Governance and Management of Ellie V Pullin Preschool Policy

**Quality Area:** 6: Collaborative partnerships with families and communities  
7: Leadership and service management

**Standard:** 6.1: Respectful and supportive relationships with families are developed and maintained  
7.2: There is a commitment to continuous improvement

**Element:** 6.1.3: Current information about the service is available to families  
7.2.1: A statement of philosophy is developed and guides all aspects of the service’s operation

**Purpose**

This policy outlines the duties, roles and responsibilities of the Committee of Management¹/Board of Ellie V. Pullin Preschool.

**Policy Statement**

1. **Values**

Ellie V. Pullin Preschool is committed to ensuring that there are appropriate systems and processes in place to enable:

- good governance and management of the organisation
- accountability to its stakeholders
- compliance with all regulatory and legislative requirements placed on the organisation
- the organisation to remain solvent and comply with all its financial obligations.

2. **Scope**

This policy applies to Ellie V Pullin Preschool, the Committee of Management/Board of Ellie V. Pullin Preschool and all subcommittees of the Committee of Management/Board.

¹ Also known in some services as Board of Directors or Board of Management etc.
3. Background and Legislation

The governance of an organisation is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of a service. Members of the Committee of Management/Board are responsible for setting the directions for Ellie V Pullin Preschool and ensuring that 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, early childhood services are required to have policies and procedures in place relating to the governance and management of Ellie V Pullin Preschool, 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 Act 1981* and *Corporations Act 2001*, as applicable to Ellie V Pullin Preschool
- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*: Regulation 168(2)(I)
- *National Quality Standard*, Quality Area 7: Leadership and Service Management
- Standard 7.3: Administrative systems enable the effective management of a quality service

4. 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 this manual.

**Actual conflict of interest:** One where there is a real conflict between a Committee of Management/Board 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 Committee of Management/Board or subcommittee, or may impair their independence or loyalty to Ellie V Pullin Preschool. 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 Committee of Management/Board or subcommittee, but also their relatives, friends or business associates.

**Ethical practice:** A standard of behaviour that Ellie V Pullin Preschool deems acceptable in providing their services.

**Governance:** 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).

**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 Committee of Management/Board 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 Committee of Management/Board member has private interests that could conflict with their responsibilities.

Private interests: Includes not only a Committee of Management/Board member’s own personal, professional or business interests, but also those of their relatives, friends or business associates.

Ellie V Pullin Preschool Policy and Procedures

Ellie V Pullin Preschool is responsible for:

- ensuring that Ellie V Pullin Preschool has appropriate systems and policies in place for the effective governance and management of Ellie V Pullin Preschool.

Core elements of the governance model

The following are the core elements of the governance systems at Ellie V. Pullin Preschool for which the Committee of Management/Board is responsible:

Stewardship/custodianship

Ensure:
- Ellie V Pullin Preschool pursues its stated purpose and remains viable
- budget and financial accountability to enable ongoing viability and making best use of Ellie V Pullin Preschool’s resources
- Ellie V Pullin Preschool manages risks appropriately.

Leadership, forward planning and guidance

- Provide leadership, forward planning and guidance to Ellie V Pullin Preschool, particularly in relation to developing a strategic culture and directions.

Authority, accountability, and control

- Monitor and oversee management including ensuring that good management practices and appropriate checks and balances are in place.
- Be accountable to members of Ellie V Pullin Preschool.
- Maintain focus, integrity and quality of Ellie V Pullin Preschool.
- Oversee legal functions and responsibilities.
- Declare any actual, potential or perceived conflicts of interest (refer to Definitions and Attachment 1 – Sample Conflict of interest disclosure statement).

Legal liabilities of members of the Committee of Management/Board

The Committee of Management/Board at Ellie V. Pullin Preschool is responsible under the constitution to take all reasonable steps to ensure that the laws and regulations relating to
the operation of Ellie V Pullin Preschool are observed. Members of the Committee of Management/Board are responsible for ensuring that:

- adequate policies and procedures are in place to comply with the legislative and regulatory requirements placed on Ellie V Pullin Preschool
- appropriate systems are in place to monitor compliance
- reasonable care and skill is exercised in fulfilling their roles as part of the governing body of Ellie V Pullin Preschool
- they act honestly, and with due care and diligence
- they do not use information they have access to, by virtue of being on the Committee of Management/Board improperly
- they do not use their position on the Committee of Management/Board for personal gain or put individual interests ahead of responsibilities.

Responsibilities of the Committee of Management/Board

The Committee of Management/Board of Ellie V. Pullin Preschool is responsible for:

- developing coherent aims and goals that reflect the interests, values and beliefs of the members and staff, and the stated aims of Ellie V Pullin Preschool, and have a clear and agreed philosophy which guides business decisions and the work of the Committee of Management/Board and staff
- ensuring there is a sound framework of policies and procedures that complies with all legislative and regulatory requirements, and that enables the daily operation of Ellie V Pullin Preschool to be geared towards the achievement of Ellie V Pullin Preschool’s vision and mission
- establishing clearly defined roles and responsibilities for the members of the Committee of Management/Board, individually and as a collective, management and staff, and clearly articulate the relationship between the Committee of Management/Board, staff and members of Ellie V Pullin Preschool
- developing ethical standards and a code of conduct (refer to Code of Conduct Policy) which guide actions and decisions in a way that is transparent and consistent with the goals, values and beliefs of Ellie V Pullin Preschool
- undertaking strategic planning and risk assessment on a regular basis and having appropriate risk management strategies in place to manage risks faced by Ellie V Pullin Preschool
- ensuring that the actions of and decisions made by the Committee of Management/Board are transparent and will help build confidence among members and stakeholders
- reviewing Ellie V Pullin Preschool’s budget and monitoring financial performance and management to ensure Ellie V Pullin Preschool is solvent at all times, and has good financial strength
- approving annual financial statements and providing required reports to government
- setting and maintaining appropriate delegations and internal controls
- appointing senior staff (e.g. the CEO or Director, if Ellie V Pullin Preschool is large) or all staff (if Ellie V Pullin Preschool is small), and monitoring their performance
- evaluating and improving the performance of the Committee of Management/Board
• focusing on the strategic directions of the organisation and avoiding involvement in
day-to-day operational decisions, particularly where the authority is delegated to
senior management staff within Ellie V Pullin Preschool.

Confidentiality
All members of the Committee of Management/Board and subcommittees who gain access
to confidential, commercially-sensitive and other information of a similar nature, whether
in the course of their work or otherwise, shall not disclose that information to anyone
unless the disclosure of such information is required by law (refer to Privacy and
Confidentiality Policy).
Members of the Committee of Management/Board and subcommittees shall respect the
confidentiality of those documents and deliberations at Committee of Management/Board
or subcommittee meetings, and shall not:
• disclose to anyone the confidential information acquired by virtue of their position
  on the Committee of Management/Board or subcommittee
• use any information so acquired for their personal or financial benefit, or for the
  benefit of any other person
• permit any unauthorised person to inspect, or have access to, any confidential
  documents or other information.
This obligation, placed on a member of the Committee of Management/Board or
subcommittee, shall continue even after the individual has completed their term and is no
longer on the Committee of Management/Board or subcommittee.
The obligation to maintain confidentiality also applies to any person who is invited to any
meetings of the Committee of Management/Board or subcommittee as an observer or in
any other capacity.

Ethical practice
The following principles will provide the ethical framework to guide the delivery of services
at Ellie V. Pullin Preschool:
• treating colleagues, parents/guardians, children, suppliers, public and other
  stakeholders respectfully and professionally at all times
• dealing courteously with those who hold differing opinions
• respecting cultural differences and diversity within Ellie V Pullin Preschool, and
  making every effort to encourage and include all children and families in the
  community
• having an open and transparent relationship with government, supporters and other
  funders
• operating with honesty and integrity in all work
• being open and transparent in making decisions and undertaking activities, and if
  that is not possible, explaining why
• working to the standards set under the National Quality Framework and all
  applicable legislation as a minimum, and striving to continually improve the quality
  of Ellie V Pullin Preschools delivered to the community
• disclosing conflicts of interest as soon as they arise and effectively managing them (refer to Attachment 1 – Sample Conflict of interest disclosure statement)
• recognising the support and operational contributions of others in an appropriate manner
• assessing and minimising the adverse impacts of decisions and activities on the natural environment.

Managing conflicts of interest
Conflicts of interest, whether actual, potential or perceived (refer to Definitions), must be declared by all members of the Committee of Management/Board or subcommittee, and managed effectively to ensure integrity and transparency (refer to Attachment 1 – Sample Conflict of interest disclosure statement).
Every member of the Committee of Management/Board or subcommittee has a continuing responsibility to scrutinise their transactions, external business interests and relationships for potential conflicts and to make such disclosures in a timely manner as they arise.
The following process will be followed to manage any conflicts of interest:
• whenever there is a conflict of interest, as defined in this policy, the member concerned must notify the President of such conflict, as soon as possible after identifying the conflict
• the member who is conflicted must not be present during the meeting of the Committee of Management/Board or subcommittee where the matter is being discussed, or participate in any decisions made on that matter. The member concerned must provide the Board or committee with any and all relevant information they possess on the particular matter
• the minutes of the meeting must reflect that the conflict of interest was disclosed and appropriate processes followed to manage the conflict.

A Conflict of interest disclosure statement (refer to Attachment 1) must be completed by each member of the Committee of Management/Board and subcommittee upon his or her appointment and annually thereafter. If the information in this statement changes during the year, the member shall disclose the change to the President, and revise the disclosure statement accordingly.
All violations of the requirement to disclose and manage conflicts shall be dealt with in accordance with the constitution of Ellie V. Pullin Preschool.

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the Committee of Management/Board will:
• regularly seek feedback from everyone affected by the policy regarding its effectiveness
• monitor the implementation, compliance, complaints and incidents in relation to this policy
• keep the policy up to date with current legislation, research, policy and best practice
• revise the policy and procedures as part of Ellie V Pullin Preschool’s policy review cycle, or as required
• notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

Sources and other related policies

Sources
• *KPV Early Childhood Management Manual*
• Public Interest Law Clearing House (VIC) Inc. (PILCH), PilchConnect: [www.pilch.org.au](http://www.pilch.org.au)

Service policies
• *Code of Conduct Policy*
• *Complaints and Grievances Policy*
• *Privacy and Confidentiality Policy*

Attachments

Attachment 1: Sample *Conflict of interest disclosure statement*

Authorisation

This policy was approved and passed by the Ellie V Pullin Preschool Committee of Management and adopted by Ellie V Pullin Preschool on:

[Insert date]

Authorised by: ____________________________ Nicole Williamson [President]

Authorised by: ____________________________ Betty Krober [Nominated Supervisor]

Witnessed by: _____________________________

Review Date: [Insert Date]
## Sample Conflict of interest disclosure statement

<table>
<thead>
<tr>
<th>Name (in full):</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal address:</td>
<td></td>
</tr>
<tr>
<td>Position on Committee of Management/Board or subcommittee</td>
<td></td>
</tr>
</tbody>
</table>

**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).

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

I, (insert name in full) hereby agree to:
- update this disclosure throughout the period of my tenure on the Committee of Management/Board or subcommittee of Ellie V. Pullin Preschool.
- co-operate in the formulation of a Conflict of interest management plan, as required.
- comply with any conditions or restrictions imposed by the Committee of Management/Board or subcommittee to manage, mitigate or eliminate any actual, potential or perceived conflict of interest.

Signed  
Date