

# Yarram Early Learning Management Committee Recruitment and Orientation

Quality Area 7: Governance and Leadership

## **PURPOSE**

This policy will provide clear guidelines for the recruitment and orientation of Yarram Early Learning Inc members to positions on the Management Committee.

## **POLICY STATEMENT**

### **VALUES**

Yarram Early Learning is committed to:

- Recruiting people to the Management Committee for the centre in line with the Model Rules for the Association.
- Ensuring Committee Members understand the expectations of the role that they are undertaking.
- Having strong governance support for the Centre through the Committee of Management.

### **SCOPE**

This policy applies to the Approved Provider, Responsible Person, educators, staff, students on placement, volunteers, parents/guardians and all adults involved in the programs and activities of Yarram Early Learning Incorporated.

## **BACKGROUND AND LEGISLATION**

### **Background**

Under the National Quality Standard, Quality Area 7 supports effective leadership and management of the service that contributes to quality environments for children's learning and development. Well-documented policies and procedures, well-maintained records, shared values, clear direction and reflective practices enable the service to function as a learning community.

Community committees of Management have significant responsibilities and it is important for them to be well equipped for their roles and responsibilities.

The Yarram Early Learning Committee of Management can change at each annual AGM which must be held within 5 months of the end of the financial year (December). However to ensure sustainability of the service, committee members are encouraged to commit to a 2 year term with no more than 50% of the committee to turn over in any one year. Committee members are eligible for re-nomination at the end of their term.

## **CHILD CARE SUBSIDY SPECIFIED PERSONNEL ROLES**

### **Approved providers must supply details of all specified personnel to the department**

The Child Care Subsidy (CCS) legislation and supporting policy provisions specify key personnel roles involved in the structure of a provider or service (see sections below

for an explanation of who are these key personnel). An approved CCS provider must supply details to the department about each of the individuals in these roles and provide notification of any change to the information. This is a condition of ongoing CCS approval. In addition, the provider must undertake to ensure that each of these individuals meet fit and proper requirements and be able to provide evidence that the necessary fit and proper checks have been undertaken.

## **WHAT ARE THE KEY PERSONNEL ROLES?**

### **PERSONS WITH MANAGEMENT OR CONTROL OF THE PROVIDER**

#### **Who are they?**

- Any person who has, or will have, management or control of the Provider.
- Anyone who participates directly or indirectly in the decision making or management of the Provider (the legal entity) that operates the child care service/s.
- Examples of Persons with Management or Control of the Provider are all partners in a partnership, all directors of a company or organisation board, all members of an executive committee.

#### **What is their authority for CCS?**

- Communicate with the department about any aspect of their approved service's operation and family payments.
- Submit an application for CCS provider or service approval to the department.
- Notify the department of all Changes of Circumstance for all their approved services.
- Change Bank Account Details.
- Add or remove Provider Management or Control Personnel, Persons Responsible for the Day-to Day Operation of the Service and Service Contacts.
- Authorise enrolment and attendance data submissions.

#### **Required evidence for fit and proper checks**

For each individual who is a Person with Management or Control of the Provider, the provider must be able to produce the following evidence of fit and proper checks:

- A copy of the results of a bankruptcy search conducted through the Australian Financial Security Authority website.
- A copy of the results of an Australian National Police Criminal History Check obtained from the relevant state or territory police service or an agency accredited by the Australian Criminal Intelligence Commission.
- A current and historical personal name extract obtained through the Australian Securities and Investments Commission website.
- Evidence that the person does not appear on the banned and disqualified register held by the Australian Securities and Investments Commission (in the form of a computer printout of the results of the search).
- Where the provider is a Family Day Care or In-Home Care provider, a declaration of any existing conflict of interest circumstances regarding the

Person with Management or Control and their interest in a Registered Training Organisation or other child care related enterprise.

- Details of the working with children cards required to be held under state or territory regulation.

All members recruited to the Committee of Management after January 2017 will be required to provide a current Working with Children Check or equivalent such as current Victorian Institute of Teaching (VIT) Registration. Under the National Quality Framework, the Approved Provider (the Committee of Management) must have processes in place to ensure that those recruited to the Committee are fit and proper for the role.

### **Legislation and standards**

Relevant legislation and standards include but are not limited to:

*Charter of Human Rights and Responsibilities 2006* (Vic), as amended 2011

*Child Wellbeing and Safety Act 2005* (Vic), as amended 2012

*Disability Discrimination Act 1992* (Cth)

*Education and Care Services National Law Act 2010*

*Education and Care Services National Regulations 2011*: Regulation 168(2)(n)

*Equal Opportunity Act 1995* (Vic)

*National Quality Standard*, Quality Area 7: Leadership and Service Management  
Standard 7.3: Administrative systems enable the effective management of a quality service

### **SOURCES AND RELATED POLICIES**

#### **Sources**

Australian Children's Education and Care Quality Authority.

<http://www.acecqa.gov.au/leadership-and-service-management>

Not for Profit Law Information Hub

<http://www.nfplaw.org.au/governance>

Early Learning Association Victoria

<https://elaa.org.au/>

Community Childcare Association

<http://www.cccinc.org.au/>

**All Service policies are evidence of good governance for the centre.**

### **PROCEDURES**

**The Approved Provider is responsible for the following through the various committee positions:**

<b>Committee Position</b>	<b>Role</b>
Chairperson	Chairing Committee Meetings and leading the committee.  Ensure all members have the required evidence for fit and proper checks according to the child care subsidy specified personnel roles  Represent the Centre in any leadership roles and capacity.

	<p>Sign all correspondence as per Instrument of Delegation.</p> <p>Conduct annual performance plan for centre director</p> <p>Regular supervision meetings with Centre Director</p> <p>Responsible for approving and monitoring Centre Director leave</p> <p>Management of poor performance for leadership roles– as required</p>
Vice Chairperson	Deputise for Chairperson as needed.
Secretary	<p>Take minutes for all Committee meetings and circulate to Committee members and or delegate.</p> <p>Provide all Committee Members nominated to Yarram Early Learning with an Orientation pack for the Centre including:</p> <ul style="list-style-type: none"> <li>• Association's Model Rules</li> <li>• Copy of the Centre Policy Manual</li> <li>• Organisational Structure</li> <li>• Funding and Service Agreement with Department of Education and Training for Kindergarten funding.</li> <li>• Lease Agreement for the facility with Wellington Shire Council.</li> <li>• Copies of all staff awards and or employment agreements.</li> <li>• The centre's philosophy and current copy of the Quality Improvement Plan.</li> <li>• Centre Budget.</li> <li>• Centre Instrument of Delegation.</li> </ul> <p>Keep a register of current members of the Association.</p> <p>Send invitations and promote the Annual General Meeting (AGM) and other General Meetings to members, centre users and general community.</p> <p>Receive nominations for membership and committee positions.</p> <p>Correspond with Consumer Affairs Victoria regarding any changes to Secretary position</p>
<b>Committee Position</b>	<b>Role</b>
Secretary- continued	Take minutes for AGM and general meetings and circulate.

	Ensure all the legal requirements of the association are carried out.
Treasurer	<p>Present financial reports at Committee and other meetings.</p> <p>Prepare Annual Centre budget in consultation with the finance sub committee.</p> <p>Approve financial transactions as listed in the Instrument of Delegation.</p> <p>The Treasurer's role is to monitor the not-for-profit organisation's financial processes, keep financial records and ensure reporting obligations are met. This includes:</p> <ul style="list-style-type: none"> <li>• Provision of financial statements (audited if required) to Consumer Affairs Victoria and Department of Education and Training after they are passed at the AGM.</li> <li>• Provision of monthly financial reports at committee meetings which include; reconciliation summary, statement of cash flows, balance sheet, year to date profit and loss, budget versus actual and list of transactions for proceeding month.</li> </ul> <p>The Treasurer is also responsible for liaising with external auditors for the preparation of financial statements.</p>
General Committee Member	Attend all committee meetings and or provide an apology.
	Be involved in a sub committees to support centre operations – Human Resources, Finance, Policies and Maintenance.

**As the Approved provider, the Committee has overall responsibility for the following:**

- All committee members must comply with the Code of Conduct Policy for Yarram Early Learning Centre.
- All committee members must declare any conflicts of interests for any agenda items at the start of any committee meeting. Further information on conflict of interest can be found in Duties Guide; Guide to the Legal Duties of not-for-profit Committee members and office holders in Victoria (March 2013) [https://www.nfplaw.org.au/sites/default/files/Duties\\_Guide\\_2\\_0\\_0.pdf](https://www.nfplaw.org.au/sites/default/files/Duties_Guide_2_0_0.pdf)

- All committee members must sign a confidentiality form to protect the privacy of staff and families using the centre and the reputation of the centre (attachment 2).
- Ensuring people are appointed to the following roles; Person with Management Control of the Service (usually a Committee Member) Nominated Supervisor (usually Centre Director).
- Appointing a person on the Management Committee to provide supervision of the Centre Director, including:
  - ✓ Performance plan in place with KPIs agreed by the Committee
  - ✓ 6 monthly performance reviews
  - ✓ Regular supervision meetings
  - ✓ Staff feedback on Director performance
  - ✓ Responsible for approving and monitoring Centre Director leave
  - ✓ Management of poor performance – as required.
- Ensuring handover between old and new committee after an AGM is completed using the resource – Committee Basics Handover 2013, produced by the Early Learning Association of Australia.

***The Nominated Supervisor is responsible for:***

- Keeping the committee informed of Centre operations.
- Seeking governance support from the Committee where there is no Policy or other legislative guidance to direct action.
- Attend all committee meetings and or provide an apology.

***Responsible Person and staff are responsible for:***

- Notifying the Committee of any achievements and or concerns for the centre via the Centre Director.
- Making a time with the Committee if an issue is not able to be resolved with the Centre Director.

***Parents/guardians are responsible for:***

- Becoming Members of the Incorporated Association.
- Nominating themselves for positions on the Committee of Management.

**EVALUATION**

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

- Monitor the implementation, compliance, complaints and incidents in relation to this policy.
- Monitor the number of families/children excluded from the service because of their inability to pay fees.
- 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: Member application and Committee nomination forms.

## **AUTHORISATION**

This policy was adopted by the Yarram Early Learning Incorporated in May 2021

## **REVIEWED BY MANAGEMENT - MAY 2023**

## **TO BE REVIEWED - 2024**

### **ATTACHMENT 1**



156 Grant Street Yarram 3971  
Ph: 5182 5190  
Email: [admin@yarramelc.com.au](mailto:admin@yarramelc.com.au)

## **Application for Membership to Yarram Early Learning Incorporated**

<b>Name</b>	
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<b>Mailing Address</b>	
<b>Phone</b>	
<b>Email</b>	
<b>Date</b>	

Do you wish to receive periodic email updates?

- Yes  
 No

**For New Members**

I agree with the Statement of Purpose in the Model Rules and wish to become a member of Yarram Early Learning (YEL) Inc for one year, ending after the Annual General Meeting (insert the relevant year).

Signed: \_\_\_\_\_

**For All Members**

I accept that Yarram Early Learning Inc. requires a register of Members to be retained by YEL and that a list of member names will be available for viewing by other YEL members at the YEL registered address in accordance with the Model Rules and Privacy Legislation. In the event of my admission as a member of the Association, I shall at all times comply with the Model Rules of Yarram Early Learning Inc.

Signed: \_\_\_\_\_

**Please return completed form to Secretary via email:**

insert email address or leave with staff at the Yarram Early Learning Centre.

To be eligible to vote on or nominate for committee positions at the insert year Annual General Meeting of Yarram Early Learning Inc on insert date this completed membership form must be received by close of business on insert date.





156 Grant Street Yarram 3971

Ph: 5182 5190

Email: [admin@yarramelc.com.au](mailto:admin@yarramelc.com.au)

## **Nomination for a Committee Position with Yarram Early Learning Incorporated**

For a person to be nominated for a committee position at the AGM on **insert date**, they must ensure that they are a current member of the association first. A member nomination form must be submitted by close of business on **insert**

date (at least 10 working days prior to AGM) (in addition to this form).

<b>Name of person being nominated</b>					
<b>Position nominated for (please tick)</b>	<b>Chair</b>  <input type="checkbox"/>	<b>Vice Chair</b>  <input type="checkbox"/>	<b>Treasurer</b>  <input type="checkbox"/>	<b>Secretary</b>  <input type="checkbox"/>	<b>General Committee</b> <b>(five positions available)</b>  <input type="checkbox"/>
<b>Mailing Address of nominated person</b>					
<b>Phone number of nominated person</b>					
<b>Email of nominated person</b>					
<b>Date of nomination</b>					
<b>Signature of person nominated</b>					

Nominations for committee positions must be received by close of business on **insert date**.

**Please return completed nomination form to Secretary via email:**

**Insert email** or leave with staff at the Yarram Early Learning Centre.

**ATTACHMENT 2**

## Confidentiality Agreement for Committee Members



This agreement applies to all committee members in regards to the confidentiality of information relating to children, parents and employees.

Committee Members possesses confidential information relating to individual families, staff and committee members, which are required to be collected and stored securely as per the National Law and Regulations.

Committee Members are privy to confidential information in relation to their duties at the Centre.

Committee Members agree not to deal with the confidential information other than in accordance with the terms of this agreement.

## **THE COMMITTEE MEMBER AGREES AS FOLLOWS:**

### 1.0 DEFINITIONS

1.1 For the purpose of the Agreement:

**“Confidential Information”** means all information, data or experience relating to the personal files of and all forms including documents databases, records, drawings, oral disclosures

**“Documents”** includes, but is not limited to: -

- (i) Enrolment forms
- (ii) Emails
- (iii) Staff Meeting minutes
- (iv) Telephone Calls/messages
- (v) Questionnaires
- (vi) Resumes
- (vii) Working With Children Checks
- (viii) Staff Information Forms
- (ix) HR Information
- (x) Child Observations
- (xi) Reports from outside Professionals pertaining to children
- (xii) CCB Reports
- (xiii) Personal Correspondence
- (xiv) Committee Meeting Minutes

### 2.0 CONFIDENTIAL OBLICATIONS

2.1 The Committee Member agrees:

- (a) not to reveal any Confidential Information to any person outside of the Committee or relevant staff.
- (b) to keep all of the Confidential Information secret and confidential;
- (c) not to make copies or duplicates of the Confidential Information except to the extent that it is reasonably necessary to carry out the Centre's duties.

(d) seek clarification if they are unsure on whether the information is confidential.

2.2 The obligation to maintain confidentiality and not to use the Confidential Information shall remain in effect for an indefinite period.

### 3.0 GENERAL

3.2 If there is a breach of this Confidentiality Agreement, disciplinary action will be taken which could result in: instant removal from the Management Committee.

I will abide by this Confidentiality Agreement to ensure respect for the privacy of the children, families and staff at Yarram Early Learning Centre.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date \_\_\_\_\_

*This form is to be stored in a file of current committee members in a locked cabinet.*