



EARLY
LEARNING
ASSOCIATION
AUSTRALIA

Planning your AGM and successful handover to the new committee

7th August 2024

Presenters: Guillermina Rollero and Erin Taylor

This session



Who is Early Learning Association Australia (ELAA)

The Annual General Meeting (AGM)

- constitutional requirements
- committee recruitment
- planning the meeting
- preparing the agenda and reports
- election of the committee

The Handover

- preparation
- essential information to pass on
- the meeting

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, Best Start Best Life reforms

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

Participation in early childhood events and forums



ELAA

Advisory Service

We provide an email and phone advisory service to support Committees with:

- **Governance support** (committee obligations, constitutional changes, roles and responsibilities of committee members)
- **Business management** (development of sustainable programs and models)
- **Financial management** (general advice on budgets, timetables and planning)
- **General HR advice** (managing complaints, addressing conflict)
- **Understanding employer obligations** (Occupational Health and Safety and employment)
- **Government policy and employer obligations, such as:**
 - Child safety: Child safe standards, Reportable Conduct scheme, Child Information Sharing Scheme and MARAM
 - Best Start Best Life Reforms

IR Advisory Subscription

ELAA members can **also purchase an IR advisory support package** for capped tailored phone and email advice on:

Awards and HR/Industrial relations:

- Interpretation of **modern awards** and enterprise agreements in early childhood education and care, including the **Professional Community Standard and VECTEA**.

Staff management support:

- Guidance on managing staff and challenging staffing matters.
- Note: Excludes out-of-scope advice (refer to Terms and Conditions)

Employment contract reviews:

- Review of ELAA current contract templates by a Member Solutions Advisor.
- Note: Must be subscribed to ELAA's Employment and Onboarding Guide

Note: VECTEA 2024 employers do not need to purchase an IR Advisory Subscription, as it is included in your annual VECTEA Signatory Benefits Package

Links to the National Quality Standards

Area 7 – Governance and Leadership

Standard 7.1
Governance supports
the operation of a
quality service

- **Element 7.1.2** Systems are in place to manage risk and enable the effective management and operation of a quality service.
- **Element 7.1.3** Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.

Standard 7.2 Effective
leadership builds and
promotes a positive
organisational culture
and professional
learning community.

- **Element 7.2.1** There is an effective self-assessment and quality improvement process in place.

The AGM

The Annual General Meeting (AGM)



Annual General Meetings

All Incorporated Associations must hold an AGM

Why

- Constitutional requirement – Associations Incorporation Reform Act 2012
- To inform their members about what they have been doing for the last 12 months
- To accept and confirm the financial report of the previous financial year
- To elect the new committee

When

- Within 5 months of the end of your financial year (constitution may state sooner)

First thing first....locate your constitution!

Provides key information about



- membership
- financial year
- notifications & advertising
- committee structure
- election process
- meeting proceedings
e.g. quorum & voting
- term of office

AGM preparation

Consider the following...

Will the meeting

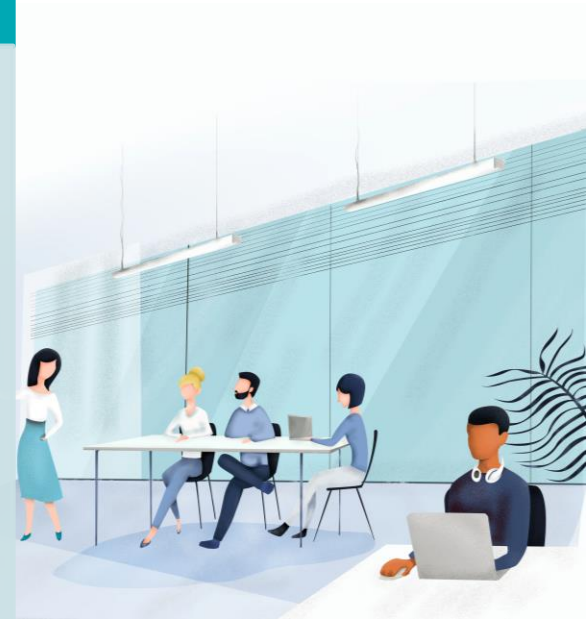
- only be the AGM?
- be combined with a social event?
- be a parent information night?
- include a guest speaker?
- who will chair the election?



Preparation

Appoint a subcommittee to be responsible for:

- checking constitution for AGM requirements
- organising advertising and invitations
- collecting and collating reports (committee, staff, financial)
- gathering any forms that need to be signed
- ensuring copies of documents are made
 - minutes from the last AGM
 - minutes of any SGM held since the previous AGM
 - spare nomination forms



Appoint a subcommittee to be responsible for

- reviewing and preparing a register of current members
- managing the committee recruitment process
- preparing the technology support to run an online meeting



Advertising the AGM & notifying members

Notify members

- check your constitution
- includes families who have children enrolled for the following year
- electronic means

Advertise

- electronic newsletters for local paper, school or library
- notice or banner at service
- email to parents
- around your community
- personal invitations
- any other means?

Sample Agenda

Venue:

Date:

Time:

1. Opening and welcome
2. Apologies/attendance list circulated
3. Confirmation of minutes of last Annual General Meeting and of any Special General Meeting held since that meeting
4. Business arising from the minutes
5. Presentation of reports
 - President
 - Treasurer/Auditor
 - Teacher/coordinator
6. Special business

Business may be conducted if advertised according to the constitution, for example, amalgamation with another service, etc.
7. Guest speaker / information session for new parents (optional)
8. Election of new committee
(chaired by.....)
9. Close meeting

Election of new committee



Election process is determined by your constitution

Recommend a returning officer presides over the election process

All positions declared vacant

All members of the association are eligible for election

Check your constitution for rules and process. For example **Eligibility for committee**

Unfilled positions



It is not essential to fill all committee positions at the AGM; the service can continue functioning provided enough committee members have been elected to enable decision making (i.e., a quorum)



14 days after vacancy arises, Secretary role must be filled. This is a requirement under the Act.



Committee need to continue advertising and recruiting to fill those positions as per the casual vacancy clause in your constitution



After the AGM



Minutes

Write up minutes as soon as possible and file with copies of reports and attendance sheets. This file should be passed on to the new committee.



ACNC

Incorporated associations that are a registered charity with the ACNC must submit their annual statement to ACNC.



Consumer Affairs Vic

Incorporated associations that are not a registered charity must submit their financial statements to CAV via MyCav within 1 month of their AGM.



Local Government

Lease/service agreements may require a copy of the financial statement and minutes from the AGM; contact details of new committee.



Recruiting committee members

Recruiting new committee members



Recruitment considerations

When recruiting consider

Diversity of members – encourage continuity by recruiting parents from the upcoming 3-year-old groups

Current members stepping into new role, eg. Vice President to President

Approaching local community organisations

Eligibility, longevity, useful skills

Committee Recruitment

Recruitment Pack...

- the organisation's philosophy
- a description of the management structure (Org. chart)
- general roles and responsibilities for all committee positions
- benefits to individuals, their children and their community
- resources and list of support agencies
- contact details of AGM sub committee
- nomination process information and forms



Successful recruitment strategies

- Consider a social function for following year new parents, including a brief presentation on the Committee of Management
- Invite potential members to a committee meeting to get a feel for the role
- Be prepared to answer questions and provide information
- Display enthusiasm and the personal approach



The nomination process



DO NOT wait until the night of the AGM



Consider

the process to follow (via email, a box at the Kindergarten)
a closing date (1 week or 24 hrs before the AGM)



Follow up with each person, before the AGM, if there is more than one nomination for a position



Remember, current committee members need to nominate if their term of office has ended



Should not be a competition– everyone on the committee has a role to play and everyone shares the responsibilities



Case scenario

It is almost the end of the year, and you have 2 members of the current committee who will stay for next year. You still need to recruit for positions.

What strategies will you use?

You might have some staff interest in taking these roles. **Could you offer them the role?**



Resources

Committee of Management Governance Guide files to download:

- 00 Committee of Management Governance Guide - Table of Updates
- 00 Committee of Management Governance Guide
- 01 The Committee of Management – Allocation of Roles and Responsibilities Table
- 02 The Committee of Management – Child Safety and Wellbeing Code of Conduct
- 03 The Committee of Management - Code of Conduct for Committee Members
- 04 The Committee of Management - Committee Health Check
- 05 The Committee of Management - Committee Member Declaration
- 06 The Committee of Management - Committee Member Induction Checklist
- 07 The Committee of Management - Delegating Authority for Emergency Situations
- 08 The Committee of Management - Role Description - Enrolment Officer
- 09 The Committee of Management - Role Description - OHS Rep
- 10 The Committee of Management - Role Description - Payroll Officer
- 11 The Committee of Management - Role Description - President & Vice President
- 12 The Committee of Management - Role Description - Secretary
- 13 The Committee of Management - Role Description Treasurer
- 14 The Committee of Management - Role Description - Template
- 15 Strategic Planning - Committee Handover Information Pack
- 16 Strategic Planning - Collection of Property Checklist
- 17 Strategic Planning - Committee Handover Meeting Checklist
- 18 Strategic Planning - Governance and Service Operations Self-Assessment Tool
- 19 Strategic Planning - SWAT and TOWS Analyses
- 20 Reporting Requirements and Compliance - Circumstances that Must be Notified to DE
- 21 Reporting Requirements and Compliance - Information to be Displayed Checklist
- 22 Reporting Requirements and Compliance - Mandated Policies Checklist
- 23 Reporting Requirements and Compliance - Serious Incidents, Change of Circumstances and Complaints to Notify DE
- 24 Navigating Meetings - Action Items Template
- 25 Navigating Meetings - Agenda - Annual General Meeting Template
- 26 Navigating Meetings - Agenda - Committee Meetings Template
- 27 Navigating Meetings - Agenda - Special General Meeting Template
- 28 Navigating Meetings - Guidelines for Chairing Meetings
- 29 Navigating Meetings - Nomination Form – Annual General Meeting
- 30 Navigating Meetings - Steps to a Successful AGM Checklist
- 31 Management of Records - Record Keeping Timelines
- 32 Management of Records - Staff Record Form
- 33 Management of Records - Recording Incoming & Outgoing Mail-Emails Template

Reporting

What reports do we need?

Financial Report (Mandatory):

Including an audited report where required

Committee Report:

What the committee has achieved, ongoing projects, brief update on current QIP, thanks to outgoing members

Staff Report:

Highlights of the year, brief update on educational program, remote learning and how the children have progressed through the year

Other Reports:

May include fundraising, maintenance etc

Financial reporting

As soon as possible after the end of the financial year, ensure audited financial statements are prepared



Financial statements must include:

Profit and loss statement for the financial year

Balance sheet (assets and liabilities)

Any mortgages, charges and securities affecting any property of the association

Information about any trusts affecting the association



Completed statements must be presented to the committee and certified by two committee members that they give '*a true and fair*' view of the association's financial position, prior to the AGM



This certified report is then presented to members at the AGM

IMPORTANT

New tier thresholds for incorporated associations will come into effect from 1 July 2024. Your association may have different financial reporting requirements depending on the total revenue of the association for the financial year ending on or after 1 July 2024.

Handover

Handing over



Refer to the constitution on when the new committee becomes responsible as this may be as soon as the election is over or at a specific date.



AGM sub-committee may organise necessary documents at the same time as arranging AGM.



One-to-one handover

Have 1:1 time for each previous office holder to meet and hand over information to their successor



Handover meeting

Attendees

- outgoing and new committee members

Purpose

- information meeting to
- discuss/share information and
- complete forms.

Time

- within one week of AGM or prior to date set out in constitution under section **"Term of office"**

Consider running an online meeting

Handover meeting agenda



Introduce all members and distribute folder



General discussion about the role of the committee as:

Manager of the service (subcommittees, policies, planning, funding)

Approved Provider (where applicable – legal responsibilities, Quality Improvement Plan)

Employer (where applicable – staffing arrangements, award, conditions, any specific issues such as Workcover)



Conducting meetings



Decision making



Confidentiality



Future planning



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
- ❑ 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
- ❑ 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
 - ❑ Committee of Management Governance Guide DE Kindergarten Funding Guide
 - ❑ Membership and password register

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 2024	Appointed 2 new ECTs	- Employment details (i.e. fixed term contract)
February	Discussion on building expansion	-
March	2024: Fees policy introduced	- DET released this policy to be enacted in 2023-2024
August	Changes to contract laws	additional-closing-loopholes-timeline-and-snapshot.pdf (fairwork.gov.au)

Reinforce confidentiality

All committee members should sign a code of conduct /confidentiality agreement at handover

- A duty, to do their job to the best of their ability, to maintain confidence at all times – car park, social events, school, in the community

Confidentiality relates to all information

- about parents, staff, other committee
- members, external members of the community that may be linked to the service.

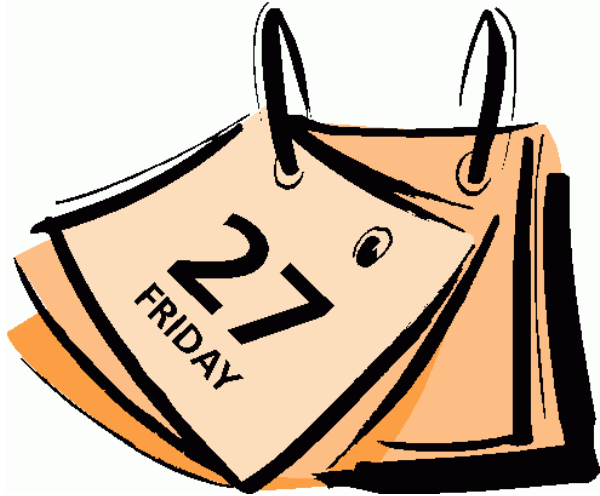


What should the new committee do now?

**Become
familiar
with service
documents:**

- Constitution
- Current policies and practices. (Set up subcommittees for staffing, complaints and grievances)
- Budget
- National Law and Regulations
- National Quality Standards, Rating and Assessment and Quality Improvement Plan (QIP)
- Committee office information – filing, staff information
- Child Safe Standards
- ELAA membership number, services, resources and training – check ELAA website and sign up for ELAAvate

At the end of the meeting



- Distribute
 - forms that need to be completed asap
 - contact list of new and old committee members
- Set date of handover meeting (for new and current committee members)
 - prior to date set out in constitution under **Section 49 Term of office** or
 - within one week of the AGM

Forms or notifications to be completed

myGovID – set up
Relationship Authorised
Manager (RAM) via
Business Portal

Consumer Affairs -
Change of association
details via myCAV

ACNC - Responsible
Person Change via the
Charity Register on
website

Bank accounts - Change
of authorised signatories

CCYP- Head of
organisation

DE/ACECQA:

- **PAo8:** *Notification of change to information about approved provider*
- **PAo2:** *Declaration of fitness and propriety*

(including Police records
check forms/WWCC
forms)

Update ELAA committee
details

Australian Charities and Not-for-profit Commission (ACNC)



All registered charities must comply with their legal obligations, including submitting an Annual Information Statement each year.

Who needs to submit an Annual Information Statement?

Charities registered with the ACNC must submit an Annual Information Statement every reporting period (unless they have an exception). You can check if your charity is registered by searching for it on the [ACNC Charity Register](#).

If your charity is no longer operating or has been wound up, you should request that your charity's registration with the ACNC be revoked using the ACNC's charity registration revocation application (Form 5A). To access this form, log into the [ACNC Charity Portal](#).

[Start a charity](#) →

The Annual Information Statement ↓

[2018 AIS Information Hub](#)

[Pre-2018 AIS resources and guides](#)

[Manage your charity](#) →

[Charity tax concessions](#) →

The new committee's first meeting

- If the AGM has been held in November, the next committee meeting is usually held in December.
- It is recommended that both the new and exiting committee attend.



Useful links

- Consumer Affairs www.consumer.vic.gov.au
- **Financial statements and auditing requirements for incorporated associations - Consumer Affairs Victoria**
- 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
- The Best Start, Best Life reforms | vic.gov.au (www.vic.gov.au)
- Quality Authority (ACECQA) www.acecqa.gov.au
- Professional Development - Early Learning Association Australia (elaa.org.au)
- Committee and committee members – incorporated associations - Consumer Affairs Victoria
- Skills Audit Committee Recruiting.docx (live.com)
- Club Resources: Content View | Club Help
- What are the key positions? | Not-for-profit Law (nfplaw.org.au)
- Non-profit Board Member Responsibilities | Not-for-profit Law (nfplaw.org.au)
- Finding, recruiting and retiring board members to meet the organisation's changing needs in line with the governing document, taking into account skills, experience and diversity - DIY Committee Guide

Resources available on the ELAA website

Resources available

- Onboarding and Employment Guide
- Committee of Management Governance Guide
- PolicyWorks Catalogue
- Employee Management and Development Resource
- Managing Performance-Related Concerns
- Budget Works
- Model Works
- Online Governance Training Videos
- ELAAvate

For ELAA members

- Industrial bulletins
- Wages bulletins
- Agreements and Awards
- Pro-rata Annual Leave calculations
- Work history calculations
- Member Forums – Recordings and presentation slides
- Member Benefits

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.
- Capability Assessment Support service

Contacting ELAA for Advice

Member Solutions can be contacted during our phone operating hours of 10 am – 3 pm, Monday to Friday.



Phone: (03) 9848 3500

- **Press 1** for governance advice
- **Press 2** for HR/IR support



Email: membersolutions@elaa.org.au