

Governance and Management Policy and Procedures

Policy Number	2000/37
Approved by	Heritage Management Committee– 12 June 2012; 12 November 2013; 14 March 2017; October 2020 Amendments to Heritage Constitution passed 11 April 2017.
Last reviewed	June 2012; November 2013; March 2017, Minor update October 2020
Next review due	2023
National Law and Regulations	National Law Sections 12, 13, 14. Regulation 168(2)(l)
National Quality Standard	Quality Area 7: Leadership and Service Management

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Policy Statement

Heritage Early Childhood Centre Inc. (Heritage) is a small, community-based, not-for-profit service situated on the campus of The Australian National University (ANU). It provides high quality early childhood education and care to 57 children between the ages of 6 weeks and school age and is required under the special conditions of its Commercial On-Campus Licence with the ANU to give priority of access to the children of ANU employees and students.

Legislative Background

Heritage is licensed under the *Children and Young People Act 2008* to provide early education and care. The licence is subject to achieving the National Quality Standard (NQS), a key aspect of the National Quality Framework (NQF) which is an agreement between all Australian governments to work together to provide better educational and developmental outcomes for children using education and care services. The NQF operates under the *Education & Care Services National Law Act 2010* and the *Education & Care Services National Regulations 2011*.

The service is assessed and rated by the ACT Regulatory Authority - the Children's Education and Care Assurance (CECA), against 7 Quality Areas according to the National Regulations. It is also given an overall rating. **As of April 2016, Heritage is rated as 'Exceeding' in all areas.** (Refer to: Appendix 1: Legislative Background). Under National Regulation 168, policies and procedures are required in relation to governance and management of the service.

History

HECC was established in 1980 as a fully co-operative service and was run primarily by families with the assistance of some part-time staff. In 1989, the service was incorporated and since then it has been fully staffed by early education professionals including a full time Director who is responsible for the day-to-day running of the service in line with the decisions of a parent-run Management Committee. HECC is incorporated under the *Associations Incorporation Act 1991* (ACT). Access Canberra (previously The Office of Regulatory Services) is responsible for the incorporation of associations in the ACT.

Management Committee

Under the National Law, the Approved Provider of an early childhood service is the person/s with management or control. Each member of the HECC Management Committee has responsibility for managing the delivery of the Heritage service and must be approved by CECA as fit and proper. The Committee is responsible for the management of the service in accordance with the *Associations Incorporations Act 1991* and The Heritage Constitution (Rules of Incorporation) - based on the Model Rules for Associations attached to the *Associated Incorporations Regulations 1991*. **Refer to:** Appendix 2: The Heritage Constitution.

The core elements of governance for which the Committee is responsible are:

Stewardship/custodianship

- Ensures the service pursues its stated purpose
- Provides budget and financial accountability to enable the service's ongoing viability and to make best use of its resources.
- Ensures the service manages risks appropriately.

Leadership, forward planning and guidance

- Provides leadership, forward planning and guidance and directions to the service, particularly in relation to developing a strategic culture.

Authority, accountability, and control

- Monitors and oversees management including ensuring that good management practices and appropriate checks and balances are in place.
- Is accountable to members of the service.
- Maintains the focus, integrity and quality of the service.
- Oversees legal functions and responsibilities.
- Declares any actual, potential or perceived conflicts of interest

HECC believes that a vibrant Management Committee is a clear indicator of a healthy organisation. Early childhood services can experience high turnover of office holders and HECC understands the need for an effective handover process at each Annual General Meeting (AGM) to ensure valuable knowledge is not lost.

Rationale

The Governance and Management Policy and Procedures have been developed to comply with:

- Commercial (On-Campus) Licence between HECC and the ANU (2015).
- *Associations Incorporation Act 1991* (ACT).
- *Associations Incorporation Regulation 1991* (ACT).
- *Children and Young People Act 2008*.
- ACT Government (2014). *Keeping Children & Young People Safe - A Shared Community Responsibility*.
- *Working with Vulnerable People (Background Checking) Act 2011* (ACT).
- *Working with Vulnerable People (Background Checking) Regulation 2012* (ACT).
- *Education and Care Services National Law Act 2010* (ACT).
- *Education and Care Services National Regulations 2011* (ACT).
 - National Regulation 168: Policies and procedures are required in relation to:
 - (l) Governance and management of the service, including confidentiality of records;
- National Quality Standard for Early Childhood Education & Care & School Age Care, 2012.
 - Quality Area 7: Leadership and service management
 - Standard 7.1 Effective leadership promotes a positive organisational culture and builds a professional learning community. Element 7.1.1 Appropriate governance arrangements are in place to manage the service.
 - Standard 7.3 Administrative systems enable the effective management of a quality service. Element 7.3.2 Administrative systems are established and maintained to ensure the effective operation of the service.

Policy Aim

The HECC Governance and Management Policy and Procedures aims to ensure:

- There are appropriate systems and processes in place to enable:
 - Good governance and management of the HECC service.
 - Accountability of HECC to its stakeholders.
 - Compliance with all regulatory and legislative requirements placed on HECC.
 - HECC remains solvent and complies with all its financial obligations.
- The duties, roles and responsibilities of the Management Committee are clearly outlined.

Scope

It is understood there is a shared responsibility and accountability between the Management Committee, Director and all staff, educators and enrolled families to implement the HECC Governance and Management Policy and Procedures as a matter of high priority due to the importance of maintaining the good governance and financial viability of the HECC service.

Strategies and Practices

Opening Times

HECC is open from 7:45 am to 5:45 pm, Monday to Friday throughout the year except for public holidays, the annual educator training day and for a 2 week break over the Christmas/New Year period.

Enrolments

- The Nursery caters for up to 15 babies from 6 weeks to around 18 months.
- The Toddler Room caters for up to 20 toddlers from 18 months to around 3 years.
- The Preschool Room caters for 22 pre-schoolers from 3 to school age.

Children may stay in the Nursery or Toddler Rooms beyond the upper age if deemed necessary for developmental reasons or until a place becomes available in the next age group. **Refer to:** Enrolment and Graduating Rooms Policy; Supervision and Water Safety Policy.

Priority of Access and Enrolment Conditions

- HECC is required under the special conditions of its Commercial On-Campus Licence (2015) with the ANU to give priority of access to the children of ANU employees and students.
- Special Condition A2 of the ANU On-Campus Licence (above) specifies that HECC may have up to 10% of the total enrolment capacity of the service allocated to non-ANU children at any time provided there are no ANU children waiting for a place. (This enables HECC to fill any gaps and remain financially viable). Where HECC exceeds this quota, 12 month Provisional Placements may be offered to non-ANU children, provided they are re-allocated at the end of the term if ANU families require a place.
- Families enrolling into HECC are required to book more than 1 day per week and to include either a Monday or Friday in their booking. This is to ensure the on-going financial viability of the service. (ANU classes are held mainly from Tuesday to Thursday and unused places would otherwise occur on Mondays and Fridays).

Refer to: Waiting List Policy and Procedures.

Funding

- HECC receives no government funding.
- Some funding is received from the ANU towards the maintenance of the building and wages of the HECC handyman.
- Income is required, primarily from fees and Child Care Benefit (CCB) and the Child Care Rebate (CCR), in order to meet all the additional costs incurred by the service.
- HECC operates under the Child Care Management System (CCMS), a national child care support system that brings all approved child care/long day kindergarten services online.
- HECC uses CCMS registered software to record child, enrolment and attendance information. This data is reported online to the Department of Education and Training (DET) to allow calculation and payment of Child Care Benefit (CCB) fee reductions and Child Care Rebate (CCR) entitlements on behalf of enrolled children.

Fundraising

Fundraising activities at HECC aim to:

- Raise funds for extra resources.
- Assist with the cost of meeting planned one-off expenditure, eg, purchasing equipment and are never relied upon to balance the service's budget.
- Provide opportunities for families to meet and develop a sense of community.
- Market the service and promote the value of early childhood education in the community.

Families are encouraged to attend 2 fundraising activities a year or are welcome to make a financial donation in lieu of attending fundraising activities. **Refer to:** Fees and Bookings Policy.

The Management Committee

- The Director is responsible for the day to day running of HECC, in line with the overarching decisions of the Management Committee.
- Each position holder on the HECC Management Committee has responsibility for the managing the delivery of the HECC service and must be approved by the ACT Regulatory Authority – the Children's Education and Care Assurance (CECA), as fit and proper by returning a Declaration of Fitness and Propriety Form (PA02). This includes the requirement to provide a current Working with Vulnerable People (WWVP) Card.
- The HECC Management Committee is responsible for managing the service in accordance with the *Associations Incorporation Act 1991* (ACT), the *Associations Incorporation Regulation 1991* and The HECC Constitution. **Refer to:** Appendix 2: The Heritage Constitution (Rules of Incorporation); Associations Incorporated Manual (see References).

- HECC must have a Public Officer who acts as the contact between the Association and Access Canberra (previously the Office of the Regulatory Services). The Public Officer will be contacted regarding legislative/reporting requirements, must reside in the ACT and provide an up to date contact address. They may request that their personal address be kept confidential however at least 1 address, eg, the Association's, must be available for the public record.
- If the association, the public officer or a committee member fails to meet their statutory obligations under the Associations Incorporation Act 1991 (ACT), such as failure to lodge annual returns, the Registrar-General may make an application to the ACT Civil and Administrative Tribunal (ACAT) for the disqualification of the office-holder. The disqualification will be for a period the ACAT considers appropriate if satisfied that the extent of noncompliance justifies disqualification.
- All Committee members must have a copy of The Heritage Constitution (Rules of Incorporation) given to them or know where to locate one (eg, website), after their election.
- The Heritage Constitution is a living document and must be reviewed from time to time to ensure it reflects contemporary governance practices and the current goals of HECC.

Office Holders and their Duties

- The HECC Management Committee consists of a Chairperson, Treasurer, Secretary, other elected members and 2 staff representatives. The Committee Handbook outlines the duties of each Office Holder. **Refer to:** Appendix 3: Duties of Management Committee Office Holders.
- The members of the Committee, other than the staff representatives, are elected by those parents/guardians of enrolled children as indicated on their enrolment form (members of the Association) who attend the Annual General Meeting (AGM), which is held every March.

Removal of Office Holders

- In accordance with the *Associations Incorporations Act 1991*, an Association may, by resolution, at a General Meeting, remove a Committee Member. A General Meeting may be called by the Committee whenever it considers appropriate or within 28 days receipt of a request by any 6 members of the Association made in writing to the Chairperson or Deputy Chairperson and stating the purpose for which the meeting is called.
- Procedural fairness and the rules of 'natural justice' must be complied with. This includes the Committee member having: the right to be heard fairly, the right to an unbiased decision made by an objective decision maker, and the right to have the decision based on relevant evidence. **Refer to:** Appendix 2: The Heritage Constitution (Rules of Incorporation); General Grievance Policy.

Core Governance Responsibilities of Management Committee Office Holders

There are some core governance responsibilities that apply to all members of the HECC Management Committee. These include that members must:

- Act honestly, in good faith and with reasonable care and diligence.
- Familiarise themselves with the Heritage Constitution (Rules of Incorporation) to clarify their legal responsibilities following their election.
- Oversee financial affairs, ensuring HECC is not operating while insolvent.
- Ensure that HECC carries out its' activities in accordance with its intended purpose and in the best interests of enrolled children and HECC.
- Exercise powers for their proper use.
- Respect the role of employees in both the planning and delivery of a high quality early childhood education program.
- Respect privacy and confidentiality of information obtained in the course of the Management Committee's considerations.
- Not use information acquired through their position for personal advantage, the advantage of others or to the detriment of HECC.
- Disclose and manage conflicts of interest.
- Ensure an Annual General Meeting occurs within 5 months of the end of the HECC Financial Year (December).
- Appoint a new Secretary within 14 days if the position becomes vacant.



- Ensure the principles of natural justice are followed for any internal disputes.
- Provide support and encouragement to other Management Committee members.
- Return all documents that belong to HECC within 28 days of ceasing to be a Committee member.

The Relationship between the Management Committee and Employees

The Committee:

- Entrusts and delegates responsibility for the day-to-day operation of the service to one or more employees at the service.
- Respects the role of employees in both the planning and delivery of a high quality early childhood education program.

Employees:

- Are accountable to the Committee for the delivery of the program and the responsibilities delegated to them by the Committee for this purpose.
- Understand and respect the role of the Committee as both manager and employer.
- Abide by the Committee's decisions and lawful and reasonable directions.

Management Committee Meetings

- Management Committee meetings are held **on the second Tuesday of every month, from 5.00pm to 5.45pm** in the Staff Room (through the Toddler Room, at the rear of the deck).
- Educators are available to care for children for the duration of the meetings.
- All families are encouraged to attend Committee meetings and to take part in discussions and raise issues for consideration.
 - Management Committee meetings are always catered, with a range of snacks available. Generally, the Social and Cultural Officer is responsible for the catering for meetings, but this can be shared between members if preferred.
- A copy of the minutes of Committee meetings is available to all families on the notice board in the front entrance. Notices and agendas of forthcoming meetings are also posted on the notice board and on the front door.

Voting Rights

- Each parent/guardian (as indicated on their Enrolment Form) who has a child/children enrolled at HECC is deemed to be a member of the Association and is entitled to 1 vote at General Meetings, including the Annual General Meeting (AGM) and Special Meetings.
 - Each member of the Association can become an Office Holder or an Ordinary Member of the Management Committee by standing for election at the AGM, held in March each year.
 - All members of the Association who attend the AGM or other General or Special Meetings are entitled to vote for Office Holders and Ordinary Members of the Committee.
- Each Office Holder or Ordinary Member of the Management Committee who is present at a meeting of the Committee, or any sub-Committee appointed by the Committee (including the person presiding the meeting), may vote on motions put forward at the meeting.
- Members are not entitled to vote by proxy.
- Questions arising at General Meetings, Committee Meetings or a meeting of any sub-committee appointed by the Committee, are decided by a majority of the votes of members eligible to vote who are present at the meeting.
- If the votes on a question arising at a General Meeting or Committee Meeting or any sub-committee are equal, the person presiding is entitled to exercise a second or casting vote.
- Committee members may vote on an issue by email between meetings. Such an issue will be decided by the vote of at least a majority of those eligible to vote. However, if the total number of those eligible to vote is even, they have all voted and the votes are equal, the Chairperson is entitled to exercise a second or casting vote.

Special Resolutions



- 21 days' notice must be given to members of the Association together with a notice of intention to propose the resolution as a Special Resolution at a General Meeting or Committee Meeting.
- Special Resolutions must be passed by at least $\frac{3}{4}$ of members who are present at the meeting and entitled to vote.
- Amendments to the Heritage Constitution must be passed by Special Resolution (*Associations Incorporations Act 1991*).

Refer to: Appendix 2: The Heritage Constitution (Rules of Incorporation).

Management Committee: Critical Dates

There are a number of key dates and deadlines throughout the year.

1 January	Start of the Financial Year
31 March	Last day on which the AGM can be held (must be within 5 months of the end of the previous financial year).
September	Approve dates for the Christmas shut down (in accordance with the Enterprise Agreement, staff must be given 3 months' notice)
October	Develop the Budget for the upcoming year
December	Budget presented to Committee meeting for approval and once approved, accounts to be forwarded to the Auditor.

The Management Committee Handover Process

Handover to the next Committee requires the transfer of considerable information and the completion of several forms. To ensure continuity of governance, HECC has developed a clear handover process from the outgoing Management Committee to the incoming Management Committee. This occurs as soon as possible following the AGM in March.

Procedures

- The Secretary must document decisions made at each Committee meeting and file these in a timely manner, along with Committee papers, minutes of meetings and any other relevant information as this information is essential for the handover to the next Committee.
- The Committee Handbook must be given to or be readily available for each new Office Holder on the Management Committee and reviewed regularly to ensure it is up-to-date, well organised and provides all relevant information including:
 - General info regarding roles and responsibilities of Committee members.
 - Specific information regarding positions such as Chairperson, Treasurer etc.
 - Important documents including The HECC Constitution and this policy.
 - Contacts, lists and other operational information.
- Required forms must be signed by both outgoing and incoming members of the Committee and submitted to relevant authorities without delay to ensure the incoming Committee can fulfil their legal obligations and management responsibilities without interruption. Authorities that will need to be contacted include:
 - Tax Office. **Refer to:** ATO website under Not for Profits for forms.
 - Bank (change of Authorised Signatories for bank accounts and removal of signatures no longer relevant).
 - Access Canberra (previously Office of Regulatory Services). **Refer to:** Next section: Reporting Obligations.
- Members of the outgoing Committee may offer to meet with and continue working alongside the new Committee for a short period of time as mentors. While some members of the outgoing Committee may work with the incoming Committee to support them during the transition process, it is important to note that the responsibility for all matters relating to the Association rests with the incoming Committee.
- A handover meeting may be held to exchange information. At this meeting, outgoing Committee members may:
 - Role model the usual meeting procedures such as having an agenda for the meeting and demonstrating their roles, meeting etiquette and decision-making processes.



- Discuss obligations such as:
 - Quality Improvement Plan.
 - Policy development, implementation and review.
 - Service planning and delivery.
 - Financial management, budget and strategic planning.
 - Roles and responsibilities of members and any sub-Committees.
 - National Regulations and Quality Standards.
 - Staffing awards and conditions, rosters, pay processes, performance reviews, current staffing issues.
 - Responsibilities of each office holder (may also be done by separate individual meetings).
 - Confidentiality and conflict of interest.

First Meeting of the New Committee

At the first meeting of the new Committee, it is important to:

- Follow up outstanding business from previous meeting.
- Ensure all legal requirements have been met and changes notified to relevant authorities.
- Ensure all required transfers have been made from the old Committee to new committee.
- Recruit new members if positions are still vacant.

Reporting Obligations to Access Canberra (ACT Regulator of Incorporated Associations)

Annual Return

- This must be lodged with Access Canberra within **6 months** of the end of the most recently ended financial year and include:
 - An audited statement of the HECC accounts.
 - A copy of the auditor's report in relation to those accounts.
 - A completed Annual Return form.
- Two current members of the Committee and the Public Officer must sign the form to certify that the Association has complied with the provisions of the Act.

Change of Committee

- When changes to the Committee occur or a Committee member changes their address, a Change of Committee Particulars form must be lodged with Access Canberra within **1 month** of the change occurring.

Change of Public Officer

- When a change of Public Officer or their address occurs, a Change of Public Officer Particulars form must be lodged with Access Canberra within **1 month** of the change occurring.

Change of Registered Office

- When the Association opens a registered office, changes the address of the registered office, or changes the opening hours of the registered office, a Change of Registered Office Particulars form must be lodged with Access Canberra within 7 days of the change occurring.

Changes of Rules or Objects

- When the Association resolves by special resolution to alter the objects or rules of the Constitution, a Change of Rules or Objects of Association form must be lodged with Access Canberra within **1 month** of the **Special Resolution** being passed and include:
 - A written statement of the specific changes.
 - A fully updated copy of the Association's objects and purposes.
 - A fully updated copy of the Association's rules, unless the Association is adopting the model rules.
 - A completed Association Constitution and Rules Checklist.
- Two current members of the Committee must sign the form to certify that all changes to the objects or rules have been passed by Special Resolution and the provisions of the Act have been complied with.

- Alterations to rules or objects are of no effect until the change of rules or objects of Association has been and accepted by Access Canberra.

All documents lodged by HECC with Access Canberra are available on the public record as computer images. Committee members may request their address be kept confidential.

Associations Forms and Fees are available at:

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1504/~/_/incorporated-Associations#!tabs-3

Reporting Obligations to the ACT Regulatory Authority – the Children’s Education and Care Authority (CECA)

As an Approved Provider, the HECC Committee must:

- Display copies of the Education and Care Act and Regulations at the service.
- Inform CECA when the Committee Members with management and control of the service change.
- Ensure each new Committee Member demonstrates they are a fit and proper person and granted Provider Approval by returning a Declaration of Fitness and Propriety Form PA02 to CECA which includes the requirement to provide a current Working With Vulnerable People (WWVP) Check Card.
- Ensure CECA is notified of any complaint alleging risk to the health, safety and wellbeing of a child/ren at the service and/or any incident requiring closure of the service within 24 hours.
- Ensure CECA is notified of a serious incident as soon as practicable, and within 24 hours, including the death of a child, injury/trauma or illness of a child requiring the attention of a registered medical profession, a child missing from the service or mistakenly locked in or out of the service.

Notifications can be made using the National Quality Agenda IT System (NQAITS) portal at <http://www.acecqa.gov.au/national-quality-agenda-it-system>

Committee Functions, Powers and Responsibilities

Legal Liabilities

The Committee has responsibility under The Heritage Constitution to take all reasonable steps to ensure that the laws and regulations relating to the operation of the service are observed, ie:

- Adequate policies and procedures are in place to comply with the legislative and regulatory requirements placed on the service.
- Appropriate systems are in place to monitor compliance.
- Reasonable care and skill is exercised by members of the Committee in fulfilling their roles as part of the governing body of the service.
- Committee members act honestly, and with due care and diligence.
- Committee members do not use information they have access to, by virtue of being on the Committee, improperly.
- Committee members do not use their position on the Committee for personal gain or put individual interests ahead of responsibilities.

Ethical Responsibilities

The Committee is responsible for ensuring the following principles provide the ethical framework to guide the delivery of services at HECC:

- Treating colleagues, parents/guardians, children, suppliers, visitors and other stakeholders respectfully and professionally at all times. **Refer to:** The HECC Code of Ethics.
- Dealing courteously with those who hold differing opinions and following the principles of natural justice when managing internal disputes. **Refer to:** General Grievance Policy; Staff Grievance Policy.
- Respecting cultural differences and diversity within the service, and making every effort to encourage and include all children and families in the community. **Refer to:** Diversity and Equity Policy.
- Having an open and transparent relationship with The Australian National University.
- Operating with honesty and integrity in all work.



- Being open and transparent in making decisions and undertaking activities, and if that is not possible, explaining why.
- Working to the standards set under the National Quality Framework and all applicable legislation as a minimum, and striving to continually improve the quality of the services delivered to the community.
- Disclosing conflicts of interest as soon as they arise and effectively managing them (**refer to section:** Managing Conflicts of Interest).
- Recognising the support and operational contributions of others in an appropriate manner.
- Assessing and minimising the adverse impacts of decisions and activities on the natural environment (**refer to:** Sustainability Policy).

Strategy, Policy Making and Lobbying Responsibilities

The Committee is responsible for:

- Focusing on the strategic directions of the organisation and avoiding involvement in day-to-day operational decisions, particularly where the authority is delegated to senior management staff within the service.
- Supporting and coordinating the needs of HECC and the Australian National University.
- Assisting the Director in liaising with the ANU, Government bodies and other early childhood education and care services.
- Developing coherent aims and goals that reflect the interests, values and beliefs of HECC families and staff, and the stated aims of the service, and have a clear and agreed Mission, Vision and Philosophy Statement which guides decisions and the work of the HECC Management Committee, educators and other staff. **Refer to:** HECC Philosophy Statement.
- Ensuring there is a sound framework of policies and procedures in place, together with monitoring and reporting systems, to ensure compliance with all legislative and regulatory requirements and current best practice in early childhood education and care, and to enable the daily operation of the service to be geared towards the achievement of the service's vision and mission. **Refer to:** Policy Manuals and Policy Handbook.
- Establishing clearly defined roles and responsibilities for the members of the HECC Management Committee, individually and as a collective, management and staff, and clearly articulate the relationship between the HECC Management Committee, staff and members of the service. **Refer to:** This policy; the Committee Handbook; Employment and Staffing (incl. Students and Volunteers) Policy.
- Developing ethical standards and a code of conduct that guides actions and decisions in a way that is transparent and consistent with the goals, values and beliefs of the service. **refer to:** The HECC Code of Ethics.
- Undertaking strategic planning and risk assessment on a regular basis and having appropriate risk management strategies in place to manage risks faced by the service.
- Ensuring that the needs of enrolled children and families are met.
- Ensuring that the actions of and decisions made by the HECC Management Committee are transparent and help build confidence among members and stakeholders.
- Evaluating and improving the performance of the HECC Management Committee.
- Subject to The Heritage Constitution, making additional rules for the proper management of the Association, which shall be binding on the all staff and members of the Association.

Financial Responsibilities of the Management Committee

The Committee is responsible for:

- Working with the Director and Bookkeeper to oversee the financial affairs of HECC.
- Maintaining a financially viable service by implementing sound financial planning and management, and ensuring all Committee members understand the financial reports and participate in financial decision-making.
 - There is a level of protection for Committee members under the Act, however they could face penalties if they allow the Association to trade while insolvent.
- Developing and implementing effective and transparent financial policies and procedures, including requirements for monthly profit and loss and balance sheet reports.
- Ensuring an AGM is held within 5 months of the end of the HECC Financial Year (FY) (December).



- Appointing an Auditor.
- Opening and conducting bank accounts.
- Operating and managing the facilities owned/operated by HECC.
- Submitting a financial statement that covers the full financial year that gives a true and fair view of the Association's financial affairs, to members at the AGM. This includes:
 - An audited statement of the Association's accounts for the most recently ended FY including income and expenditure of the Association during the most recently ended FY; assets and liabilities at end of FY; any mortgages, charges and other securities affecting Association property at end of FY.
 - A copy of the auditor's report for the accounts.
 - A report signed by 2 current Committee members which states the name of each Committee member during the FY and lists the principle activities and net profit and lost for the FY.
- Ensuring the annual statement of accounts is prepared and audited at least 14 days before the AGM to allow members to access the information in the statements if they wish.
- Developing and approving the Annual Budget including setting appropriate fees for the service.
 - Every effort must be made to provide affordable quality education and care for families, however as a community based, not-for-profit organisation, the Committee must ensure fees must be paid in a timely manner to maintain the financial viability of the service.
 - The Management Committee reserves the right to increase fees as deemed necessary to remain financially viable. **Refer to:** The Heritage Constitution.
- Maintaining appropriate payroll records.
- Completing reports for external bodies such as ATO, Access Canberra and the Education Directorate (CECA) as required.
- Approving major expenses and ensuring clear purchasing procedures, including management of petty cash are followed.
- Approving the installation and removal of equipment and furnishings of the Association.
- Applying for grants where possible and assisting the Director with lobbying for other funding.
- Fundraising.

Fundraising

Before engaging in fundraising activities, the Committee must:

- Consider what the funds are required for and if fundraising is the most appropriate method to raise extra money.
- Consider how GST and other tax requirements will be handled.
- Plan an appropriate number of fundraising activities for the year taking into account family time pressures and the anticipated level of support.
- Ensure appropriate procedures are in place for handling money (receiving, counting and banking). **Refer to:** Next section.
- Decide if a sub-Committee should be established to co-ordinate the activity and if so, what the Terms of Reference for the Sub-Committee are, their responsibilities and the extent of decision-making and financial authority delegated to them.

Procedures for Effective and Transparent Financial Management

- The Committee must clearly outline the financial delegation limit for Committee members and employees.
- Purchases must be budgeted for and authorised/approved as they are made.
- Goods and services must be received before full payment is made.
- Payment for purchases must be approved in accordance with the delegations by the Committee and authorised appropriately.
- All details must be completed on cheques before being signed by 2 signatories and blank signed cheques must never be made available to effect purchases or payments.
- A minimum of 2 people must count cash together.
- Money must be counted before it leaves the service or fundraising activity.
- Money must be banked as soon as practicable.



- Receipts must be provided for all payments.
- Bank statements must be sighted by someone on the Committee in addition to the Treasurer.
- Financial reports must be provided to the Committee every month and include reconciled statements, comparison with budget, and a clear and accurate picture of the financial state of the Association
- The Committee must be involved in important financial decisions and not delegate to the Treasurer or Bookkeeper.

Responsibilities as an Employer

The Committee must:

- Have a clear understanding of their role as the employer and the role of the employee.
- Assist in creating a positive work environment and working relationships with employees.
- Be aware of relevant legislation pertaining to the engagement of employees and have in place employment and work, health and safety policies that cover:
 - Equal opportunity
 - Work Health and Safety
 - Prevention and Management of Harassment and Bullying
 - Employee Counselling and Discipline
 - Employee Grievance
 - Return to Work
 - Non Smoking
- Pay employees in accordance with the appropriate award/agreement and conditions of employment.
- Maintain confidential employee personnel files and employment records.
- Provide employees with professional development in accordance with the Enterprise Agreement in place.
- Provide employees with time to discuss issues as they arise.
- Consult appropriately on decisions that affect their employment and the program they deliver.
- Ensure annual performance reviews are conducted by management.
- Implement a process for relief employees.
- Have appropriate processes in place for the appointment of new employees including recruitment, selection, appointment, orientation and probation.
- Manage change in conditions of employment in an appropriate manner.
- Appoint and employ staff of the association in consultation with the Director and dismiss or suspend the same.
- Appoint the Director and monitor their performance. **Refer to:** Employment and Staffing Policy.
- Ensure staff members complete a Fit and Proper Person assessment and provide a current Working with Vulnerable Persons (WWVP) card.
- Be familiar with the requirements of the *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*.
 - The Act requires all people who participate in child-related work as defined by the Act, either in a paid or unpaid position to hold a valid WWVP Check card. Exceptions including volunteers who are closely related to a child participating in the activity.
- Be familiar with the *Education and Care Services National Law Act 2010* that requires each person with management or control of the service to be assessed as fit and proper. The Incorporated Associations Act defines a person with management or control as each member of the executive committee. A Fit-and-Proper Assessment (Form PA02) includes provision of a current Working With Vulnerable Persons (WWVP) Card.

Refer to: Employment (incl. Students & Volunteers) Policy; Work Health and Safety Policy.

Privacy and Confidentiality Responsibilities

- All members of the HECC Management Committee who gain access to confidential, commercially sensitive and other information of a similar nature, whether in the course of their work or otherwise, shall not disclose that information to anyone unless the disclosure of such information is required by law.

- Members of the HECC Management Committee shall respect the confidentiality of those documents and deliberations at Committee meetings, and shall not:
 - Disclose to anyone the confidential information acquired by virtue of their position on the HECC Management Committee.
 - Use any information so acquired for their personal or financial benefit, or for the benefit of any other person.
 - Permit any unauthorised person to inspect, or have access to, any confidential documents or other information.

This obligation, placed on a member of the HECC Management Committee, shall continue even after the individual has completed their term and is no longer on the HECC Management Committee. The obligation to maintain confidentiality also applies to any person who is invited to any meetings of the HECC Management Committee as an observer or in any other capacity.

Communication

The Committee is responsible for:

- Keeping members of the HECC community informed of Management Committee decisions, new and updated policies and events etc.

Managing Conflicts of Interest

- Conflicts of interest, whether actual, potential or perceived must be declared by all members of the HECC Management Committee, and managed effectively to ensure integrity and transparency).
- Every member of the HECC Management Committee has a continuing responsibility to scrutinise their transactions, external business interests and relationships for potential conflicts and to make such disclosures in a timely manner as they arise.
- Committee members must disclose to the Committee any direct or indirect pecuniary interest that they have in a contract (or proposed contract) that the Association is or may be party to. If any members have such an interest, they should not take part in any decision-making by the Committee in the matter in which they have such an interest.
- Conflict of interest may also arise if a relative, friend or associate of the Committee member stands to make a financial or other gain or loss from any decision or action taken by the committee.
- If a Committee member fails to disclose a pecuniary interest in a contract, that member may be liable to the Association for any direct or indirect profit, or any damage or loss by the Association, incurred as a result of the failure to disclose.

Procedures for managing conflicts of interest:

- Whenever there is a conflict of interest, the member concerned must notify the Chairperson of the Management Committee as soon as possible after identifying the conflict and complete a Conflict of Interest Disclosure Statement
- The member who is conflicted must not be present during the meeting of the HECC Management Committee where the matter is being discussed, or participate in any decisions made on that matter.
- The member concerned must provide the HECC Management Committee with any and all relevant information they possess on the particular matter.
- The minutes of the meeting must reflect that the conflict of interest was disclosed and appropriate processes followed to manage the conflict.
- Advise all members of the nature and extent of this interest at the next AGM.
- All violations of the requirement to disclose and manage conflicts shall be dealt with in accordance with the HECC Constitution/Rules of HECC Inc. (**refer to:** Appendix 2) and the Non-Compliance Policy and Procedures.

Communication

The HECC Governance and Management Policy and Procedures will be communicated to families and educators via the enrolment and orientation session with families, the educator

induction process, the Heritage Handbook, the Committee Handbook, Educator Handbooks and the Policy Handbook.

Policy Review

In order to assess whether the values and purposes of the Governance and Management Policy have been achieved, HECC management will regularly review the policy and encourage families and educators to contribute to the regular policy review process. HECC will notify parents/guardians of any changes to this policy or its procedures within 14 days.

The HECC Management Committee Health Check may also be used by the Committee to create a snapshot of the health of the Committee. It comprises a series of questions that focus on core areas of Management Committee roles and responsibilities and is designed to highlight strengths and areas that need improvement. **Refer to:** References.

Related Policies

Name	Location
Employment and Staffing Recruitment Policy	Policy and Procedures Manuals in staff resources room, entrance foyer and main office.
Enrolment and Graduating Rooms Policy	
Fees and Bookings Policy	
Heritage Code of Conduct/Ethics	
Non-Compliance Policy	Heritage Handbook.
Complaints and Grievance Management Policy	Policies and procedures section on Heritage website
Privacy and Confidentiality Policy	
Waiting List Policy	
Work Health and Safety Policy	

References and Further Reading

Legislative References

Education and Care Services National Regulation 2011

<https://www.heritageecc.com.au/uploads/9/1/4/6/9146568/national-regulation-effective-1-02-2018.pdf>

Guide to the National Quality Framework

https://www.heritageecc.com.au/uploads/9/1/4/6/9146568/guide-to-the-nqf_2018.pdf

Children and Young People Act 2008

http://www6.austlii.edu.au/cgi-bin/viewdb/au/legis/act/consol_act/caypa2008242/

United Nations Convention on the Rights of the Child

<http://www.unicef.org.au/Upload/UNICEF/Media/Our%20work/childfriendlycrc.pdf>

Human Rights Act 2004

www.legislation.act.gov.au/a/2004-5/default.asp

Information Privacy Act 2014

<http://www.legislation.act.gov.au/a/2014-24/default.asp>

Freedom of Information Act 1989

www.legislation.act.gov.au/a/alt_a1989-46co/default.asp

Other References

Australian Charities and Not-for-Profit Commission:

Website: <https://www.acnc.gov.au/>

Access Canberra:

Incorporated Associations

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1504

Incorporated Associations – Forms and Fees

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1504/~/incorporated-Associations#l1tabs-5

Model Rules

https://www.accesscanberra.act.gov.au/ci/fattach/get/46930/1435188115/redirect/1/file_name/Associations%20model%20rules.pdf

Associations Constitution and Rules Checklist

https://www.accesscanberra.act.gov.au/ci/fattach/get/46932/1435188185/redirect/1/file_name/Associations%20constitution%20and%20rules%20checklist.pdf

Working with Vulnerable People (WWVP) Application Form

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/~/working-with-vulnerable-people-%28wwvp%29-registration#l1tabs-3

**ACT Regulatory Authority - Children's Education and Care Assurance (CECA),
Education Directorate:**

Website: <http://www.acecqa.gov.au/>

Information for Current Service Providers:

<https://www.education.act.gov.au/early-childhood>

Provider Approvals – Related Forms: <http://www.acecqa.gov.au/provider-approvals>

National Quality Agenda IT System (NQAITS) portal: <http://www.acecqa.gov.au/national-quality-agenda-it-system>

PA02 Form: Declaration of Fitness and Propriety:

https://www.acecqa.gov.au/sites/default/files/2018-09/PA02_DeclarationOfFitnessAndPropriety.pdf

The Office for Children, Youth and Family Support

Website - <http://www.communityservices.act.gov.au/ocyfs>

Keeping Children & Young People Safe: a shared community responsibility. A guide to reporting child abuse and neglect in the ACT.

<https://www.communityservices.act.gov.au/ocyfs/keeping-children-and-young-people-safe>

University of Melbourne Early Learning Centre. (2014). *Governance and Management of the Service Policy.*

<http://www.HECC.unimelb.edu.au/pdf/Policy%20pdfs/Governance%20and%20Management%20Policy.pdf>

Version Control and Change History

Version Number	Approval Date	Approved by	Amendment
1	October 2001	HECC Committee	
2	12 June 2012	HECC Committee	Combined Enrolment, Fees and Graduating Room Procedures and created new policy based on references above.
3	13 November 2013	HECC Committee	Author: Julia Charters. Enrolment, Graduating Rooms, Fees and Governance Policy split into: <ul style="list-style-type: none"> • Enrolment and Graduating Rooms Policy • Waiting List Policy • Fees and Governance Policy Added clause that families must not pay their accounts more than 2 weeks in advance.
4	14 March 2017	HECC Committee	Author: Julia Charters. Complete re-write: <u>Separated Fees and Governance Policy</u> : Added details on National Regulations, Committee Functions, Voting Rights, Committee Handover and Managing Conflict of Interest. Added Contents Page and Appendices:



			<p>1. Relevant National Regulations. 2. The Heritage Constitution. 3. Duties of Management Committee Members. <u>Updated Heritage Constitution:</u> Updated the Objects of the Association. Changed definition of a member from 'each family' to 'each parent/guardian of an enrolled child'. Added details on Special Resolutions; Right of Appeal for Disciplined Members; Duties of Committee Members Table.</p>
5	12 October 2020	HECC Committee	<p>Certificate of Currency for Public Liability and Workers Compensation added to Management Committee Handbook. Table of Nominated Supervisors and Responsible Persons in Charge added to Management Committee Handbook. Updated all links.</p>

Appendix 1: Relevant National Regulations

National Quality Framework

The National Quality Framework (NQF) came into effect on 1 January 2012 and is the result of an agreement between all Australian governments to work together to provide better educational and developmental outcomes for children using education and care services across Australia. The NQF consists of:

- a national legislative framework
 - the Education and Care Services National Law Act 2010
 - the Education and Care Services National Regulations 2011
- a National Quality Standard (NQS)
- a national quality rating and assessment process
- a national body - the Australian Children's Education & Care Quality Authority (ACECQA)

National Quality Standard (NQS)

The National Quality Standard (NQS) sets a national benchmark for early childhood education. It is linked to national learning frameworks that recognise children learn from birth and outlines practices that support and promote children's learning. It consists of seven quality areas, each containing standards and elements that children's education and care services are assessed and rated against.

The 7 Quality Areas of the NQS:

QA1: Educational program and practice

QA2: Children's health and safety

QA3: Physical environment

QA4: Staffing arrangements

QA5: Relationships with children

QA6: Collaborative partnerships with families and communities

QA7: Leadership and service management

The Early Years Learning Framework (EYLF)

The HECC curriculum is based on the approved learning framework for the early childhood sector in the ACT, "*Belonging, Being and Becoming – the Early Years Learning Framework for Australia*" (EYLF). The EYLF is a guide that provides general goals or outcomes for children's learning and practices that educators and co-ordinators must use to attain them. It also provides a scaffold to assist early childhood settings to develop their own, more detailed curriculum. **Refer to:** Curriculum Planning Policy.

Appendix 2: The Heritage Constitution (Rules of Incorporation)

1 Name

The name of the Association shall be Heritage Early Childhood Centre Incorporated (in these Rules, 'the Association').

2 Objects

The objects of the Association shall be to:

- (a) Ensure the Heritage Early Childhood Centre (in these Rules, 'the Centre') consistently provides high quality early childhood education and care to children from 6 weeks of age to primary school age.
- (b) Work together to build a safe, respectful and nurturing environment focused on maximising each child's sense of wellbeing and acquisition of skills for life and learning.
- (c) Give priority of access to the children of ANU employees and students.
- (d) Operate the Centre on a not-for-profit basis.
- (e) Maintain the financial viability of the Centre.
- (f) Foster an understanding of the importance of quality early childhood education and care amongst Association members and the wider community.

3 Association's Office

The office of the Association shall be at Lennox House, Lennox Crossing, Acton ACT, or at such place as the Committee may, from time to time, determine.

4 Membership

The parents/guardians (as indicated on the Enrolment Form) of any child or children enrolled at the Centre, shall be deemed to be members of the Association.

5 Members' Liabilities

The liability of a member to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount of any unpaid fees or other monies owed by the member to the Association.

6 Committee

- (a) The affairs of the Association shall be managed by a Committee (in these Rules, 'the Committee').
- (b) The Committee shall consist of at least 5 members elected at the Annual General Meeting and 2 staff members (not being the Director) elected by staff.
- (c) All members of the Committee shall hold office until the next Annual General Meeting of the Association following their election or appointment.
- (d) The Committee shall have power to fill casual vacancies arising because a person ceases to be a member of the Committee and any such person appointed shall hold office until the next Annual General Meeting.
- (e) A vacancy occurring in the office of auditor during the year shall be filled by an appointment by the Committee.
- (f) When desired, an expert may be invited to join the Committee as an 'ex-officio' member.
- (g) The office bearers of the Association shall be the:
 - (i) Chairperson;
 - (ii) Treasurer; and
 - (iii) Secretary.
- (h) A person ceases to be a member of the Committee if the person:
 - (i) Ceases to have a child/ren enrolled at the Centre.



- (ii) Resigns from the Committee.
- (iii) Is removed from the Committee following disciplinary procedures.
- (iii) Dies.

7 Committee Meetings

- (a) The Committee shall meet monthly or as deemed necessary.
- (b) Oral or written notice of a meeting of the Committee must be given to each member of the Committee at least 48 hours (or any other period that may be unanimously agreed on by the members of the Committee) before the time appointed for the holding of the meeting.
- (c) A quorum at any Committee meeting shall be at least 4 members (not including staff representatives). If a quorum has not formed within 30 minutes of the time appointed, then the person presiding must close the meeting.

8 Voting at Committee Meetings

- (a) Questions arising at a meeting of the Committee or of any sub-Committee appointed by the Committee are decided by a majority of the votes of members of the Committee or sub-Committee present at the meeting.
- (b) Each Committee member present at a meeting of the Committee or of any sub-Committee appointed by the Committee (including the person presiding at the meeting) is entitled to 1 vote but, if the votes on any question are equal, the person presiding may exercise a second or casting vote.
- (c) A Committee member is not entitled to vote by proxy.
- (d) Committee members may vote on an issue by email between meetings. Such an issue will be decided by the vote of at least a majority of those eligible to vote. However, if the total number of those eligible to vote is even, they have all voted and the votes are equal, the Chairperson is entitled to exercise a second or casting vote.

9 Committee's Functions, Powers and Responsibilities

The Committee shall have the following functions, powers and responsibilities:

- (a) Determine policy with regard to and to operate and manage such facilities as are owned or operated by the Association.
- (b) Manage the affairs of the Association.
- (c) Deal with correspondence of the Association.
- (d) Open and conduct bank accounts.
- (e) Purchase, take or lease or in exchange, hire or otherwise acquire and hold any real or personal property including any rights or privileges for the sole benefit of the Association.
- (f) Sell, exchange, lease, let, mortgage, pledge, hire, dispose of within terms and agreement with the funding body, turn to account or otherwise deal with all or any part of the real and personal property of the Association for the sole benefit of the Association.
- (g) Raise or borrow money for the sole purposes of the Association upon such terms and in such manner as the Committee thinks fit, and to secure the repayment of money so raised or borrowed or the payment of a debt or liability of the Association, by giving mortgages, charges or securities upon or over all or any of the real or personal property of the Association.
- (h) Conduct appeals for funds and to accept donations whether of real or personal estate, devices and bequests.
- (i) Have authority over the installation and removal of equipment and furnishings of the Association.
- (j) Appoint and employ staff of the Association and to dismiss or suspend the same.
- (k) Cause statements of account and books to be kept showing the financial affairs of the Association and to present the statement of accounts and the reports that are required to be submitted to the Annual General Meeting of members of the Association under the Associations Incorporation Act 1991.



- (l) Subject to these Rules, make additional rules for the proper management of the Association which shall be binding on the Committee, staff, servants and members of the Association.
- (m) Determine the charges payable for the use and hire of the facilities of the Association.
- (n) Determine (subject to ratification by an Annual General Meeting or a Special General Meeting) the level of fees, although the Committee shall have the power to vary such fees in exceptional circumstances, such as to maintain the financial viability of the service.
- (o) Affiliate with or grant affiliation to or collaborate with any Association or body (not being an Association or body formed for the purpose of securing pecuniary profits to its members from its transactions) the objects of which are concordant with those of the Association; and
- (p) Do all other things necessary for the good order and management of the Association.

10 Finances and Property

- (a) The income, property and funds of the Association shall be used and applied solely towards the promotion of the objects of the Association, and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus, ex gratia payments or otherwise by way of pecuniary benefit to the members or relatives of members. However, this shall not prevent the payment in good faith for or reasonable remuneration to any officer or servant of the Association or to any member of the Association or their relatives in return for any goods received by or services rendered to the Association, or reasonable and proper rental for premises let by any member of the Association or their relatives.
- (b) The financial year of the Association shall be from the first day of January to the thirty-first day of December.
- (c) The funds of the Association shall be derived from the fees, donations, and such grants or subsidies to which the Association or its members may from time to time be entitled.
- (d) All Association cheques must be signed by 2 persons nominated by the Committee, except no beneficiary or relative of a beneficiary shall be signatory to a cheque.
- (e) It is the responsibility of the Director/Book-keeper to provide the Treasurer with current financial transaction records at least 48 hours before the time appointed for the holding of each Committee meeting.

11 Public Officer

A person shall be elected by the Committee as Public Officer within the meaning of the Associations Incorporation Act 1991 and shall attend to the filing of all necessary documents under that Act.

12 Annual General Meetings

- (a) The Annual General Meeting of the Association shall be held within 5 months of the end of each financial year and shall:
 - (i) Receive and consider the statement of accounts and the reports that are required to be submitted to members under the Associations Incorporation Act 1991;
 - (ii) Elect the Committee according to the provisions in clause 7(b) of these Rules;
 - (iii) Ratify the current fees payable for the use of the facilities of the Association by the children of members;
 - (iv) Appoint an independent auditor or auditors; and
 - (v) Conduct such other business as may be specified in the notice of meeting and any other business brought forward from the floor at the meeting.
- (b) Written notice of an Annual General Meeting shall be given to all members of the Association (either by placing in the member's pigeonhole at the Centre or by emailing

to an email address supplied to the Centre for the member) not less than 14 days before the Annual General Meeting and shall be posted on the front door of the Centre.

13 Special General Meetings

- (a) A Special General Meeting of the Association shall be held:
 - (i) Upon the resolution to this effect by the Committee; or
 - (ii) Within 28 days of receipt of a request by any 6 members of the Association made in writing to the Chairperson and stating the purpose for which the meeting is called.
- (b) Written notice of any Special General Meeting shall be given to all members of the Association (either by placing in the member's pigeonhole at the Centre or by emailing to an email address supplied to the Centre for the member) not less than 14 days before the date of the Special General Meeting and outlining the purpose for which the meeting is to be called. A notice shall also be posted on the front door of the Centre.
- (c) A Special General Meeting shall consider only those matters outlined in the notice calling the meeting. Other business may be heard only with the consent of 2/3^{rds} of those present and voting at the Special General Meeting.

14 Conduct of General Meetings

- (a) The quorum at any General Meeting shall be 7 members (not including staff representatives) of the Centre. If within 30 minutes of the time appointed for an Annual General Meeting or a Special General Meeting a quorum is not present, the meeting shall stand adjourned for a period of not less than 1 day and not exceeding 14 days, as may be determined by those present. Those present at any adjourned meeting shall constitute a quorum.
- (b) The Chairperson, or in the absence of the Chairperson, the Treasurer or Secretary (or in their absence, another person on the Committee nominated by the Chairperson) shall preside at a General Meeting of the Association.
- (c) A question arising at a General Meeting of the Association shall be determined on a show of hands.
- (d) At a General Meeting of the Association a poll may be demanded by the person presiding or by not less than 3 members present in person at the meeting.
- (e) Except if the nature of the business proposed to be dealt with at a General Meeting requires a Special Resolution of the Association, written notice of any General Meeting shall be given to all members of the Association (either by placing in the member's pigeonhole at the Centre or by emailing to an email address supplied to the Centre for the member) not less than 14 days before the date of the General Meeting and will outline the purpose for which the meeting is to be called. A notice shall also be posted on the front door of the Centre.
- (f) If the nature of the business proposed to be dealt with at a General Meeting requires a Special Resolution of the Association, written notice of the General Meeting shall be given not less than 21 before the date of the General Meeting to all members of the Association in the way provided in sub-section (e) and specifying the intention to propose a resolution as a Special Resolution

15 Voting at General Meetings

- (a) Each member of the Association and 2 elected staff representatives present at any properly constituted General Meeting shall be entitled to 1 vote.
- (b) A member is not entitled to vote by proxy.
- (c) If the votes on a question at a General Meeting are equal, the person presiding is entitled to exercise a second or casting vote
- (d) Special Resolutions must be passed by at 3/4 of those members who are present, vote and are entitled to vote.

**16 Common Seal**

- (a) The common seal of the Association is of no effect unless the name of the Association is inscribed on the seal in legible characters.
- (b) All courts, judges and persons acting judicially shall take judicial notice of the seal of the Association affixed to a document and shall presume that it was duly affixed.
- (c) The common seal of the Association shall be kept in the custody of the Director of the Centre.
- (d) The common seal shall not be affixed to any instrument except by the authority of at least 2 members of the Committee and the affixing of the common seal shall be attested by the signatures of 2 members of the Committee.

17 Books

- (a) Subject to the Associations Incorporation Act 1991, Associations Incorporation Regulation 1991 and these Rules, the Director shall keep in their custody or under their control, all records, books and other documents relating to the Association.
- (b) The records, books and other documents of the Association shall be open to inspection at the office of the Association by a member of the Association at any reasonable hour, with reasonable notice.

18 Disciplining of Members

- (a) At the time of enrolling their child or children at Heritage, members agree to familiarise themselves with and comply with all HECC policies and procedures.
- (b) If the Committee decides there has been an infringement of a HECC policy and/or procedure, they may decide to commence the following Non-Compliance procedures.
- (c) Under the Non-Compliance procedures, the Committee will issue a first and final written warning which:
 - (i) Outlines the infringing behaviour;
 - (ii) Requests immediate cessation of this behaviour; and
 - (iii) Warns of immediate termination of their child's or children's place(s) at Heritage should the infringement continue.
- (d) A copy of the warning will be kept on the member's file and noted in the Warning Register.
- (e) If the infringement continues, the Committee may, at its discretion, pass a resolution to terminate the child's or children's place(s) at Heritage immediately.
- (f) If the Committee passes a resolution under sub-section (e), the Committee must, as soon as practicable, serve a written notice on the member:
 - (i) Setting out the resolution of the Committee and the grounds on which it is based; and
 - (ii) Stating that the member may address the Committee at a meeting to be held within 28 days of the notice being served; and
 - (iii) Stating the date, place and time of that meeting; and
 - (iv) Informing the member that they may:
 - Attend and speak at that meeting; and/or
 - Submit to the Committee at or before the date of that meeting written representations relating to that resolution.
- (g) At a meeting of the Committee mentioned in sub-section (f) the Committee must:
 - (i) Give to the member an opportunity to make oral representations and give due regard to such oral representations; and
 - (ii) Give due consideration to any written representations submitted to the Committee by that member at or before the meeting; and
 - (iii) By resolution decide whether to confirm or to revoke the resolution of the Committee.



- (h) If the Committee confirms a resolution under section (e), the Chairperson or Secretary must, within 7 days, inform the member by written notice of the confirmation and of their right to appeal under Section 19.
- (i) A resolution confirmed by the Committee under sub-section (g) does not take effect:
 - (i) Until the end of the period within which the member is entitled to appeal against the resolution, if the member does not exercise the right of appeal within that period; or
 - (ii) If within that period the member exercises the right of appeal – unless and until the Association confirms the resolution in accordance with section 19.

19 Right of Appeal of Disciplined Member

- a) A member may appeal to the Association in a General Meeting against a resolution of the Committee that is confirmed under section 18(g) within 7 days after notice of the resolution is served to the member, by lodging with the Chairperson/Secretary a notice to that effect.
- b) On receipt of a notice under sub-section 19(a), the Chairperson/Secretary must notify the Committee which must call a General Meeting of the Association to be held within 21 days after the date when the Committee received the notice or as soon as possible after that date.
- c) At a General Meeting of the Association called under subsection 19 (b):
 - (i) No business other than the question of the appeal may be transacted; and
 - (ii) The Committee and the member must be given the opportunity to make representations in relation to the appeal orally or in writing, or both; and
 - (iii) The members present must vote by secret ballot on the question of whether the resolution made under section 18(g) should be confirmed or revoked.
- d) If the meeting passes a Special Resolution in favour of the confirmation of the resolution made under section 18(g), the resolution is confirmed.

Appendix 3: Duties of Heritage Management Committee Office Holders

See over-page

Duties of Heritage Management Committee Office Holders

OFFICE HOLDER	DUTIES	TIME PER MONTH
Chair (and Deputy Chair)	<p>Provide strategic advice and support to the Director in the running of Heritage.</p> <p>Assist the Director and Policy Officer with reviewing service policies and procedures.</p> <p>Notify the ACT Regulatory Authority in writing if there is a change in Director and check records of Responsible Persons in Charge annually.</p>	<p>About 15-30 minutes a week to catch up with the Director (could be longer if issues arise), plus Director's annual review meeting and compliance/document checks, prior to AGM.</p> <p>30-60 minutes a month to coordinate monthly Agenda and organise any paperwork for meeting.</p> <p>30-60 minutes a month to proofread 1-2 policies as updated by the Director and Policy Officer - <u>All Committee members are asked to do this and to suggest amendments if they wish.</u></p>
Secretary (and Deputy Secretary)	Attend meetings, take minutes, write up for distribution.	About 1 hour to write up minutes after the meeting.
Treasurer (and Deputy Treasurer)	Oversee the general financial management of Heritage. Make recommendations for improved practices where required.	<p>About 15-30 minutes a fortnight to catch up with Director (longer if there are any issues).</p> <p>15 minutes once a month to review financial statements before management committee meeting.</p> <p>5-6 hours a year to prepare annual budget.</p> <p>1-2 hours a year to prepare report required for AGM. (While this may seem substantial, the Heritage bookkeeper provides assistance to the Treasurer)</p>
HR Officer	Liaise with staff and the Director regarding HR issues as they arise, providing advice and support.	About 5-10 minutes to catch up with the Director every week (longer if there are specific issues).
Fundraising Coordinator (and Fundraising Subcommittee)	Coordinate Heritage fundraising set calendar of events; advertise to parents; collect/count money; order, check and distribute items; assist with spending funds raised.	About 2 hours per week or more - up to 20 hours per month. This workload can be shared with the Subcommittee.
Social and Cultural Officer	Arrange social and cultural events such as guest speakers, movie nights, Christmas Party with the aim of encouraging parents to get to know one another.	<p>About 1 hour per month, depending on the event.</p> <p>May be merged with Fundraising Coordinator position above.</p>

Public Officer	<p>Complete reporting obligations via Australian Charities and Not-for-Profit Commission (ACNC) and ACT Regulatory Authority (CECA) Portals with the Director and ensure all requirements are submitted and up to date.</p> <p>The Public Officer, who must reside in the ACT, is the person who will be notified of reporting obligations and their address must be up to date.</p>	<p>About 1-2 hours per month for a few months after the AGM, then minimal work for the rest of the year.</p>
Newsletter and Committee Group Email	<p>Collect articles from the Director, Room Leaders and Chair. Organise layout and distribution of newsletter. (The newsletter is produced every 3 months).</p> <p>Add and delete members from the Committee group email list as required (Procedures in Appendix 2).</p>	<p>About 2-3 hours per month. Currently undertaken by Heritage Educators and admin staff.</p> <p>Note: A Committee member, who is also a staff member at the ANU, must be listed as an administrator of the Committee Email List. Refer to: Committee Email Procedures, Appendix 2</p>
Grants Officer	<p>Search for suitable grants to assist in the running of Heritage. Prepare grant applications with the Director.</p>	<p>Varies depending on the number of grants submitted.</p> <p>A grant can take around 5-6 hours to complete.</p>
Ordinary Committee Member	<p>Parents can be part of the Committee without holding any of the above positions. They must nominate themselves at the AGM and be voted in as an Ordinary Member and are entitled to vote on motions.</p>	<p>Attendance at meetings, though not compulsory.</p>

