

Governance & Management

Policy/Procedure Number: QA7 - 3

Policy/Procedure Requirement: National Quality Standards 7; Regulations 168

Policy Statement

The Policy outlines the responsibilities of managing the FDC service in accordance with the requirements of National Law, National Regulations and the National Quality Standards recognising that FDC Educators are self-employed childcare providers, operating their business under the Approved Provider.

Rationale

The FDC Service should have effective governance, leadership and management to ensure compliance with Commonwealth and Territory Government legislative and regulatory requirements and to provide high quality childcare service delivering quality outcomes for children and families. Governance arrangements for services are required to reflect the appropriate legal status and authority to hold both provider approval and service approval.

Strategies and Practices

Service's Value Proposition

The Service is operated by a private, for-profit entity but founded as a 'social enterprise' – addressing a social need (i.e. affordable, accessible and quality child care) and striving to provide a common good (i.e. efficient provision of child care) by applying commercial discipline and innovation.

The Service strives to be more efficient and effective than community and not-for-profit services by being innovative and able to make better use of technology with lower administrative costs; and being more generous than other private for-profit businesses by seeking to increase value for children, parents and educators rather than seeking to maximise profits; while being commercially viable and financially sustainable.

Service's Values

The Service aims to be among the **lowest risk** and **highest quality** FDC service in the country and is strongly committed to its values of “**Respect**”, “**Quality**” and “**Integrity**” and expect the Management, Staff, Coordinators and Educators to adhere to these values.

- **Respect:** Children, Families, Educators and Staff must be treated with mutual respect and sensitivity, recognizing the importance of diversity. The Service respects all individuals and value their contributions
- **Quality:** The Service promotes continuous improvement in all aspects of our operations and aim to achieve an “**Excellent**” quality rating by 2023
- **Integrity:** The Service will at all times act with honesty and integrity, and expect the same from the Educators, Coordinators and Admin Staff

Governance Arrangements

- The **Approved Provider** is Genesis Professional Services Pty Ltd, a private limited liability company acting as trustee for a family trust
- The sole **Director** of the company is the 'Person with Management & Control of the Service'
- The Approved Provider of Genesis Family Day Care Services holds the legal responsibilities for operating the Service
- The **Service**, Genesis Family Day Care Services, is an approved family day care service registered to operate in the Australian Capital Territory (ACT)
- The Approved provider will ensure that a suitable person is appointed to be the **Nominated Supervisor** (Service Manager) to be responsible for the day to day activities of the Service
- The Nominated Supervisor will consent to and accept the appointment on the understanding of the legal responsibilities of the position
- When the Nominated Supervisor (Service Manager) or the Director (the person with management and control of the Service) is not in attendance, the Approved Provider will appoint an FDC Coordinator to be the person responsible for the day to day operations
- The Nominated Supervisor should be **at least 18 years of age**, a **fit and proper person**, have **adequate knowledge and understanding** of the provision of education and care to children; have an ability to **effectively supervise and manage** an education and care service; maintain a **current WWVP** registration, and be **free of alcohol, drugs and tobacco** during Service's operating hours
- The Nominated Supervisor will be the **Responsible Person** (i.e. Service Manager) in charge of the Service on a day to day basis
- The Approved Provider will appoint an **Educational Leader** to lead the development and implementation of educational programs
- The Educational Leader so appointed may be the Nominated Supervisor, a Coordinator or another suitably qualified person
- The Approved Provider will also appoint adequate number of full-time or part-time **FDC Coordinators** in accordance with the conditions of the Service Approval
- The Approved Provider may also appoint suitably qualified and experienced Educators or external contractors as **Practice Mentors** in particular areas of focus based on their expertise (e.g. curriculum development, sustainability, diversity and inclusion) to mentor and support Educators and the management team
- The Approved Provider will ensure that the Person with Management and Control, Nominated Supervisor, Person responsible for day to day management, Coordinators and Educators all remain fit and proper persons while holding the respective positions and/or undertaking the roles and responsibilities
- The Approved Provider will have in place policies and procedures to ensure the Service operates in compliance with all legal and regulatory requirements

Service's Business Model

The Service complies with the FDC Business Model

- The Service will recruit the FDC Educators as independent contractors with a contractual agreement in place. All Educators are required to have their own Australian Business Number (ABN) and are required to abide by the Service's policies and procedures
- The Care Agreement between the Service and the parents contains the terms and conditions of the care
- Under the *Family Assistance Law* the Provider is responsible for the operations of the entire service, including ensuring that Educators comply with all aspects of the Service's policies and procedures

Service's Operating Principles

The Service is committed to a "Distributed Leadership" model and promotes:

- Shared and mutually beneficial leadership practice that builds the capacity of Educators, Coordinators and the Service for continuous improvement
- Individual Educators who have specific interest and expertise and able to contribute to the continuous improvement of the quality of education and care of other Educators, to be Practice Mentors of the service
- A "collegial approach" by Coordinators and staff in their engagement with Educators on the basis of:
 - Mutual respect
 - Recognition that each have their own strengths, differing roles and responsibilities, and
 - Educator responsibility to comply with relevant legal and regulatory requirements, and commitment to continuous improvement in all aspects of the education and care
- Collaborative working relationship with families

Service Operations

The Service will:

- Provide all FDC staff, Educators and Educator Assistants with a copy of the Code of Conduct including responsibilities of all parties
- Ensure policies and practices are developed in line with the National Regulations and the National Quality Standards
- Ensure any changes within the Service are explained to all FDC staff, Educators and Educator Assistants and families prior to implementation
- Ensure if a change to a policy/procedure is made, then **at least 14 days notice to the Educators and parents** of children enrolled at the FDC Service must be given before implementing any change to a policy and/or procedure
- Give information on legal and ethical requirements to all FDC Service staff, Educators and Educator Assistants (e.g. Induction/Orientation, Certificate III training)
- Hold a policy and procedures file which is provided to FDC Educators and accessible to families. All relevant policies and forms will also be made available through the Service's website at www.genesisfdc.com.au

- Require FDC Coordinators to maintain regular contact with the Educators to provide support and monitor compliance with the National Regulations and the Service policies and procedures
- Meet the relevant legislative requirements in regard to promotion and advertising of the Service or individual FDC Educator's service.
- Ensure the Service is promoted professionally in an ethical and positive manner, and reflects the philosophy of the Service
- Take an active role in the marketing and the recruitment of educators with a diverse range of characteristics to reflect the culture, values and principles of the immediate and wider community.
- Ensure that any use of social media must not place at risk the safety, health or wellbeing of children, educators, families, or visitors at the service.
- Ensure children, educators and families are protected from being compromised in any form of social media, and provides guidelines for the publication of, and commentary on, social media by educators and others who can be identified as being connected with the Service.

Roles & Responsibilities of the Service's Leadership

- **Director** (Person with Management & Control of the Service):
 - Overall strategic leadership of the Service
 - Provide leadership in the implementation of the National Quality Framework
 - Oversight of Nominated Supervisor, Coordinators and Admin Staff
 - Oversight of risk management across the Service
 - Management of the Service's financial, ICT and staff resources
 - Liaise with and respond to requests and enquiries from Regulatory Authority and other Australian and Territory Government agencies
 - Ensure Service's compliance with the requirements of the Education and Care Services National Law and Regulation, National Quality Standards and Family Assistance Law
 - Implement and document effective policies, procedures and administrative practices for the Service
 - Receive and handle complaints
- **Service Manager** (Nominated Supervisor):
 - Work with Director, Educational Leaders, Coordinators and Educators in the planning, implementation and evaluation of educational program and practice across the Service
 - Work with Coordinators and Educators to ensure the safety and wellbeing of all children enrolled with the Service and educated and cared for by the Educators
 - Provide advice and support to Coordinators and Educators to ensure that the education and care provision are in compliance with the National Law and Regulations, and Service Policies and Procedures
 - Provide appropriate support and referral according to the needs of children, Educators and families

- Promote the Service offerings with parents to provide placement for children
- Recruit Educators and provide them with adequate information, guidance and support
- Coordinate and facilitate opportunities for parent and Educator consultation on issues related to the provision of education and care
- Supervise, support and evaluate Coordinators and Educators
- Engage as required with families to receive feedback on the provision of education and care for continuous improvement
- Promote and facilitate the weekly Music and Playgroups (school term) and holiday care activities

- **Educational Leader:**

- Leads the development and implementation of educational programs in the Service
- Plays an influential role in inspiring, motivating, affirming and also challenging or extending the educational practice and pedagogy of Educators
- Work with the Educators to continually improve the education and care they provide for children, including assisting them to develop and deliver a suitable program for each child that is based on an approved learning framework; the developmental needs, interests and experiences of each child; and designed to take into account the individual differences of each child

The Educational Leader's role and responsibilities are more fully outlined in the Service's Policy *Educational Program & Practice (QA1-1)*

- **Practice Mentors:**

- Supports the Service in complementing the work of the Educational Leader and Coordinator by providing expert assistance and/or mentoring to Educators in particular areas of education and care

- **FDC Coordinators:**

The Coordinators have a key role in the monitoring and enhancing of quality and compliant provision of education and care by FDC Educators.

Through regular announced and unannounced home visits, the Coordinators will:

- Exchange information with Educators about children in their care
- Observe the interactions between the children and the Educator
- Work with the Educators to continually improve the education and care they provide for children, including assisting them to develop and deliver a suitable program for each child that is based on an approved learning framework; the developmental needs, interests and experiences of each child; and designed to take into account the individual differences of each child
- Support them in understanding and contributing to the assessment and rating process and meeting the National Quality Standard

- Ensure that persons aged 18 years and over who reside at their residence are suitable to be in the company of children and discuss any changes that may have occurred with these individuals since their last visit
 - Discuss and plan for any further training, professional development and support they may need
 - Assess the ongoing suitability of each family day care residence
 - Assist Educators in meeting their obligations and responsibilities under the National Law and National Regulations
- **Admin Team:**
 - Administrative:
 - Processing of enrolments, care booking/ changes to care arrangements, cease of care, check attendances
 - Compliance:
 - Educator to child ratios
 - Session Reports - completeness/ accuracy of attendance sign in/out for weekly submission
 - Finance:
 - Educator Payments - timely and accurate processing of Educator payments
 - Prepare and send weekly Educator statements
 - Respond to parent and Educator enquiries including on fees, CCS and parent gap payments
 - Monthly child care statements
 - Maintaining all administrative and financial records for the Service, including information and records related to enrolled children and Educators

Number of Educators Registered with the Service

- The Service shall not register more than the approved number of Educators at any time. Currently, the Service is approved to register up to 50 FDC Educators to provide education and care

Number of FDC Coordinators

- The Service shall maintain the required number of full-time equivalent FDC Coordinators per approved FDC residences. Currently, the Service is required to have one full-time equivalent FDC Coordinator for 25 FDC residences registered with the Service

Number of children in care

- In compliance with the National Law, the Service limits the number of children aged 0-5 years cared for by an Educator at any time to a **maximum of four (4)**. The maximum number of children aged 0-12 cared for by an Educator is **seven (7)**. The Educator's own children and other children in the premises count towards the limit of seven (7) if they are aged 0-12 years

Insurance

- The Service (and the Provider) will maintain current public liability insurance for minimum of \$10 million and workers compensation insurance for the Service

Quality Improvement Plans

- The Approved Provider will ensure the Service's Quality Improvement Plan is regularly reviewed and updated

Privacy

- The Service recognises that the information collected by the Service or the Educators through the delivery of education and care may be considered protected information under the *Family Assistance Law* and/or personal information under the *Commonwealth's Privacy Act 1988*. As such, the Service will ensure that such information is handled sensitively and confidentially, and protected from unauthorised access to comply with the relevant obligations of these laws

Reporting suspicious or fraudulent behaviour

- The Service (and the Provider) give utmost importance to the protection of its and the key personnel's reputation and actively manages any risks to the reputation due to quality issues or deficiencies in the integrity of the Services operations
- The Service will continuously reinforce its values of honesty, integrity and service to its staff and Educators; and advise them of and undertake data verifications and audits based on known risks (e.g. incorrect attendance records, child swapping, phantom enrolment, collusion) for the prevention of fraud and incorrect claiming, and the detection of fraud or incorrect claiming if they ever occur
- Should the Service receives a complaint, find or have suspicions that any staff or Educators are behaving fraudulently, immediate investigative action will be taken and will notify the Department by contacting the Child Care Support Line on 1800 664 231
- The Service is aware that serious penalties apply for non-compliance, ranging from financial penalties to sanctions such as the suspension or cancellation of the Service's CCS approval or criminal investigation and prosecution.

Resources and Further Readings

- Education and Care Services National Regulations
- Education and Care Services National Law Act 2010
- ACECQA National; Quality Framework Resource Kit www.acecqa.gov.au

Related FDC Policies, Procedures & Documents

- Educator Service Agreement

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Next Review: