

1. Policy Statement

St Nicholas is committed to robust governance and management systems that support the effective, ethical and compliant operation of our services. We will conduct our affairs legally, ethically and with integrity, ensuring compliance with all regulatory, legislative and funding requirements.

Governance systems include risk management, continuous improvement processes, financial oversight and clear lines of accountability.

2. Purpose

The purpose of this Policy and Procedure is to:

- Outline the practices St Nicholas services and employees will implement regarding governance and management.
- Ensure families are informed of, and have access to, the service's procedures relating to governance and management.
- Support compliance with the Education and Care Services National Law and National Regulations, which require services to have policies and procedures in place regarding governance and management.
- Support continuous improvement through ongoing self-assessment and reflective practice

3. Procedure Direction

Step	Detail
Policies and Procedures	• St Nicholas will ensure that policies and procedures in relation to the following are in place at all St Nicholas Services: ○ Health and Safety including Nutrition, sun protection, water safety and administration of first aid; ○ Incident, injury, trauma and illness ○ Dealing with infectious diseases ○ Dealing with medical conditions ○ Emergency and Evacuation ○ Delivery of children to, and collection of children from, the service premises ○ Excursions ○ Providing a child safe environment ○ Staffing including Code of conduct, determining responsible persons and the participation of volunteers

	○ Child Safety including recruitment, reporting and protective disclosures ○ Interactions with children ○ Enrolment and orientation ○ Governance and management of service including confidentiality of records ○ The acceptance and refusal of authorisations ○ Payment of fees and provision of a statement of fees charged by the service ○ Dealing with complaints • All policies and procedures will align with Regulation 168 and be reviewed for currency against legislation and best practice • All St Nicholas Services will ensure access is available to Policies and Procedures for families and staff. • Policies will be accessible in multiple formats where required to support inclusion (e.g. digital access, translated information) • All St Nicholas Policies and Procedures will be reviewed on a minimum 2 year cycle and must be formally approved by the Executive Director, St Nicholas before implementation. • St Nicholas staff, management and families are involved in the review of St Nicholas Policies and Procedures. • Consultation processes will be documented and feedback recorded to inform decision-making • Parents will be notified at least 14 days in advance of any significant changes made to the above Policies and Procedures that have an impact on: ○ The service provision of education and care to any child enrolled at the service; or ○ The family's ability to utilise the service • Parents are notified at least 14 days in advance before any change is made to fees charged at the service or the way in which fees are collected. • If the Executive Director, St Nicholas considers that the notice period for any Policy or Procedural change would pose a risk to the safety, health or wellbeing of any child enrolled at the service, then they are to ensure that parents of children enrolled are notified as soon as practicable after making the change.
Display and Reporting of Prescribed Information	All St Nicholas Services will have the following prescribed information on display in a prominent position in the service (EE foyer or OOSH Entry/parent area): • Approved Provider Name, approval number and any conditions applicable to the provider approval.

- The name of the Education and Care service, service approval number, and any conditions applicable to the service approval.
- The Nominated Supervisor Name and if the Nominated Supervisor is a member of a prescribed class.
- The Educational Leader's Name
- The current service rating for each quality area stated in the National Quality Standard as well as the overall rating of the service.
- The details of any service waivers or temporary waivers held by the service.
- A record of the service's compliance will be displayed and published in the form approved by the Regulatory Authority in accordance with NSW Regulations. This includes the service compliance history for 2 years and the service's quality rating history (current and previous) Section 172(3).
- The hours and days of operation of the service.
- The name and telephone number of the person at the Service whom complaints may be addressed too.
- The name and position of the Responsible Person in charge of the service for each time that children are being educated and cared for.
- The name of the Educational Leader of the service.
- The contacts details of the Regulatory Authority.
- If applicable, a notice stating that a child has been diagnosed as at risk of anaphylaxis is enrolled at the service.
- If applicable a notice of an occurrence of an infectious disease at the service

All St Nicholas Services will ensure the following notifications will be made, and prescribed information provided, in writing to the Regulatory Authority within the following time frames of becoming aware:

- a change to the name of the Approved Provider, within 14 days
- any appointment or removal of a person with management or control of an education and care service operated by the approved provider, within 14 days;
- a failure to commence operating an education and care service within 6 months (or within the time agreed with the Regulatory Authority) after being granted a service approval for the service, within 14 days.
- if the approved provider is notified of the suspension or cancellation of a working with children check or teacher registration of, or disciplinary proceedings under an education law of a participating jurisdiction in respect of, a nominated supervisor engaged by the service, within 7 days;
- if a nominated supervisor of an approved education and care service—
 - ceases to be employed or engaged by the service, within 7 days; or

- is removed from the role of nominated supervisor, within 7 days; or
- withdraws consent to the nomination, within 7 days;
- any proposed change to the service, within 7 days;
- if the approved provider ceases to operate the education and care service, within 7 days;
- intention to transfer a service approval, as required under section 59.
- any change relevant to whether the approved provider is a fit and proper person to be involved in the provision of an education and care service, within 7 days;
- information in respect of any other prescribed matters, within 7 days.
- any change to the address or contact details of the approved provider, within 14 days;
- the appointment of receivers or liquidators or administrators to the approved provider or any other matters that affect the financial viability and ongoing operation of the education and care service, within 7 days.
- any change to the hours and days of operation of the education and care service, within 7 days;
- any change to the ages of children being educated or cared for by the service, within 7 days;
- any change to the nature of education and care offered by the service i.e. if a centre-based service educates and cares for children over preschool age and the service proposes to offer education and care to children who are preschool age and under, within 7 days.
- any incident that requires the service to close, or reduce the number of children attending, the service for a period i.e. a flood or a fire that requires an approved provider to close the education and care service premises (or part of those premises) while repairs are undertaken, within 24 hours.
- any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child or children attending the service, within 7 days;
- the attendance at service of any additional child or children being educated and cared for in an emergency in the circumstances set out in regulation 123(5), within 24 hours, including—
 - a description of the emergency; and
 - a statement by the approved provider that the approved provider had taken into account the safety, health and wellbeing of all the children attending the education and care service when deciding to provide education and care to the additional child or children.
- any incident where the service reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring while

	the child is or the children are being educated and cared for by the education and care service, within 24 hours; • allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child is or the children are being educated and cared for at the service (other than an allegation that has been notified under section 174(2)(b) of the Law), within 24 hours; • for services that start providing, or arranging for, regular transportation of children—the first time the service provides, or arranges for, the transportation of children, within 7 days; • for services that stops providing, or arranging for, regular transportation of children—the final time the service provides, or arranges for, the transportation of children, within 7 days. • the death of a child, as soon as practicable but within 24 hours of the death, or the time that the person becomes aware of the death • any serious incident, within 24 hours of the incident or the time that the person becomes aware of the incident • any complaints alleging— ○ that a serious incident has occurred or is occurring while a child was or is being educated and cared for by the approved education and care service, within 24 hours; or ○ that this Law has been contravened, within 24 hours
Prescribed Records and Retention of records	All St Nicholas Services will have the following prescribed records and documents in appropriate secure locations on the premises for each of the following, as outlined in each relevant regulation: • Documentation of child assessments or evaluations for the delivery of the educational program (Regulation 74); • Incident, injury and trauma records (Regulation 87); • Medication records (Regulation 92); • Staffing records (Regulation 145) • Records of volunteers and students (Regulation 149); • Responsible person records (Regulation 150); • Records of educators working directly with children (Regulation 151); • A record of access to Early Childhood Teachers (Regulation 152) ; • Child attendance records (Regulation 158); • Child enrolment records (Regulation 160); • A record of service compliance with the Law (Regulation 167) • A record of certified supervisors placed in day-to-day charge of the education and care service (section 162 of the Law) • Nominated Supervisors will ensure that a record of the service's compliance is kept and is able to be accessed by any person on request.

- Nominated Supervisors will ensure that documentation and records in relation to a child enrolled at the service are available to a parent of the child upon request. If a parent's access to information is limited by an order of the court, the approved provider must refer to the court order in relation to release of information concerning the child to that parent.
- The approved provider will ensure all St Nicholas Services keep evidence on the premises of current prescribed insurance of the education and care premises.
- All Working With Children Checks will be verified and recorded in accordance with NSW requirements prior to commencement and monitored for expiry

The approved provider will ensure a staffing record is kept for each Nominated Supervisor containing:

- the full name, address and date of birth of the nominated supervisor;
- evidence of any relevant qualifications held by the nominated supervisor; or
- evidence, if applicable, evidence that the nominated supervisor is actively working towards that qualification as provided under regulation 10;
- evidence of any approved training (including first aid training) completed by the nominated supervisor;
- verified, valid, NSW Working with Children's Check

The approved provider will ensure a staffing record is kept for each staff member including educators containing:

- the full name, address and date of birth of the staff member;
- evidence of any relevant qualifications held by the staff member; or
- if applicable, evidence that the staff member is actively working towards that qualification as provided under regulation 10;
- evidence of any approved training (including first aid training) completed by the staff member;
- verified, valid, NSW Working with Children's Check

The approved provider will ensure a staffing record is kept for each volunteer and student containing:

- the full name, address and date of birth of the student or volunteer;
- verified, valid, NSW Working with Children's Check

The approved provider will ensure a staffing record is kept that has the name of the person designated as the Educational Leader and, for each time that children are being educated and cared for, the name of the responsible person

	The approved provider will keep a record of educators working directly with children that includes: - the name of each educator who works directly with children being educated and cared for by the service; - the hours that each educator works directly with children being educated and cared for by the service The approved provider of St Nicholas must ensure that information kept on the premises of each service is not divulged or communicated, directly or indirectly, to another person, other than: - To the extent necessary for the education and care or medical treatment of a child to whom the information relates. - A parent of the child whom the information relates, except in relation to information kept in a staff record. - The regulatory authority or an authorized officer. - As expressly authorized, permitted, or required to be given by or under any Act or Law; or - With written consent of the person who provided the information. The approved provider will all ensure that all St Nicholas Services store and retain prescribed documents and information for the following relevant periods: - All incident, illness, injury or trauma suffered by a child while being educated and cared for by the service or occurred following an incident while being cared for, until the child is aged 25 years. - If the record relates to the death of a child while being educated and cared for by the service or that may have occurred because of an incident while being educated and cared for, until the end of 7 years after the death. - In the case of any other records relating to a child enrolled at the service, until the end of 3 years after the last date on which the child attended was educated and cared for. - If the record relates to the approved provider, until the end of 3 years after the last date on which the approved provider operated the service. - If the record relates to the nominated supervisor or staff member of the service, until the end of 3 years after the last date in which they provided care at the service. - In case of any other record, until the end of 3 years after the date on which the record
Maintaining Quality Improvement Systems	- Each service maintains a current Self-Assessment which includes Quality Improvement Plan - The Self-Assessment is available at the service and reviewed at least annually in consultation with educators and families

St Nicholas	Name of policy: Governance and Management	Page 7
Issue Date: July 2026	Review Date: July 2027	Document Owner: Executive Director, St Nicholas

- Continuous improvement is embedded in daily practice through reflection, critical discussion and ongoing evaluation of service operations
- Outcomes from self-assessment inform service planning, professional development and policy review

4. Roles and Responsibilities

Role	Responsibility
Approved Provider	• Ensure that the obligations under the <i>Education and Care Services National Law</i> and <i>National Regulations</i> are met. • Take reasonable steps to ensure that St Nicholas staff members, educators and visitors follow the policy and procedures • Implement systems to monitor compliance, including audits, reviews and performance reporting
Nominated Supervisor Responsible Person	• Take reasonable steps to ensure that the policy and procedures are current, reviewed regularly, and communicated to educators, staff and stakeholders • Take reasonable steps to inform and support educators and staff of their responsibilities in implementing the policy and procedures at all times • Guide and mentor educators and staff to be able to follow the policy and procedures • Ensure a Responsible Person is clearly identified and documented at all times • Monitor daily practice to ensure policies are implemented effectively
Educators / Staff	• Adhere to St Nicholas policies and procedures • Participate in ongoing training, reflection and continuous improvement processes • Maintain accurate records and uphold confidentiality requirements at all times
Parents / Guardians	• Be aware of, support and follow the service's policies and procedures. • Provide feedback and participate in consultation processes where appropriate

5. Related Documents

Policies and Procedures

This policy should be read in conjunction with all St Nicholas policies and procedures required under Regulation 168, particularly those relating to staffing, enrolment, health and safety, complaints, and record keeping

St Nicholas	Name of policy: Governance and Management	Page 8
Issue Date: July 2026	Review Date: July 2027	Document Owner: Executive Director, St Nicholas

Legislation

- [Education and Care Services National Regulations \(2011 SI 653\) - NSW Legislation](#)
Regulations: 29, 30, 31, 55, 56, 84, 104, 106, 107, 108, 109, 110, 116, 117, 117B, 154, 157, 158, 159, 160, 161, 162, 165, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 180, 181, 182, 183, 184, 185
- [Children \(Education and Care Services\) National Law \(NSW\) No 104a of 2010 - NSW Legislation](#)
Sections: 13, 14, 21, 51, 162, 172, 173, 174, 175, 188, 269
- Family Assistance Law (A New Tax System (Family Assistance) Act 1999 and associated legislation

Other References

Compliance responsibilities under the National Law and National Regulations - ACECQA
ACECQA - Governance Management Guidelines

National Quality Standard

QA 7.1 Governance
QA 7.2 Leadership

6. Definitions

Term	Definition
Approved Provider	The legal entity with ultimate responsibility for the service under the National Law
Nominated Supervisor	A person with responsibility for the day-to-day management of the service
Responsible Person	The person in charge of the service at any given time
Person with Management or Control (PMC)	A person who makes, or participates in making, decisions that affect the whole or a substantial part of the service
Educator	A St Nicholas team member whose primary role is working directly with children
Staff	A St Nicholas team member whose primary role is not working directly with children, including cooks, support office team members, administration team members, support workers, volunteers
Early Education	St Nicholas service providing education and care to children aged 0 – 5 years
OOSH	St Nicholas service providing education and care to school aged children
Serious Incident	As defined under Regulation 12 of the National Regulations

St Nicholas	Name of policy: Governance and Management	Page 9
Issue Date: July 2026	Review Date: July 2027	Document Owner: Executive Director, St Nicholas

7. Document Review

- 7.1. This Policy will be reviewed when there is a legislative change, organisational change, delegations change, technology change or at least every 1 - 2 years to ensure it continues to be current and effective.

St Nicholas	Name of policy: Governance and Management	Page 10
Issue Date: July 2026	Review Date: July 2027	Document Owner: Executive Director, St Nicholas