

GOVERNANCE AND LEADERSHIP POLICY

Quality Areas: NQS 7 - Governance and Leadership

Policy Owner: Safety and Compliance

1.0 Introduction and Purpose:

Guardian is committed to strong leadership and effective governance and management systems that ensure the safety, rights, and best interests of children are the paramount consideration in all decision-making. We operate in accordance with all legal and regulatory requirements and recognised best practice.

Governance refers to the systems and processes that provide overall direction, effectiveness, oversight, and accountability of the centre. Management is responsible for setting strategic direction and ensuring that the centres goals and objectives are achieved in line with the strategic plan, while meeting all legislative and regulatory obligations governing the operation of the business.

We recognise our responsibility to protect the privacy, dignity, and confidentiality of all individuals who access the service. This commitment is upheld by ensuring that all records and information relating to children, families, team members, contractors, and management are handled respectfully, securely, and with discretion, in a manner that prioritises children's safety and wellbeing.

2.0 Who does this policy apply to:

Team Members, Families, Children, Board members, Contractors.

3.0 What is our Policy:

3.1 Organisational Structure

Our organisation is structured to include a Board of Directors, an Executive Leadership Team (LT), General Managers, Regional Managers, Portfolio Managers, and a range of Support Office functions. These teams provide support to the individual Centre Teams.

- a. The Executive Leadership Team (LT) is responsible for setting the strategic direction of the organisation and driving continuous improvements
- b. The Guardian Board, in collaboration with the LT, oversees the strategic focus and ensures compliance with all legislative requirements

Each Centre is led by a Nominated Supervisor (Centre Manager), supported by an Assistant Centre Manager and an Educational Leader, otherwise known as the Centre Leadership Team (CLT). The Centre Teams comprise Early Childhood Teachers, Chefs and Cooks, and Diploma and Certificate III team members, some of whom are appointed as Responsible Persons.

For the procedure to appoint a Responsible Person, please refer to the *Responsible Person Policy*.

3.2 Guardian Mindset and Guiding Principles

Our work is guided by four key mindsets: Brave, Thoughtful, Professional, and Positive. These principles underpin our approach to every aspect of the organisation's operations.

Each Centre Leadership Team is committed to excelling in the following six strategic pillars:

1. A Safety-First Culture
2. High-Quality Practice
3. Awesome Team Experience
4. Awesome Family Experience



5. High-Performing Teams
6. Consistent Business Discipline

3.3 Safety-First Culture

We are dedicated to ensuring the safety of all children, families, visitors, and staff by fostering a Child Safe Organisation. Our leadership prioritises the creation and maintenance of safe environments across all levels of management. We use safety information to monitor trends and make informed, proactive decisions.

The safety and well-being of everyone in our centres are the foundation of our risk management approach and organisational culture.

3.4 Child Safety and Suitability Commitment

We are a child safe organisation and take our responsibility to protect children and young people very seriously. We have implemented robust measures to ensure that all team members are suitable to work with children.

Before commencing employment, and on an annual basis thereafter, every team member must complete a Suitability to Work Declaration that assesses their appropriateness through a series of questions relating to previous work history, criminal conduct, and any involvement in investigations. Any disclosures are carefully reviewed to determine suitability. In addition, all team members, including those based in the Support Office, are required to hold a valid Working with Children Check (WWCC) or recognised equivalent. For further information, please refer to the *Suitability to Work Policy* and the *Child Safe Organisation Policy*.

3.5 Fit and Proper Persons

We are committed to ensuring that all individuals in positions of authority or influence are fit and proper persons. A fit and proper person is someone who demonstrates honesty, integrity, competence, and sound judgement, and who acts in a manner that upholds the safety, wellbeing, and rights of children. This requirement applies to Board members, senior leaders, managers, and others with governance, decision-making, or supervisory responsibilities within the organisation.

As a child-safe organisation, Guardian acts on any concerns that may affect a person's ability to remain a fit and proper person. This includes concerns relating to conduct, behaviour, compliance, or any matter that may impact child safety or organisational integrity. Where concerns arise, we will assess and respond in line with legislative requirements, organisational policies, and child-safe principles to ensure risks are appropriately managed and children's safety remains paramount.

3.6 Guardian as an Approved Provider

As an Approved Provider of childcare services, we are committed to meeting all obligations outlined in the National Law and other applicable legal frameworks. The Chief Executive Officer (CEO) also assumes the role of Head of Organisation for Reportable Conduct Purposes in accordance with the Child Protection and Mandatory Reporting Policy. The CEO may delegate this responsibility to another senior team member at their discretion at times of absence.

We ensure that we meet Responsible Person requirements as set out in the *Responsible Person Policy*.

3.7 Persons with Management and Control (PMC)

In compliance with the National Law, we nominate specific individuals/roles as Persons with Management and Control (PMC). A PMC is defined as:

"A person in a management position within the business who holds authority, responsibility, or significant influence over decisions affecting the delivery of children's education and care (e.g., a state/territory or area manager)."

Identified PMCs within Guardian include:

- a. Some members of the Executive Leadership Team with significant influence over centre operations,
- b. Regional Managers,
- c. The National Safety and Compliance Manager.

All PMCs must meet and maintain the following requirements:

- a. Be a fit and proper person to work with children's education and care,
- b. Share the legal responsibility for the safety, health, and well-being of children in our centres, akin to that of the Approved Provider, and



- c. May be individually liable.

PMC positions are reviewed annually, and performance-related concerns may result in suspension from the role. Portfolio Managers that hold a Regional Manager position for three months or more will be appointed as a PMC. For more information, please refer to the *Persons with Management and Control Procedure*.

3.8 Governance Process and Practices

Our governance framework provides leadership and direction to all centre teams, ensuring that effective systems and procedures are in place. This framework also assures families and the broader community of our commitment to operating ethically and responsibly. Our governance framework includes:

- A management system ensuring compliance with national laws and regulations
- Risk management for long-term operational sustainability
- Ethical decision-making processes
- Clear roles and responsibilities for decision-making
- A complaints management process
- Implementation of Guardian's strategic plan
- Continuous improvement in centre operations and educational programs.

3.9 Policy and Document Governance

To ensure that our policies remain current the Policy Governance Group meets to identify policies that require updating, assess policy changes and determine the best way to communicate changes and ensure that any changes are implemented. Policies are updated on a 1–3-year cycle based on risk in accordance with the Policy Review Procedure

We believe that regular policy review is essential for ensuring that an organisation remains compliant with changing laws, regulations, and industry standards. It allows for the identification and correction of outdated practices, ensures alignment with organizational goals, and maintains relevance to evolving operational needs.

A thorough review helps mitigate risks by ensuring that policies are effective, consistent, and understood by all employees. Moreover, it fosters a culture of continuous improvement, accountability, and transparency, strengthening governance and safeguarding the well-being of stakeholders, including employees, children, and families.

4.0 Responsibilities:

4.1 The Approved Provider will:

1. Ensure that a comprehensive set of policies and procedures are in place to guide the operation of our centres, and that all team members understand and follow these
1. Ensure that all policies and procedures are based on advice from recognised authorities, comply with relevant legislation and are reviewed on a regular basis
2. Ensure that mechanisms are in place, such as tools, resources and systems, to ensure the organisation's policies are implemented and all regulatory obligations are adhered to
3. Ensure that reporting regarding incidents and/or complaints rates are maintained, and this information is analysed and used to drive improvements
4. Ensure there is an Organisation Governance Structure accessible and available
5. That a Head of Organisation is appointed to meet Reportable Conduct Scheme requirements
6. That there are systems developed to appoint Responsible Persons, Nominated Supervisors and Educational Leaders
7. That all PMCs, Nominated Supervisors, team members, students and visitors meet their requirements to complete the prescribed child safety training

4.2 Centre Manager / Nominated Supervisor will:

1. Ensure that there are Responsible Persons appointed at the centre and at least one RP is rostered at all times the centre is in operation
2. All team members have a current WWCC or equivalent and evidence of this is kept on the team member file
3. That all team members in attendance have an educator record that includes all documents detailed on the record
4. Ensure that ratio requirements are met



5. They maintain their WWCC, report incidents/complaints, meet all the requirements of *the Suitability to Work Policy*
6. Ensure that they understand their reporting obligations, including the use of BeSafe
7. Ensure that they meet all training requirements

4.3 Team Members will:

1. Ensure that they maintain a current WWCC or equivalent and ensure that this is provided to their manager.
2. Report any incidents or complaints to their Centre Manager or Responsible Person
3. Inform the Centre Manager immediately if there are any reasons that they would impact their Suitability to Work as outlined in the *Suitability to Work Policy*
4. Ensure that they meet their training requirements
5. Ensure that where they are undertaking study and hold a working towards status that they provide evidence that they are actively working every six months

4.4 Support Office will:

1. Ensure that they maintain a current WWCC or equivalent and ensure that this is provided to their manager.

4.5 Families and Community members will:

1. Have access to general information about the organisational structure of the business including those team members appointed to the Executive Leadership Team
2. Have access to contact information for the Centre Manager and their Portfolio Manager if they would like to raise a complaint.
3. Have access to information that details who is in charge of running the centre at any given time.
4. Be provided with the opportunity to be involved in policy and philosophy development and review.
5. Meet all enrolment requirements and ensure that documents specified as part of the enrolment is provided to the centre and alert them of any changes in accordance with the Welcoming Children and Families Policy.

5.0 Definitions

Governance: Governance of an organization refers to the system and processes through which an organization is directed, controlled, and administered to achieve its objectives. It involves defining the roles and responsibilities of key stakeholders, establishing decision-making processes, and ensuring accountability and transparency in all organizational activities. Effective governance is crucial for the success, sustainability, and ethical operation of an organization.

Key components of our organisational governance include:

- a. **Board of Directors:** The board is responsible for setting the overall strategic direction of the organisation, approving major decisions, and ensuring that the organization is operating in the best interests of its stakeholders.
- b. **Management Team:** The management team (otherwise known as the LT) led by the CEO, is responsible for day-to-day operations and implementing the strategies set by the board. This team is accountable for achieving the organisation's goals and objectives while ensuring that resources are used efficiently.

Risk Management: We identify, assess, and manage risks that could impact the organisation's and manage accordingly.

Accountability and Transparency: We are accountable for our actions and transparent in their decision-making processes. This involves clear communication about our performance, financial health, and decision making.

Leadership: Leadership plays a crucial role in guiding our organisation toward its goals, fostering a positive and productive work environment, and ensuring success and growth. A good business leader possesses a combination of skills, qualities, and behaviors that contribute to effective management and the overall well-being of the company. The mindsets underpin the values of effective leadership.

6.0 Tools and Resources

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| The most important documents I need are: Persons With Management and Control Procedure Compliance History Statement | Other supporting documents will include: |
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7.0 Links to the National Law and Regulations

- Section 165 Offence to in adequately supervise children.
- Section 167 Offence relating to protection children form harm and hazards
- Regulation 168 Education and care services must have policies and procedures.

8.0 References

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2018
- Guide to the National Quality Framework 2018

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