

GOVERNANCE POLICY

Our Out of School Hours Care (OSHC) Service is managed and governed by an OSHC Advisory Committee and Governing Council. These governing bodies oversee all aspects of the operation of the service. The Governing Council 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 https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook

PURPOSE

We are committed to providing a strong OSHC Advisory Committee and Governing Council team who are aware of their roles and responsibilities to the OSHC Service, children, families, educators, and community. The Governing Council 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 OSHC Advisory Committee and Governing Council 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

The Governing Council 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 OSHC Advisory Committee or Governing Council. Within the Governing Council 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 and council have equal decision-making powers and contribute to all decisions.

The OSHC Advisory Committee and Governing Council has an overall responsibility for the sustainability and relevance of the Service. The Committee and Council provide 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 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 OSHC Advisory Committee and Governing Council when interacting with children and young people.

FUNCTIONS OF THE OSHC ADVISORY COMMITTEE AND GOVERNING COUNCIL

The Governing Council sets the strategic direction of the service and is responsible for the overall operation and governance as well as the approved provider of the OSHC Service. The OSHC Advisory 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 Governing Council 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 Council 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 experienced Nominated Supervisor is appointed to oversee day to day operations of the service.

SUB-COMMITTEE

The Governing Council has organised the OSHC Advisory Committee to act as a sub-committees to assist with the operation and governance of the OSHC Service. The OSHC Advisory Committee runs alongside as an advisor to Governing Council. Governing Council may delegate decision making powers to the OSHC Advisory Committee and they are required to report back to the Governing Council. Each year the OSHC

Advisory Committee will be advised of Terms of Reference that will be defined including roles, responsibilities and decision-making authorities.

NEW COMMITTEE MEMBERS

All Governing Council members are to hold a valid Working with Children/ Vulnerable Person Check which has been verified by the approved provider.

New OSHC Advisory Committee Members will undertake an induction to their role, including acknowledgement of their role and responsibilities. New Governing Council members are encouraged to undertake formal training via Plink for their role in governance of OSHC. New Committee members will be directed to the Prospect Primary School website where they can familiarise themselves with our fees, hours, policies and other general information

AUTHORISED PERSONNEL

The Approved Provider will advise any member who identifies 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 or Control are required to register with PRODA and have their identity verified and background checks conducted.

Fit and Proper checks for Persons with Management or 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 Governing Council and the Approved Provider will ensure any persons registered with PRODA remain fit and proper in accordance with Section 55 of the Child Care Subsidy Minister's Rules 2017.

NOTIFICATONS OF CHANGES TO MEMBERS

The Governing Council will ensure any changes, including the appointment or removal of committee members or Persons with Management or Control, are reported to the regulatory authority within 14 days.

The Approved Provider/ Nominated Supervisor will notify the regulatory authority through the NQA IT System of changes with 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 OSHC Advisory Committee and Governing Council members are required to ensure they act in a manner where they ensure to maintain any child, families or educators privacy and do not discuss matters outside of meetings . Previous minutes or documentation of items or issues discussed at OSHC Advisory Committee or Governing Council meetings may be confidential in nature. Previous minutes may be requested; however, items may be removed if confidential in nature.

COMPLAINT MANAGEMENT

The OSHC Advisory Committee and Governing Council members will follow the services *Dealing with Complaints Policy and Procedure*. They 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 Governing Council 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 *Position Description* for the position of any new employees. The Governing Council Chair and Approved Provider will be responsible for ensuring the nominated supervisor/ director meets the responsibilities for the role and position. *Performance Management* will be initiated by the Approved Provider and Governing Council Chair as required following any concerns regarding performance of the nominated supervisor/director. The Approved Provider and Governing Council chair are responsible for implementation of the Probation and Induction procedure for new Directors

The Approved Provider will support the Director in the role of recruitment of all staff and employees. The OSHC Leadership will organise trial shifts, that the required certificates are provided by the potential

employee and authenticate the working with children check. If the potential new employee meets the requirements after their trial shift and certificate check the Director will then request they complete the pre-employment declaration and provide the information to the Principal / Approved Provider to then do a further check with the Department for Education. Once this has returned all clear they will then be invited to Deputy rostering system and asked to complete tax, superannuation and a staff information form as well as other documentation and be given a uniform and will then be able to begin working at OSHC.

Our OSHC Service is committed to being 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. This is ensured by the working with children check verification and the Department for Education background check.

IN RELATION TO THE OSHC SERVICE:

- committee and council members must ensure they take their role and responsibilities seriously
- all members must adhere to the Service's *Code of Conduct policy* and ensuring they maintain confidentiality at all times
- all members of Governing Council must have a valid Working with Children Check
- each new Governing Council member will be part of the induction process
- OSHC Leadership will email details of OSHC Advisory Committee meeting schedules, to all families who request this information
- the OSHC Advisory Committee and Governing Council will be involved in conjunction with families and educators in the development, approval and review process for all policies and procedures
- the OSHC Advisory Committee and Governing Council will reflect upon and provide feedback on the Quality Improvement Plan (QIP) documenting continuous improvement
- the Governing Council, Approved Provide and OSHC Leadership will ensure all ideas and concerns are recognised and addressed in a professional and timely manner
- OSHC Leadership will encourage family participation in the OSHC Advisory Committee and a Governing Council representative to represent the family body of the OSHC Service
- written information regarding the OSHC Service's management structure will be available to families at all times
- the Governing Council and Approved Provider 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 Governing Council and Approved Provider providing they comply with all regulations and standards
- members of the OSHC Advisory Committee and Governing Council will formally declare any conflicts of interest, whether actual, potential or perceived
- all families are encouraged to nominate to be a part of the OSHC Advisory Committee at the start of every school year and may vote on motions
- meetings are held twice per term
- meetings will be recorded, including agendas and minutes and decisions made during the meeting
- notices and agendas of forthcoming meetings are emailed to Committee members
- the OSHC Advisory Committee and Governing Council will be made aware of the OSHC Service’s policies and procedures

CONTINUOUS IMPROVEMENT/REFLECTION

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

SOURCES

Australian Children’s Education & Care Quality Authority. (2024). [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. (2024). <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://childsafef.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 2023).

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>

REVIEW

POLICY REVIEWED BY	OSHC Leadership, Advisory Committee and Governing Council	Governing body	
POLICY REVIEWED	Nov 2025	NEXT REVIEW DATE	Nov 2026