



**G O V E R N A N C E**  
**A N D**  
**M A N A G E M E N T**  
**O F**  
**T H E**  
**S E R V I C E**  
**P O L I C Y**

## Purpose

This policy outlines the duties, roles and responsibilities of the Committee of Management/Board of East Preston Islamic College Early Learning Centre (EPIC ELC).

## Policy Statement

### Values

EPIC ELC is committed to ensuring that there are appropriate systems and processes in place to enable:

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

### Scope

This policy applies to the Approved Provider, the Committee of Management/Board of EPIC ELC and all subcommittees of the Committee of Management/Board.

### Background

The governance of an organisation is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of a service. Members of the Committee of Management/Board are responsible for setting the directions for the service and ensuring that its goals and objectives are met in line with its constitution, and all legal and regulatory requirements governing the operation of the business are met.

Under the National Law and National Regulations, early childhood services are required to have policies and procedures in place relating to the governance and management of the service, including confidentiality of records (refer to *Privacy and Confidentiality Policy*).

### Legislation and Standards

Relevant legislation and standards include but are not limited to:

- x *Associations Incorporation Reform Act 2012 (Vic)*, as applicable to the service
- x *Corporations Act 2001*, as applicable to the service
- x *Education and Care Services National Law Act 2010*
- x *Education and Care Services National Regulations 2011: Regulation 168(2)(l)*
- x *National Quality Standard, Quality Area 7: Leadership and Service Management*
  - Standard 7.3: Administrative systems enable the effective management of a quality service

The most current amendments to listed legislation can be found at:

- x Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au/>
- x Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

## Definitions

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

**Actual conflict of interest:** One where there is a real conflict between a Committee of Management/Board member's responsibilities and their private interests.

**Conflict of interest:** An interest that may affect, or may appear reasonably likely to affect, the judgement or conduct of a member (or members) of the Committee of Management/Board or subcommittee, or may impair their independence or loyalty to the service. A conflict of interest can arise from avoiding personal losses as well as gaining personal advantage, whether financial or otherwise, and may not only involve the member of the Committee of Management/Board or subcommittee, but also their relatives, friends or business associates.

**Ethical practice:** A standard of behaviour that the service deems acceptable in providing their services.

**Governance:** The process by which organisations are directed, controlled and held to account. It encompasses authority, accountability, stewardship, leadership, directions and control exercised in the organisation (Australian National Audit Office, 1999).

**Interest:** Anything that can have an impact on an individual or a group.

**Perceived conflict of interest:** Arises where a third party could form the view that a Committee of Management/Board member's private interests could improperly influence the performance of their duties on the Committee of Management/Board, now or in the future.

**Potential conflict of interest:** Arises where a Committee of Management/Board member has private interests that could conflict with their responsibilities.

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



- x ensuring there is a sound framework of policies and procedures that complies with all legislative and regulatory requirements, and that enables the daily operation of the service to be geared towards the achievement of the service's vision and mission
- x establishing clearly defined roles and responsibilities for the members of the Committee of Management/Board, individually and as a collective, management and staff, and clearly articulate the relationship between the Committee of Management/Board, staff and members of the service
- x developing ethical standards and a code of conduct (refer to *Code of Conduct Policy*) which guide actions and decisions in a way that is transparent and consistent with the goals, values and beliefs of the service
- x undertaking strategic planning and risk assessment on a regular basis and having appropriate risk management strategies in place to manage risks faced by the service
- x ensuring that the actions of and decisions made by the Committee of Management/Board are transparent and will help build confidence among members and stakeholders
- x reviewing the service's budget and monitoring financial performance and management to ensure the service is solvent at all times, and has good financial strength
- x approving annual financial statements and providing required reports to government
- x setting and maintaining appropriate delegations and internal controls
- x appointing senior staff (e.g. the CEO or Director, if the service is large) or all staff (if the service is small), and monitoring their performance
- x evaluating and improving the performance of the Committee of Management/Board

The obligation to maintain confidentiality also applies to any person who is invited to any

the Board or committee with any and all relevant information they possess on the particular matter

- x the minutes of the meeting must reflect that the conflict of interest was disclosed, and appropriate processes followed to manage the conflict.

A *Conflict of interest disclosure statement* (refer to Attachment 1) must be completed by each member of the Committee of Management/Board and subcommittee upon his or her appointment and annually thereafter. If the information in this statement changes during the year, the member shall disclose the change to the President, and revise the disclosure statement accordingly.

All violations of the requirement to disclose and manage conflicts shall be dealt with in accordance with the constitution of EPIC ELC.

### Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the Committee of Management/Board will:

- x regularly seek feedback from everyone affected by the policy regarding its effectiveness
- x monitor the implementation, compliance, complaints and incidents in relation to this policy
- x keep the policy up to date with current legislation, research, policy and best practice
- x revise the policy and procedures as part of the service's policy review cycle, or as required
- x notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

### Authorisation

This policy was adopted by the EPIC ELC on 09/04/2019

### Review Date

This Policy needs to be reviewed on the 26<sup>th</sup> of August 2022

### Attachments

Attachment 1

Sample: Conflict of interest disclosure statement

Name (in full):	
Postal address:	
Position on Committee of Management/Board or subcommittee	

Declaration:

I hereby declare the following conflict of interest: (Note: tick all applicable boxes)

