

Governance and Management Policy

Quick reference: statement of philosophy | governance and management | leadership | service approval conditions | risk management systems | financial governance | child care subsidy administration | fit and proper staff | educational leadership | development of professionals | roles and responsibilities | reporting relationships | summary of key staff roles and responsibilities | delegations | management systems | administration systems | confidentiality and records management systems | complaints management system | documented policies and procedures | prescribed information to be displayed and notified | continuous improvement | regular self-assessment | Quality Improvement Plan (QIP) paramount consideration | child safety

PURPOSE AND BACKGROUND

- (1) To set out how our service is governed and managed, how we meet a wide range of requirements and ensure quality processes, procedures and practices for effective and ethical leadership and management
- (2) This policy is a requirement under the *Education and Care Services National Regulations*. The approved provider must ensure that policies and procedures are in place for the governance and management of the service (s 168(2)(l))
- (3) It helps us to meet the objectives and principles of the Approved Learning Framework and National Quality Standard Area 7 (Governance and Leadership)

SCOPE

- (4) This policy applies to:
 - The approved provider
 - Persons involved in the management or control of our service (PMCs)
 - The nominated supervisor
 - Staff, including educators, administrative and support staff
 - Volunteers, students, contractors
- (5) It informs families, visitors and the broader community about the governance and management arrangements of our service

DEFINITIONS

- (6) The following definitions apply to this policy and related procedures:
- 'Approved provider' is the legal entity that is approved to operate our service. Note, the regulatory authority may deem a provider to be a 'related provider' of an approved provider if where they share persons of management or control in criteria. The regulatory authority then has the same functions and powers in relation to a related provider as it does for the approved provider. References in this policy to the approved provider may apply to related providers
 - 'Continuous improvement' means ongoing improvement in the provision of quality education and care services
 - 'Fit and proper person' has specific assessment criteria in the [National Law](#) and in [Commonwealth Family Assistance Law](#), including consideration of a person's history of compliance with the law, criminal history, working with children checks, bankruptcy or insolvency, financial circumstances, tax record, medical conditions, management capabilities, and any sanctions or suspensions upon them (check links provided for details)
 - 'Fraud' means dishonestly obtaining a benefit, or causing a loss, by deception or other means
 - 'Parents' includes guardians and persons who have parental responsibilities for the child under a decision or order of court
 - 'Persons with management or control (PMC)' are individuals responsible for managing the delivery of our service or who have authority, responsibility or significant influence over the planning, direction or control over the activities or the delivery of the service (i.e., people in executive or management roles, such as members of the board or management committee, partners of a partnership, people in management positions)

A nominated supervisor, person in day-to-day, centre directors or other staff who hold other 'operational' management positions are not automatically PMCs unless they also meet the definition above
 - 'Staff', unless indicated otherwise, refers to approved provider, persons with management or control, the nominated supervisor, paid employees, volunteers, students, and third parties (e.g., contractors, casual staff) who perform work on our behalf

POLICY STATEMENT

Legal structure and governance model

- (7) Our service is operated by Chabad Youth limited who holds provider approval under the *Education and Care Services National Law*
- (8) We are legally structured as a Non For profit
- (9) The approved provider is responsible for the governance of our service
The approved provider <governs the service directly
- (10) The governance model supports strategic planning, financial oversight, legal compliance and leadership of our service
- (11) The approved provider must ensure our service complies with all the conditions of service approved under the *National Law s 51*, including not exceeding the maximum number of children specified, holding the required insurance, and meeting the health, safety, wellbeing, education and development needs of children

Our philosophy and purpose

OUR PHILOSOPHY STATEMENT

We believe that all children have the right to experience quality child care.

Traditional Jewish values and ethics as promulgated by the Torah are central to the philosophy of our institutions. These values include belief in G-d, love of fellow man, respect for parents, pride in Judaism, caring for the environment and the study of Torah and observance and appreciation of Mitzvot.

Each child is encouraged to recognise their own self-worth and that through the particular gifts and abilities that G-d has bestowed upon them, they are able to better the world.

Essential to the centre's philosophy is the need to maintain a warm, positive and co-operative environment in which students can grow and learn. Such a nurturing environment is deemed vital for the development of self-esteem, and confidence.

Our Aftercare & Vacation Care aim is to support the wellbeing and development of the "whole child", and as such provide a balance of social, religious and secular themes as well as life skills, to promote the child's complete personal development.

The overall philosophy is developed in collaboration with children, educators, families, community and management. This process respects and values the views of all and enhances clarity and understanding between all users of the service.

Our philosophy draws on values held by educators, families and management and reflects the needs and values of the community. We value each and every child as capable and confident, regardless of their capabilities and background within the context of the family and we believe that the family is the primary educator of each child. We work in partnership with all families, and promote an awareness and respect for all families, including indigenous owners and custodians of this land. Each child's family knows their child best, and staff will work in partnership with families to ensure the best outcomes for children.

We believe that children's learning in our setting complements their learning at home and at school however the importance of relationships and strengthening each child's strengths, skills, talents and interest is priority. We recognise and value that children's learning and development evolves through their relationships where they shape their own identities to become active citizens.

At Chabad Youth we strive to promote children to experience, meaningful and joyful learning to enrich their childhood. We value and encourage each child to be involved in decision making that influence their learning, wellbeing, development and decisions that affect their world.

Our statement of philosophy must guide all aspects of our operations, including our decisions, policies, educational program and practices (National Quality Standard 7.1.1)

- (12) We will regularly critically reflect on and review our statement of philosophy in consultation with staff, children, families and the community to make sure it continues to reflect their understanding of our service's role
- (13) We will include our statement of philosophy in staff inductions and when enrolling new families

Commitment to effective and ethical governance and leadership

- (14) Our governance must support the operation of a quality service that is child safe (National Quality Standard 7.1) that ensures the safety, health and wellbeing of children in our care, and meets their educational and developmental needs (*National Law s 51*)
- (15) Our governance and management systems will contribute to a safe, ethical, respectful, honest, inclusive and supportive work and learning environment, in which diversity is celebrated and reflected in our staff profile, educational program and daily routines
- (16) The approved provider must ensure that periodic meetings and reviews of our operations – including quality assurance and strategic, financial, legal and operational risk management - are conducted and documented
- (17) We will provide staff, children, families and the wider community with opportunities to have a say in what happens at our service (see our Family and Community Partnership Policy)

- (18) Our leaders shape our culture, ensure legal compliance and support continuous improvement
- (19) We must have effective leadership to build and promote a positive organisational culture and professional learning community (National Quality Standard Area 7.2)
- (20) The approved provider and other service leaders must:
- Act honestly, lawfully and in the best interests of children, our service and our community
 - Be aware of, and comply with, the *Education and Care Services National Quality Framework*, other relevant laws, and our own policies and procedures
 - Be accountable for their decisions
 - Have the appropriate qualifications, experience and integrity for their role
 - Not use or disclose any confidential or commercially sensitive information for their personal or financial benefit
 - Strive to continually improve our operations, program and practices

Child safety is embedded in our governance, leadership and culture

- (21) Child safety is at the core of our governance, leadership and culture
- (22) We will promote our *Statement of Commitment to Child Safety and Wellbeing*, and champion and model a child safe culture at all levels in our service
- (23) The safety, rights and best interests of children must be the paramount consideration in any action or decision made by staff (see definition) in relation to the operation of our service and the delivery of education and care to children (*National Law s 2A*)
- (24) Management, educators and staff must be aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect (National Quality Standard 2.2.3)
- (25) Staff must follow our Child Safe Environment Policy and uphold our Child Safe Code of Conduct at all times
- (26) The approved provider and nominated supervisor must oversee the policies, procedures, risk management, supervision, HR processes, training, reporting, communication and monitoring systems we have in place to keep children safe from harm or the risk of harm

- (27) The approved provider and nominated supervisor will regularly review and report on our performance in child safety matters as part of our continuous improvement practices. Child safety is a standing agenda item at staff meetings

Leaders and staff must be fit and proper persons

- (28) Everyone leading or working for us must be safe, suitable and legally allowed to be in their job
- (29) The approved provider, PMCs, and persons responsible for the day-to-day operations must demonstrate they are 'fit and proper' persons (see definition) to be involved in managing or controlling our service (*National Law s 12*) (*Family Assistance Law*)
- (30) The approved provider must ensure that:
- The nominated supervisor and person/s in day-to-day charge satisfy the minimum requirements related to fitness and propriety (*National Regulations reg 117B-C*)
 - Educators, persons with management or control, and persons responsible for the day-to-day operations have the [background checks](#) required under *Family Assistance Law*
 - All staff (including contractors, volunteers and students) are screened and verified as safe, suitable and not prohibited to work with children in an education and care service. They must all hold a valid, non-prohibited working with children check or a Victorian Institute of Teaching registration, unless they are exempt under the law
 - Staff (including volunteers and students) complete recognised child protection training and child safety training, (*National Law s 162A, 162B*), and are made aware of, understand and can explain current child protection laws and any obligations they have under them (*National Regulations reg 84*)
 - We continue to check and maintain accurate records about the fitness and propriety of the approved provider, PMCs, staff, volunteers and students according to our procedures
 - We notify the regulatory authority and the Australian Department of Education if there is any change relevant to whether the approved provider/PMCs are fit and proper persons within 7 days (*National Law s 174, Family Assistance Law*)
 - We provide information to the regulatory authority and Australian Department of Education, on request, for their assessment as to whether a person involved in our service is a fit and proper person (*National Law s 14, Family Assistance Law*)

- We notify the appropriate authorities (e.g., regulatory authority, Australian Department of Education, child protection services, working with children check unit, Commission for Children and Young People etc) within the required time of any relevant changes to the suitability of a staff member, volunteer or student (e.g., working with children checks, charges or convictions, incidents etc)
- We comply with any suspension notices, supervision notices, prohibition notices, training notices or enforceable undertakings issued by the regulatory authority to the approved provider, nominated supervisor, staff or volunteers. The approved provider makes reasonable enquiries about whether current and prospective staff are subject to any such notices

(31) See attached prescribed notifications lists, and our child safe Recruitment, Induction and Training Policy and Child Safe Risk Management Plan for more detail

Roles and responsibilities

- (32) Having clear expectations for staff about their roles and responsibilities ensures accountability, and better teamwork, morale and performance
- (33) We must ensure that roles and responsibilities are clearly defined, understood, and support effective decision-making and operation of our service (National Quality Standard 7.1.3)
- (34) The approved provider must display the name of each nominated supervisor in a place where it is clearly visible from the main entrance of our premises (*National Law s 172*)
- (35) Staff roles and responsibilities must be documented in position descriptions, policies and procedures
- (36) All staff (including relief staff, volunteers and students) will have a formal induction which will cover their individual obligations under relevant laws, the Approved Learning Framework, and relevant policies and procedures
- (37) Ongoing staff will participate in a professional development program to increase their skills and knowledge, and reinforce their understanding of their role and responsibilities
- (38) The approved provider and nominated supervisor must regularly and systematically monitor and appraise staff performance
- (39) For efficiency, accountability and transparency, staff will report directly to the immediate supervisor who supports and oversees their work
- (40) Staff must follow our Staff Communication Policy, which sets out how information about work will be shared with and among staff

High level summary of key staff roles and responsibilities:

Role	Areas of responsibility
Approved provider	The approved provider is the legal entity that is approved to operate our service and is legally responsible for managing our service, including compliance, strategic direction, risk management, financial performance, developing policy and procedures, communications and consultation, health and safety, staffing and recruitment, and documentation
Persons with management or control (PMC)	<p>PMCs are responsible for managing the delivery of our service, including making or contributing to making decisions that affect the whole, or a substantial part, of our service or our financial position</p> <p>A PMC has the same legal responsibilities as the approved provider and must exercise due diligence to ensure that the approved provider has complied with all legal obligations, including putting into place effective governance systems and operational processes</p>
Nominated supervisor	The nominated supervisor is responsible for effectively supervising and managing our service, including our day-to-day operations, implementing policies and procedures, overseeing the educational program, staffing and recruitment, communications and consultation, health, safety and wellbeing, and documentation
Persons in day-to-day charge	The person in day-to-day charge is the point of contact for families and staff, and has the same legal responsibilities as a general educator at our service
Responsible persons	<p>A responsible person is responsible for the operation of our service, either:</p> <ul style="list-style-type: none"> • The approved provider or a PMC (if the approved provider is not an individual) • A nominated supervisor • A person in day-to-day charge <p>At least one responsible person must be physically present at our service at all times we are caring for and educating children (<i>National Law s 162</i>)</p>
Educational leader	The educational leader is responsible for leading the development and implementation of the educational program and practices (aligned with the Approved Learning Framework) and for promoting a culture of continuous improvement
Early childhood teacher	Early childhood teachers are responsible for carrying out educational and care activities
Educators	Educators implement our educational program, carry out routine care and supervision, ensure the health, safety and wellbeing of children
Administrative staff	Administrative staff have a range of responsibilities. Depending on their role, these may include management, bookkeeping and accounts, reporting, enrolments, record keeping, data management, IT, function coordination, organising meetings, communications and customer service
Support staff (e.g., kitchen, maintenance, cleaning)	Support staff responsibilities vary according to their role, but they support our service to maintain a safe, clean and hygienic environment, and contribute to our effective operation
Volunteers and students	May be present at our service and do work on our behalf under supervision, but do not count towards educator to child ratios

Decision-making

- (41) If an action or decision concerns a child or children, their safety, best interests and rights must be placed above all else
- (42) All high-level financial business decisions are made by the approved provider/PMCs, including: determining our hours and days of operation; deciding on staff structures and approving recruitment; creating or terminating Child Care Subsidy enrolments; and making decisions about business closure, changes in our premises or major renovations
- (43) Procurement decisions must consider any child safety risks posed by third party contractors, facilities, suppliers or providers. Procurement decisions that are deemed to be a high risk to children's safety must be made by the approved provider
- (44) Decisions are generally made individually by those who have the authority or in consultation with relevant staff members
- (45) Decisions must be made by in line with the relevant policy and procedure (if one is in place)
- (46) Our decision-making processes must be documented and align with professional, ethical and quality standards
- (47) Unlawful discrimination, bias or the misuse of power will not be tolerated
- (48) Conflicts of interest must be disclosed and any person with a conflict (actual, potential or perceived) must not be involved in any related decision-making
- (49) Significant decisions or changes to our service must be documented, communicated and made in consultation with families, staff and any other interested parties

Delegation of authority

- (50) For our efficient and lawful operation, certain roles and responsibilities will be delegated
- (51) The approved provider/persons with management or control (PMCs) may delegate appropriate authority to the nominated supervisor and other staff for our day-to-day operations, curriculum leadership, administrative functions, and policy implementation
- (52) The approved provider/PMCs must not delegate authority for:
 - Approving strategic plans, annual budgets, financial reports or statements, policies, annual reports
 - Appointing or dismissing persons with management or control, the nominated supervisor or the educational leader, or
 - Making purchases or agreements that exceed specified limits

- (53) When delegating responsibilities, we must ensure that the staff member has the necessary qualifications and experience, understands their responsibilities, and is legally allowed to have the delegation
- (54) Staff who are delegating roles and responsibilities will:
- Choose an appropriate person for the task/s, taking into consideration their current skills, workload and professional development program
 - Clearly communicate the task/s and timing for completion
 - Check that the staff member can do the task/s with the information and resources they have
 - Have positive and open lines of communication with the staff member, in case of any issues
 - Where appropriate, get formal agreement (e.g., in written position descriptions, delegation agreements)
- (55) Delegation of responsibilities does not absolve the approved provider/PMCs from overseeing and being accountable for the outcomes of the delegated tasks

Delegations under the *National Quality Framework*

- (56) The approved provider or nominated supervisor may place a person in 'day-to-day charge' of the service to be the point of contact for families and staff, if the person: agrees to the role in writing; is over 18 years old; is a 'fit and proper person'; and has the knowledge, understanding and ability to effectively supervise and manage our service (*National Regulations* reg 117B)
- (57) The approved provider must ensure that a 'responsible person' is present at the service at all times we are caring for children. The role of responsible person may be delegated to the nominated supervisor or a person in day-to-day charge
- (58) The approved provider must designate a suitably qualified and experienced educator, co-ordinator or other person as 'educational leader' to lead the development and implementation of our educational program (*National Regulations* reg 118)
- (59) The delegation for these roles must be agreed to in writing, documented according to our record keeping procedures, and available for inspection by the regulatory authority on request

Educational leadership

- (60) Strong educational leadership ensures our curriculum delivers the best outcomes for children's learning and development
- (61) The approved provider must appoint a suitably qualified and experienced individual as educational leader (*National Regulations* reg 118)
- (62) The educational leader must be supported and lead the development and implementation of the educational program and assessment and planning cycle (National Standard 7.2.2), as detailed in our Education, Curriculum and Learning Policy
- (63) The approved provider must take reasonable steps to ensure that staff who have a role in educating children at our service hold the required qualifications

Development of professionals

- (64) Staff growth and development are foundational to our ability to deliver quality care and education
- (65) Staff performance must be regularly evaluated, and individual plans must be in place to support their learning and development (National Standard 7.2.3)
- (66) The approved provider must take reasonable steps to ensure that staff who are responsible for managing staff development follow our HR policies and procedures, including our Recruitment, Induction and Training Policy
- (67) The approved provider and nominated supervisor must ensure that all staff have or are working towards completing any mandatory study or training for their role, including refresher training
- (68) Staff members will have individual performance plans and programs of professional development in place that are tailored to their individual needs, interests and goals
- (69) Staff performance will be formally appraised and documented:
 - At 3 months of their start date in a role
 - At least once every 12 months, thereafter, and
 - Throughout the year with informal 'check-ins' between staff members and their team leader
- (70) Each staff member's performance will be assessed against their job description, the ECEC Code of Ethics, our Child Safe and Staff Codes of Conduct, our statement of philosophy, and the relevant areas of the National Quality Standard

- (71) We will celebrate the skills and achievements of staff with children, families and other staff members
- (72) We will have an employee support program for staff who are experiencing difficulties either at home or at work. The program will link staff to suitable support (e.g., counselling, mediation, coaching, mentoring) and/or facilitate adjustments to their working arrangements (where possible)

Financial governance

- (73) The protection of the safety, rights and best interests of each child and the children at our service must prevail over the financial interests of the approved provider and other fiduciary duties owed by PMCs
- (74) Sound financial management ensures we remain solvent, viable and compliant with the law
- (75) The approved provider must ensure that we comply with all relevant financial and accounting laws, regulations and standards, and must take reasonable steps to prevent and eliminate corruption and fraud at our service
- (76) The approved provider is responsible for approving the annual budget and for reviewing financial reports to ensure our service remains financially sustainable and solvent
- (77) The nominated supervisor and administrative staff may be delegated responsibility for recording payments and expenses, preparing financial reports, processing payroll, invoicing families, and authorising petty cash and operational expenses within their authorised limit
- (78) The approved provider must take reasonable steps to ensure that staff who have financial responsibilities implement any related policies and procedures, and that they use our budgeting and accounting system to manage income and expenses, including fees paid, grants and subsidies, wages, supplies and other operating costs
- (79) We must administer and use all government funding according to funding conditions
- (80) The approved provider must take prompt and appropriate action if there is a breach or concern about financial misconduct, corruption or fraud at our service

Child Care Subsidy governance and administration

- (81) The approved provider must ensure that we administer the Child Care Subsidy (CCS) according to the requirements under *Family Assistance Law*, including meeting all obligations for enrolment reporting, attendance data, record keeping, paying gap fees electronically, and ensuring all claims and payments are accurate and lawful

- (82) Decisions about Child Care Subsidy (CCS) enrolments, attendance records and fee reporting are made by the nominated supervisor or an approved delegated staff member, under the oversight of the approved provider
- (83) The approved provider must ensure that we manage and communicate our fees according to the *National Regulations* and *Family Assistance Law*, including having a fee policy in place (s 160(3)(k)), and keeping a record of a formal agreement for fees with families (a Compliant Written Arrangement) (*Family Assistance Law*)
- (84) The approved provider must take reasonable steps to ensure that staff who are administering the CCS are trained to implement our [Fees Policy](#) and [Enrolment Policy](#), and that they use approved [CCS software](#) to manage enrolment and attendance reporting, fee processing, and managing absences
- (85) The approved provider must ensure that all claims and payments are accurate and lawful, and that staff are adequately monitored for compliance via regular internal audits of weekly session reports
- (86) Errors or problems with CCS administration will be dealt with promptly and the nominated supervisor will notify the Australian Government Department of Education about relevant matters as required (see attached list of prescribed notifications)
- (87) The approved provider must ensure that any allegation or suspicion of fraud or non-compliance with the fee or CCS systems is investigated, and that appropriate action is taken in line with our HR policies where appropriate, including measures to prevent non-compliance or misconduct in the future
- (88) Staff may use the Australian Government's [Get Early Childhood Compliance Knowledge Online \(Geccko\)](#) online learning platform to understand their compliance obligations

Insurance

- (89) Appropriate insurance is essential to protect our service, staff, children and families
- (90) The approved provider must ensure that our service is appropriately insured, including:
- Adequate cover for the service against public liability with a minimum cover of \$10,000,000 (*National Regulations* reg 29)
 - Workers compensation insurance
 - Building and contents insurance
 - Professional indemnity insurance

- (91) The approved provider must keep evidence of our public liability insurance on the premises, ready for inspection by the regulatory authority (*National Regulations reg 180*)
- (92) The approved provider must review our insurance annually and ensure we continue to have adequate coverage for the level of risk
- (93) The approved provider must ensure that any incidents that may result in an insurance claim are reported promptly and managed in line with our procedures
- (94) The approved provider must not enter into a contract or be party to a contract of insurance or other arrangement that indemnifies staff against payment of fines for contraventions of the *National Law or Regulations (National Law s 295A - Victoria)*

Management systems

- (95) We must have systems in place to manage risk and enable the effective management and operation of a quality service that is child safe (National Quality Standard 7.1.2).
- (96) The approved provider must ensure that all of our management systems operate in compliance with all relevant legislation, including the *National Quality Framework, Family Assistance Law, Privacy Act 1988 (Cth), Fair Work Act 2009 (Cth)* and other employment laws, equal opportunity and anti-discrimination laws, health regulations, child safety/protection legislation, and work health and safety laws
- (97) We will have detailed policies and procedures set out how we use and maintain a range of paper-based and electronic management systems (see Management system cross reference table attached)
- (98) The approved provider and nominated supervisor will ensure that staff are adequately trained and equipped to use our systems, and that they have access to adequate technology resources
- (99) The approved provider or nominated supervisor will periodically audit our systems to check for compliance and take any corrective actions, if required
- (100) We will provide opportunities for staff to give feedback about our systems in staff meetings and policy reviews

Documented policies and procedures

- (101) Policies and procedures are vital documents to guide and direct our operations, and ensure consistency and compliance

- (102) The approved provider must ensure that we have adequate policies and procedures in place for any matter prescribed under an applicable law, including those required under the *National Regulations* reg 168 (see list attached)
- (103) The approved provider must take reasonable steps to ensure that the nominated supervisor, staff members (including volunteers) follow our policies and procedures (*National Regulations* reg 170), including through:
- Clear and accessible communication
 - Systemised induction, training and monitoring
 - Regular policy reviews and updates
 - Monitoring and responding to non-compliance, and
 - Adequate resources and practical support
- (104) Our policies and procedures must be readily available and accessible (*National Regulations* reg 171), including to families
- (105) The approved provider must ensure that our policies and procedures are regularly reviewed, in consultation with staff, children, families and the community, to ensure they continue to:
- Be effective
 - Align with best practice and current legislation
 - Be informed by our statement of philosophy, risk management and quality improvement activities
 - Support high quality practice across our service
- (106) The approved provider is responsible for approving policies and procedures
- (107) The approved provider must ensure that parents are notified at least 14 days in advance - or as soon as practical if the changes are urgent to protect safety, health or wellbeing of a child - before making any change to a policy or procedure required under s 168 if the change:
- May have a significant impact on the service's provision of education or care to any child at the service, or
 - Will affect the fees charged or the way fees are collected (*National Regulations* reg 172)

Record of service's compliance

- (108) Our service must keep a record of our compliance with the National Quality Framework (*National Regulations* reg 167), containing details of any:
- Compliance direction or compliance notice issued to the approved provider of the service
 - Suspension of service approval (other than by voluntary application)
 - Amendment to service approval made by the regulatory authority
- (109) We must make the record available to any person upon request and keep it at our premises (*National Regulations* reg 177(3)(b))
- (110) Our service's compliance and quality history must be clearly and visibly displayed in the prescribed form at the main entrances to our premises (*National Law* ss 172(3)(4) - Vic)

National Law and Regulations to be available

- (111) We must be transparent and open about our service's legal obligations
- (112) The approved provider must ensure that a copy of the *National Law and Regulations* is kept available at our premises for the use of the nominated supervisor, other staff, volunteers and students, families and anyone else who uses our service (*National Regulations* reg 185)

Prescribed information to display and report

- (113) We must display particular information at our service and report specific information to families and government authorities
- (114) The approved provider must ensure that we:
- Display the information prescribed in the *National Law* (s 172) and *Regulations* (s 173) in a prominent location at the entrance to our service (see list attached)
 - Notify the regulatory authority and families of prescribed information within the required time (see list attached) (*National Law* ss 173, 174) (*National Regulations* regs 174-176)
 - Notify the Australian Government about the prescribed matters under *Family Assistance Law* within the required time (list attached)
 - Make any other mandatory reports or notifications to the relevant authority where and when required (e.g., Australian Tax Office, Work Safe, child protection agencies)

- (115) The approved provider must take reasonable steps to ensure that staff make the required notifications and reports according to our policies and procedures, and that they use our reporting and notification systems to track due dates, and make and store records
- (116) The approved provider and nominated supervisor will display in staff areas an up-to-date list of due dates and required notifications

Attendance and enrolment records

- (117) Accurate records of attendance and enrolment are essential for health and safety, administration and compliance
- (118) The approved provider must take reasonable steps to ensure staff implement our Fees Policy, Enrolment Policy, Delivery and Collection Policy, Acceptance and Refusal of Authorisation Policy, Medical Conditions Policy and Record Keeping Policy
- (119) These policies set out how we keep records of attendance and enrolment according to the requirements in the *National Regulations* and *Family Assistance Law*
- (120) Enrolment records must be reviewed at least annually and linked to individual learning and care plans
- (121) Our enrolment and attendance records will be linked to related systems (e.g., staffing, fees, medical management, emergency plans, and waitlists)

Record-keeping, including confidentiality, storage and technology

- (122) Accurate and secure record-keeping and data management are vital for an efficient and lawful operation
- (123) The approved provider must take reasonable steps to ensure that staff implement our record keeping, confidentiality, privacy and storage related policies, and that they use our records management systems (paper-based and electronic) according to our procedures
- (124) Our Record Keeping Policy and Privacy and Confidentiality Policy set out how we manage the prescribed enrolment records and other documents required under s 177 of the *National Regulations*
- (125) Staff must keep the following information confidential and stored securely: any prescribed enrolment or other document; personal information about children, families and staff; incidents and reportable information (e.g., mandatory reports, complaints, details of illnesses or injuries); sensitive organisational or operational information (e.g., security, internal investigations, financial records); and any other information classified as confidential by law

- (126) The approved provider must ensure that technology and devices are secure, maintained and managed in such a way that keeps children safe from harm or the risk of harm, and protects data and privacy, in line with all relevant legislation and standards and our Technology and Device Use Policy

Continuous improvement and self-assessment

- (127) Quality improvement is an ongoing process that everyone contributes to
- (128) We must have an effective self-assessment and quality improvement process in place (National Quality Standard 7.2.1)
- (129) The approved provider must ensure that our current quality improvement plan (QIP) is kept on the premises and is made available for inspection by the regulatory authority and, on request, to parents of current and prospective enrolled children (*National Regulations* reg 31)
- (130) The approved provider must review and revise our QIP at least annually and at any time on request to the regulatory authority (*National Regulations* reg 56)
- (131) We will use our QIP as a dynamic document that is regularly updated for continuous assessment against the National Quality Standard. It will be a true and accurate reflection of our service
- (132) We will incorporate what we have learnt through regular self-assessments into our QIP, which will then guide our practices and program delivery
- (133) The approved provider and nominated supervisor will coordinate a 'whole of service' self-assessment process that involves staff, families, children and our broader community
- (134) Staff must document the self-assessment and planning process (e.g., reflective documentation for staff, meeting minutes, feedback from families and children, progress notes)
- (135) The approved provider must take reasonable steps to ensure staff follow our Complaint Handling Policy and Procedure, which covers how our complaint processes support continuous improvement

PRINCIPLES

- (136) The safety, rights and best interests of children is the paramount consideration in our decisions and actions
- (137) We uphold the values of transparency, collaboration, integrity, ethics, fairness and respect in our decision making and communication
- (138) We have effective child safe management systems for all areas of our operation
- (139) We have clear roles and responsibilities, and individuals are supported and accountable for their actions and decisions
- (140) We strive for continuous improvement to our service and outcomes for children. We have the systems and culture in place so that everyone is contributing to regular self-assessment and critical reflection
- (141) We comply at all times with relevant laws, regulations and standards
- (142) We celebrate diversity, and have an inclusive and accessible workplace and learning environment
- (143) Leadership provides the guidance to make our programs and practices match our philosophy
- (144) The health, safety and wellbeing of children, staff, families and visitors is our number one priority

POLICY COMMUNICATION, TRAINING AND MONITORING

- (145) This policy and related documents can be found on our website and in our front office
- (146) The approved provider and nominated supervisor will provide information, training and other resources and support regarding the Governance and Management Policy and related documents
- (147) All staff (including volunteers and students) will have a formal induction which will cover relevant information in our Governance and Management Policy and related documents
- (148) We will run a professional development program for each staff member, which covers relevant aspects of this policy
- (149) Roles and responsibilities are clearly defined in this policy and in individual position descriptions. They will be communicated during staff inductions and in ongoing training

- (150) The approved provider and nominated supervisor will monitor and audit staff practices and address non-compliance. Breaches of this policy are taken seriously and may result in disciplinary action against a staff member
- (151) At enrolment, families are given access to our Governance and Management Policy and related documents
- (152) Families are notified in line with our obligations under the *National Regulations* when changes are made to our policies and procedures

(153) **LEGISLATION (OVERVIEW)**

(154) **Education and Care Services National Law and Regulations**

Law	Description
s 2A	Paramount consideration – safety, rights and best interests
s 13	Matters to be taken into account in assessing whether fit and proper person
s 14	Regulatory Authority may seek further information
s 21	Reassessment of fitness and propriety
s 51	Conditions on service approval
s 162	Offence to operate education and care service unless responsible person is present
s 162A	Child protection training
s 162B	Child safety training
s 169	Offence relating to staffing arrangements
s 172	Offence to fail to display prescribed information
s 173	Offence to fail to notify certain circumstances to Regulatory Authority
s 174	Offence to fail to notify certain information to Regulatory Authority
s 175	Offence relating to requirement to keep enrolment and other documents
s 188	Offence to engage person to whom prohibition notice applies
s 295	Insurance contract offence (Vic)
Regulations	
reg 29	Condition on service approval – insurance

reg 31	Condition on service approval – quality improvement plan
reg 55	Quality improvement plans
reg 56	Review and revision of quality improvement plans
reg 73	Educational program
reg 84	Awareness of child protection law
reg 77 – 102F	Part 4.2 – Children’s health and safety (applicable sections)
reg 103 - 110	Physical environment – Centre-based services
reg 111 – 115	Physical environment - Additional requirements for centre-based services
reg 117A – 117C	Minimum requirements for persons in day-to-day charge and nominated supervisors
reg 120	Educators who are under 18 to be supervised
reg 122	Educators must be working directly with children to be included in ratios
reg 123	Educator to child rations – centre-based services
reg 126A	Illness or absence of a qualified educator who is required to meet the relevant educator to child ratio
reg 136	First aid qualifications
reg 145 – 152B	Staff and educator records – centre-based services
reg 155	Interactions with children
reg 156	Relationships in groups
reg 157	Access for parents
reg 158	Children’s attendance record to be kept by approved provider
reg 160	Child enrolment records to be kept by approved provider
reg 161	Authorisations to be kept in enrolment record
reg 162	Health information to be kept in enrolment record
reg 167	Record of service’s compliance
reg 168	Education and care services must have policies and procedures
reg 170	Policies and procedures to be followed
reg 171	Policies and procedures to be kept available

reg 172	Notification of change to policies or procedures
reg 173	Prescribed information to be displayed
reg 174	Time to notify certain circumstances to Regulatory Authority
reg 174A	Prescribed information to accompany notice
reg 175	Prescribed information to be notified to Regulatory Authority
reg 176	Time to notify certain information to the Regulatory Authority
reg 177	Prescribed enrolment and other documents to be kept by the approved provider
reg 181 ,183 - 184	Confidentiality and storage of records
reg 185	Law and regulations to be available

(155) **Other applicable laws and regulations**

Name	Description
<i>Work Health and Safety Laws</i>	Describes the primary duty of care to people in the workplace
<i>Privacy Act 1988</i>	Principal act governing the handling of personal information
<i>Fair Work Act 2009</i>	Minimum standards for employment conditions
<i>Family Assistance Law</i>	Regulates administration of the Child Care Subsidy
<i>Children's Services Award 2010</i>	Covers employment conditions and wages in the children services and early childhood industry
<i>State/territory-based child safety and child protection laws</i>	Covers obligations for child safety and protection in governance and management of prescribed organisations

(156) **National Quality Standard**

Standard / Element	Concept	Description
7.1	Governance	Governance supports the operation of a quality service that is child safe
7.1.1	Service philosophy and purpose	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 that is child safe
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service

Standard / Element	Concept	Description
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
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated and individual plans are in place to support learning and development

(157)

(158) **My Time, Our Place (MTO) V2.0/Victorian Early Years Learning and Development Framework** - all outcomes are relevant

(159) **National Principles for Child Safe Organisations**

Most relevant principles

Child safety and wellbeing is embedded in organisational leadership, governance and culture

(160) **RELATED DOCUMENTS**

Key Policies and procedures All our policies and procedures are relevant to the governance and management of our service

Resources Names and contact details for key roles template (attached) | National Law and Regulations required information to display (attached) | Management system cross reference table (attached) National Laws and Regulations prescribed notifications (attached) | Family Assistance Law prescribed notifications (attached) | Policies and procedures required (National Regulations reg 168) (attached) | Australian Government's [Get Early Childhood Compliance Knowledge Online \(Gecko\)](#)

(161) **SOURCES**

(162) Education and Care Services National Law and Regulations | National Quality Standard | Family Assistance Law and Australian | Department of Education online resources for CCS and Child Care Provider Handbook April 2025 | Work health and safety legislation and guidelines | ASX Corporate Governance Principles and Recommendations | ACECQA Policy and Procedure Guidelines for Governance and Management | Australian Institute of Company Directors Governance Principles | Early Childhood Australia Code of Ethics | Child Safe Standards / Principles

POLICY INFORMATION



Approval

Dina Kahn

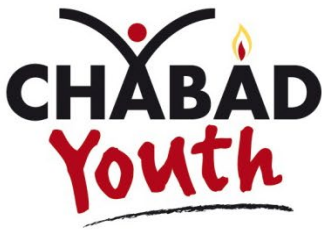
Review

Reviewed annually and when there are changes that may affect this policy or related procedures. The review will include checks to ensure the document reflects current legislation, continues to be effective, or whether any changes and additional training are required

Last reviewed: 25th March 2026

Date for next review: 25th March 2027





APPENDIX A

RESOURCE – Names and contact details for key roles

[THIS IS AN OPTIONAL TEMPLATE FOR SERVICES TO KEEP UPDATED AND DISPLAYED]

APPROVED PROVIDER: <INSERT NAME and CONTACT DETAILS >

PERSONS WITH MANAGEMENT OR CONTROL: <INSERT NAMES, POSITIONS and CONTACT DETAILS>

NOMINATED SUPERVISOR: <INSERT NAME and CONTACT DETAILS >

EDUCATIONAL LEADER: <INSERT NAME and CONTACT DETAILS >

PERSONS IN DAY-TO-DAY CHARGE: <INSERT NAME and CONTACT DETAILS >

ROOM LEADERS: <INSERT NAME and CONTACT DETAILS >

ADMINISTRATION MANAGER: <INSERT NAME and CONTACT DETAILS >

THE PERSONS RESPONSIBLE FOR THE DAY-TO-DAY OPERATION OF OUR SERVICE: <INSERT NAME and CONTACT DETAILS >

WWCC NOMINATED REPRESENTATIVE (WA ONLY): <INSERT NAME and CONTACT DETAILS >

APPENDIX B

RESOURCE – Management system cross reference table

MANAGEMENT SYSTEM	KEY RELATED POLICIES AND PROCEDURES	KEY REFERENCES
EDUCATIONAL PROGRAM AND PRACTICE	<p>Education, Curriculum and Learning Policy</p> <p>Staffing Arrangements Policy</p>	<p>National Law s 168 - Offence relating to required programs</p> <p><i>National Regulations</i> Part 4.1 and National Quality Standard Area 1 – Educational program and practice</p> <p><i>National Regulations</i> Part 4.4 – Staffing arrangements</p> <p>National Standard 7.2.2 – Educational leadership</p>
CHILDREN’S HEALTH, SAFETY AND WELLBEING (INCLUDING CHILD SAFE STANDARDS/PRINCIPLES)	<p>Child safe policies (including Child Safe Environment, Child Safe Risk Management Plan, Child Safe Code of Conduct and Child Protection Policy)</p> <p>Health, Hygiene and Cleaning Policy</p> <p>Food Safety Policy</p> <p>Nutrition and Dietary Requirements Policy</p> <p>Sun Protection and Heat Safety Policy</p> <p>Tobacco, Vape, Drug and Alcohol Policy</p> <p>Sleep and Rest Policy</p> <p>Incidents, Injuries, Trauma and Illness Policy</p> <p>First Aid Policy</p> <p>Dealing with Infectious Diseases Policy</p> <p>Administration of Authorised Medication Policy</p> <p>Medical Conditions Policy</p> <p>Emergency Management and Evacuation Policy</p> <p>Delivery and Collection of Children Policy</p> <p>Excursions Policy</p> <p>Safe Arrival of Children Policy</p> <p>Transport Policy</p>	<p><i>National Law</i> 2A – Paramount consideration</p> <p><i>National Law</i> s 165 – Offence to inadequately supervise children</p> <p><i>National Law</i> s 166 – Offence to use inappropriate discipline</p> <p><i>National Law</i> s 166A – Offence to subject a child to inappropriate conduct</p> <p><i>National Law</i> s 167 – Offence relating to protection of children from harm and hazards</p> <p><i>National Regulations</i> Part 4.2 and National Quality Standard Area 2 – Children’s health and safety</p> <p>Child Safe Standards/National Principles for Child Safe Organisations and state/territory-based child safety laws</p> <p>State/territory health and safety laws</p>
PHYSICAL ENVIRONMENT	<p>Physical Environment Policy</p> <p>Child Safe Environment Policy</p> <p>Health, Hygiene and Cleaning Policy</p> <p>Environmental Sustainability Policy</p> <p>Access and Inclusion Policy</p> <p><CCTV Policy></p>	<p><i>National Regulations</i> Part 4.3 – Physical environment</p> <p>National Quality Standard Area 3 – Physical environment</p>

MANAGEMENT SYSTEM	KEY RELATED POLICIES AND PROCEDURES	KEY REFERENCES
		<Privacy Act 1998 (Cth) and state/territory workplace surveillance laws related to CCTV>
STAFFING ARRANGEMENTS	Recruitment, Induction and Training Policy Staffing Arrangements Policy Staff Code of Conduct Volunteers and Students Policy Staff Communication Policy Relevant HR Policies	<i>National Law s 169</i> – Offence relating to staffing arrangements <i>National Law s 170</i> – Offence relating to unauthorised persons on education and care services premises <i>National Law s 171</i> – Offence relating to direction to exclude inappropriate persons National Regulations 4.4 and National Quality Standard Area 4 – Staffing arrangements Commonwealth and state/territory employment laws, awards and regulations, including the <i>Fair Work Act 2009 (Cth)</i> , Children’s Services Award, superannuation requirements, work health and safety legislation, equal opportunity and anti-discrimination laws, working with children check and child safety/protection obligations
RELATIONSHIPS WITH CHILDREN	Positive Relationships for Children Child Safe Environment Policy	<i>National Regulations Part 4.5 and National Quality Area QA5</i> – Relationships with children
PARTNERSHIPS WITH FAMILIES AND COMMUNITIES	Families and Communities Partnerships Policy	<i>National Regulations Part 4.6 and National Quality Area QA6</i> – Collaborative partnerships with families and communities
FEES AND CHILD CARE SUBSIDY	Fees Policy Enrolment Policy	<i>Family Assistance Law</i>
WORK HEALTH AND SAFETY	Work Health and Safety Policy	Work health and safety laws Anti-discrimination laws
CONFIDENTIALITY AND RECORD-KEEPING	Record Keeping Policy Privacy and Confidentiality Policy	<i>National Regulations regs 173-177, 181 - 184</i> <i>Privacy Act 1988 (Cth)</i>
INFORMATION AND TECHNOLOGY	Technology and Device Use Photography and Video Policy Social Media Policy Record Keeping Policy Privacy and Confidentiality Policy <CCTV Policy>	<i>National Law Part 6A – Devices in Education and Care Services</i> <i>National Regulations reg 168(2)(ha)</i> Privacy Act 1988 (Cth) Family Assistance Law Australian Cyber Security Centre Guidelines National Model Code for ECEC

MANAGEMENT SYSTEM	KEY RELATED POLICIES AND PROCEDURES	KEY REFERENCES
		<State/territory workplace surveillance laws related to CCTV>
COMPLAINTS MANAGEMENT	Complaint Handling Policy Child Protection Policy (for harm or risk of harm to a child)	Child Safe Standards/National Principles for Child Safe Organisations and state/territory-based child safety laws
FINANCIAL MANAGEMENT	Financial management procedures	ATO obligations, general business, financial and accounting laws and standards
INSURANCE	Insurance risk register and risk management plan	<i>National Law s 295A (Vic)</i> <i>National Regulations regs 29, 180</i>
CONTINUOUS IMPROVEMENT	Quality Improvement Plan Self-assessment tools	<i>National Regulations regs 55-56</i>

APPENDIX C

RESOURCE – Policies and procedures required (*National Regulations reg 168*)

Source: National Regulations reg 168

Policies and procedures are required in relation to the following—

- (a) health and safety, including matters relating to—
 - (i) nutrition, food and beverages, dietary requirements; and
 - (ii) sun protection; and
 - (iii) water safety, including safety during any water-based activities; and
 - (iv) the administration of first aid; and
 - (v) sleep and rest for children, including the matters set out in regulation 84B;
- (b) incident, injury, trauma and illness procedures complying with regulation 85;
- (c) dealing with infectious diseases, including procedures complying with regulation 88;
- (d) dealing with medical conditions in children, including the matters set out in regulation 90;
- (e) emergency and evacuation, including the matters set out in regulation 97;
- (f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with regulation 99;
- (g) excursions, including procedures complying with regulations 100 to 102;
- (ga) if the service transports or arranges transportation of children other than as part of excursions, transportation including procedures complying with Division 7 of Part 4.2 of Chapter 4;

- (gb) the safe arrival of children who travel between an education and care service and any other education or early childhood service within the meaning of regulation 102AA, including the matters set out in regulation 102AAB;
- (h) providing a child safe environment, including matters relating to the promotion of a culture of child safety and wellbeing within the service;
- (ha) the safe use of digital technologies and online environments at the service, including –
 - (i) the taking, use, storage and destruction of images and videos of children being educated and cared for by the service; and
 - (ii) obtaining authorisation from parents to take, use and store images and videos of children being educated and cared for by the service; and
 - (iii) the use of any optical surveillance devices at the service; and
 - (iv) the use of any digital device issued by the service; and
 - (v) the use of digital devices by children being educated and cared for by the service;
- (i) staffing, including—
 - (i) a code of conduct for staff members; and
 - (ii) determining the responsible person present at the service; and
 - (iii) the participation of volunteers and students on practicum placements;
- (j) interactions with children, including the matters set out in regulations 155 and 156;
- (k) enrolment and orientation;
- (l) governance and management of the service, including confidentiality of records;
- (m) the acceptance and refusal of authorisations;
- (n) payment of fees and provision of a statement of fees charged by the education and care service;
- (o) dealing with complaints, including matters relating to—
 - (i) the provision of a complaint handling system at the service that is child focused; and
 - (ii) the management of a complaint that alleges a child is exhibiting harmful sexual behaviours

APPENDIX D

RESOURCE – *National Law and Regulations* required information to display

Provider approval

- Name of the approved provider
- Provider approval number
- Any conditions on the provider approval

Service approval

- Name of the education and care service
- Service approval number
- Any conditions on the service approval

Nominated supervisor

- Name of each nominated supervisor

Service rating (National Quality Framework services)

- Current rating levels for each quality area under the National Quality Standard
- Overall rating of the service

Compliance and quality history

- Covering the required period of compliance history in the form prescribed by the regulatory authority

Service or temporary waivers

- The regulations or elements of the National Quality Standard that have been waived
- Duration of the waiver
- Whether the waiver is a service waiver or temporary waiver

Service operation

- Hours and days of operation
- Name and position of the responsible person in charge at any given time
- Name and phone number of the person that can be contacted that complaints may be addressed
- Name of the educational leader (National Quality Framework services)
- Contact details of the Regulatory Authority

Health and safety



If applicable:

- A notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service
- A notice stating that there has been an occurrence of an infectious disease at the service

APPENDIX E

RESOURCE – National Law and Regulations prescribed notifications

 Source: ACECQA [website](#)

Reference	Type of Notification	Responsibility	Timeframe
Change to information about approved provider			
Section 173(1)(a)	Notice of change in name of approved provider	Approved provider	Within 14 days
Section 173(1A)	If an approved provider is a body corporate, it must notify if 50 per cent or more of the approved provider's ownership or voting rights is acquired	Approved provider	Within 7 days
Section 174(1)(b) Regulation 175(1)(a)	Change to address, principal office* or contact details of approved provider	Approved provider	Within 7 days
Section 174(1)(a)	Any change relevant to approved provider's fitness and propriety	Approved provider	Within 7 days
Section 173(1)(b)	Notice of any appointment or removal of a person with management or control of service	Approved provider	Within 14 days
Section 174(1)(b) Regulation 175(1)(b)	The appointment of receivers or liquidators to the approved provider or any matters that affect the financial viability and ongoing operation of the service	Approved provider	Within 7 days
Section 39(2)	Death of approved provider	Nominated supervisor or person in day to day control	Within 7 days of the death

Reference	Type of Notification	Responsibility	Timeframe
Section 306(5)	If an approved provider is a trust, the trust must notify the identity of the trustee	The trust	Within 30 days after the scheme commencement day
Section 38(1)	Surrender of provider approval	Approved provider	No specified timeframe
Change to information about education and care service			
Section 173(1)(c)	A failure to commence operating within 6 months (or within the time agreed with the regulatory authority) of being granted a service approval	Approved provider	Within 14 days
Section 173(2)(a) Regulation 174(1)	Suspension or cancellation of a working with children card or teacher registration of a nominated supervisor, or disciplinary proceedings of a nominated supervisor under an education law	Approved provider	Within 14 days
Section 174(2)(c) Regulation 175(2)(a)	Any change to the hours and days of operation of the service	Approved provider	Within 7 days
Section 56(1) Regulation 35	Adding nominated supervisor(s)	Approved provider	At least 7 days prior to commencement (or, if 7 days is not possible, as soon as practicable but no more than 14 days after commencement)
Section 56A	Change of a nominated supervisor's name or contact details	Approved provider	No specified timeframe

Reference	Type of Notification	Responsibility	Timeframe
Section 173(2)(b)	A nominated supervisor is no longer employed or engaged by the service, is removed from the role or withdraws consent to the nomination	Approved provider	Within 7 days
Section 173(2)(c)	Any proposed change to the premises	Approved provider	Within 7 days
Sections 59 and 173(2)(f) Regulations 36 & 37	Intention to transfer service approval	Transferring approved provider and receiving approved provider	At least 60 days before transfer, except in WA, which is at least 42 days before the transfer
Section 59A	Delay to transfer of service approval* * Note this requirement is not yet applicable in WA	Transferring approved provider and receiving approved provider	As soon as practicable
Section 68	Confirmation of transfer taking effect, specifying the date of transfer	Transferring approved provider and receiving approved provider	Within 2 days after transfer
Section 173(2)(d)	Ceasing to operate the education and care service	Approved provider	Within 7 days
Section 86(1)	Surrender of service approval	Approved provider	No specified timeframe
Section 174(2)(c) Regulation 175(2)(ab)	Any change to the ages of children being educated or cared for by a centre-based service	Approved provider	Within 7 days
Section 174(2)(c) Regulation 175(2)(ac)	Any change to the nature of education and care offered by a centre-based service	Approved provider	Within 7 days

Reference	Type of Notification	Responsibility	Timeframe
Regulation 175(2)(f)	The first time a centre-based service provides, or arranges, for the transportation of children	Approved provider	Within 7 days
Regulation 175(2)(g)	The final time a centre-based service provides, or arranges, for the transportation of children	Approved provider	Within 7 days
Approval in principle (ACT and VIC only)			
Section 114	Material change to approval in principle or environment surrounding the proposed service premises	Approval in principle holder	No specified timeframe
Section 118	Transfer of approval in principle	Transferring approval in principle holder and receiving approval in principle holder	No specified timeframe
Incidents and Complaints			
Section 174(2)(a) Regulation 12(a)	Serious incident - Death of a child	Approved provider	As soon as practicable, but within 24 hours
Section 174(2)(a) Regulation 12(c)	Serious incident - Any incident involving serious illness of a child while being educated and cared for which the child attended or ought reasonably to have attended a hospital	Approved provider	Within 24 hours of the incident or of becoming aware of the incident
Section 174(2)(a) Regulation 12(b)	Serious incident - Any incident involving serious injury or trauma to a child while being educated and cared for which the child attended or ought reasonably to have attended a hospital, or a reasonable person would consider that the child would require urgent attention from a registered medical practitioner	Approved provider	Within 24 hours of the incident

Reference	Type of Notification	Responsibility	Timeframe
Section 174(2)(a) Regulation 12(d)	Serious incident - Any emergency for which emergency services attended	Approved provider	Within 24 hours of the incident
Section 174(2)(a) Regulation 12(e)(i) and 12(e)(ii)	Serious incident - A child appears to be missing or cannot be accounted for or appears to have been removed from the premises in a manner that contravenes the National Regulations	Approved provider	Within 24 hours of the incident
Section 174(2)(a) Regulation 12(e)(iii)	Serious incident - A child is mistakenly locked in or out of the premises or any part of the premises	Approved provider	Within 24 hours of the incident
Section 174(2)(b) Regulation 12	Any complaint alleging that: - a serious incident has occurred or is occurring at an education and care service (refer to Serious Incidents outlined in table above), or - the National Law has been contravened	Approved provider	Within 24 hours of the complaint
Section 174(2)(c) Regulation 175(2)(b)	Any incident that requires the approved provider to close, or reduce the number of children attending the service for a period	Approved provider	Within 24 hours of the incident
Section 174(2)(c) Regulation 175(2)(c)	Any circumstance at the service that poses a risk to the health, safety or wellbeing of a child attending the service	Approved provider	Within 7 days
Section 174(2)(c) Regulation 175(2)(d)	Any incident where the approved provider reasonably believes that physical or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the service	Approved Provider	Within 24 hours

Reference	Type of Notification	Responsibility	Timeframe
Section 174(2)(c) Regulation 175(2)(e)	Allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the service	Approved Provider	Within 24 hours
Section 174(2)(c) Regulation 123(5) Regulation 175(2)(ca)	The centre-based service is educating and caring for extra child/ren due to an emergency	Approved Provider	Within 24 hours
Regulation 174B	Any reportable sexual conduct committed by relevant staff members (including volunteers and students) (Vic)	Approved provider	Within 24 hours
Notification to parents			
Regulation 172	<p>Policies and procedures: Parents must be notified before making a change to a policy or procedure required under regulation 168 or 169 that will significantly impact:</p> <ul style="list-style-type: none"> - the provision or education and care at the service; or - the family's ability to utilise the service. <p>Parents must be notified before making changes affecting fees or the way fees are collected.</p>	Approved provider	At least 14 days prior unless this time period would pose a risk to the health to the safety, health or wellbeing of a child, in which case as soon as practicable after making the change.
Section 37(3)	Voluntary suspension of provider approval: approved provider must notify the parents of children enrolled at the services operated by the approved provider.	Approved provider	At least 14 days prior to application for suspension

Reference	Type of Notification	Responsibility	Timeframe
Section 38(3)	Surrender of provider approval: approved provider must notify the parents of children enrolled at the services operated by the approved provider	Approved provider	At least 14 days before the surrender is intended to take effect
Section 85	Voluntary suspension of service approval: approved provider must notify the parents of children enrolled at the service and any associated children's services	Approved provider	At least 14 days before making application for voluntarily suspension
Section 86	Surrender of service approval: approved provider must notify the parents of children enrolled at the service and any associated children's service	Approved provider	At least 14 days before surrender is intended to take effect
Section 69	Transfer of service approval: A parent of a child enrolled at a service is to be notified of the transfer of the service approval to the receiving approved provider	Receiving approved provider	At least 7 days before transfer, except in WA, which is at least 2 days before the transfer
Regulation 86	A parent of a child being educated and cared for by the service is to be notified if the child is involved in any incident, injury, trauma or illness while at the service.	Approved provider	As soon as practicable, but no more than 24 hours
Regulation 88	If there is an occurrence of an infectious disease at a centre-based service, the approved provider must ensure that a parent or authorised emergency contact of each child is notified of the occurrence	Approved provider	As soon as practicable
Regulation 93	Written notice must be given to a parent or other family member if medication is administered in an emergency pursuant to verbal authorisation by: - a parent or person named in the enrolment record as authorised to consent to the administration of medicine; or	Approved provider	As soon as practicable

Reference	Type of Notification	Responsibility	Timeframe
	- if these people cannot reasonably be contacted, a registered medical practitioner or emergency service		
Regulation 94	If medication is administered in case of an anaphylaxis or asthma emergency, the approved provider or a nominated supervisor of the service must ensure that a parent and emergency services are notified.	Approved provider/nominated supervisor/educator	As soon as practicable

APPENDIX F

 RESOURCE – *Family Assistance Law* prescribed notifications

 Source: Australian Department of Education [website](#)

Family Assistance Law reference	Type of Notification	Who	Timeframe
Information about PMCs			
Minister's Rules s 55, Item 10	The name and contact details for new persons with management or control and persons responsible at the service. We must declare that the required background checks for these people are complete. We must show evidence of these checks if asked.	PMC	Within 7 days after the new person starts
Minister's Rules s 55, Item 14	When a person with management or control leaves their role, or their role changes and they no longer have management or control of the provider or day-to-day responsibility of a service	PMC and persons responsible	Within 7 days of the person ceasing to have management or control
Minister's Rules s 55, Item 11	Changes to the name or contact details of any persons with management or control or persons responsible at the service.	PMC	Within 7 days of becoming aware of the change
Minister's Rules s 55, Item 12	An adverse background check of a PMC	PMC	Within 7 days of receiving notice of the adverse check
Minister's Rules s 55, Item 13	If we become aware of an event or circumstance that indicates a person with management or control can no longer be considered fit and proper .	PMC	Within 7 days after the provider becomes aware of the circumstance
Minister's Rules s 55, Item 16	If a person with management or control gains, or is likely to gain, a conflict of interest.	PMC	Within 7 days after the provider becomes aware of the matter

Family Assistance Law reference	Type of Notification	Who	Timeframe
Minister's Rules s 55, Item 20	a charge, serious conviction or guilty finding for a PMC	PMC	Within 24 hours of the provider becoming aware of: <ul style="list-style-type: none"> - The charge of a serious offence, and - The conviction or guilty finding of a serious offence.
Information about education and care service			
Minister's Rules s 55, Items 7 and 8	Changes to the name of the provider or any of its services – must provide evidence of the name change	PMC	Within 14 days after the change
Admin Act s 196B	Purchasing a service (must apply for CCS approval for that new service)	PMC	As soon as possible before the date of purchase
Minister's Rules s 55, Item 2	Operating hours and days for each service	PMC and persons responsible	Within 14 days of receiving CCS approval, starting the service or changing operating hours
Minister's Rules s 55, Items 5 and 6	Changes to the physical or postal address of the provider and any services	PMC	At least 30 days before the change
Admin Act, s 204A	Any change to the identity of the providers legal entity due to: business restructure, sale, or transfer of ownership	PMC	At least 42 days before the intended restructure, sale or transfer
N/a	Bank account changes	PMC	As soon as reasonably possible

Family Assistance Law reference	Type of Notification	Who	Timeframe
Minister's Rules s 55, Item 9	Any changes to provider and service contact details, including email address, website address, telephone number or fax number.	PMC AND PERSONS RESPONSIBLE	Within 7 days of the provider becoming aware of the change
Minister's Rules s 55, Item 1	Our current fees - must report the fee before any reductions or discounts are applied	PMC AND PERSONS RESPONSIBLE	Within 14 days of: <ul style="list-style-type: none"> - Receiving CCS approval (or opening the service if that occurs at a later date) - Changing our fees - Twice a year – after the end of the financial year and calendar year, including reporting no change in fees
Admin Act s 204A	If we are permanently closing a service	Two PMCs must sign the necessary form, unless only one PMC is listed	At least 42 days before the intended closure date (if selling) or within 24 hours of a sudden or unexpected closure
Minister's Rules s 55, Item 19	Sudden or unexpected temporary closure of a service. If we plan to temporarily cease operating, for example due to planned building renovations, we can request a voluntary suspension of CCS approval .	PMC	Within 24 hours of the closure
Minister's Rules s 55, Item 18	About the following financial administration events: <ul style="list-style-type: none"> • entering administration • receivership 	PMC and personal responsible	Within 24 hours of the financial administration event

Family Assistance Law reference	Type of Notification	Who	Timeframe
	<ul style="list-style-type: none"> liquidation bankruptcy. 		
Information about staff, volunteers and students			
Minister's Rules s 55, Item 17	Any changes to the status of a working with children check of any person in the provider or service who must have this check – including when a working with children check is renewed, extended, suspended, revoked, lapsed or expired	PMC	Within 24 hours after becoming aware of the change of status
Minister's Rules s 55, Item 15	If an educator obtains a childcare qualification from a Registered Training Organisation owned or controlled by a person with management or control, and it appears that the educator has not obtained the qualification solely on their own merit	PMC	Within 7 days after the provider becomes aware of the matter
Minister's Rules s 55, Item 20	A charge, serious conviction or guilty finding for an educator	PMC	Within 24 hours of the provider becoming aware of: <ul style="list-style-type: none"> - The charge of a serious offence, and - The conviction or guilty finding of a serious offence.
Information about children			
Admin Act s 200A	Initial enrolment of a child (need to submit an enrolment notice)	PMC and persons responsible	Within 7 days after the end of the week in which we make care arrangements with the family

Family Assistance Law reference	Type of Notification	Who	Timeframe
Admin Act, s 204B	Weekly session reports must be submitted for all children at our service	PMC and persons responsible	Within 14 days after the end of the week in which the session of care was provided
Admin Act s 204B	When a child is absent from a booked session of care (absences)	PMC	Within 14 days after the end of the week in which the session of care was provided
Minister's Rules s 55, Item 21	Any changes to a child's formal foster care or long-term protection order arrangements (if we get Additional Child Care Subsidy child wellbeing for a child at risk of serious abuse or neglect)	PMC	Within 7 days of becoming aware of the change
Admin Act s 200D	<p>Changes to a child's enrolment in the following in the following circumstances:</p> <p>a complying written arrangement is varied so the enrolment notice is no longer correct; information in the enrolment notice otherwise becomes incorrect;</p> <p>information becomes available that should have been included in the enrolment notice or would have changed the enrolment notice; or a child ceases to be enrolled</p>	PMC AND PERSONS RESPONSIBLE	Within 7 days of the event occurring
Minister's Rules s 55, Item 3	The number of anticipated vacancies for each service for each day of the following week	PMC AND PERSONS RESPONSIBLE	By 8 pm AEST/AEDT each Friday

