

St Nicholas - Compliance Policy

Section 1 - Purpose

- (1) The purpose of this policy is to outline how St Nicholas at the Catholic Diocese of Maitland-Newcastle (the Diocese) will ensure compliance with applicable legislation, regulations and standards.
- (2) St Nicholas Early Education will ensure compliance through adherence to policies and procedures of the Diocese.
- (3) St Nicholas Early Education will develop and implement operational procedures to comply with the [Children \(Education and Care Services National Law Application\) Act 2010 \(NSW\)](#) and associated [Education and Care Services National Regulations \(2011 SI 653\)](#), as specified in [regulation 168 \(2\)](#).
- (4) St Nicholas Early Education endeavours to promote a positive compliance culture, in which all workers contribute by actively reporting on any areas of non-compliance and advocating for the health and safety of all children, team members and visitors in services.

Section 2 - Scope

- (5) This policy applies to all St Nicholas employees at the Diocese.

Section 3 - Responsibility

| ROLE | RESPONSIBILITIES |
|---|---|
| St Nicholas Executive Director | <ul style="list-style-type: none"> • Approve the St Nicholas Compliance Policy. • Promote awareness of this policy and implications for breaching this policy. |
| St Nicholas Executive Manager - Quality Assurance | <ul style="list-style-type: none"> • Approve procedures that operationalise the requirements under the National Law and Regulations. • Implement this policy and associated procedures by providing training and communications. • Ensure disciplinary action is taken where breaches are identified, as required. • Ensure corrective measures are implemented and actioned where breaches are identified. |
| Quality Assurance Manager | <ul style="list-style-type: none"> • Develop procedures that operationalise the requirements under the National Law and Regulations. • Support St Nicholas Area Service Managers and Quality Assurance Coordinators to implement the procedures. |
| Area Service Manager | <ul style="list-style-type: none"> • Review reports on non-compliance with this policy and the associated procedures. • Take disciplinary action where breaches are identified. • Ensure corrective measures are implemented and actioned where breaches are identified. |
| Quality Assurance Coordinator | <ul style="list-style-type: none"> • Complete internal audit of services to identify areas of non-compliance. • Support St Nicholas services to implement the procedures. • Support Nominated Supervisors to action areas of non-compliance. |

| ROLE | RESPONSIBILITIES |
|----------------------------------|--|
| St Nicholas Nominated Supervisor | <ul style="list-style-type: none"> • Ensure all St Nicholas Team Members are aware of and acknowledge this policy and the associated procedures. • Ensure St Nicholas Team Members are reporting on non-compliance with this policy and the associated procedures. • Ensure service maintains compliance with this policy and associated procedures. • Support St Nicholas team members to implement the procedures. |
| St Nicholas team member | <ul style="list-style-type: none"> • Follow this policy and associated procedures. • Report incidents of non-compliance with this policy and associated procedures to relevant agencies. |

Section 4 - Policy Principles

(6) Operational procedures that are connected to the National Law and Regulations must be followed as if they themselves are a policy.

(7) Expectations for compliance, and consequences for failure to comply with these procedures is the same as for any policy.

(8) St Nicholas will adopt a continuous improvement approach to compliance and if any inconsistencies are identified or opportunities for improvement St Nicholas Team Members have an obligation to report this to St Nicholas Executive Manager – Quality Assurance.

(9) St Nicholas services are regularly audited in accordance with this policy and associated procedures.

Section 5 - Consequences of Breaching this Policy

(10) Any St Nicholas employee found to be in breach of this policy and associated procedures may be subject to disciplinary action, including where a serious breach occurs, dismissal.

Section 6 - Notations

(11) If there are any inconsistency between a policy document in existence before the commencement of this policy, and a policy document developed after the commencement of this policy, the latter applies to the extent of the inconsistency.

Section 7 - Document Review

(12) This policy will be reviewed when there is a legislative change, organisational change, delegations change or at least every 3 years to ensure it continues to be current and effective.

Status and Details

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| Status | Current |
| Effective Date | 6th December 2024 |
| Review Date | 6th December 2027 |
| Approval Authority | Executive Director of St Nicholas |
| Approval Date | 5th December 2024 |
| Expiry Date | To Be Advised |
| Unit Head | Melissa Hill Director St Nicholas |
| Enquiries Contact | St Nicholas Quality Assurance |

Glossary Terms and Definitions

"Catholic Diocese of Maitland-Newcastle (the Diocese)" - The Catholic Diocese of Maitland-Newcastle (the Diocese) is inclusive of all parishes and agencies, communities, ministries and works that are under the authority of the Bishop of Maitland-Newcastle. The Bishop takes his authority from Canon Law (Canons 375-402). The geographical coverage of the Diocese includes all or part of the Newcastle, Lake Macquarie, Maitland, Cessnock, Port Stephens, Singleton, Muswellbrook, Upper Hunter, Dungog and Mid-Coast local government areas, with almost 160,000 Catholics, 38 parishes and serviced by multiple diocesan ministries and agencies. The Diocese is not wholly geographic in nature. There are elements of the Catholic Church operating within the physical boundaries of the Diocese that do not fall under the authority of the Bishop and are not a part of the Diocese. Equally, particular diocesan ministries occur within external institutions (e.g. Prison Chaplaincy, Hospital Chaplaincy).

"St Nicholas" - St Nicholas is an agency of the Catholic Diocese of Maitland-Newcastle that provides a community in which children and young people develop the cultural, spiritual, physical and educational skills to belong in a contemporary world. Collectively, St Nicholas provides education services spanning early education (EE), out of school hours care (OOSH) and vocational education (Pathways).

"St Nicholas employee" - Any worker who is employed by St Nicholas Early Education including office and service-based roles. This incorporates all workers, including office-based and service-based roles who are employed by St Nicholas (excludes those employed in Shared Services).

"St Nicholas team member" - Any St Nicholas Employee who holds a role within a service. This incorporates all service level roles, including leadership, cooks, educators, SBATs and trainees.

"St Nicholas Nominated Supervisor" - The Nominated Supervisor has day-to-day responsibility for the service in accordance with the Education and Care Services National Regulations (2011 SI 653). In relation to an education and care service, means a person who: • is nominated by the approved provider of the service to be a nominated supervisor of that service; and • has provided written consent to that nomination Education and Care Services National Regulations (2011 SI 653). In St Nicholas Early Education services, the Nominated Supervisor holds the title of Centre Director.