ADMINISTRATIVE AND GOVERNANCE:

GOVERNANCE AND MANAGEMENT OF SERVICE

(INCLUDING CONFIDENTIALITY OF RECORDS)

PURPOSE

This policy provides clear guidelines for the governance and management of Essential Early Learning, ensuring compliance with legislative requirements, effective operations, and continuous quality improvement. We are committed to transparent, accountable and professional management that prioritises children's safety, health, wellbeing and development.

Our service will:

- Operate in accordance with the Education and Care Services National Law and Regulations
- Maintain appropriate governance structures and accountability
- Ensure effective leadership and management
- Maintain accurate records and protect confidentiality
- Engage in continuous quality improvement
- Communicate transparently with families, staff and regulatory authorities
- Manage resources responsibly and sustainably
- Comply with all legal and regulatory obligati

SCOPE

This policy applies to:

- The approved provider
- Nominated supervisors and persons in day-to-day charge
- All educators, staff, students and volunteers
- All aspects of service governance and management
- All records and information held by the service

LEGISLATIVE REQUIREMENTS

This policy is based on the following legislation and standards:

Education and Care Services National Law Act 2010

- Part 2: Provider Approval
- Part 3: Service Approval
- Section 161: Offence to operate without nominated supervisor
- Section 172: Offence to fail to display prescribed information
- Section 173: Offence to fail to notify certain circumstances
- Section 174: Offence to fail to notify certain information
- Section 175: Offence relating to keeping enrolment and other documents
- Part 5: Assessments and Ratings
- Part 13: Information, Records and Privacy
- Section 263: Application of Commonwealth Privacy Act

- Section 273: Duty of confidentiality

Education and Care Services National Regulations 2011

- Regulation 168: Education and care service must have policies and procedures
- Regulation 170: Policies and procedures to be followed
- Regulation 171: Policies and procedures to be available
- Regulation 172: Notification of complaints
- Regulation 173: Display of information
- Regulation 177: Prescribed enrolment and other documents to be kept by approved provider
- Regulation 178: Prescribed records to be kept by approved provider
- Regulation 181: Confidentiality of records kept by approved provider
- Regulation 182: Confidentiality of records kept by family day care educator
- Regulation 183: Storage of records and other documents

National Quality Standard

- Quality Area 4: Staffing Arrangements
- Quality Area 7: Governance and Leadership
- Standard 7.1: Governance supports the operation of a quality service
- Element 7.1.1: A statement of philosophy guides all aspects of service operations
- Element 7.1.2: Systems are in place to manage risk and enable effective management and operation
- Element 7.1.3: Roles and responsibilities are clearly defined and understood
- Standard 7.2: Effective leadership builds and promotes a positive organisational culture and professional learning community
- Standard 7.3: Administrative systems enable effective management

Other Relevant Legislation:

- Privacy Act 1988 (Commonwealth)
- Australian Privacy Principles (APPs)
- Privacy and Personal Information Protection Act 1998 (NSW)
- Work Health and Safety Act 2011 (NSW)
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Fair Work Act 2009 (Commonwealth)
- Anti-Discrimination Act 1977 (NSW)
- Disability Discrimination Act 1992 (Commonwealth)
- Family Assistance Law

KEY DEFINITIONS

Approved Provider: The person or organisation holding provider approval under the National Law.

Service Approval: Approval granted by the Regulatory Authority to operate an education and care service at specified premises.

Nominated Supervisor: A person who has given written consent to be nominated and has been approved by the Regulatory Authority.

Regulatory Authority: The body responsible for administering the National Law in NSW (NSW Department of Education).

National Quality Standard (NQS): The benchmark for quality in education and care services.

Quality Improvement Plan (QIP): A document that details how the service will continuously improve quality.

Assessment and Rating: The process by which the Regulatory Authority assesses services against the NQS.

Confidential Information: Information that identifies an individual or could reasonably lead to identification.

Personal Information: Information about an identified individual or an individual who is reasonably identifiable.

OWNA: The online management software system used by Essential Early Learning to store and manage all service documents, records and information.

POLICY STATEMENT

1. Governance Structure

Approved Provider:

Essential Early Learning is operated by: [Insert Approved Provider Name/Organisation]

Provider Approval Number: [Insert Number]

The approved provider is responsible for:

- Holding current provider approval
- Ensuring service operates in accordance with the National Law and Regulations
- Ensuring service approval is current and conditions are met
- Appointing and ensuring suitability of nominated supervisors
- Ensuring adequate resources (human, physical, financial) for service operations
- Ensuring policies and procedures are developed, implemented and reviewed
- Managing financial affairs responsibly
- Ensuring compliance with all legislative obligations
- Taking overall responsibility for service quality and continuous improvement
- Responding to complaints and incidents appropriately
- Communicating with the Regulatory Authority as required

Service Approval:

Service Approval Number: [Insert Number]

Approved for: [Insert Number] children

Age range: [Insert age range, e.g., Birth to 6 years]

The service operates in accordance with all conditions of the service approval.

Nominated Supervisor(s):

The service has the following nominated supervisor(s):

- [Insert Name(s)]

Nominated supervisors:

- Have provided written consent to nomination
- Have been approved by the Regulatory Authority
- Meet prescribed minimum requirements (Regulation 117)
- Have completed approved child protection training (Section 162A)
- Are displayed at the service entrance (Regulation 173)
- Accept responsibility for service operations and compliance

Responsible Person (Section 162):

A responsible person must be present at all times the service is operating. The responsible person is one of:

- The approved provider (if an individual)
- A nominated supervisor
- A person in day-to-day charge placed by the provider or nominated supervisor

The name of the responsible person is clearly displayed at the service entrance.

2. Management Responsibilities

Strategic Planning:

- Develop and review service philosophy annually
- Set goals and priorities for service improvement
- Develop Quality Improvement Plan (QIP)
- Monitor progress towards goals
- Review and update strategic directions

Operational Management:

- Ensure day-to-day operations run smoothly
- Manage educator and staff rosters
- Maintain educator-to-child ratios at all times
- Ensure physical environment is safe and well-maintained
- Manage resources efficiently
- Coordinate educational programs
- Manage enrolments and transitions
- Respond to incidents and emergencies

Human Resources Management:

- Recruit, select and employ suitable educators and staff
- Ensure all staff have required qualifications, training and checks
- Conduct induction for new staff
- Provide supervision and support
- Conduct performance reviews
- Manage professional development
- Address performance issues or misconduct
- Maintain staff records

Financial Management:

- Develop and manage budgets
- Monitor income and expenditure
- Maintain accurate financial records
- Ensure fees are collected in accordance with fee policy

- Pay wages, suppliers and other expenses on time
- Manage Child Care Subsidy payments
- Comply with taxation and superannuation obligations
- Arrange appropriate insurance
- Prepare financial reports

Risk Management:

- Identify potential risks to service operations
- Assess likelihood and consequences of risks
- Implement controls to minimise risks
- Monitor and review risk management strategies
- Maintain risk register
- Ensure adequate insurance cover
- Respond to incidents and implement corrective actions

3. Compliance and Regulatory Obligations

Legislative Compliance:

The service complies with all requirements of:

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standard
- Work Health and Safety legislation
- Privacy legislation
- Child protection legislation
- Fair Work legislation
- Anti-discrimination legislation
- Family Assistance Law
- All other relevant legislation

Notifications to Regulatory Authority (Section 173 and 174):

The approved provider notifies the Regulatory Authority of:

- Changes to approved provider details (within 14 days)
- Changes to nominated supervisor (at least 7 days before or within 14 days after)
- Serious incidents (within 24 hours)
- Complaints alleging breach of law or serious incident (within 24 hours)
- Changes to service details or operations
- Suspension or cancellation of Working with Children Check
- Cessation of service operations
- Any other matters required by the Regulations

Cooperation with Regulatory Authority:

- Provide access to premises for authorised officers
- Provide information and documents when requested
- Respond to compliance notices promptly
- Implement corrective actions as required
- Participate in assessment and rating process
- Maintain open, honest communication

4. Record Keeping and Retention

Types of Records Maintained (Regulation 177 and 178):

Children's Records:

- Enrolment records (Regulation 160)
- Attendance records
- Incident, injury, trauma and illness records
- Medication records
- Medical management plans and risk minimisation plans
- Developmental records and observations
- Family communication records

Service Records:

- Service policies and procedures
- Quality Improvement Plan
- Philosophy statement
- Risk assessments
- Emergency and evacuation plans and rehearsal records
- Excursion records and risk assessments
- Complaints and grievances records
- Regulatory Authority correspondence
- Assessment and rating reports
- Insurance policies and certificates

Educator and Staff Records:

- Employment contracts and agreements
- Qualifications and training certificates
- Working with Children Checks
- Police checks (if applicable)
- Performance reviews and professional development records
- Leave records
- First aid, CPR, anaphylaxis and asthma training certificates
- Child protection training certificates

Financial Records:

- Fee records and receipts
- Child Care Subsidy records
- Income and expenditure records
- Tax records
- Superannuation records
- Bank statements and reconciliations
- Invoices and receipts

Other Records:

- Visitor books
- Volunteer and student records
- Maintenance and inspection records
- Equipment service records
- Meeting minutes

Retention Periods:

Records are retained for the following minimum periods:

- Children's records: Until child turns 25 years (NSW requirement)
- Incident and illness records: Until child turns 25 years
- Attendance records: 3 years
- Staff records: 7 years after employment ends
- Financial records: 7 years
- WHS records: 30 years (for exposure records)
- Other service records: 3-7 years (depending on type)
- Records subject to legal proceedings: Retained until proceedings concluded

Storage of Records (Regulation 183):

OWNA Management Software System:

Essential Early Learning uses OWNA online management software to store and manage all service documents, records and information. OWNA provides:

- Secure, centralised cloud-based storage for all records
- Password-protected access with different permission levels
- Automatic backup systems to prevent data loss
- Compliance with Australian privacy and data protection requirements
- Secure encrypted storage meeting regulatory standards
- Easy retrieval and organisation of records
- Audit trails showing who accessed records and when
- Long-term archiving capabilities to meet retention requirements
- Mobile access for authorised users
- Integration of multiple record types (children's records, staff records, policies, etc.)

Additional Storage Requirements:

- All records stored securely to prevent unauthorised access
- Access to OWNA restricted to authorised personnel only with individual login credentials
- Physical records (if any) stored in locked filing cabinets
- Records protected from damage, loss or unauthorised alteration
- Regular backups performed automatically through OWNA system
- Archived records maintained in OWNA for required retention periods
- Staff trained in proper use of OWNA system and data security protocols

Access to Records in OWNA:

- Each staff member has individual login credentials
- Access levels assigned based on role and responsibilities
- Approved provider and nominated supervisor have full access
- Educators have access to records relevant to their work
- Administrative staff have access as required for their duties
- All access is logged and auditable
- Passwords must be kept confidential and changed regularly
- Staff must log out when finished using the system
- No sharing of login credentials permitted

5. Confidentiality and Privacy

Legislative Framework:

The service complies with:

- Privacy Act 1988 (Commonwealth)
- Australian Privacy Principles (APPs)
- Privacy and Personal Information Protection Act 1998 (NSW)
- Regulation 181: Confidentiality of records
- Section 273: Duty of confidentiality

Confidentiality of Records (Regulation 181):

Under Regulation 181, the approved provider must ensure that:

- Records containing personal information about a child, family or staff member are kept confidential
- Records are only accessible to: the approved provider or nominated supervisor, parents/guardians of the child (for their child's records), the child (if reasonable in circumstances), authorised officers and other persons authorised by law
- Personal information is not disclosed without consent (except as required/permitted by law)

OWNA System Security:

The OWNA management software system ensures confidentiality through:

- Multi-level password protection
- Role-based access controls
- Secure encrypted data transmission
- Automatic session timeouts
- Audit logging of all access and changes
- Secure cloud hosting in Australian data centres
- Regular security updates and patches
- Compliance with Australian privacy legislation
- Data backup and disaster recovery systems

Duty of Confidentiality (Section 273):

All persons involved with the service (approved provider, nominated supervisor, educators, staff, volunteers, students) must not:

- Disclose confidential information acquired through involvement with the service
- Use confidential information for purposes other than service operations
- Share OWNA login credentials with unauthorised persons
- Access records in OWNA that are not relevant to their role
- Download or copy confidential information from OWNA without authorisation

Exceptions - Information may be disclosed when:

- Required or authorised by law (e.g., child protection reports, court orders, subpoenas)
- Necessary to protect health or safety
- Authorised by the person to whom the information relates
- For the purpose of service administration
- To the Regulatory Authority or other authorities as required

Australian Privacy Principles (APPs):

The service complies with the 13 APPs:

- APP 1: Open and transparent management of personal information
- APP 2: Anonymity and pseudonymity (where practicable)
- APP 3: Collection of solicited personal information
- APP 4: Dealing with unsolicited personal information
- APP 5: Notification of collection
- APP 6: Use or disclosure of personal information
- APP 7: Direct marketing
- APP 8: Cross-border disclosure
- APP 9: Adoption, use or disclosure of government related identifiers
- APP 10: Quality of personal information
- APP 11: Security of personal information
- APP 12: Access to personal information
- APP 13: Correction of personal information

Privacy Practices:

- Collect only information necessary for service operations
- Inform families about: what information is collected, why it's collected, who will have access, how it will be used and stored (including storage in OWNA)
- Obtain consent before collecting or disclosing personal information
- Use information only for purposes for which it was collected
- Keep personal information accurate and up-to-date in OWNA
- Store personal information securely in OWNA system
- Provide individuals with access to their personal information on request
- Correct inaccurate information when requested
- Destroy or de-identify personal information when no longer needed (in accordance with retention schedules)

Staff Obligations:

- All staff must sign confidentiality agreements
- Staff must not discuss children, families or colleagues outside the service
- Staff must not share information on social media
- Staff must follow privacy procedures when handling personal information
- Staff must secure their OWNA access and not share login credentials
- Staff must log out of OWNA when finished
- Staff must only access records relevant to their role
- Breaches of confidentiality are serious misconduct

6. Quality Improvement

Quality Improvement Plan (QIP):

The service develops and maintains a Quality Improvement Plan that:

- Is based on the National Quality Standard
- Includes a self-assessment against the NQS
- Identifies strengths and areas for improvement
- Sets goals and priorities for quality improvement

- Details actions to achieve goals
- Assigns responsibilities and timeframes
- Is reviewed regularly (at least annually)
- Involves input from educators, staff and families
- Is stored in OWNA and available to families and the Regulatory Authority

Continuous Improvement Strategies:

- Regular reflection on practice
- Gathering feedback from families, children and staff
- Analysing data (attendance, incidents, complaints) using OWNA reporting features
- Professional development for educators and staff
- Reviewing and updating policies and procedures
- Implementing best practice research and guidelines
- Networking with other services
- Responding to assessment and rating feedback

Monitoring and Evaluation:

- Regular review of progress towards QIP goals
- Collection and analysis of evidence
- Documentation of improvements and outcomes in OWNA
- Adjustment of strategies as needed
- Celebration of achievements

7. Assessment and Rating

National Quality Standard (NQS):

The service is assessed and rated against the National Quality Standard, which consists of seven Quality Areas:

- Quality Area 1: Educational program and practice
- Quality Area 2: Children's health and safety
- Quality Area 3: Physical environment
- Quality Area 4: Staffing arrangements
- Quality Area 5: Relationships with children
- Quality Area 6: Collaborative partnerships with families and communities
- Quality Area 7: Governance and leadership

Rating Levels:

The service may be rated as:

- Excellent (highest rating - awarded by ACECQA)
- Exceeding NQS
- Meeting NQS
- Working Towards NQS
- Significant Improvement Required

Current Rating:

Our service's current rating is: [Insert Current Rating]

Date of last assessment: [Insert Date]

Our rating is displayed prominently at the service entrance.

Participating in Assessment and Rating:

- Cooperate fully with authorised officers during assessment visits
- Provide requested information and documentation (accessible through OWNA)
- Ensure educators and staff are available to speak with assessors
- Demonstrate practices and programs
- Respond professionally to feedback

Working Towards Higher Ratings:

- Review assessment and rating report carefully
- Identify areas for improvement
- Develop action plans to address areas needing development
- Implement quality improvement strategies
- Document improvements in OWNA
- May apply for re-rating after improvements made

8. Policies and Procedures

Policy Framework:

- The service maintains comprehensive policies and procedures covering all aspects of operations
- Policies are based on legislative requirements and best practice
- Policies guide decision-making and practice
- Policies are stored in OWNA and available to educators, staff, families and the Regulatory Authority

Policy Development and Review:

- Policies reviewed at least every two years
- Policies reviewed earlier if: legislative changes occur, incidents identify need for review, best practice changes, feedback indicates need for review
- Input sought from educators, staff and families
- Changes documented and communicated
- All staff made aware of policy changes
- Updated policies uploaded to OWNA immediately

Policy Implementation:

- All educators and staff expected to comply with policies
- Policies included in staff induction
- Regular training on key policies
- Policies accessible through OWNA to all authorised users
- Non-compliance addressed through performance management

Communication of Policies to Families:

- Policies available at service and accessible through OWNA family portal (if applicable)
- Key policies discussed during enrolment and orientation
- Families notified of policy changes
- Families encouraged to read and understand policies
- Families can request copies of policies

9. Communication and Stakeholder Engagement

Communication with Families:

- Daily verbal communication at drop-off and pick-up
- Written communication (newsletters, emails, app)
- OWNA family portal for sharing information (if applicable)
- Notice boards and displays
- Parent-educator meetings
- Family information sessions and events
- Surveys and feedback forms
- Open door policy for questions and concerns

Communication with Educators and Staff:

- Regular team meetings
- One-on-one supervision meetings
- Performance reviews
- Training and professional development sessions
- Email and internal communication systems
- OWNA messaging and notification features
- Notice boards and message books

Communication with Regulatory Authority:

- Timely notifications as required
- Responding promptly to requests for information
- Providing access to records through OWNA when requested
- Cooperating with monitoring and assessment activities
- Professional and respectful communication
- Maintaining accurate records of all correspondence in OWNA

Community Engagement:

- Participation in local networks and events
- Partnerships with local schools and services
- Links with community organisations
- Sharing information and resources
- Contributing to the early childhood sector

10. Complaints and Grievances Management

Complaints Process:

- All complaints taken seriously and handled promptly
- Complaints can be made verbally or in writing
- Complaints handled fairly, confidentially and objectively
- Written complaints acknowledged within 24 hours
- Investigations conducted as required
- Complainants informed of outcomes
- Records kept of all complaints and resolutions in OWNA

Serious Complaints:

Complaints alleging:

- Serious incident has occurred

- Breach of National Law or Regulations
- Physical or sexual abuse of a child

Must be notified to the Regulatory Authority within 24 hours.

Resolution:

- Attempt to resolve complaints at service level where appropriate
- Escalate to approved provider if needed
- Refer to Regulatory Authority when required
- Implement improvements based on complaints
- Track complaints and outcomes in OWNA for analysis and improvement

11. Leadership and Management Culture

Service Philosophy:

- Service philosophy guides all aspects of operations
- Reflects values, beliefs and aspirations
- Developed in consultation with educators, staff and families
- Reviewed annually
- Displayed prominently and stored in OWNA
- Available to all stakeholders
- Embedded in daily practice

Professional Leadership:

- Clear roles and responsibilities
- Supportive and collaborative culture
- Professional learning community
- Reflective practice encouraged
- Innovation and improvement valued
- Shared vision and goals
- Ethical decision-making

Positive Organisational Culture:

- Respect and trust among all members
- Open communication
- Recognition and celebration of achievements
- Support for wellbeing
- Commitment to excellence
- Continuous learning and development

RESPONSIBILITIES

Approved Provider:

- Hold current provider approval
- Ensure service approval current and complied with
- Appoint suitable nominated supervisors
- Ensure adequate resources for service operations
- Ensure compliance with National Law and Regulations
- Ensure effective governance and management systems
- Maintain OWNA system subscription and ensure it meets regulatory requirements

- Protect confidentiality and privacy
- Maintain accurate records in OWNA
- Lead quality improvement
- Communicate with Regulatory Authority
- Manage complaints and incidents appropriately

Nominated Supervisor:

- Accept responsibility for service operations
- Ensure compliance with National Law and Regulations
- Ensure policies and procedures are followed
- Supervise and support educators and staff
- Manage day-to-day operations
- Maintain records in OWNA as required
- Ensure staff are trained in use of OWNA system
- Monitor access to OWNA and ensure appropriate security
- Communicate with families, staff and Regulatory Authority
- Respond to incidents and complaints
- Lead quality improvement initiatives
- Protect confidentiality and privacy

All Educators and Staff:

- Comply with all policies and procedures
- Follow instructions from nominated supervisor
- Maintain confidentiality and privacy
- Use OWNA system appropriately and securely
- Keep OWNA login credentials confidential
- Only access records relevant to their role
- Log out of OWNA when finished
- Keep accurate records in OWNA as required
- Participate in quality improvement
- Communicate professionally
- Report concerns or incidents
- Engage in professional learning

RELATED POLICIES AND PROCEDURES

- All service policies and procedures
- Quality Improvement Plan
- Philosophy Statement
- Code of Conduct
- Privacy and Confidentiality Policy
- Complaints and Grievances Policy
- Staffing Policy
- Record Keeping Policy

REFERENCES AND RESOURCES

- ACECQA: Guide to the National Quality Framework
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standard
- ACECQA website: www.acecqa.gov.au
- NSW Department of Education (Regulatory Authority): www.education.nsw.gov.au
- Privacy Act 1988 and Australian Privacy Principles
- Office of the Australian Information Commissioner: www.oaic.gov.au
- Work Health and Safety Act 2011 (NSW)
- Fair Work Australia: www.fairwork.gov.au
- OWNA Management Software: www.owna.com.au

POLICY REVIEW

This policy will be reviewed every two years or more frequently if required due to:

- Legislative changes
- Changes in best practice
- Organisational changes
- Changes to OWNA system or technology platforms
- Assessment and rating feedback
- Incidents or complaints
- Feedback from stakeholders

Date policy was last reviewed: 11/01/2026
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Reviewed by: Director and Staff