7-P1: Governance Procedure

Responsible	Nominated Supervisor, Centre Team		
Accountable 1	Chief Safety, Compliance and Quality Officer	Accountable 2	Nominated Supervisor
Consulted	Chief Financial Officer, Shared Services Manager, Policy Team		
Informed	All staff		

Links to ECSNR 2011 and WA 2012:
Compliance with all ECSNL 2010 &2012; ECSNR 2011&2012
Chapter 4: Part 4.7
R167 R168 R170-R177
R180-R185 R55 R56
R118 R137 R229

Links to NQS:
QA 7

Related forms:
GUI 1360 Guide to notification types

Policy Statement

The objective of this procedure is to articulate Affinity Education Group's compliance with the National Law and Regulations, including Amendment Regulations, from the Education and Care Services National Regulations 2011 and the Education and Care Services National Regulations WA 2012.

This procedure provides a statement of intent in relation to the procedures, policies and legislative framework that governs the operation of Affinity Education Group. The aim is to ensure accountability to all stakeholders and compliance with all legislative obligations in the overall management of the service. This procedure is designed to be read in conjunction with all other policies and procedures of the organisation.

Early childhood education is a highly regulated profession, which requires a strong professional, social, ethical and financial commitment to stakeholders in the provision of high quality services for children and families.

The organisation must operate within a strict legislative framework. Approved Provider and Nominated Supervisor and Centre Manager are responsible for compliance with laws and regulations. Accountability for compliance is also delegated to all employees and managed by Affinity Education Group.

Affinity Education Group aims to create a positive culture where management and educators work in alignment with the Affinity Way and towards a goal of continuous improvement in the provision of quality services to children and their families. The steps outlined in this procedure will guide this goal.

Procedure Strategies

Governance of the organisation includes, but is not restricted to:

- Compliance with all Approved Provider obligations as set out in the Education and Care Services National Regulations (2011 and WA 2012) and the Education and Care Services National Law Act (2010 and WA 2012) including amendments.
- Compliance with the Australian Children's Education and Care Quality Authority (ACECQA).
- Compliance with the registration of the Approved Provider as set out in Part 6, Div. 6, 229 of the Education and Care Services National Regulations (2011 and WA 2012).
- Compliance with the registration of an approved education and care service as set out in Part 6, Div. 6, 230 of the Education and Care Services National Regulations (2011 and WA 2012)
- Compliance with all legislative requirements, including record of service compliance as set out in 4.7, Subdivision 3, 167 of the Education and Care Services National Regulations (2011 and WA 2012).
- Approving policies and procedures for the operation of the organisation (including the management and retention of records) as set out in Part 4.7, Div. 2, 168 of the Education and Care Services National Regulations (2011 and WA 2012).
- Financial management, including determination of fees and notification of changes to fees as set out in 4.7, Div. 2, 172 of the Education and Care Services National Regulations (2011 and WA 2012).
- Insurance cover as set out in 4.7, Div. 3, 180 of the Education and Care Services National Regulations (2011 and WA 2012).
- Approving a service philosophy as set out in 3.1, 55 of the Education and Care Services National Regulations (2011 and WA 2012.
- Employment and management of personnel in accordance with regulatory requirements, including the nomination of the educational leader as set out in 4.4, Div. 1, 118.
- Compliance with Family Assistance Law regarding notifiable obligations, suitability of management and employees to operate a childcare service and provide childcare and suitability to receive government funding. See CCS criteria below. This is also in relation to Child Care Subsidy (CCS) application and evidence of approved CCS personnel as outline in the CCS Providers Handbook.
- Compliance with all conditions on the Service Approval including complying with licensed places and hours of operation.
- Compliance with terms of waivers including fees applicable and timeframes of revocation.
- Providing safe environments, risk management and continuous improvement.
- Approving systems for the day-to-day management of the organisation.

- Management of facilities, equipment and resources (including consumables).
- Developing positive working relationships with statutory bodies.
- Supporting the leader in her/his leadership role and discharge of legislative obligations.
- Ensuring socially equitable, ethical and transparent service delivery.
- Supporting sustainability.
- Management of WHS and children's health and safety

Family Assistance Law - CCS specific arrangements

- **Fit and proper checks:** only suitable persons are able to provide child care services or be involved in managing the provision of child care services. This includes key personnel in centres and support staff involved in managing centres including specified personnel managing the application of CCS. Specified personnel include Person of Management and Control, Day to Day Operations and Service Contact including:
  - Centre Managers and Assistant Centre Managers
  - Area Managers and State Managers
  - Centre Support Office personnel involved in financial dealings
  During the recruitment phase all Centre Managers, Assistance Centre Managers and Centre Support Staff involved in the managing of family accounts and CCS undergo a police check, verification of relevant WWCC and submit identification documents as required based on their specified personnel role for CCS purposes. Other evidence required is outlined at the following link to CCS Specified Personnel on the DESE site.

  Fit and proper checks will be conducted on all new CCS specified personnel after approval has been granted. Subsequent checks, validity and/or expiry of WWCC and other evidence required are monitored by the People and Culture team monthly and all staff who have their WWCC suspended or cancelled or are charged with an indictable offence must report so. All employees undertake induction and ongoing training relevant to their role in relation to governance, safety and compliance. Probation periods are used to ensure all employees are, and remain, fit and proper. *Refer to Recruitment and Onboarding Procedure, Criminal Record and Storage Procedure.*

- **Enrolment, CWA and ACCS processes:** Families complete an enrolment form on commencement at the centre for each enrolled child and the details in this form are used as the CWA (Complying Written Agreement). Families then confirm the CWA through their MyGov account. Attendances are submitted via XAP to confirm families' usage of the service and compliance with their CWA. Where families are identified as eligible for ACCS, processes are implemented to support this application. *Refer to Enrolment Procedure, Manage ACCS process.*

- **Invoicing process:** Families invoice statements are issued in accordance with their billing cycle. The statements identify entitled hours of CCS, hours billed for and total billing cycle costs. *Refer to Enrolment Procedure, Fee Payment Procedure.*

- **Third party software security:** Affinity uses an Australian Government compliant CCS software XAP. Affinity only allows access to our third-party software XAP for a limited number of users. This is restricted to the Centre Managers, Assistant Centre Managers and key personnel in the Centre Support Office who have undergone police checks. Once new staff has been onboarded, this is identified in system reporting and user accounts in software system is set up in line with the reporting. A report is provided to the team setting up access every day on exiting staff members so access to system can be revoked as soon as possible. Every approved user has a unique login and password that can be controlled by select personnel in Centre Support Office. Affinity has strict confidentiality procedures to ensure that anyone with access only uses the information available to them in accordance with their role. Anyone seen to breach this will have their access removed and will undergo disciplinary action. Users are managed by the XAP team at Centre Support Office and access is removed for any managers who leave the company or are undergoing performance management. Regular audits are conducted by the finance and XAP teams in Centre Support Office to ensure the data and user access remains secure and up to date.

- **Fraud prevention:** The centralised team in Centre Support Office regularly checks the data through audits pulled through the software by the data analyst team. XAP support team in Centre Support Office submit actual attendances to ensure accurate claiming and usage of entitled CCS within the 14 day time frame. They monitor CCS reports for integrity of data and follow up with individual centres to rectify any issues and work with the centre to prevent future issues. These are actioned on a weekly basis by the Centre Support Office team. Any concerns that arise during these audits are followed up with the required management team to be corrected and addressed. Additional training will then be provided to ensure this does not reoccur.

- **Record keeping:** Electronic records including CCS records, attendances and payments are maintained within the XAP software. This data can be retrieved although not altered in accordance with government regulations. The below table details the records that must be kept for seven years to maintain CCS approvals. Further information can be found in the Child Care Provider Handbook. Hardcopies of enrolment forms, CWA and other enrolment and financial records are retained as per Regulation requirements. *Refer to Record Management and Archiving Procedure*

- **Notifiable circumstances:** The XAP team in Affinity Centre Support Office are responsible for ensuring all notifiable circumstances are reported. This ranges from notifications of child absenteeism or up notifications or services having to temporarily closing. The below table details the notifications and circumstances that must be reported to the Department of Educations, Skills and Employment to maintain CCS approvals. Further information can be found in the Child Care Provider Handbook. Refer to table in appendix.

- **Fees and debt recovery:** All families are informed of the fee payment procedure on enrolment and are advised of any changes or updates at least 14 days prior to changes or updates taking place that impact how the family uses or pays for care. Families are issued with an invoice and communication and support is maintained if or when fees fall into arrears by way of online payment or payment plans. Affinity dedicated Family Accounts team support families to rectify debt prior to referring to external debt collection agency in extreme cases. *Refer to Fee Payment Procedure.*

Records you need to keep	Notifications you need to action
• Complaints	• Changes to staff including change of circumstances
• Additional records	• Change to service operations
• Additional absences records	• Vacancy information
• Copies of fees documents	• Cessation of operations
• Notice about a child at risk	• Changes to service contact information
• Copies of evidence supporting approval application for Child Care Subsidy	• Service entering administration or liquidation
• Documentation on police checks and working with children	
• Register of care	

Annual Planning Obligations
Annual planning obligations will be conducted by Affinity Education Group and the Approved Provider and approved supervisor (may include educator delegates).

The following planning documents will be developed and/or reviewed annually

- Financial Plan and Budget.
- Quality Improvement Plan as set out by the requirements of the National Quality Standards.
- Risk Assessment and Management Plans.
- Strategic Management Plan.

Planning documents will be reviewed annually, biannually or more frequently, if required.

Input will be sought from Affinity Education Centre Support team, Centre Managers/Nominated Supervisors, educators and families when reviewing policies and procedures.

Any update to legislation will be reflected in policies and procedures and communicated to all stakeholders as required.

Day-to-Day Service Management

Day-to-day service management is delegated to the Nominated Supervisor. The Nominated Supervisor ensures that the organisation operates in accordance with the organisation's policies and procedures. The Nominated Supervisor must act at all times in accordance with legislative requirements governing the organisation and following directions from Affinity Education Group Centre Support Team. In the absence of the Nominated Supervisor, a person in day-to-day charge will be appointed, as per procedure. The Regulatory Authority must be notified of a change of Nominated Supervisor.

7-P1: Governance Procedure

Affinity Education Group SCQ (Safety, Compliance & Quality) Governance Framework

Overview of SCQ Governance framework and activities
Everyone at AEG has a responsibility to know and adhere to the Safety, Compliance and Quality procedures, and to be constantly vigilant to emerging risks. Affinity Education Group has implemented an SCQ governance framework that is aimed at ensuring compliance with national and state laws that are relevant to the operation of our ECEC Services.
This governance framework is built around three layers of defence and includes a number of assurance activities.

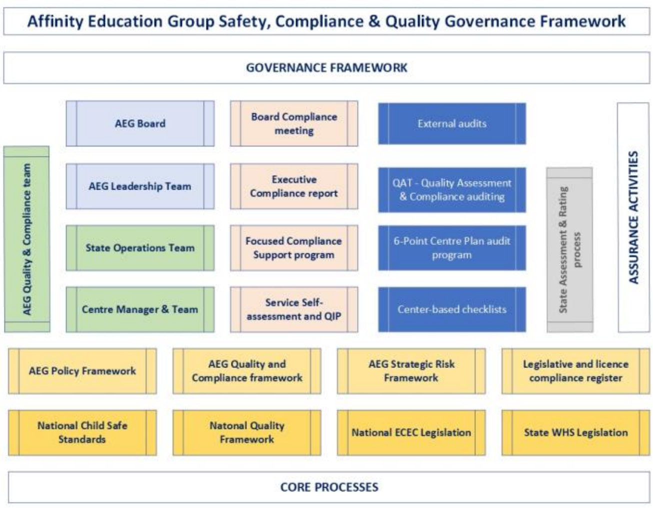
- 1st layer of defence – Centre
- 2nd layer of defence – State Operations
- 3rd layer of defence – CSO and enterprise assurance

Centre: The Centre Manager and the Centre Leadership Team have the primary responsibility to ensure a safe learning environment and workplace, that is compliant with all applicable legislation. The Centre team undergoes induction, training, coaching and ongoing development to build their awareness and competencies, some of which is driven at the Centre level and some planned and executed by the CSO. The Centre Manager has a number of assurance tools such as inspections, audits, self-assessments and the Quality Improvement Plan, through which they verify compliance and drive continuous improvement. Nominated Supervisor and Responsible Persons and centre leadership team will be familiar with reporting obligations and reporting types and time frames. Refer to GUI 1360 Guide to Notification Types. Also refer to Table 11 below.

State Operations: The State support team consists of a State Manager, Operations Managers and Area Manager in every state that we operate. These operational personnel have a responsibility to support Centres to maintain compliance and high-quality practice at all times through guidance, coaching, mentoring and performance management. The Area Managers conduct regular assessments of Centre Compliance using the Area Manager Audit tool (6PCP), which is used to identify practice and build a plan of improvement. The State Operations teams also have access to real-time data from our Pulse dashboards, and receive weekly reports on incidents, complaints and breaches across their services. Operations Teams will be familiar with reporting obligations and reporting types and time frames. Refer to GUI 1360 Guide to Notification Types. Also refer to Table 11 below.

CSO: At the enterprise level, there are a number of mechanisms by which leadership maintains an awareness of network compliance and can provide support as well as determine allocation of resources and development of systemic improvement plans. The team of national Quality Advisors conduct Quality/Compliance assessments of all Centres using the Quality Assessment Tool (QAT), which provides the Centre with critical guidance on compliance and adherence to the National Quality Framework, while also providing enterprise compliance data for analysis and reporting. The QAT is the primary tool provided by CSO to support individual services in their preparation for Assessment & Rating. The Executive team and Board receive monthly reporting with detailed information and analysis into Safety, Compliance and Quality performance to allow for informed decision-making and the development improvement plans. Compliance and Incident Teams will be familiar with reporting obligations and reporting types and time frames. Refer to GUI 1360 Guide to Notification Types. Also refer to Table 11 below.

Image of AEG Governance Framework



7-P1: Governance Procedure

AEG operates in a regulated industry with external legal and regulatory requirements from the National Quality Framework, Assessment and Ratings in accordance with the National Quality Standard (NQS), Model WHS Act 2011, Food Acts, HACCP, International Organization for Standardization (ISO) and other external legal and regulatory requirements. The above image incorporates the key frameworks and core processes (at the bottom) that support the AEG SCQ governance framework. The dark blue boxes show our 3 lines of assurance activities, which are further informed by state A&R activities.

Relevant Legislation

- Education and Care Services National Regulations 2011
- Education and Care Services National Regulations WA 2012
- Early Childhood Australia Code of Ethics (2006)
- UN Convention on the Right of the Child (1989)
- *Age Discrimination Act 2004*
- *Australian Human Rights Commission Act 1986*
- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Child Care Benefit (Eligibility of Child Care Services for Approval and Continued Approval) Amendment Determination 2016*
- Australian Capital Territory – *Discrimination Act 1991*
- New South Wales – *Anti-Discrimination Act 1977*
- Northern Territory – *Anti-Discrimination Act 1996*
- Queensland – *Anti-Discrimination Act 1991*
- Victoria – *Equal Opportunity Act 2010*
- Western Australia – *Equal Opportunity Act 1984*.
- Privacy Act 1988
- Public Health Act 2010
- Work health and Safety Regulations
- Family Assistance Law

References

- Education and Care Services National Regulations 2011
- Education and Care Services National Regulations WA 2012
- Early Childhood Australia Code of Ethics (2006)
- Australian Human Rights Commission: http://www.hreoc.gov.au
- Australian Childhood Immunisation Register: http://www.medicareaustralia.gov.au/public/services/acir/index.jsp
- Early Childhood Australia: http://www.earlychildhoodaustralia.org.au/
- Food Safety Standards: http://www.foodstandards.gov.au/foodstandards/foodsafetystandardsaustraliaonly/
- Fairwork: http://www.fairwork.gov.au/Pages/default.aspx
- Privacy Act: http://www.privacy.gov.au/law/act
- Safework Australia: http://safeworkaustralia.gov.au/Pages/default.aspx
- Dept of Education and Training: https://docs.education.gov.au/system/files/doc/other/6._changes_to_fal_from_10_october_2016_-_general_guidance_suitability_criteria_under_fal.pdf
- Dept of Education, Skill and Employment: https://www.dese.gov.au/child-care-package/resources/child-care-subsidy-specified-personnel-roles

Version Control	Date	Author	Description of Change
1	Oct 2013	AEG	Update ECSNR
V4.16	Apr 2016	AEG	Revision and merge
V10.16	Oct 2016	AEG	Family Assistance Law
V10.17	Oct 2017	AEG	Amendment to Regulations
V6.18	June 2018	AEG	Remove CCB reference
V10.18	Oct 2018	AEG	Removed Certified Supervisor reference WA
V10.19	Oct 2019	AEG	Scheduled review. Add ref to Service Approval
V10.20	Oct 2020	AEG	Scheduled review
V2.22	Feb 2022	AEG	CCS specific criteria
V5.22	May 2022	AEG	Update to reflect SPM
V3.23	Mar 2023	AEG	Scheduled review
V11.23	Nov 2023	AEG	RACI table and reference added
V6.24	June 2024	AEG	Added Safety, Compliance and Quality Framework
V7.25	July 2025	AEG	Scheduled review

Responsible = those who are responsible for carrying out the task
Accountable level 1 = the owner and person accountable for the sign off or approval of a task
Accountable level 2 = the person who is accountable for the task being carried out
Consulted = the person to be consulted with and whose input, opinions and feedback are crucial to the task
Informed = the person who should be informed and made aware of the task and any updates

Policy Written by:	Position:	Date:
Affinity Education Group	Policy Team	July 2025
Approved by:	**Approved Date:**	**Next review date:**
Affinity Education Group	July 2025	July 2026

7-P1: Governance Procedure

Table 11: Matters that child care providers need to notify to the Department of Education and the specified timeframes

Matters to be notified	Timeframe for notification
The total hourly fee charged by the service for care for each approved child care service of the provider (before any fee reduction amounts or other rebates or discounts) as set out in any policy or advertising information provided to individuals who enrol their children with the service. Any change to the fee information.	• Within 14 days of any of the following: • commencement of the service • notice of approval of the service • any change.
The hours and days on which each approved child care service of the provider operates, with opening and closing times notified in 24-hour format. Any change to the operating hours.	• Within 14 days of: • commencement of the service • notice of approval of the service • any change.
The number of anticipated vacancies that the provider has available to fill in each of its approved child care services for each day of the following week (beginning on a Monday). A vacancy is: • for a Centre Based Day Care service or a Family Day Care service—an ongoing full-day vacancy • for an Outside School Hours Care service—an ongoing full-session vacancy.	• By 8.00 pm (AEST) each Friday
Ceasing to operate an approved child care service: • to avoid being in breach of a law of the Commonwealth, a state or a territory • due to circumstances beyond the provider's control when 42 days' notice cannot be given	Within 24 hours after ceasing to operate the service.
Change of physical or postal address of: • the provider • the premises from which any of the provider's approved child care services operate.	No later than 30 days before the change or, if the change was not foreseeable at that time, as soon as practicable.
Change to the name of: • the provider • any of the provider's approved child care services, including evidence of name change	Within 14 days after the change.
Change of any of the following contact details of the provider or of any of the provider's approved child care services: • email address • website • telephone number • fax number	Within 14 days after the change.
• Information about any new person: • with management or control of the provider (including any person who becomes responsible for the day-to-	Within seven days after the new person becomes a person with management or control of the provider or a Family Day Care or In

7-P1: Governance Procedure

Matters to be notified	Timeframe for notification
day operation of any of the provider's approved child care services) • who becomes a Family Day Care educator or In Home Care educator for any such service. • The information must include: • the name and contact details of the new person • a declaration that the provider has undertaken all background checks required for the new person, together with details of the new person's working with children card, if applicable.	Home Care educator.
Change of the name or contact details for any of the following persons: • a person with management or control of the provider (including any person who is responsible for the day-to-day operation of any of the provider's approved child care services) • a Family Day Care educator or In Home Care educator for any such service.	Within seven days after the provider becomes aware of the change
The provider becomes aware, because of a background check undertaken for a specified person, that the person: • has a serious conviction or finding of guilt for any of the following offences under a law of Australia or of a foreign country - an indictable offence punishable by a maximum of two years imprisonment or 40 penalty units - an offence involving violence or a sexual offence - an offence involving fraud, stealing or dishonesty • is an undischarged bankrupt, or • was a director or secretary of a corporation when the corporation went into administration, receivership or liquidation, or at any time during the 12 months beforehand.	Within seven days after the provider receives a record of the check.
An event or circumstance in relation to a person with management or control of the provider (including a person responsible for the day-to-day operation of any of the provider's approved child care services) that reasonably indicates that the person is not likely to be a fit and proper person to be involved in the administration of Child Care Subsidy.	Within seven days after the provider becomes aware of the event or circumstance.
A person stops having management or control of the provider (including when a person stops having day-to-day responsibility for the operation of any of the provider's approved child care services). The provider must also notify the Secretary of the Department of Education, Skills and Employment of when, and the reason, the person stopped having management or control of the provider.	Within seven days after the person stops having management or control of the provider.

7-P1: Governance Procedure

Matters to be notified	Timeframe for notification
An educator obtains a child care qualification from a registered training organisation and: • the provider or person with management or control has an interest in that registered training organisation by virtue of which the provider or person owns, operates, controls or carries out the registered training organisation, and either - it appears that the educator has not obtained the qualification solely on her or his own merit - the qualification has otherwise been obtained in circumstances that might be perceived as demonstrating a conflict of interest.	Within seven days after the provider becomes aware of the matter.
A provider or a person with management or control of the provider obtains an interest, or is likely to obtain an interest, in a business which may affect their ability to comply with Family Assistance Law, where the approval may benefit the business or where a conflict of interest might reasonably be perceived to exist.	Within seven days of the provider becoming aware of the matter.
Change in the status of a working with children card for anyone who is required to have such a card under section 195D of the [A New Tax System (Family Assistance) (Administration) Act 1999]—for example, if the card is amended, suspended or revoked.	Within 24 hours after the provider becomes aware of the change of status.
The provider enters into administration, receivership, liquidation or bankruptcy, and the details of this event.	Within 24 hours after the event.
Unexpected closure of any of the provider's approved child care services due to unforeseen circumstances.	Within 24 hours after the closure.
A serious conviction or finding of guilt of: • a person with management or control of the provider (including a person who becomes responsible for the day-to-day operation of any of the provider's approved child care services), or • a Family Day Care educator, In Home Care educator, or another educator.	Within 24 hours after the provider becomes aware of the charging, conviction or finding of guilt.