegating decision making and understood by the committee	Committee handbook Constitution
Committee understands what constitutes a valid decision	Committee handbook Constitution
Guidelines are in place for bringing items for discussion to a meeting, discussing them effectively and voting democratically on them	Committee handbook Constitution Code of conduct Philosophy
The Constitution	
A constitution approved by Consumer Victoria is in place and followed	St. Kevin's Constitution
Committee members understand what the constitution is and what their responsibilities are under it	Committee handbook Constitution
Committee members know the location of the Constitution and/or have a copy of it	Committee handbook
Committee members understand who makes up the members of the association, the legalities of the constitution, quorum, notification and voting	Committee handbook, Constitution
Financial & Planning Responsibility	
Committee plans an annual budget, implements it, accurately monitors it	Budget spread sheet Committee handbook (see below)
Committee communicates the annual budget to appropriate persons and actively keeps abreast of any issues affecting the budget	Monthly reports on budget vs actual and bank accounts
The Committee has in place security and risk limitation processes in relation to financial management	Committee handbook
The committee understands the importance of a strategic plan and has one in place	Strategic Plan. Committee handbook

Attachment 2 - Policies & Procedures

Policies

St. Kevin's OHSC have clearly articulated policies and procedures which is important because they:

- provide a framework for the operation of the organisation
- guide day-to-day practice
- enable a consistent and considered approach by staff and management
- promote a smooth transition when there are changes to management or staff
- provide direction for decision making
- are a tool for marketing the centre program by outlining what new and potential users of the centre can expect
- provide a framework for compliance with legislative and regulatory obligations.

Guidance from good policies limits the risks of confusion and poor decision making

How do we develop and use policies?

Policies establish, in clear language, what the organisation wants to achieve, and provides guidelines for how to get there. In writing and reviewing policies, St Kevin's OHSC:

- Consult on each policy and use industry best practice as a guide. This ensures ownership and adherence to the policies
- Ensures they are reviewed by at least one, but preferably 2 committee members, plus any direct stake holders.
- Vote on each policy after the reviewing process and after explaining the policy to the committee
- Understand policies are a living document, designed to serve the organisation, not the other way around.
- Review policies in line with the timeframe set for each policy to ensure people are reminded of their existence and content.
- Ensure effective communication to members of any new or amended policies within 28 days.

Which policies do we need?

The National Education and Care Services National Regulations 2011 (ECSNR) and Education and Care Services National Law Act 2010 require the following policies and procedures by law. But St. Kevin's OHSC has more than this in place. Please see our Policies & Procedures folder.

Health and safety

- Delivery and collection of children
- Excursions
- Refusal of authorisations for a child to leave the service
- Dealing with infectious disease
- Dealing with medical conditions
- Emergency and evacuation
- nutrition, food and beverages, and dietary requirements
- sun protection
- water safety
- administration of first aid
- Incident, injury, trauma and illness
- Child-safe environment

Staffing, including:

- code of conduct
- determining the responsible person present
- participation of volunteers and students
- Relationships with children

Service Management:

- Governance and management of the service, including confidentiality of records
- Enrolment and orientation
- Payment of fees

- Dealing with complaints

Policies and procedures that promote equal opportunity for all children and comply with legislation such as the *Equal Opportunity Act 1995* and the *Disability Discrimination Act 1992* and *Child Wellbeing and Safety Act 2005*. Relevant policies will include;

- Inclusion & Equity
- Critical incident closure (voluntary and mandatory) as part of the Emergency Management Plan
- Privacy policy

Attachment 3 - Privacy and confidentiality

Committees/boards of management of childhood organisations manage a diverse range of responsibilities and so have access to private and personal information. Organisations need to have clearly documented practices informing and guiding staff and management in meeting privacy legislation. St Kevin's OHSC has a documented privacy policy to assist with maintaining privacy and confidentiality.

Confidentiality relates to any information obtained verbally or through hearsay (information that is heard from other people). Information relayed or discussed at a committee meeting that is personal or private must be kept confidential. For example, responding to a complaint. All committee members must understand their obligation to maintain confidentiality and agree not to discuss private information with anyone who is not already aware of the situation or in a place where the conversation may be overheard.

Committee members must also ensure that no information acquired as a consequence of being on the committee is used for their personal financial or other benefit.

St Kevin's OHSC also has a Code of Conduct for the committee, staff and families of the centre.