

## 7.3 SCHOOL GOVERNANCE POLICY

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### INTRODUCTION

Governance is the system or process by which organisations are directed, controlled and held accountable to ensure that the right decisions are made. Lindfield Montessori Preschool recognises the importance of having a framework of rules, relationships, systems and processes within, and by which authority is exercised and controlled in the organisation. We view good governance and management as essential to our provision of quality education and care.

### PURPOSE

Lindfield Montessori Preschool 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 organisational risks and legal obligations and managing these.
- Ensuring mechanisms are in place for fair and transparent governance.

### STRATEGIES

#### **Roles and Responsibilities**

##### **Management**

The management of our education and care service is overseen by the Executive Committee. The Committee is accountable to members for the performance of the organisation.

##### **The Executive Committee Role**

The Executive Committee (defined as the members for the time being of the committee and management of the Association), has overall responsibility to members for the sustainability and relevance of the school. The Committee will direct its activities towards achieving the school's goals and implementing the school's Quality Improvement Plan by guiding and monitoring the organisation's business and affairs in line with the objects as set out in the school's Constitution and in line with the school's philosophy.

In carrying out its responsibilities, the Committee undertakes to maximise the value and contribution of the organisation to the community, and to serve the interests of the school's members, employees and 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.

The Management Committee is the employer of all staff of the organisation and are responsible for the management and control of the organisation as the Approved Provider of education and care under the Children Education and Care Services National Law 2010 and the Education and Care Services National Regulations 2011.

Executive Committee members are required to make themselves aware of their responsibilities under The Education Act 1990 by reference to the Registered and Accredited Individual Non-Government Schools (NSW) Manual, available online at the NESA website, and where appropriate, by reference to the Education Act 1990. Board Members are advised to do so when appointed to the Board.

### **Policies**

The Management Committee will:

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

### **Compliance Measures**

The Management Committee will ensure that mechanisms are in place such as compliance tools and a compliance calendar to assist them to assess that the organisation's policies are implemented.

### **Constitution**

The Management Committee of the Association will:

- Ensure that the organisation's constitution/articles of association are followed at all times;
- Ensure that the constitution/ articles of association are reviewed at least every three years;
- Ensure that each new member of the Board/Management, and Committee is provided with a copy of the organisation's constitution and Quality Improvement Plan on their appointment to Management Committee.

### **Executive Committee Powers**

The Management Committee sets the strategic direction and monitors performance of the organisation. The Committee will provide effective governance to ensure excellent overall management of the organisation's business and financial objectives.

In addition, the Committee members may delegate any of their powers (with the exception of the power of delegation and responsibilities as Approved Provider) to a committee of directors, a director, an employee or any other person

The Committee delegates the responsibility of implementing the strategic plan and day-to-day management of the organisation to the service's Nominated Supervisor/Principal/Directress.

In discharging its powers, each Management Committee member will be bound by the Associations Act/Corporations Act, the Constitution and all policies of the organisation.

The Board's/Management Committee's authority includes:

- Overseeing the organisation including its control and accountability systems;
- Appointing and removing the Directress/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 Directress'/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; and
- Approving and monitoring the progress of major capital expenditure.

### **Risk Management**

The Management Committee will:

- Ensure the organisation operates with and to a valid Constitution and that all governance and management practices of the Committee and staff align with the Constitution/Articles of Association;
- Demonstrate achievement of this through accessible meeting minutes and Committee self-assessments;

### **Code of Conduct**

The Management Committee members will:

- Commit themselves members to ethical, businesslike, and lawful conduct, including proper use of authority and professional decorum when acting as Committee members;
- Demonstrate un-conflicted loyalty to the interests of the organisation when acting as a Committee member;
- Avoid conflicts of interest with respect to their role;
- Annually disclose their involvement with other organisations or companies that currently do business or may do business with the organisation;

- Immediately disclose to the Committee any and all impending conflicts of interest. That member shall absent herself or himself without comment from both the deliberation and final decision-making;
- Not use information exclusive to Committee members for personal gain and will respect the confidentiality of all information obtained during meetings or through their role; and
- Respect the confidentiality appropriate to issues of a sensitive nature.

## MONITORING, EVALUATION AND REVIEW

This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this Policy every two years.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with R. 172 of the Education and Care Services National Regulations, the service will ensure that families of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

This policy links to Confidentiality of Records policy.

<b>Relevant Legislation</b>	Education and Care Services National Regulations 2011. Reg. 168(2) Children (Education and Care Services National Law Application) Act 2010 NSW Association Incorporation Act 2009
<b>Related to NQS QA</b>	7.1
<b>Related Policies</b>	Executive Committee Code of Conduct Management and Operation of the School Policy Executive Committee Terms and Reference Statement
<b>Sources &amp; Further Reading</b>	Guide to the National Quality Framework <a href="http://acecqa.gov.au/sites/default/files/2019-10.Guide-to-th-NFQ.PDF">acecqa.gov.au/sites/default/files/2019-10.Guide-to-th-NFQ.PDF</a>

<b>POLICY REVIEWED</b>	<b>MODIFICATIONS</b>	<b>NEXT REVIEW DATE</b>
March 2022	Checked regulations, updated copy	2024