

## POLICY – GOVERNANCE & DELEGATIONS POLICY

---

1.	National Quality Standard .....	1
2.	Purpose .....	1
3.	Scope.....	1
4.	Policy Statement.....	2
5.	Processes .....	3
6.	Responsibilities.....	4
7.	Related Legislation and Documents.....	4
8.	Feedback .....	5
9.	Approval and Review Details .....	5
	Appendix A – Reserved matters.....	6
	Appendix B – Summary of Centre Management Roles & Responsibilities .....	7

---

### 1. National Quality Standard

Area	Concept	Descriptor
7.1	Governance	Governance supports the operation of a quality service.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.

### 2. Purpose

The purpose of this policy is to:

- Outline the core role and responsibilities of the Board.
- Outline the core matters delegated by the Board to Centre Management.
- Establish a framework for delegating authority within Baringa in a manner that: supports the operation of a quality service; manages organisational risk; facilitates efficient and effective Centre management; builds and promotes a positive organisational culture and professional learning community.

### 3. Scope

The policy applies to all members of the Board and all staff and volunteers of Baringa.

This policy applies only to formal delegations. All delegations of an informal nature where no commitment or liability is incurred on behalf of Baringa, are carried out in the normal business of the organisation without the requirement for a written authority.

## 4. Policy Statement

### Board

- 4.1 The Board is legally responsible for Baringa.
- 4.2 The source of the Board's authority is the Baringa Constitution read together with the *Associations Incorporation Act 1991 (ACT)* and the *Associations Incorporation Regulation 1991 (ACT)*.
- 4.3 The Board is also the 'approved provider' for the purposes of childcare industry regulation, and all Board members are 'persons in management or control' of the Centre.
- 4.4 There are certain matters that the Board cannot lawfully delegate to employees, contractors or professional service providers (accountant, lawyers, auditors).
- 4.5 The Board is not usually directly involved in the day to day operation of the Centre but is available to provide information and support on daily matters as needed. This applies particularly to the officers (President, Treasurer and Secretary) however other Board members may have particular areas of expertise that could benefit the Centre.
- 4.6 Under clause 11 of the Baringa Constitution:
- the Board controls and manages the affairs of the association;
  - the Board may exercise all such functions as may be exercised by the association other than those functions that are required by the Constitution to be exercised by members in general meeting; and
  - the Board has the power to perform all such acts and do all such things as appear to the Board to be necessary or desirable for the proper management of the affairs of the association.

### Reserved Matters

- 4.7 The matters described in **Appendix A** are reserved to the Board and may not be delegated.

### Committees

- 4.8 Under clause 19 of the Constitution, the Board may delegate any delegable Board functions to one or more committees. The terms of delegation must be in writing approved by the Board and may be granted subject to any conditions the Board considers appropriate.

### Centre Management

- 4.9 The Executive Officer and Centre Director are directly accountable to the Board.
- 4.10 As the Board's representatives, Centre Management are responsible for leading and managing the Centre in a manner that: supports the operation of a quality service; manages organisational risk; facilitates efficient and effective Centre management; builds and promotes a positive organisational culture and professional learning community.
- 4.11 The core responsibilities of Centre Management are summarised in **Appendix B**. This summary is non-exhaustive and does not substitute for or vary the various formal written documents delineating Board and Centre Director roles and responsibilities.
- 4.12 Subject to this policy, Centre Management may seek the approval of the Board to delegate any Centre Management function, power or duty to any appropriate member of the staff of the organisation, or any person or persons, or any committee of persons.

## **Lawful and Ethical Conduct**

- 4.13 The Board is committed to the highest standards of integrity, fairness and ethical conduct, including full compliance with all relevant legal requirements.
- 4.14 All employees, volunteers and contractors acting on behalf of the Centre are required to meet the same high standards of integrity, fairness and ethical behaviour, including compliance with all legal requirements.
- 4.15 There is no circumstance under which it is acceptable for Baringa or any of its employees or contractors to knowingly and deliberately not comply with the law or to act unethically in the course of performing or advancing Baringa's business.

## **5. Processes**

### **Objectives for Delegations**

- 5.1 Delegations are a key element in effective governance and management. They provide formal authority to particular staff and volunteers to commit the organisation and/or incur liabilities for the organisation.
- 5.2 Delegations of authority within Baringa are intended to achieve the following core objectives:
- to support the operation of a quality service;
  - to effectively and efficiently manage organisational risk and implement administrative processes;
  - to facilitate efficient and effective Centre management including internal cost controls;
  - to build and promote a positive organisational culture and professional learning community; and
  - to ensure that the most appropriate and best-informed individuals within the organisation are provided with the level of authority necessary to discharge their responsibilities.

### **Delegations to members of the Board**

- 5.3 Delegations to members of the Board will be made by resolution of the Board recorded in Board meeting minutes.

### **Delegations to Committees of the Board**

- 5.4 Delegations to Committees of the Board shall be made by resolution of the Board and recorded in the Board meeting minutes and written terms of reference.

### **Other Delegations**

- 5.5 Delegations to Centre Management and Centre Management to members of the staff of Baringa shall be made by resolution of the Board and recorded in 'Delegation Schedules' (refer more below).
- 5.6 Delegations attach to the position occupied, not to the occupant of the position.
- 5.7 The responsibilities of a position appear in a duty statement, role statement or statement of responsibility appropriate to the position.
- 5.8 All delegations to or through Centre Management will reflect Baringa's organisational structure. Levels of authority are hierarchical through relevant lines of responsibility up to and including Centre Management. This means that formal authorities held by any delegate are included in those held by that delegate's supervisor or line manager. A delegate who sub-delegates authority remains responsible and accountable for the decision or action.

- 5.9 Centre Management may at any time vary or terminate any delegation, subject to confirmation by the Board at its next meeting.
- 5.10 A delegation cannot be exercised where the officer holding the delegation has a conflict of interest or where the delegation will result, either directly or indirectly, in any tangible benefit to the delegate. In such cases a transfer of the function to another appropriate position must be arranged with the Centre Director.
- 5.11 Permanent changes to delegations, either permissive or restrictive, require a written authority from Centre Management. Any major variation to the standard delegations must be approved by Centre Management.
- 5.12 Sub-delegation on a temporary basis is appropriate in circumstances where the officer normally responsible is absent for a period of less than two weeks by reason of authorised leave or secondment to other duties. Sub-delegations require a written authority from the individual with the delegated power, or a person in a position to approve the delegated authority.
- 5.13 Where an employee is acting in a higher position, that person will hold the delegation level appropriate to the higher position unless otherwise determined by Centre Management.
- 5.14 A financial delegation can be exercised only within the approved line item budget.
- 5.15 A staffing delegation cannot be exercised in regard to staff for whom the delegate does not hold line management responsibility.

#### **Delegations Schedules**

- 5.16 Delegations Schedules must be approved by the Board at such intervals as the Board may from time to time in its discretion deem appropriate, in consultation with and on advice from Centre Management.
- 5.17 Each Delegations Schedule shall provide reports by function, by position profile and by administrative area. Samples are included at Error! Reference source not found..
- 5.18 Separate Delegations Schedules shall be prepared for Financial Delegations and for Human Resources Delegations.
- 5.19 Delegations Schedules will be accessible to all staff, through Centre Management.

### **6. Responsibilities**

#### **Records Management**

- 6.1 The Secretary must maintain records of any delegations to members of the Board, the terms of reference of any Committees of the Board.
- 6.2 Centre Management must maintain current and accurate Delegations Schedules. Particular care must be taken where delegated authorities are redistributed, a position is reclassified, or a business unit is restructured in ways that affect position profiles.

#### **Reporting**

- 6.3 No additional reporting is required.

### **7. Related Legislation and Documents**

Bank Cards Policy

Procurement Policy

Baringa Constitution

**8. Feedback**

Families and staff may provide feedback about this document by emailing [chair@baringa.org.au](mailto:chair@baringa.org.au).

**9. Approval and Review Details**

<b>Approval and Review</b>	<b>Details</b>
Approval Authority	Board
Administrator	Executive Officer, Centre Director
Next Review Date	30 July 2020

<b>Approval and Amendment History</b>	<b>Details</b>
Original Approval Authority and Date	Board of Directors (30 July 2018)
Amendment Authority and Date Notes	30 July 2018 version replaces and supersedes policies 8.1 (Consultative Committee), 9.1 (Board of Directors) and 9.2 (Board Member Roles and Responsibilities) in the November 2016 Policy and Procedures Manual.  23 July 2019 version replaces Centre Management with inclusion of Executive Officer.

## **APPENDIX A – RESERVED MATTERS**

### **Banking, Tax & Finance**

1. Opening and closing bank accounts.
2. Any decision to lend or borrow money.
3. Any decision to invest Association funds (or to terminate investments).
4. Setting the Association's annual budget.
5. Finalising the Association's annual financial reports and arranging annual audits/reviews in accordance with legal requirements and in consultation with the Association's auditor.
6. Complex taxation and regulatory compliance matters (routine tax and regulatory compliance matters may be delegated in consultation with the Association's accountant).
7. Determining appropriate insurances; selecting appropriate insurance providers; approving insurance policy terms; finalising insurance applications; and making insurance claims, in consultation with the Association's insurance broker.

### **Significant Contracts**

8. Any decision to buy or sell land.
9. Any decision to lease or licence (or surrender or terminate a lease or licence of) any land.
10. Any single purchase of goods or services for a price exceeding \$5,000.00 exc. GST.
11. Any repeating purchase of goods or services for a price exceeding \$5,000.00 exc. GST in any twelve (12) month period.

### **Professional & Executive Appointments**

12. Appointment and/or termination of the Association's bookkeeper, accountant, auditor, insurance broker and/or lawyer.
13. Appointment of any professional Secretary, Chief Executive Officer (Centre Director) or Chief Financial Officer (CFO).
14. Appointment of the Centre Director, Assistant Centre Director, Early Childhood Teacher and Educational Leader.

### **Employees**

15. Appointment and/or termination of the employment of any employee with a salary package in excess of \$70,000.00 per annum exclusive of statutory superannuation.
16. Termination of employment for serious misconduct.
17. Termination of employment due to redundancy.
18. Enterprise bargaining.

### **Accountability, Planning & Policy**

19. Development and approval of the Association's business plan.
20. Development and approval of the Association's strategic plan.
21. Approval of the Association's quality improvement plan (development of the Association's quality improvement plan is delegated to the Educational Leader).
22. Developing and approving organisational policies on complex legal/taxation/regulatory matters (routine policy development may be delegated).
23. Negotiations and/or lobbying with external stakeholders such as government authorities and industry peak bodies.

### **Media**

24. All media enquiries about the Centre.

## APPENDIX B – SUMMARY OF CENTRE MANAGEMENT ROLES & RESPONSIBILITIES

<b>CENTRE MANAGEMENT</b>			
<b>Position</b>	<b>Executive Officer</b>	<b>Centre Director</b>	<b>Educational Leader / Early Childhood Teacher</b>
<b>Role Overview</b>	The Executive Officer is responsible for the business management and governance support functions of the organisation. This includes, but not limited to, financial management, resource management, audits and evaluations and ongoing business and centre improvement. The Executive Officer is responsible for governance, secretariat and reporting to the Board including strategic planning, budget development, financial monitoring and risk management.	The Centre Director is responsible for day to day operational functions of the organisation, including meeting all requirements under the Education and Care Services National Law (ACT) Act, the Education and Care Services National Regulations and Children and Young People Act 2008. The Centre Director supports Educators and staff to deliver quality education and care services to children and families in a way that continuously drives improvement. This includes, but are not limited to, human resources, managing enrolments, payroll and recruitment.	The Educational Leader / Early Childhood Teacher is responsible for reinforcing the Centre's commitment to early education and facilitating pedagogical practices of Team Leaders. This includes, but not limited to, coordinating Centre-wide programming and advising the Centre Director on the curriculum, guiding Team Leaders in program planning and implementation within the Early Years Learning Framework, Being, Becoming and Belonging, developing communications on the curriculum and managing the ongoing professional development of Educators.
<b>Reporting</b>	Reports to Board. Supervise Administration Officer, Project Officer	Reports to Board. Supervise Educational Leader, Team Leaders, Room Support Educators and Centre Cook.	Reports to Centre Director. Provides guidance to Team Leaders.
<b>Duties</b>	<ul style="list-style-type: none"> <li>• Undertake financial management, including business planning, budget development, procurement, approval of expenditure, resource management, fees policy, debt recovery, reporting, insurance, liaison with the Accountant and Bookkeeper.</li> <li>• Identify and implement innovative solutions to streamline business and operational processes.</li> <li>• Oversee and manage the review and development of operational, governance, human resourcing, financial, audit and compliance policies and procedures.</li> <li>• Maintain secure and accurate organisational books and records according to all legal, taxation and accounting requirements.</li> <li>• Manage Board secretariat including board communications, recruitment Board positions, induction, board papers, board meetings, elections and general meetings, risk management.</li> <li>• Manage board notifications to regulatory bodies including ACECQA, CECA, ACCESS Canberra and PRODA, communication with Baringa Association members.</li> <li>• Liaise with the Early Childhood Education sector, attend training and information sessions as offered by CECA, ACECQA and other relevant stakeholders and keep up to date with any changes impacting business operations.</li> </ul>	<ul style="list-style-type: none"> <li>• Ensure the efficient and effective management of the Centre on a day-to-day basis in accordance with all laws and Centre policies and procedures. Liaise with CECA and report relevant incidences including Reportable Conduct notifications.</li> <li>• Supervise and mentor the Educational Leader and Team Leaders to develop and implement developmentally appropriate education programs for children.</li> <li>• Manage child enrolments and waiting lists. Liaise with families, educators and children in an open, friendly and approachable manner, and actively work towards implementing a Child Safe Organisation.</li> <li>• Oversee human resourcing related operations including rostering, recruitment and leave requests.</li> <li>• Manage the implementation of operational, governance, human resourcing, financial, audit and compliance policies and procedures.</li> <li>• All 'nominated supervisor' duties as set out in the Education and Care Services National Regulations. Manage all Work, Health and Safety requirements.</li> <li>• Liaise with the Early Childhood Education sector, attend training and information sessions as offered by CECA, ACECQA and other relevant stakeholders and keep up to date with any changes impacting child care operations.</li> </ul>	<ul style="list-style-type: none"> <li>• Lead the development and implementation of the educational program, including how theory supports best practice, building relationships and interactions with children to assist learning through play-based programs and overseeing routines and transitions.</li> <li>• Support Team Leaders to develop and embed intentional teaching strategies, documentation that promotes reflection on educators' pedagogy and practice; and supporting educators to build relationships with parents/carers.</li> <li>• Manage the ongoing professional development and career planning of Team Leaders.</li> <li>• When required, act as the Nominated Supervisor of the Centre or person in day to day charge for periods of time when the Centre Director is absent.</li> <li>• Provide information, resources and communications to parents/carers about Baringa's programming.</li> <li>• Liaison with others in the profession and related services and making connections in the early childhood education community.</li> <li>• Liaise with the Early Childhood Education sector, attend training and information sessions as offered by CECA, ACECQA and other relevant stakeholders and keep up to date with any changes impacting curriculum development and practices.</li> </ul>