

Governance

The National Quality Framework (NQF)

All preschools in Australia operate under an Australian Governmental Quality Framework called the “*National Quality Framework*” (NQF).

The Law

The foremost component of the NQF is the National Law called “*Children (Education and Care Services National Law Application) Act 2010*”. This Law regulates education and care services for children.

The Regulations

The way that this law is applied is detailed through the “*Education and Care Services Regulations*”. These regulations are the practical details and rules under the law (A Really Simple guide to The New Regulations. Community Childcare Cooperative 2011:3). Amongst other things, the Regulations set out the minimum operational requirements of an Early Education and Care Service.

The National Quality Standards (NQS)

The NQS is a schedule to the National Regulations (The Guide to the National Quality Framework, ACECQA:9). The NQS is part of the Regulations.

The Learning Framework

NQS 1.1 prescribes that the educational program and practice i.e. curriculum decision making must be based upon the approved learning framework. The approved learning framework for preschools in NSW is the Early Years Learning Framework called “*Belonging, Being & Becoming*” (DEEWR, 2009). This document is generally referred to as the “*EYLF*”.

The aim of the EYLF is to extend and enrich children’s learning from birth to 5 years and through the transition to school. It assists services to provide young children with opportunities to maximise their potential and develop a foundation for future success in learning (Guide to the NQF, ACECQA, 2011:10).

The Australian Children’s Education and Care Quality Authority (ACECQA)

ACECQA is the national body jointly governed by the Australian Government and state and territory governments to oversee the NQF system.

NSW Department of Education (DoE)

Under the NQF, each state and territory has its own *Regulatory Authority* that has primary responsibility for the approval, monitoring and quality assessment of services in their jurisdiction in accordance with the national legislative framework and in relation to the NQS (Guide to the NQF, ACECQA, 2018). In NSW, the Department of Education is the *Regulatory Authority*.

Approved Provider

Our preschool operates under a community-based not-for-profit model of management. This means that we have a Management Committee (comprised of parents of enrolled pre-school children and other community members) and, any profits made by the preschool are fed back into the service. The management committee of the preschool is referred to as the “*Approved Provider*” under the Regulations. Our preschool is an Incorporated Association. This is the pre-school’s business structure.

Management Committee

The *Approved Provider* or the Management committee is responsible for the overall performance of the organisation. They determine the service’s mission and purpose, set the strategic directions of the organisation, that is, develop the service’s strategic plan, appoint and monitor the performance of the director/nominated supervisor, ensure staff are employed in accordance with industrial obligations, ensure compliance with legal obligations, ensure the ongoing financial sustainability of the service, monitor and evaluate the service’s performance against the strategic plan (including the committee’s own performance), enhance the profile of the service in the community and recruit and orient new committee members. (*Community Connections Solutions Australia Fact Sheet, “Roles and Responsibilities of the Committee/Board”*).

The Management Committee operates under the NSW Associations Incorporation Act 2009, and our Constitution. Therefore, we have Executive committee member roles of President, Vice President, Treasurer and Secretary, as well as 3 ordinary committee members. These positions are annually elected and filled at each Annual General Meeting (AGM) during March.

Pre-School Director

While the Director fills the role of Public Officer, he/she does not have voting rights at committee meetings, however, he/she forms an integral part of the management team. In children’s services, the Director is employed to:

- manage the day to day operations of the service including supervising other staff;
- provide relevant and up-to-date information to the committee to assist with their decision-making;
- work in partnership with the committee to achieve the service’s mission and purpose;
- and report to the committee on progress against the service’s strategic plan.

The Director of the preschool is the expert in regards to the pedagogy of the centre and informs the Management Committee through knowledge.

Responsible Person

The National Law requires service providers to ensure that at all times the service is educating and caring for children, there is a *responsible person* present at a centre-based service. A Responsible Person is either:

- The *Approved Provider*
- The *Nominated Supervisor*
- The *person placed in day-to-day charge*.

Nominated Supervisor

The committee nominates an educational staff member (usually the director) to be the Nominated Supervisor of the service. They are responsible for the operation of the service along with the approved provider and for ensuring it is following the Law and Regulations. (Community Childcare Cooperative, Really Simple Guide the New Regulations, 2011:7).

A person placed in day-to-day charge of the service

Appointing a person in day-to-day charge enables there to be a responsible person at the centre-based service at all times the service is educating and caring for children. For example, they can be a point of contact for parents and staff in the absence of the Nominated Supervisor.

The person must give consent.

They must meet minimum requirements to be appointed to the role. Being in day-to-day charge of a service does not place any additional legal responsibilities on a person under the National Law. The responsibilities relevant to educators under the National Law continue to apply.

An Approved Provider does not have to appoint a person in day-to-day charge if a Nominated Supervisor or Approved Provider is to be the Responsible Person.

A person in day-to-day charge must be 18 years or older. The Approved Provider or the Nominated Supervisor must take reasonable steps to ensure the person:

- has adequate knowledge and understanding of the provision of education and care to children;
- has an ability to effectively supervise and manage an education and care service;

The Approved Provider or the Nominated Supervisor must have regard to:

- The person's history of compliance with the National Law and other relevant laws;
- Any decision under the Law to refuse, suspend, refuse to renew, or cancel a licence, approval,

registration, certification or other authorisation granted to the person under the National Law and other relevant laws.

A person who previously consented to be in day-to-day charge of the service will not need to provide consent again from 1 October 2017.

(*National Quality Agenda Review/ Responsible Person requirements for Approved Providers, ACECQA, 30 August 2017*).

Educational Leader

Under the National Law: Section 169 and the National Regulations: Regulations 118, 148 the Approved Provider of an education and care service must designate, in writing, a suitably qualified and experienced educator, coordinator or other individual as *Educational Leader* at the service, to lead the development and implementation of educational programs in the service.

According to Community Childcare Co-operatives Educational Leader fact sheet; an educational leader, through a collaborative process with educators, families and the community will guide the development of the program of learning and education for children. They will also assist with educator growth in reflection and the understanding of children's learning and development. This role is key to sound practice in the education and care of children – it is a role of great significance and importance.

Early Childhood Australia Association (ECA) Code of Ethics

A Code of Ethics is a set of statements about appropriate and expected behaviour of members of a professional group and, as such, reflects its values.

The Early Childhood Australia *Code of Ethics* was first developed in 1990 by a national working party, with considerable input from the early childhood field. The 2003-06 [Code of Ethics Agenda](#) resulted in a *Code of Ethics*, which was endorsed at Early Childhood Australia's National Council meeting in September 2006. The current version of the ECA Code of Ethics was published in 2016.

The *Code of Ethics* is owned by the field, rather than imposed upon it.

(Source: http://www.earlychildhoodaustralia.org.au/code_of_ethics)

You will find a copy of the ECA Code of Ethics displayed in the service. It is expected that at all times you will uphold the principles and values within it.