



Kinder Quick Reference Guide

A management guide for early childhood services committees of management



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Be prepared and recover quickly!

A guide for committees of management of early childhood services.

Kindergartens and early learning centres are an important part of the Victorian community, providing valuable education services for children.

They are often supported by committees of management who are volunteers and part of the parent community.

This guide is designed to assist voluntary committee members understand their role in managing risk, what is covered by VMIA insurance products, how to make a claim and where to get assistance if required.

NOTE: we have used the generic term Person in Charge to refer to the role of the person who reports directly to the committee of management. This may be a manager, teacher, team leader or other title for the person in charge.





Risks and VMIA



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How can VMIA help?

The Victorian Managed Insurance Authority (VMIA) provides insurance and risk advice to the Victorian Government.

The Department of Education and Training funds a suite of insurance products called Community Service Organisations Education Insurance Program (CSOe) for all state funded kindergartens. Your organisation does not pay for this insurance but you will receive a Certificate of Currency each year confirming the type and level of cover you have.

There are things not covered such as buildings and contents, so your organisation may need additional insurance from the commercial market or you may have insurance via another source.

Information

Information about the CSOe program can be found on our website:

[VMIA website > Insure > Community Service Organisations \(Education\)](#)

Watch these videos:

[Insurance Program Overview](#)

[Certificates of Currency](#)



CSO Education Insurance Program

Insurance Policy	Coverage	Example
Directors and Officers	Cover for claims made against your organisation's directors and officers (including employment related matters) while acting in their capacity.	A claim is brought against the organisation by a former employee for unfair dismissal.
Public and Products Liability	Cover for your organisation, employees and volunteers to pay compensation for personal injury and/or property damage to third parties where the organisation is negligent.	Staff or volunteer actions or non-actions lead to an injury of a visitor to the organisation.
Professional Indemnity	Covers your organisation for claims of financial loss suffered by third parties resulting from the organisation's breach of its professional duties.	An employee provides inaccurate advice to a client and the client loses money as a result.
Entity Fidelity	Cover for the loss of money or other property arising from any dishonest or fraudulent act committed by an employee or volunteer of your organisation.	The employee or volunteer fraudulently withdraws \$1,000 from organisation's bank accounts.
Personal Accident	Cover for volunteers and board/committee members and other eligible people, whilst performing their duty, for accidental bodily injury that results in loss of life, permanent or temporary disablement.	A volunteer breaks his leg while undertaking their duties as a volunteer.

* For specific policy wording please refer to [VMIA website > Insure > Community Service Organisations \(Education\)](#)

Make a claim

The easiest way to make a claim is via the VMIA website: vmia.vic.gov.au/claim/make-a-claim

Select the claim type from the drop down box and complete the claim form

Return to VMIA by emailing to:
claims@vmia.vic.gov.au



If you have any questions or are not sure which claim type may respond, please call us on **9270 6900**

Risks



What is Risk?

“Risk is the effect of uncertainty on objectives” AS/NZ ISO31000:2018

What does this mean for the committee?

The committee of management sets the strategic direction of the organisation. Once objectives have been agreed, ask “what would stop us achieving these goals?” These are the risks, the things that worry us, that need action. Work with the Person in Charge to identify and manage risks that could occur in any area of your organisation, such as financial, people and culture, services and partnerships.

Tips and Hints

- Document the actions needed to respond to the risks on a Risk Register
- Understand how likely the risk is to occur and what would the impact be if it did occur
- Agree on who is accountable for managing the risk and in what timeframe
- Some risks will be day to day/operational and don't need committee oversight
- Not all risk is bad. For instance a risk to the centre may result in the creation of a new service. This links to the requirements for ongoing improvement in the quality improvement plan
- Don't create a shopping list of everything that could go wrong. Be specific
- Keep the number of risks being managed to five to seven so you are targeted in your actions
- Discuss risks and risk management at committee meetings. Have it on the agenda and ensure urgent risks are followed up
- The committee is responsible for determining the appetite for taking risks. This means weighing up the pros and cons of doing something or not doing it. It means thinking about the potential consequences of action or inaction, including the impact on the financial sustainability and reputation of the organisation
- Talk about risk as part of any significant decision. Ask:
 - what would stop us from doing this?
 - what do we need to get right in order to do what we want?



**Jolly Roo
Kinder**



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Jolly Roo Kinder

Your child attends the Jolly Roo Kindergarten, and you have just joined the committee of management.

You know that you have responsibility for the overall governance of the organisation.

This includes:

- Ensuring the ongoing financial viability
- Managing your legal obligations
- Setting the strategic direction and overseeing significant business decisions
- Hiring and managing the Person in Charge or other relevant people.

But you're not sure about whether your insurance covers activities that the kinder is undertaking.

The following pages provide you with case study scenarios of common issues faced by committees of management to give you greater confidence and to assist you in making informed decisions.





The Person in Charge



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Hiring the Person in Charge



The current Person in Charge, Mary has retired after 20 years of amazing service. The committee of management at Jolly Roo Kinder now has the task of recruiting a new Person in Charge.

They place an advertisement on-line and get several good applications. They arrange to interview three people but the first candidate declares during the interview that she is Mary's daughter. They decide not to interview the other two people and offer her the job on the spot.

The committee phone the other candidates to advise they no longer need to attend the interview. Word quickly gets out that it's Mary's daughter who got the role and not everyone is as pleased as the committee.

Committee's Role

The committee of management at Jolly Roo Kinder are responsible for hiring the Person in Charge.

They should follow transparent practices in selecting the right person for the role. Often a sub committee will conduct interviews and make a recommendation to the full committee before appointing the person.

Tips and Hints

- Have a recruitment policy that outlines the process to be followed when hiring a Person in Charge
- Have clear selection criteria and agree as a committee on the qualities, skills and experience that you are looking for
- Stick to the process - ensure that every candidate is treated the same, asked the same core questions and given the opportunity to ask questions of the committee
- Be transparent about real or perceived conflicts of interest and agree on the approach taken if conflicts arise.

Insurance Implications

Unsuccessful candidates may assert that the selection process was unfair and alleges nepotism against the organisation. Jolly Roo Kinder may lodge a claim under the Directors and Officers Policy to cover the costs associated with defending this legal action.

Performance Manage the Person in Charge



The committee of management at Jolly Roo Kinder has concern that the Person in Charge isn't managing the budget. The Person in Charge isn't able to answer questions about the finances with confidence and this is making the committee anxious. The committee has provided robust feedback to the Person in Charge.

Committee's role

Usually, the key communication between a Person in Charge and the committee is via the committee's Chair.

It is good practice for the Chair and the Person in Charge to meet separately from the full committee meeting to discuss performance, wellbeing and career development, day to day issues such as upcoming leave, and set the agenda for the next committee meeting.

Tips and Hints

- Have a clear and up to date position description that outlines expected tasks and behaviours
- Ensure processes and procedures regarding performance management are specifically worded and followed
- Discuss the difference between expectations and observations in a calm and professional manner
- Keep factual, professional and respectful notes of any discussions about performance
- Agree on action plans, such as mentoring, training or professional development courses with defined deliverable dates and measures of success
- Meet regularly to monitor outcomes against the plan and provide ongoing feedback
- Refer to ELAA's Performance Management and Development Kit for further guidance.

Insurance Implications

If the way in which feedback is given is seen to be unfair, harassment or bullying, the Person in Charge may make a claim against the organisation. If this happens, Jolly Roo Kinder may lodge a claim under the Directors and Officers Policy.

Termination



The committee of management at Jolly Roo Kinder has had a number of formal complaints about the Person in Charge's abrupt and patronising tone when talking to staff and parents.

The committee is troubled and decide to terminate the Person in Charge's contract.

Committee's Role

The committee of management at Jolly Roo Kinder is responsible for the exiting arrangements of the Person in Charge.

They also ensure that policies and practices are in place regarding employment arrangements for all staff.

This extends to setting the values and culture of the organisation.

The decision to terminate employment should follow open and well documented performance management and feedback.

Tips and Hints

- Consider getting independent legal advice before making this decision
- When meeting to advise of a separation decision, invite the Person in Charge to have a support person present
- Be prepared before the separation meeting by knowing the person's entitlements, determining the finish date, having expected acting arrangements in place, having a communication plan in place for other staff, parents and stakeholders
- Be very clear about why the separation is taking place and align this decision with previously articulated expectations of the role, including values and behaviours
- Consider offering Employee Assistance Program (EAP) or other supports such as outplacement services.

Insurance Implications

The Person in Charge may make a claim for unfair dismissal if the action is seen as harsh, unjust or unreasonable. If this happens, Jolly Roo Kinder may lodge a claim under the Directors and Officers Policy.



The Open Day



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The Open Day



It's the day of the Open Day, Jolly Roo's big fundraising activity of the year.

Preparations started months ago, hiring marquees for the stalls and rides for the kids, and of course Cuddles, the petting zoo which was so popular last year.

Parents have been making and baking, drilling and hammering, and scheduled to man the stalls, run craft activities and face painting.

And finally the big day has arrived!

Committee's Role

The committee's role is to have oversight of the policies and practices associated with the events. This includes understanding the insurance implications for contractors and accessing alternative venues.



The Open Day

Fall at the Pop-Up Café



It's a gorgeous day for the Fair. One marquee is a pop-up café selling Devonshire teas and is proving popular.

Millie's grandma has purchased three plates of scones and is trying to carry them back to a table when she trips on a sandbag holding the marquee in place. It wasn't flagged or signed as a trip hazard and Millie's grandma has hurt her wrist and twisted her knee.

Committee's Role

The committee is responsible for the understanding their obligations in relation to health and safety to staff and visitors.

For more information visit:

www.worksafe.vic.gov.au/resources/community-service-volunteer-boards-and-committees

Tips and Hints

- Ensure that policies and procedures are in place that respond to Occupational Health and Safety legislation
- Conduct a risk assessment of the area prior to event starting to identify hazards
- Clearly mark/sign any potential hazards or remove hazard all together.

Insurance Implications

Millie's Grandma may claim that Jolly Roo Kinder was negligent by not appropriately signing the hazard or marking a clear path between the marquee and the tables. This would trigger the public liability policy, where she could claim compensation, including medical and related expenses.

The Open Day

Damage to the Puppet Theatre



Charlie and his friends have been watching the puppet show. Afterwards they were running around the theatre and knocked it to the ground, ripping the curtains and damaging a panel.

Committee's Role

The committee of management should ensure that policies and procedures are in place to guide decisions about when third parties should have their own insurance. The committee are responsible for deciding what risks the organisation should take on.

Tips and Hints

- It is reasonable to ask for other businesses/contractors to have and show evidence of their insurance
- It is reasonable to refuse the services of contractors if they don't have appropriate insurance
- Sometimes volunteers or staff, with good intentions want to provide a service, such as bringing in pets or taking people on rides in a tandem motorcycle that is outside their usual responsibilities. The organisation needs to assess the risks associated with these activities as the organisation, rather than the volunteer or staff member involved, may be held responsible.

Insurance Implications

If the puppet theatre had its own insurance, a claim could be made through that company for the damage.

Alternatively, Jolly Roo Kinder may be responsible for the damage and have a claim lodged against their public liability policy.

The Open Day

Missing Money



Tom, a Jolly Roo Kinder employee, offered to look after the Fair's finances, including all the cash handling and counting.

After the event, it was found that Tom stole \$1000 and was later charged by police.

Committee's Role

The committee is responsible for setting strategy, policy and procedures to ensure the sustainability of the organisation. This includes ensuring there are appropriate financial controls in place such as locked cash boxes, documented financial delegations and clear processes for banking cash.

Tips and Hints

- Ensure that policies and procedures are in place regarding all financial transactions, including cash handling
- It is good practice to have two people involved in the collection of cash, and to have records of the time and amount collected at each stall, signed by the people manning the stall
- Consider collecting, counting and recording cash at regular intervals throughout the day
- Don't carry large amounts of cash to/from the bank.

Insurance Implications

As the loss of money was the result of Tom's dishonest actions, a claim can be made against the Entity Fidelity policy. This policy could also be triggered if a volunteer stole the money.



The Working Bee



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The Working Bee



Jolly Roo Kinder has organised a working bee for next Saturday morning.

The parents have been asked to come to Jolly Roo to help with minor maintenance on and repainting of the window frames and digging up and refreshing the edible garden.

Committee's Role

The committee of management is responsible for ensuring that policies and practices are in place for volunteers.



The Working Bee

Falling off a ladder



Jamie has volunteered to make a start on painting the window frames.

As he climbs the extension ladder, it suddenly collapses and Jamie falls, fracturing his arm. The clasps had not been engaged properly.

Committee's role

The committee of management is responsible for ensuring that policies and practices are in place in the event of medical emergencies. It is also important to ensure staff are trained and aware of what needs to occur in a medical emergency.

Tips and Hints

- Have a policy that requires all volunteers to be recording/registered with the organisation and/or complete a sign sheet noting the names of people volunteering for one off activities such as working bee or cake stall
- Have clear task descriptions for volunteers
- Conduct training and an induction for volunteers about what they are expected to do and what they are not to do
- Training should extend to the use of equipment that volunteers may be using, briefing them on what to do in an emergency and how to report a hazard.

Insurance implications

Claims for the volunteers can be made under the Personal Accident policy for benefits and/or Non-Medicare related medical expenses. As he couldn't drive for several weeks, he can also claim travel expenses to and from medical appointments.

The Working Bee

Sausage sizzle



Bree and Dave are volunteers at the working bee. They have set up a sausage sizzle to feed all the volunteers. That night, several of the volunteers, including Dave became horribly ill. It was later confirmed they had food poisoning from the sausages.

Committee's Role

The committee of management is responsible for ensuring that policies and practices are in place for volunteers.

Tips and Hints

- Have food safety policies in place and ensure volunteers are aware of what these food standards are.
- Conduct regular training on food safety to ensure contemporary knowledge of required standards
- Ensure there are facilities for hand washing, surface cleaning and rubbish disposal
- Have a register of where food is purchased or who made items at home at the date it was made
- If prepared at home, have a list of ingredients so sources can be traced in the event of illness or allergic reaction.

Insurance Implications

Under the Personal Accident policy there is potential for the sick volunteers to claim Non-Medicare medical expenses and other benefits.



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The Excursion



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The Excursion



The Four Year Old Kinder Group are heading off to see a concert. They are travelling together on the train and having lunch in a park beforehand.

Committee's Role

The committee of management is responsible for ensuring that policies and practices are in place related to events and activities that take place on site and off site.



The Excursion

Personal Information



The teacher has a backpack with a first aid kit, the children's emergency contact details, their medical and sensitive parental access information in the event something happens while on the excursion.

While eating their lunch an hour later, they realise that the teacher accidentally left the backpack and all the personal information on the train when they went to check if Daniel was allergic to the egg sandwiches.

Daniel said he was OK and ate the sandwich but was noted to have puffy eyes afterward. They gave him an antihistamine and that helped. His parents incurred the cost of a medical check up afterwards.

Committee's Role

The committee is responsible for ensuring policies and procedures are in place for the collection, use, storage and deletion of personal information for staff, volunteers and clients of your organisation. This includes details such as address, medical and court order access information.

Tips and Hints

- Regularly review policies to ensure that they meet legislative and regulatory requirements around privacy and information security
- Consider having personal information on an electronic platform that can be accessed off site rather than carrying paper documents
- Back up electronic data regularly and store data off site
- Many cyber attacks relate to accessing personal information such as bank details and the most frequent breaches occurs by people clicking on scam emails/links
- Consider running training on cyber safety.

Insurance Implications

The parents may make a claim against the organisation for any Non-Medicare related expenses related to the incident under the Products and Public Liability policy.

The Excursion

Personal information



After the amazing concert, the Four Year Old Kinder Group are walking back to the train station. It's really crowded on the footpath and somehow Luci gets separated from the group and is missing. After a few minutes of frantically searching, the teacher calls the police.

Luci was found an hour later and one kilometre away where she had walked into a café crying. She has no identification or contact details on her.

Her parents claimed that Jolly Roo was negligent in not having appropriate emergency contact details on Luci during the excursion and wanted the cost of counselling for Luci to be paid by the organisation.

Committee's Role

The committee is responsible for ensuring policies and procedures are in place for emergency responses. This includes incidents that may occur on site and at other venues.

Tips and Hints

- Ensure policies are in place for managing an emergency situation both on and off site
- Ensure parental permission is granted for activities that are off site or not regular/expected
- Ensure parents can be contacted quickly in the event of an emergency situation
- Think about how best to manage child safety and security off site, for example all children wearing coloured vests, all children having wrist bands identifying who they are, and an emergency contact number.

Insurance Implications

Luci's parents may make a claim against Jolly Roo for compensation and that would trigger the Products and Public Liability policy.



[More
Information](#)



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More Information

Other Considerations

The committee of management should understand when other insurances may be triggered depending on circumstances:

- > TAC – personal injury insurance from a transport accident:
www.tac.vi.gov.au
- > WorkSafe – personal injury to an employee:
www.worksafe.vic.gov.au
- > Building and Contents policies
- > Motor insurance policies

Some things are not insured or not insurable so make sure you are aware of what is covered and contact us if you have any questions.

VMIA Support

- > **Training** –
Register for free VMIA training
www.vmia.vic.gov.au/learn/upcoming-programs
- > **Templates** –
www.vmia.vic.gov.au/risk/victorian-government-risk-management-framework/vgrmf-resources/vgrmf-templates

Phone: (03) 9270 6900

Email: contact@vmia.vic.gov.au

ELAA Support

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