



GOVERNANCE AND MANAGEMENT POLICY P4.0323.4

GOVERNANCE AND MANAGEMENT POLICY

DIRECTORATE: Sport, Community and Activation
BRANCH: Community Outcomes - Family Day Care
CATEGORY: 3

1. Purpose

- 1.1. The purpose of this Policy is to ensure the provision of a high-quality Education and Care Service that aligns with all legislative requirements and Camden Council policies and procedures.
- 1.2. The *Education and Care Services National Regulations* require Approved Providers to have policies and procedures in place for the governance and management of services.

2. Alignment with Community Strategic Plan

- 2.1. Council's Community Strategic Plan 2036 identifies five key directions to guide Council towards achievement of the vision for Camden to 2036 that "Camden is a connected, diverse, and thriving community, embracing opportunities of growth, while valuing our rich heritage and protecting and sharing responsibility for our natural environment". The following objectives and strategies are applicable to this Policy and relevant to the key direction of Welcoming, embracing our vibrant and diverse community:
 - W2 - Our community is healthy and active with access to open space, facilities and services that support wellbeing.
 - W2.1 - Promote and facilitate programs and services that support good community health and wellbeing

3. Scope

- 3.1. This Policy applies to:
 - Camden Family Day Care (FDC) staff
 - Educators
 - Residents (of educators' residences)
 - Parents/Guardians and families (of children enrolled in the service)
 - Children (enrolled in the service and visiting)
 - Visitors.

4. Objectives

- 4.1. The main objective of this Policy is to ensure good governance and management systems are in place that guide Service decision making and ensure all obligations under the provider approval are adhered to, maintained and result in positive outcomes for all stakeholders.

5. Policy Statement

- 5.1. Camden Council's FDC service is committed to ensuring good governance and accountability to its stakeholders by:
- Conducting our affairs legally, ethically and with integrity, ensuring compliance with all funding, regulatory and legislative requirements.
 - Remaining solvent and complying with all our financial obligations.
 - Identifying service risks and legal obligations and managing these.
 - Ensuring mechanisms are in place for fair and transparent governance.
- 5.2. Our service and the educators registered with our service are accountable and transparent in all that we do. This includes the implementation of robust and effective governance and management policies and procedures.
- 5.3. We seek to strengthen the service's effective operation through effective systems of risk management, financial and internal control, and performance reporting.
- 5.4. We value FDC as a unique service type and acknowledge the complexity of the relationship between the Service and the educators as sole traders. We are committed to working together to ensure the needs of the service and educators are met and quality outcomes achieved.

5.5. Management and Control

- 5.5.1. The management of Camden Council FDC is overseen by the Approved Provider (Council).
- 5.5.2. The Approved Provider will meet with all the associated and relevant requirements under the *Children (Education and Care Services) National Law (NSW)* and *Education and Care Services National Regulations*.
- 5.5.3. The Approved Provider will meet all the associated and relevant requirements under the *Australian Government Department of Education Skills and Employment Child Care Provider Handbook* and associated Funding Agreements.
- 5.5.4. Approved Provider has an overall responsibility for the sustainability and relevance of the Service. They will direct the Service towards achieving goals set through the Service Self-Assessment plan that align with Council values and the Service philosophy.
- 5.5.5. In carrying out its responsibilities, the Approved Provider undertakes to maximise the value and contribution of the Service to the employees, educators, families, and children using the Service. In serving these interests there is an implicit understanding that the rights of the child are paramount in all decision making.

- 5.5.6. Camden Council is the employer of all staff of the Service and is responsible for the management and control as the Approved Provider of education and care under the *Children Education and Care Services National Law (NSW)* and the *Education and Care Services National Regulations*. Educators are Sole Traders (Self-employed) and are registered under the Approved Provider to provide a FDC service to families and to implement all Service policies and procedures and comply with all management decisions as directed to ensure good governance.

5.6. Policies

- 5.6.1. The Approved Provider will:

- Ensure that a comprehensive set of policies are in place as required under the *Education and Care Service Regulations* and other regulations and laws that the service must comply with.
- Ensure that these policies comply with relevant legislation.
- Update these policies on a regular basis.

5.7. Compliance and Measures

- 5.7.1. The Approved Provider will:

- Ensure the Service undertakes self-assessment of Service performance in delivering quality education and care and to plan future improvements.
- Implement methods for auditing systems/processes and performance for the Camden FDC service and each individual FDC service, the staff, and educators.
- Review policies and procedures will be reviewed at least every three years or as a need is identified and will involve all stakeholders.

- 5.7.2. Approved Provider Powers

- The Approved Provider sets the strategic direction and monitors performance of the Service. The Approved Provider will provide effective governance to ensure excellent overall management of the organisation's business and financial objectives.
- In addition, the Approved Provider may delegate any of their powers (with the exception of the power of delegation, legal obligations, and responsibilities as Approved Provider) to an employee or any other person.

- 5.7.3. Approved Providers Authority

- Overseeing the Service including its control and accountability systems.
- Appointing and removing the Nominated Supervisor
- Ratifying the appointment of all staff members.
- Developing organisational strategy and performance objectives.

- Reviewing, ratifying, and monitoring systems of risk management and internal control, codes of conduct, and legal compliance.
- Monitoring the Nominated Supervisor's performance and implementation of strategy.
- Approving and monitoring financial and other reporting.
- Authorising appropriate delegations within the organisation.
- Ensuring appropriate resources are available to carry out the organisation's functions.
- Approving and monitoring the progress of major capital expenditure.

5.8. Risk Management

- 5.8.1. The Approved provider must develop and maintain policies and procedures which comply with the *Children (Education and Care Services) National Law* and associated Regulations.
- 5.8.2. The Approved Provider will endorse, Service budgetary constraints, the provision of staff and resources to develop, maintain, implement, and operate the Service and related guidelines and operational procedures, in line with all legislative and statutory requirements.
- 5.8.3. The Approved Provider will ensure clear roles and responsibilities are defined for staff and educators and will require educators to register with the Service under a contract agreement.
- 5.8.4. The Approved Provider will ensure staff and educators are fit and proper persons and will ensure procedures are in place for training and induction for new staff and registered educators and ongoing support and professional development in the implementation of Service Policy and procedures.

6. Roles and Responsibilities

6.1. Approved Provider

- Ensure that obligations under the National Quality Framework (NQF) are met.
- Take reasonable steps to ensure that nominated supervisors, educators and staff follow the Service policies.
- Ensure the nominated supervisor and staff have access to appropriate resources for the development, implementation, training and ongoing management of this Policy and its related procedures.
- Ensure a copy of the Service policies are readily accessible to nominated supervisors, co-ordinators, educators, staff and families, and are available for inspection.
- Adopt quality governance and management processes, procedures, and practices, in line with the National Quality Standard, especially Quality Area 7-Governance and leadership.

- Establish systems of risk management, financial and internal control, and performance reporting. Monitor management and financial performance to ensure the solvency, financial strength, and good performance of the service.
- Ensure all management and staff are oriented into the roles and responsibilities of maintaining the legal operation of the service and that staff and educator professional development is a part of the ongoing cycle of improvement.
- Ensure that all reporting and reporting requirements are met regarding the National Quality Framework, family assistance, taxation, child protection, and other relevant laws.
- Notify the Regulatory Authority about the Approved Provider and operational changes, and changes in relation to the nominated supervisor.
- Notify the Regulatory Authority about changes to the 'fit and proper' status of the Approved Provider, any serious incidents, and complaints relating to a serious incident or that the law has been contravened.

6.2. Nominated Supervisor

- Ensure they conduct themselves and the service practices in accordance with all legislative requirements and Camden Council policies and as directed by the Approved Provider.
- Take on Approved Provider responsibilities as applicable and directed.
- Take reasonable steps to ensure that educators and staff follow all requirements of the NQF.
- Guide and mentor educators and staff to be able to follow this Policy and related procedures.
- Provide ongoing communication with educators and staff about their responsibilities and any changes to policies, procedures, and legislation.
- Ensure staff and educators have and keep current all required approved qualifications.
- Ensure that all notification and reporting requirements are met regarding the National Quality Framework and other relevant laws.
- Ensure the health, safety, and wellbeing of children in the service and take every reasonable precaution to protect children from harm and hazard.

6.3. Staff

- Ensure they conduct themselves and the service practices in accordance with all legislative requirements and Camden Council policies and as directed by the nominated supervisor.
- Monitor, guide, support, and mentor educators to ensure their FDC service environments and practices are at all times compliant with legislative requirements and Camden FDC Policies and related procedures.

- Implement a system of routine monitoring visits of FDC educators ensuring their environments and practices are safe and align with all requirements under the NQF.

6.4. Educators

- Ensure they conduct themselves and their FDC service practices in accordance with all legislative requirements and Camden FDC policies and related procedures.
- Take all reasonable steps to protect children from harm or hazards and ensure their residence is safe by risk assessing their environments and practices.
- Have and keep current approved required qualifications.

6.5. Families

- Be aware of Camden FDC policies and implement the required practices as directed by the FDC educator and the Service.
- When in attendance at the service, supervise their children and ensure that they follow the service procedures in relation to safety and emergency response.
- Keep their child's enrolment and emergency contact information up to date.

7. Reporting

- 7.1. Breaches of this Policy may be reportable under the scope of the National Quality Framework.

8. Evaluation

- 8.1. The success of this Policy will be measured by no reported breaches in the practice.

9. Review

- 9.1. This Policy will be reviewed every three years or more frequently as required.

10. Definitions

Approved Provider

A person who holds a provider approval under the Children (Education and Care Services) National Law (NSW). A provider approval authorises a person to apply for one or more education and care service approvals and is valid in all jurisdictions.

ACECQA

A person who holds a provider approval under the Children (Education and Care Services) National Law (NSW). A provider approval authorises a person to apply for one or more education and care service approvals and is valid in all jurisdictions.

Authorised Person	Means (a) a person who holds a current working with children check (WWCC), or equivalent; or (b) a family member of a child who is being educated and cared for by the service or the Family Day Care (FDC) educator; or (c) an authorised nominee of a family member of a child who is being educated and cared for by the service or the FDC educator; or (d) in the case of an emergency, medical personnel or emergency services personnel; or (e) a person who is permitted under the jurisdictional working with children law to remain at the service without holding a working with children check (WWCC), or equivalent.
Co-ordination Unit	Means the Camden Family Day Care Service principal office and main faculty for running the Service from which Camden Family Day Care employees work.
Educational Leader	Means an appropriately qualified and experienced educator, FDC co-ordinator or other individual designated in writing by the approved provider under the <i>Education and Care Services National Regulations</i> to lead the development and implementation of educational programs in the service
Educational Program	Means a program that is based on an approved learning framework and is delivered in accordance with the framework. It is based on the developmental needs, interests and experiences of each child and is designed to take into account the individual differences of each child.
Educator	Means an individual suitably qualified and registered by Camden FDC to provide education and care and can refer to the FDC educator as the business owner, educator assistant or relief educator.
Family	For the purpose of this Policy means the enrolling parent, guardian, authorised nominee or relative.
Family Day Care (FDC)	Means a type of education and care service that is run from the educator's own residence or an approved venue for the purpose of educating and caring for small groups of children aged 0-12 years.
Family Day Care Service	Means the Family Day Care education and care business of each individual educator.
Fit and Proper Person	Means a person with management or control of a service who has been assessed by the regulatory authority as a fit and proper person to be involved in the provision of an education and care service.

Governance	Means the systems in place to support effective management and operation of the service, consistent with the service's statement of philosophy. Good governance requires effective management systems and clearly delineated roles and responsibilities to support the effective operation of a quality service.
National Quality Agenda IT System (NQAITS)	Means an ACECQA online tool offering providers secure direct communication with regulatory authorities and aiming to reduce paperwork and duplication.
Nominated Supervisor	A person appointed by the Approved Provider and who has given consent to be appointed to be in day-to-day charge of a service and must be contactable during the hours FDC educators are providing education and care.
Person in Day-to-Day Charge	Means a person considered responsible in accordance with the <i>Children (Education and Care Services) National Law (NSW)</i> to be the person responsible at the Service and the point of contact for parents/guardians and staff when the approved provider or nominated supervisor are not available.
Responsible person	Means the Approved Provider or a person with management or control, a nominated supervisor, or a person in day-to-day charge of the service. In a FDC service, the responsible person must be available to provide support to FDC educators. The approved provider is responsible for assessing a person's suitability as responsible person.
Service	Means the Family Day Care co-ordination unit and services provided by Council's Family Day Care.
Staff	Means employees of Camden Council Family Day Care

11. Related Materials

11.1. Related Legislation

- *Children (Education and Care Services) National Law (NSW)*
- *Education and Care Services National Regulations*
- *Health Records and Information Privacy Act 2002*
- *Local Government Act 1993*
- *Local Government General Regulation 2021*
- *National Quality Standard*
- *Privacy and Personal Information Protection Act 1998*

11.2. Related Policies, Procedures and Other Guidance Material

- Acceptance and Refusal of Authorisations Policy
- Administration of First Aid and Medication Policy
- Assessment and Reassessment of Residences and Venues for FDC Policy

- Child Protection and Safety Policy
- Communication with Families Policy
- Curriculum Framework
- Dealing with Complaints Policy
- Dealing with Infectious Diseases Policy
- Dealing with Medical Conditions in Children Policy
- Delivery of Children To and Collection From the FDC Service Policy
- Digital Technology and Online Safety Policy
- Educator Agreement
- Emergency Response Policy
- Engagement or Registration of FDC Educators Policy
- Enrolment and Orientation Policy
- Excursions Policy
- Fees Policy
- Governance and Management Policy
- Incident, Injury, Trauma, and Illness Policy
- Interactions with Children Policy
- Keeping a Register of FDC Educators and Staff Policy
- Monitoring Support and Supervision of FDC Educators Policy
- Nappy Change, Toileting and Bathing Policy
- Nutrition, Food, Beverages and Dietary Requirements Policy
- Policy Review Policy
- Providing a Child Safe Environment Policy
- Provision of Information Assistance and Training to FDC Educators Policy
- Safe Sleep and Rest for Children Policy
- Safe Transportation of Children Policy
- Staffing Policy
- Sun Protection Policy
- Visitors Policy
- Water Safety Policy

11.3. Other Guidance Material

- [Australian Children's Education and Care Quality Authority \(ACECQA\)](#)
- [Guide to the NQF | ACECQA](#)

Approval and Review

Responsible Branch	Community Outcomes
Responsible Manager	Manager Community Outcomes
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Version Control

Version	Date Adopted	Approved By	EDMS Ref.	Description
1	01/02/2012			New
2	01/05/2019			
3	14/04/2022	ELG	22/180135	Major amendments merged with Managing Records and Confidentiality
4	13/06/2025	Governance	22/180135	Minor amendments

