Early Years Services – QA7.5 Governance and Management

TRIM Reference:	D15/54262	Due for Review:	21 November 2027
Responsible Officer:	Coordinator Early Years		

Purpose

This policy outlines Surf Coast Shire Council's commitment to ensure that governance systems are in place for all Surf Coast Shire Early Years Services. It is important for a service to have effective leadership and management to guide and support high quality education and care services delivering quality outcomes for children and families. Governance arrangements for services are required to reflect the appropriate legal status and authority to hold both provider approval and service approval.

From 27 February 2026, amendments to the Education and Care Services National Law require that the safety, health, wellbeing, rights and best interests of the child are the paramount consideration in all decisions made under the National Law. Surf Coast Shire Council Early Years Services recognise this legal obligation and ensure that the safety and wellbeing of children is prioritised in all aspects of service delivery, decision-making, operations, and daily practice.

Policy Principles

Paramount Consideration of Children's Safety and Wellbeing

Surf Coast Shire Council Early Years Services recognise that under the Education and Care Services National Law, effective from 27 February 2026, the safety, health, wellbeing, rights and best interests of children are the paramount consideration in all decisions made under the National Law.
This requirement establishes a statutory duty for Approved Providers, Nominated Supervisors, educators, staff members, volunteers, contractors and students to ensure that the safety and wellbeing of children is prioritised above all other considerations.
In practice, this means that decisions relating to service operations, staffing arrangements, supervision, environments, risk management, program delivery and interactions with children must always prioritise the safety, rights and wellbeing of children.
Where a decision involves competing considerations, the best interests, safety and wellbeing of the child must take precedence.
Surf Coast Shire Council Early Years Services embed this principle across policies, procedures, daily practice, training and governance to ensure a consistent and proactive approach to child safety.

National Quality Standards: QA 1 - 7
Education and Care Services National Regulations: 29, 31, 55, 56, 84, 104, 106, 107, 108, 109, 110,117, 117B, 128B, 128D, 128E, 154A, 154B,157, 158, 161, 162, 165, 167, 168, 170, 171,172, 173, 174, 174A, 175, 176, 176C, 179A, 179B, 180, 181, 183, 184, 185, 295
Education and Care Services National Law: Sections 2A, 13, 14, 21, 51, 162, 162A, 162B, 172, 173, 174, 175, 175A-J, 188, 269, 269B

Scope

This policy relates to all Surf Coast Shire Council Early Years Services staff, students and volunteers engaged with Surf Coast Shire's Early Years Services.

Policy

- The Approved Provider and licensee of an Education and Care service has the responsibility to ensure that all Services have in place policies and procedures related to the governance and management of the Service, including confidentiality of records.

- All staff, educators, volunteers, contractors and the Approved Provider must ensure that the safety, health, wellbeing, rights and best interests of children are the paramount consideration in all decisions, actions and practices within the service.

- Governance and management procedures set out in Surf Coast Shire Council policies and procedures will be applied to and implemented at all Surf Coast Shire Early Years Services.

- Surf Coast Shire Council Early Years Services sit within the Department of Community Strengthening. Management (inclusive of decision making) is provided through the Early Years Unit.

- Day to day operations of the services will be managed by the Responsible Person at each service; with the support of the Surf Coast Shire Council, in accordance with relevant laws and regulations.

- We value the important role played by our service leaders, educators and staff. They are provided with the necessary training and support to ensure they are familiar with our policies and procedures.

- We have effective systems of risk management, financial and internal delegation, and performance reporting.

- Confidentiality of Records: All persons involved in Surf Coast Shire Council Early Years Services have the right to the maintenance of appropriate confidentially. The services are committed to protecting the privacy of all stakeholders and conduct business with respect and integrity. Services maintain and securely store all records required under legislation, while ensuring confidentially and accessibility by authorised persons. This includes both electronic and hardcopy format.
  Refer to *Surf Coast Shire Council Early Years Services Confidentiality, Management and Storage of Records Policy and Procedure.*

All Early Years Leaders will:

- Ensure that relevant policies and procedures are developed and reviewed every 2 years to ensure the Early Years Services operate within the regulatory requirements.

- Ensure the safety, health, wellbeing, rights and best interests of the child are the paramount consideration in all actions and decisions made by the service, in accordance with the Education and Care Services National Law.

- Ensure children's safety, rights and best interests are the paramount consideration in all decision making in the service and in the provision of education and care.

- Ensure that nominated supervisors, persons in day-to-day charge, staff and volunteers have completed required child protection training, as required by section 162A of the National Law.

- Ensure that persons with management and control, nominated supervisors, persons in day-to-day charge, staff and volunteers have completed child safety training, as required by section 162B of the National Law.

- Ensure all staff and educators comply with policies and procedural requirements when engaging in activities relating to the operation of ECEC Services.

- Ensure all staff and educators conduct themselves in an ethical manner and abide by codes of conduct.

- Ensure all records are maintained in a confidential and private manner.

- Ensure each Service has appointed a fully informed and accepting Nominated Supervisor, to be responsible for the day-to-day operation of each service, to be available during all hours of operation, and they understand their responsibilities.

- Ensure each Service has a suitably qualified and accepting person available at each service, to step in as the Responsible Person in the event that the Nominated Supervisor is unavailable and they understand their responsibilities.

- Ensure each Service has a suitably qualified and accepting staff member as a designated Educational Leader (Kindergarten Educational Advisor), who will lead the development of the services curriculum.

- Ensure there are clear and precise policies, procedures and guidelines available to all families, educators and staff that clearly outline the expectations of the service and adhere to the Education and Care Services National Regulations 2011, Victorian Children's Services Regulations 2020 and the Education and Care Service National Law Act 2010.

- Recruit staff and educators that meet the definition of a Responsible Person under the National Regulations and Law Act and the Child Safe Standards.

- Ensure the Educator to Child ratios for all Surf Coast Shire Early Years services are maintained at all times.

- Ensure the qualification requirements for teachers/educators at an Early Years' service for children preschool age or under are appropriate and current with the Australian Children's Education & Care Quality Authority (ACECQA) requirements.

- Ensure that the service is insured and keep evidence of this (section 51; regulations 29, 180).

- Notify families at least 14 days before changing the policy or procedures if the changes will:
  a) affect the fees charged or the way they are collected or
  b) significantly impact the service's education and care of children or
  c) significantly impact the family's ability to utilise the service.

- Ensure all newly appointed staff/educators undertake a scheduled Council/Corporate Induction and a full orientation to their specific Service prior to commencement in their role and this is recorded.

- Ensure all staff/educators complete their Annual Performance Review with a leader each year and ensure that the performance of educators, staff and coordinators is regularly evaluated and individual plans are in place to support learning and development (Element 7.2.3).

- Ensure disciplinary procedures for non-compliant educators and staff are documented.

- Ensure the prescribed information in section 172 (regulation 173, Education and Care Services National Regulations 2011) is displayed at each Service.

- Ensure the National Early Childhood Worker Register is maintained and changes to staff information is updated within 14 days and will include anyone that has been employed, engaged or appointed.

- Ensure there is an effective self-assessment and quality improvement process in place, including a QIP (Quality Improvement Plan) that is kept at the premises and is made available for inspection and is accessible to families (regulations 31, 55; Element 7.2.1).

- Ensure that the QIP is reviewed at least annually (regulation 56).

- Develop, review and approve the service philosophies and purpose.

- Ensure that all reporting and reporting requirements are met regarding the National Quality Framework, family assistance, taxation, child protection, approved funding agreements and other relevant laws.

- Notify the regulatory authority about the approved provider and operational changes, and changes in relation to the nominated supervisor, as detailed in section 173 (regulations 174, 174A, Education and Care Services National Regulations 2011).

- Notify the regulatory authority about changes to the 'fit and proper' status of the approved provider, any serious incidents, and complaints relating to a serious incident or that the Law has been contravened (section 174; regulations 175, 176, 176A, Education and Care Services National Regulations 2011).

- Ensure the health, safety and wellbeing of children and take every reasonable precaution to protect children from harm and hazard, including harm from the use of digital technologies and online environments (section 51; QA2).

- Ensure authorisation is obtained from parents to take, use and store images and videos of children being educated and cared for by the service.

- Ensure the requirements relating to the physical environment, space, equipment and facilities are met (QA3).

- Ensure required child protection training is completed and maintained as required under section 162A of the National Law.

All staff and educators will:

- Be aware and comply with all Early Years Services Policies, procedures, guidelines, service philosophy's, service QIPS (Quality Improvement Plans) and code of conduct, where they can be accessed, and ensure that they are followed at all times.

- Be aware and comply with all relevant policies and procedures of the Surf Coast Shire.

- Read through Policies and Guidelines on an annual basis to maintain current knowledge.

- Understand and work within all relevant Regulations, Frameworks and Guidelines.

- Be aware of the Responsible Person for the service on any given day.

- Ensure the safe and secure storage of all information set out in Regulation 177 Education and Care Services National Regulations 2011.

- Ensure that children's educational and developmental needs are met (QA1).

- Ensure that roles and responsibilities are clearly defined, understood, and support effective decision-making and operation of a quality service that is child safe (Element 7.1.2).

- Ensure that the performance of educators, staff and coordinators is regularly evaluated and individual plans are in place to support learning and development (Element 7.2.3).

- Ensure educators and staff implement practices that align with the service's *Safe use of digital technologies and online environments policy and procedure* and comply with the requirements of the National Law and National Regulations for digital device use (service-supplied, service-authorised or personal devices where relevant).

- Ensure that a personal device is never used to capture, store or transmit images or videos of children at the service.

Families

- be aware of the Governance and management policy and procedures and address any questions to the approved provider or nominated supervisor/responsible person.

Definitions

Australian Children's Education and Care Quality Authority (ACECQA)
The independent national authority that works with all regulatory authorities to administer the NQF, including the provision of guidance, resources and services to support the sector to improve outcomes for children.

Paramount Consideration

The safety, health, wellbeing, rights and best interests of the child must be the primary and overriding factor in all decisions and actions taken by the service.

Capturing, storing and transmitting images of children

Capturing an image includes filming, recording a video or taking a photo/image of a child. Storing means keeping the photo/image or video saved on a device, including a storage device.
Transmitting includes sharing a photo or video by text message, email, uploading to any social media or information sharing platform or any other form of distributing an image or recording.

Approved provider
A person who holds a provider approval (National Law). A provider approval authorizes a person to apply for one or more service approvals and is valid in all jurisdictions.
The regulatory authority assesses whether an approved provider or a person with management or control of a service is a fit and proper person to be involved in the provision of an education and care service.

National Early Childhood Worker Register
The Register includes information about all educators, volunteers and students, non-educator staff, teachers (regardless of whether or not they are registered or accredited with a teacher registration body), nominated supervisors and coordinators.

Continuous improvement
Ongoing improvement in the provision of quality education and care services.
The NQF aims to raise quality and drive continuous improvement through the NQS and quality rating process. Quality rating encourages continuous improvement and engages the approved provider and their service teams in self-assessment and documenting their performance against the NQS. Providers of high-quality services regularly monitor and review their performance to guide planning and make improvements.

Development of professionals
A system of regular performance review, individual learning and development plans for educators, staff and coordinators. Performance planning and review ensures that the knowledge, skills and practices of educators and other staff members are current, and that areas requiring further development are addressed.

Governance
Refers to the systems in place to support effective management and operation of the service, consistent with the service's statement of philosophy. Good governance requires effective management systems and clearly delineated roles and responsibilities to support the effective operation of a quality service.

Management system
A system to manage organisational risks and enable the effective management and operation of a quality service that is child safe.

Nominated Supervisor
A person with responsibility for the day-to-day management of an approved service.

Development of professionals
A system of regular performance review, individual learning and development plans for educators, staff and coordinators.
Performance planning and review ensures that the knowledge, skills and practices of educators and other staff members are current, and that areas requiring further development are addressed.

Educational Leader (Kindergarten Educational Advisor)
The educational leader is an appropriately qualified and experienced educator, coordinator or other individual designated in writing by the approved provider under regulation 118 (Education and Care Services National Regulations 2011) to lead the development and implementation of educational programs in the service.

Educational program
A program that:

- is based on an approved learning framework.
- is delivered in a manner that accords with the approved learning framework.
- is based on the developmental needs, interests and experiences of each child.
- is designed to take into account the individual differences of each child.

Quality Improvement Plan (QIP)
A document created by an approved provider to help self-assess service performance in delivering quality education and care and to plan future improvements.
Regulatory authorities consider the service's QIP as part of the quality assessment and rating process. The QIP does not have to be provided in any specific format, but must include:

- an assessment of the quality of service practices against the NQS and the National Regulations.
- identified areas for improvement.
- a statement of the services philosophy.

Service philosophy
A statement the approved provider must develop and include in their QIP that outlines the purpose and principals under which the service operates.

Working with children check
A notice, certificate or other document granted to, or with respect to, a person under a working with children law to the effect that:

- the person has been assessed as suitable to work with children; or
- there has been no information that if the person worked with children the person would pose a risk to the children; or
- the person is not prohibited from attempting to obtain, undertake or remain in child-related employment.

Related Procedure

Nil.

References

Related Surf Coast Shire Council and Early Years Services Policies

D15/16337	Early Years Confidentiality and Storage of Records Policy
D15/42616	Early Years Determining the Responsible Person Present Policy
D23/86838	Early Years Nutrition and healthy eating Policy
D14/70690	Early Years Sleep, Rest and Relaxation Policy
D15/32925	Early Years Medical conditions and medications Policy
D14/105413	Early Years Incident, injury, trauma and illness Policy
D14/105435	Early Years Infectious Diseases Policy
D14/94981	Early Years Emergency management and evacuation Policy
D14/70705	Early Years Excursions and incursions Policy
D15/15724	Early Years Employment of Qualified staff and participation of volunteers and students Policy
D15/16286	Early Years Access and Inclusion
D15/42638	Early Years Interactions with Children and Behaviour Guidance Policy
D23/163223	Early Years Acceptance and refusal of authorisations Policy
D15/15748	Early Years Payment of Fees Policy
D18/125865	Early Years Safe Transportation of Children and Road Safety Policy
D15/38683	Early Years Water Safety Policy
D15/35300	Early Years Sun protection Policy
D15/35312	Early Years Providing a Child Safe Environment Policy
D16/36657	Early Years The safe use of digital technologies and online environments Policy

D22/217989	Early Years Enrolment & Orientation Policy
D23/84589	Early Years Central Registration and Enrolment Scheme (CRES)
D14/94986	Early Years Administration of First Aid Policy
D14/94973	Early Years Delivery of children to and collection from education and care service premises Policy
MPP-052	Child safe Organisation Policy
SCS-032	Complaint Handling Policy
MPP-005	Privacy and data protection

Related Surf Coast Shire Council and Early Years Work Instructions and Forms

D25/142472	Work Instruction – Quality Improvement Plan (QIP)
D25/141713	Work Instruction – School Readiness Funding (SRF)
D25/137590	Work Instruction – Early Years Research projects
D25/141711	Work Instruction – Professional Development (PD) Days
D25/141709	Work Instruction – Staff Development Plans
D25/101224	Work Instruction – Serious Incident – What to do
D26/112748	Work Instruction – Reporting staff injuries
D26/38386	Work Instruction – Surf Coast Shire Child Safe Reporting Process
D26/53401	Work Instruction – Workforce Register
D26/57797	Work Instruction – Early Years Relief Calendar
D18/72021	Work Instruction – Service Student placement
D25/2048	Work Instruction – Kindergarten volunteers' instruction
D26/63091	Work Instruction – Visitor registration in kindergarten services
D26/113027	Work Instruction - KIS Additional Assistant
D25/131209	Work Instruction - Early Years Recruitment
D24/78151	Kindergarten – Staff Kindergarten handbook
D26/63091	Visitor registration in Early Years Services via SISO
DD25/141004	Electronic Device – Agreement form
D26/112746	Service Closure – Flow Chart
D26/112748	Reporting Staff Injuries – Flow Chart
D24/59326	Child Safety Reporting Flow Chart

Other References

Education and Care Services National Law 2010
Education and Care Services National Regulations 2011
Victorian Children's Services Regulations 2020
Childcare Services Handbook (Department of Education)
ACECQA – Guide to the National Quality Framework
ACECQA – Meeting the NQS
ACECQA – Occasional Paper 5: Quality Area 7: Leadership and management in education and care services
ACECQA – Opening a new service
ACECQA – Quality Area 7 resources
ACECQA – NQF Child Safe Culture Guide
ACECQA – NQF Online Safety Guide
ACECQA – Information on child protection training and child safety training
ACECQA – Information sheet: Understanding the paramount consideration
ACECQA – Safe use of devices in education and care services
ACECQA – Information sheet: Using digital devices in centre-based education and care services
ACECQA – Information sheet: Using digital devices in family day care services
ACECQA – Information on the National Early Childhood Worker Register

Document History

Version	Document History	Approved by – Date
1	Approved	General Manager Culture and Community – 1 April 2014
2	Amended	Manager Aged and Family – 23 June 2017
3	Amended	Manager Community Strengthening – 23 June 2019
4	Amended	Manager Community Strengthening – 17 July 2020
5	Amended	Manager Community Strengthening – 17 March 2022
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