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North West Victoria Region Governance Information Presentation

12 March 2024

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Solutions Advisors

Session overview:



WHO IS ELAA?



GOOD GOVERNANCE
PRACTICES



SUCCESSION
PLANNING AND
HANDOVER



RUNNING A VIABLE
BUSINESS



DEPARTMENT
PRESENTATION

Who is ELAA?

A not for profit, incorporated association governed by a board

A membership organisation

Training, representation, support and advisory service to early childhood committees of management, early years managers & local government

Peak body (advocacy) championing for excellence in early learning for children across Australia and supports parents and service providers

OHS, Road Safety Education, 3YO Kindergarten Expansion Projects

"Learning Brought to Life" Professional Learning and Development program for all audiences

Participation in early childhood events and forums




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Good Governance Practices

What is an Incorporated Association?



Incorporation is voluntary and once incorporated the Act (**Associations Incorporation Reform Act 2012**) provides a standard for operation (set of rules)

The affairs of an incorporated association are managed by the committee of management who must comply with the Act, the Regulations and the rules of the association

Enter into contracts
Receive government funding
Be approved to operate a children's service

Responsibilities include:
Compliance with the Associations Incorporation Act and Regulations
Not continue to operate when insolvent or knowingly trade into insolvency
Not use position for personal or financial gain

Have some protection of individual personal assets



The Constitution

Provides the legal framework (rules for the operation of the association)

Contract between the association and it's members

Ensure each committee member has a copy

Have a reference copy at every meeting

ABIDE BY IT

Role of committee and committee members

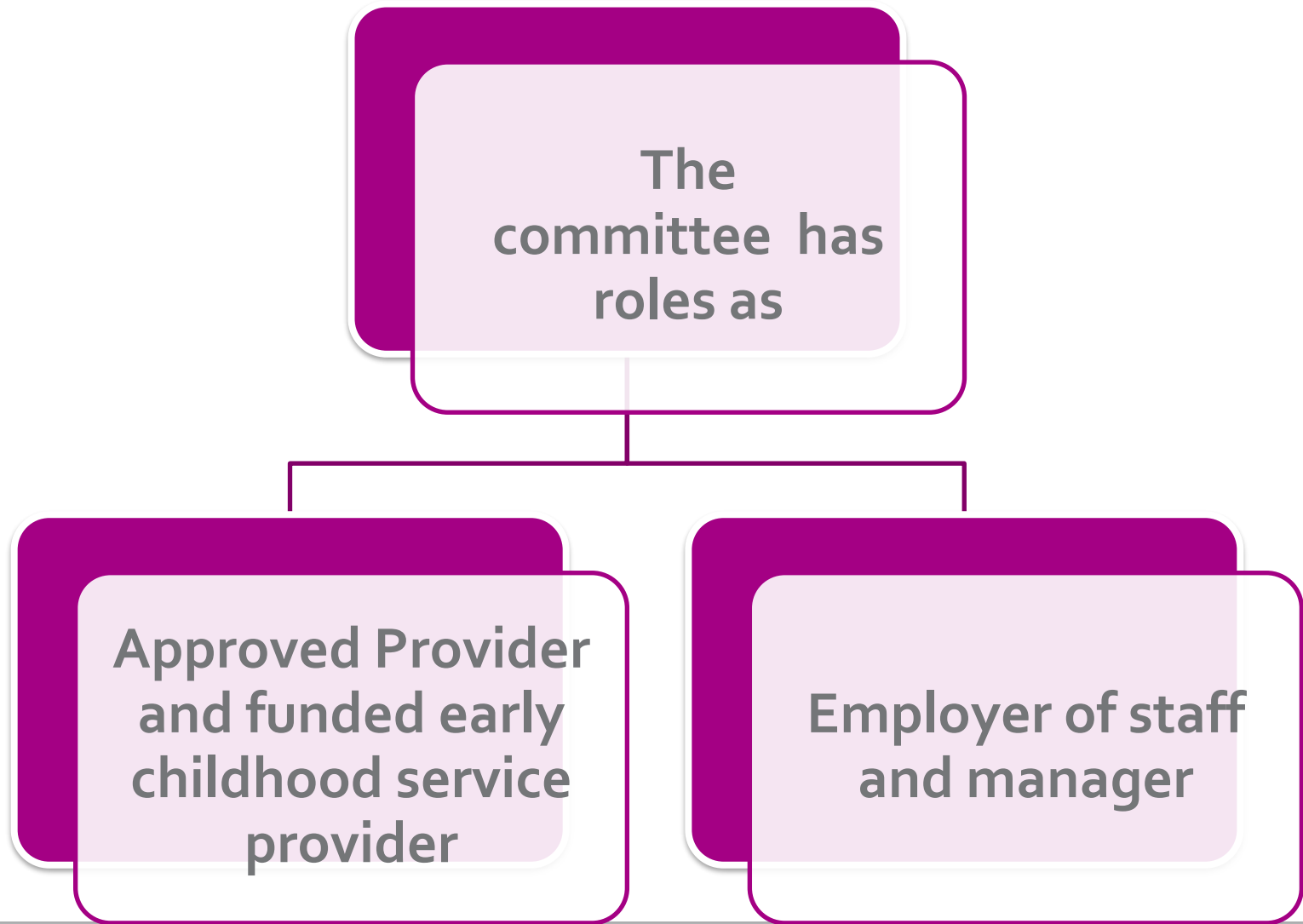


Committee



- Elected (usually at the AGM) by the members of the association in accordance with the constitution
- The governing body of the association as well as the Approved Provider.
- Includes:
 - office bearers (the executive - president, vice president, secretary, treasurer)
 - general members (may have specific roles or responsibilities)

Roles of the committee



Persons with Management or Control (PMC)

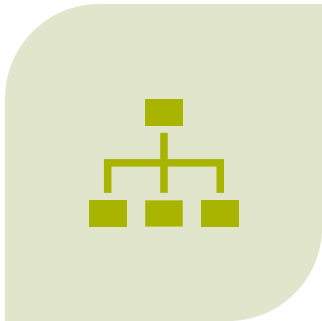
- **Expanded definition came into legislation on the 1st of July 2023**
 - Click [here](#) to access information sheet

- **Who is defined as a PMC?**

“Persons with management or control of a service (PMCs) are the persons within or outside the approved provider managing the delivery of the provider’s service(s) or who have significant influence over the activities or delivery of the service.”

- **PMCs must show they are fit and proper and complete PAo8 and PAo2.**
- **Committees of management can apply for a discount on Police checks.**

Director/Business manager vs Approved provider



Director/business manager:

They are an employee of the committee/incorporated association/cooperative.

Their position description must accurately reflect their roles and responsibilities as determined by the approved provider.

They may take on the role of Nominated Supervisor and/or Educational leader



Approved Provider:

The legal entity responsible for the service: the incorporated association represented by the committee or cooperative.

They are the employer and responsible for managing or overseeing the work of the manager/director to ensure viable and correct operation of the service.



Responsibility lies always on the approved provider, even if you have a business manager or director!

Succession Planning

A part of a successful handover is to have a succession plan in place to ensure the long-term success of the organisation.

Taking into consideration workforce, finances, program model and timetables, infrastructure.

2023 Committee Meeting Summary

Month of the year	Key considerations	Details
December 2023	Appointed 2 new ECTs	- Employment details (i.e. fixed term contract)
February	Discussion on building expansion	- 2022 committee research design quote throughout 2022
March	2024: 3Year old Flexible funding policy introduced	- DET released this policy to be enacted in 2023-2024
April		

Committee information folder

- Important documents e.g., Constitution
- Committee and Service's policies and procedures, code of conduct
- Detailed roles of the committee and its members
- **If your centre is part of an early year's manager, information regarding the early years manager should be included (contacts, responsibilities etc.)**
- Roles will depend on your constitution – a OH&S officer is very important
- Financial reports and a copy of the budget
- Minutes of previous meeting
- Committee contact details
- Kindergarten timetable and programs offered
- Staff rosters, positions and hours of employment

Committee information folder (continued)

- Insurance cover (VMIA & Contents insurance providers)
- National Quality Framework (**self-assessment and quality improvement plan**)
- List of resources and support agencies
 - ELAA membership information
 - ELAA PolicyWorks
 - ELAA Early Childhood Management Manual (ECMM)
 - DET Kindergarten Funding Guide
 - Membership and password register

Keeping everyone up-to-date

**Reminder for
everyone to
update
committee /
management
contacts on**

Funded Agency Channel

Kindergarten Information
Management (KIMs)

NQAITS

ACNC (if applicable)

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The voice for parents and
service providers

Running a viable business/ Strategic Planning

Running a viable business

Legal obligations

- Association's Incorporation Reform Act (2012)
- Corporations Act 2001
- Funding agreements : Kindergarten funding / Childcare Subsidy
- ACNC

Sets up the organisation for long term success

- Being able to open your doors to your community in an ongoing capacity
- Being able to respond to the sector changes and reforms
- Retention of families and staff
- Leaving a legacy in the community

The different aspects of a viable business include:

- Sound **financial** processes and procedures
- Sound **employment** processes and procedures
- Sound **operational** processes and procedures

A planned budget means you:

Know how much money (income) is needed to pay the staff, the bills and any extras (expenditure)

Have a sound basis for planning the year ahead and future years

Can compare estimated income and expenditure with actual income and expenditure

Know whether you can afford to achieve objectives

Make the best use of the organisation's resources

Have documented evidence

Future Planning

Best Start Best Life reform: Are you prepared?

- Perform a current audit
- Allocate a subcommittee to do this
- Consider are infrastructure, programs, enrolments, financial position, staff, management model etc

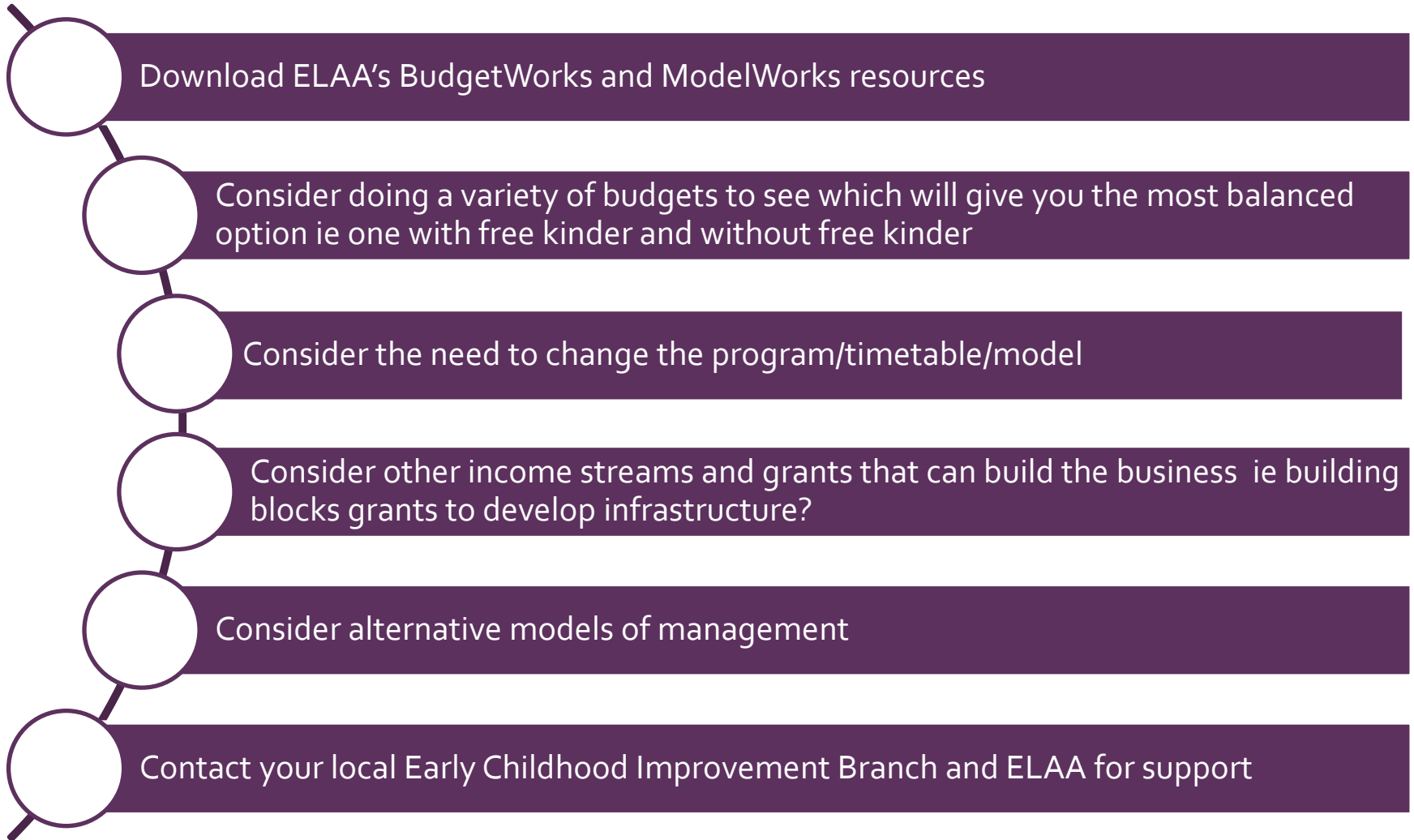
ELAA Training:

- Thursday 9 May : Financial Management
- Thursday 20 Jun: Interactive drop-in session – Program and timetable models
- Specific BSBL training: coming soon

ELAA Resources :

- Budgetworks and Modelworks
- Joining ELAAVATE

Some next steps:



MANAGEMENT TYPES to consider

Committee of Management

The Committee functions as the licensed provider and employer at the kindergarten and works in conjunction with teaching staff to ensure that the kindergarten meets all its obligations to children, families and various government departments.

Early Years Management (EYM)

Early Years Management (EYM) organisations are local government or community-based organisations that provide professional leadership and centralised management of kindergarten services.

Parent Advisory Group (PAG)

Families in kindergarten programs run by an EYM might decide to get involved by joining a Parent Advisory Group (PAG). Although PAGs might differ throughout EYM's, they give families and parents chances to participate in the service without having to take on management or administrative duties.

Early Years Management (EYM)

Early Years Management organisations manage services for community kindergartens and some early childhood services.

They work with their service partners to make sure care is high quality and follows regulations.

They also:

- work with the community to make sure services meet local needs
- handle strategic planning to manage the service
- manage and train employees
- manage finances for the service
- EYM was formally known as Kindergarten Cluster Management.



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ELAA services & resources
Additional services
Useful links

Resources available on the ELAA website

Resources available

- Governance Videos
- ELAA Early Childhood Management Manual (ECMM)
- Policy Works Manual - NQF
- Employee Management and Development Resource
- Managing Performance-Related Concerns
- Budget Works
- Model Works

For ELAA members

- Industrial bulletins
- Wages bulletins
- Agreements and Awards
- Member Forums
- Pro-rata Annual Leave calculations
- Portable Long Service Leave calculations
- Work history calculations
- Sample constitution
- COVID19 FAQs and resources

Free Governance training (Live webinars & Self-Paced)

- Starting from the Beginning – Governance Information
- Starting From The Beginning – Employee Management
- Financial Management
- Employee Management and Development Resource
- Ending The Year On a High – Planning your successful AGM

Consultancy service

HR, IR, Governance, OHS consultants to provide tailored projects and training.

Useful links

- **Consumer Affairs** www.consumer.vic.gov.au
- **Australian Charities Not-for-profit Commission** www.acnc.gov.au
- **Institute of Community Directors Australia** www.communitydirectors.com.au
- **Justice Connect Not-for-profit Law Hub** www.nfplaw.org.au
- **Commission for Children and Young People** ccyp.vic.gov.au
- **Victorian Institute of Teaching** www.vit.vic.edu.au
- **WorkSafe VIC** <https://www.worksafe.vic.gov.au/>
- **Department of Education** www.education.vic.gov.au/childhood/providers/regulations

Email: licensed.childrens.services@edumail.vic.gov.au

Phone: 1300 307 415

Newsletter subscription :

https://v6.educationapps.vic.gov.au/forms/s/9zeTclp7GoJd2dvLS497_DaWpRqA4eVW_FXD0od9gAc/100821/763805/644339.html

- **Australian Children's Education and Care Quality Authority (ACECQA)**
www.acecqa.gov.au
- **Business Victoria – Developing Good Financial Procedures -**
<https://business.vic.gov.au/business-information/finance/develop-good-financial-procedures>

Further assistance

The team at ELAA are available to provide further assistance and can be contacted at:

Member Solutions: membersolutions@elaa.org.au or

Ph: 9489 3500 (press 1 OR 2) - Monday to Friday, 10am – 3pm.

Subscribe to [ELAAvate](#) for news that comes to your Inbox every week.

Thank you for attending!

