

Non-government Schools Registration Board Guidelines

Standards for registration of a new non-government school

These guidelines were approved by the Minister on July 7, 2021. This document has been updated to enhance accessibility and readability, with no changes to the content.

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Purpose of this document

The purpose of this document is to provide potential new schools with an understanding of the matters the Board will take into account when determining whether a school meets the Standards.

This document contains the information which schools must provide to the Office of the Education Registrar as part of the application for registration.

How to use this document

For each Standard – refer to the guidelines to determine what documents need to be provided at the time you are submitting your application. You should also check to ensure that you understand what the Board needs to know to assess your application against the Standards and how the Board will assess that information.

Each Guideline sets out the full Standard in accordance with the Regulations and then provides explanatory information as to what the Board will be looking for in its assessment and a list of information required to be provided to the Office of the Education Registrar in satisfaction of the Standard.

The information contained in red text indicates a legislative change or update and is flagged for reader convenience.

General note in relation to Policies and Procedures

The Board's expectation is that each policy or procedure required under these Standards will include a time period for review of that policy or procedure, and that schools will comply with that time period. Best practice would suggest that policies and procedures are reviewed every 3-5 years.

Standard One – Governance

Legislative Requirement

Governance of, and accountability for, new school's operation¹

- (1) The governing body of a new school must be able to demonstrate that it has responsibility for the standard of education to be delivered at the school, the strategic direction of the school, the overall management of the school finances and the management of the school's principal.
- (2) The governing body of a new school must be able to demonstrate that there will be a clear separation between the day-to-day management of the school by the principal and the overall governance of the school by the governing body.
- (3) The governing body of a new school must be able to demonstrate that he or she, or each member of it, is a fit and proper person to have the responsibilities specified in subclause (1)² and to have the overall governance of a school.
- (4) The governing body of a new school must have a school development plan for the school.
- (5) The governing body of a new school is to demonstrate that it has procedures for providing annual reports to the school community relating to the school's finances, student achievement, qualifications of teachers and other matters that the governing body considers appropriate to be included in the report.

Supporting evidence

The following must be provided as part of the school's submission.

- Governing body constitution or supporting document/s showing day-to-day management and governance.
- Documentation evidencing how members of the governing body are selected including term length of appointment.
- The school's proposed strategic plan endorsed by the governing body.
- The school's proposed development plan for the school.
- The school's proposed five-year financial plan.
- The school's proposed improvement plan.

The following may be requested to be provided to the Board.

- Principal's position description.
- Governing body's performance management protocol in respect of the principal.
- Any instruments executed by the governing body delegating powers and functions to a committee and/ or the school principal.
- Documentation evidencing the qualifications, expertise and/or experience of governing body officers as relevant to operating a school as a fit and proper person.

¹ [Governance of, and accountability for, new school's operation](#)

² [subclause \(1\) Education Regulations 2017](#)

- Policies and procedures applicable to conflicts of interest in decision-making on financial and other matters by governing body members, the principal, or the business manager/bursar.

Explanatory notes

Management of the Principal

The Principal of a school is defined in the *Education Act 2016*³ as the person in charge of the day-to-day operation of the school. The Board expects that the Principal will be the person in charge of the school and will be operating from school premises located in this State. It is not acceptable for a Principal of a school to be based at or located in or working from another State. It is also not acceptable for a Principal to have another entity (other than the School Board) giving instructions as to the management of the school.

For clarity, a Principal of a school with more than one campus **in this state**, can work from one or the other campus.

In accordance with the Act, a Principal of a school providing compulsory education in Tasmania is required to be registered in accordance with the *Teachers Registration Act 2000*⁴ in Tasmania.

* The below mentioned plans can be separate or part of one document.

*The document/s must be endorsed by the governing body. This endorsement can be provided by the Chair's signature on the document, a minute of a board meeting, or a letter from the Chair.

Strategic plan*

The school's strategic plan should outline the future direction for development of the school and be endorsed by the governing body. It is for the school to determine the size of any such plan, based on the level of detail deemed appropriate to the school context. Evidence could include how the strategic plan has been discussed at a governing body and management level. Provision of a strategic plan demonstrates the governing body's commitment to its educational philosophy as outlined in its constitution and its leadership in setting future directions and priorities in the development of the school.

Development plan*

The School Development Plan is a strategic plan for improvement. It should bring together, in a clear and simple way, the school's priorities, the main measures it will take to raise standards, the resources dedicated to these, and the key outcomes and targets it intends to achieve. It should include a capital resources plan where relevant and associated Occupational Health and Safety plans.

Five Year Financial Plan*

The School Five Year Financial Plan should provide a clear outline of the current year budget to actual position; estimate the forward projection for the following four years including estimated enrolment numbers; income and expenditure; and estimated financial position at the end of each calendar year. The Plan will highlight any concerns regarding financial sustainability in its forward projections. The Plan should be reviewed on a regular basis by the governing body.

³ [Education Act 2016](#)

⁴ [Teacher Registration Act 2000](#)

Annual Report

The School's Annual Report should be available to all members of the school community either in hard copy or via the school's website and include the school's abridged financial report, student achievements, qualification of teachers and other matters that the governing body considers appropriate to be included in the report.

Improvement plan

The school improvement plan describes the priorities identified through analysis of student learning (achievement, progress, and engagement) and the strategies to improve teaching and learning.

Fit and Proper Person

The school must have in place a process to determine whether a person who will sit on the governing body of a school is a fit and proper person. This may include a criminal record check or a declaration of no criminal proceedings likely to affect that requirement. It may also include a declaration that the proposed member is financially solvent and has no conflicts of interest or business-related connections to the role. The school should request a statutory declaration from each member or proposed member of the governing body that they are a fit and proper person in line with the school's policy.

Where Board members are required by law to hold a Working with Vulnerable People card then there must be sufficient checks in place to ensure this happens.

Independence

The governing body of the school should be independent of the Principal and senior educational leadership of the school. Members should not have any conflict of interest and operate at arm's length from the day-to-day operations of the school. While it is acceptable to have parent representatives on a governing body, those representatives need to understand the role and the need for remaining at arm's length from any decisions which affect them personally. Similarly, while staff may be represented on the governing body there must be strict rules about how they maintain a distance from decision making which may affect them personally. Direct relatives of the Principal should not be members of the governing body.

Standard Two – Student Learning

Legislative Requirement

Student learning⁵

(1) The governing body of a new school must demonstrate to the satisfaction of the Board that the school will provide education that is satisfactory for –

- (a) a registered school of the type for which it is proposed to be registered; and
- (b) the kind of students that will be attending the school.

(2) The governing body of a new school must demonstrate that the school will provide a differentiated learning program to cater for the learning needs of all of its students.

(3) The governing body of a new school must have determined the processes that allow it to plan for, and achieve, improvement in student learning.

Supporting evidence

The following must be provided as part of the school's submission.

Type of school

Documentation demonstrating that:

- The school's education philosophy guides its teaching and learning.
- The school will have approved curricula for each relevant stage of schooling.
- The school will have sufficient learning and assessment resources to support the delivery of each teaching program.
- The school will use learning and assessment methodologies and pedagogical practices appropriate for the support of the learning needs of its student.

Kinds of students

The following documentation is required to be provided as part of the School's submission.

- Evidence that appropriate resources, programs and learning needs will be provided for enrolled students of different cultural or religious backgrounds.
- Evidence that individual learning needs will be provided for enrolled students with diverse needs.
- Non-government Schools Registration Board *Student Learning – Standard 2 Form (Kinds of Students)*⁶.

Improvement in student learning

There must be evidence in the form of a documented strategy to plan for and improve student learning outcomes.

⁵ [Student Learning](#)

⁶ Student Learning – Standard 2 Form (Kinds of Students)

Such a strategy must include statements of:

- What data will be used how the school will collect data to monitor outcomes.
- How the school will analyse and use data to set goals and targets for outcomes, including for students at risk.
- How the data will be analysed, used, and reported.

Explanatory notes

Appropriate pedagogical practices would include:

- Setting high expectations for every student's progress and ambitious targets for improving classroom performances.
- Implementing teaching methods that have been shown to be effective in promoting successful learning for all.
- Creating classroom learning environments in which all students are engaged, challenged, feel safe to take risks and are supported to learn.
- Providing regular and timely feedback to students in forms that make it clear what actions individuals can take to make further learning progress.

Students with identified particular educational (diverse) needs will require learning plans to be prepared and to be updated regularly in consultation with the student's parents and this plan will need to be made available to the reviewer on request for each student.

Standard Three – Curriculum

Legislative Requirement

Curriculum⁷

(1) In this clause –

learning framework means a framework, that describes the principles and practices to support and enhance learning and the outcomes to be achieved from that learning, as approved from time to time by the Ministerial Council responsible for early childhood education and care in accordance with the Education and Care National Law (Tasmania)⁸.

(2) The governing body of a new school that provides Kindergarten must demonstrate to the satisfaction of the Board that the school will provide, for Kindergarten, a developmentally appropriate learning framework.

(3) The governing body of a new school must demonstrate to the satisfaction of the Board that the school will provide, for the years of compulsory education, a curriculum that is –

- (a) approved by the Australian Curriculum, Assessment and Reporting Authority⁹; and
- (b) satisfies the requirements of the Australian Government relating to the delivery of the curriculum.

(4) The governing body of a new school must demonstrate to the satisfaction of the Board that the school will provide all of the learning areas in the Australian Curriculum or another curriculum which is approved by the Australian Curriculum, Assessment and Reporting Authority.

(5) The governing body of a new school that provides senior secondary education must demonstrate that the curriculum for that senior secondary education –

(a) is accredited or recognised by –

- (i) the Office of Tasmanian Assessment, Standards and Certification, as continued under [section 7 of the *Office of Tasmanian Assessment, Standards and Certification Act 2003*](#)¹⁰ ; or
- (ii) the [International Baccalaureate](#)¹¹; or
- (iii) an Australian Curriculum, Assessment and Reporting Authority-approved course for senior secondary education; or

(b) is vocational educational and training within the meaning of the [Training and Workforce Development Act 2013](#)¹² .

⁷ [Curriculum](#)

⁸ [Education and Care Services National Law \(Tasmania\)](#)

⁹ [Australian Curriculum, Assessment and Reporting Authority \(ACARA\)](#)

¹⁰ [Office of Tasmanian Assessment, Standards and Certification](#)

¹¹ [International Baccalaureate](#)

¹² [Training and Workforce Development Act 2013](#)

Supporting evidence

The following documents must* be provided as part of the school's submission.

* A school may elect to provide the Registration Officer/s with access to the School's Learning Management System rather than providing printed hard copy documents as evidence for the following.

- Curriculum plan for each relevant stage of schooling (e.g., early childhood, primary, secondary, senior secondary) which should include:
 - A whole-school curriculum plan showing how the curriculum will be organised and delivered including time allocation across the eight learning areas for each relevant stage of schooling.
 - A Kindergarten program demonstrating how the Early Years Learning Framework (EYLF) will be implemented.
 - An outline of how teacher planning will be organised, including review and reflection of programs and teaching practice.
 - Scope and sequence for each year level under the eight key learning areas.
 - Eight (8) sample scope and sequence documents across a random selection of year levels – early years, primary and secondary (where appropriate), and across the eight learning areas – giving a detailed overview that shows:
 - **The content** - what will be covered, with **direct links** to the Australian Curriculum Content Descriptors
 - Achievement Standards and how they will be assessed, with significant **assessment tasks identified**
 - A **unit of work** with **associated significant assessment task(s) and rubrics** (or other assessment strategies) including an indication how assessment will be made against the Achievement Standards
 - **For Kindergarten**, a similar overview demonstrating in particular how activities will be assessed against the EYLF Outcomes.

(**Note** that copies of Australian Curriculum material such as Year Level descriptions, Content Descriptors and/or Achievement Standards attached to outlines with no explicit connection to the work covered or assessment tasks completed are of little or no value and should not be included in the submission.)

- For senior secondary schooling evidence of the subjects to be offered and that those subjects are in accordance with [Tasmanian Assessment Standards and Curriculum \(TASC\)](#)¹³ requirements for accreditation or recognition, or that they are otherwise recognised by ACARA.

A school delivering an ACARA approved alternative curriculum must provide documentary evidence that the curriculum has ACARA's approval. Failure to do so will be evidence of non-compliance with this standard.

Explanatory notes

For Kindergarten, the [Early Years Learning Framework \(EYLF\)](#)¹⁴ is to be used.

¹³ Tasmanian Assessment, Standards & Certification (TASC)

¹⁴ [Early Years Learning Framework \(EYLF\)](#)

For senior secondary schooling the subjects to be offered must be TASC accredited or recognised, the International Baccalaureate, nationally recognised Vocational Education and Training (VET) or another course approved by ACARA.

Standard Four – Assessment and Reporting

Legislative Requirement

Assessment and reporting¹⁵

The governing body of a new school must have a student assessment policy and a reporting policy that are consistent with the relevant requirements of the Australian Government.

Australian Education Regulations 2023¹⁶ made under the Australian Education Act 2013

Subdivision E – Reports to persons responsible for students at a school

59 Student reports

(1) For the purposes of paragraph 77(2)(f) of the Act, an approved authority for a school must provide a report to each person responsible for each student at the school in accordance with this section.

(2) A report must be readily understandable to a person responsible for a student at the school.

(3) A report must be given to each person responsible for the student at least twice a year.

(4) For a student who is in any of years 1 to 10, the report must:

(a) give an accurate and objective assessment of the student's progress and achievement, including an assessment of the student's achievement:

(i) against any available national standards; and

(ii) relative to the performance of the student's peer group; and

(iii) reported as A, B, C, D or E (or on an equivalent 5 point scale) for each subject studied, clearly defined against specific learning standards; or

(b) contain the information that the Minister determines is equivalent to the information in paragraph (a).

Note: An approved authority for a school may have obligations under the *Privacy Act 1988*¹⁷ in providing information.

(5) For the purposes of paragraph (4)(b), the Minister may, in writing, determine information that the Minister considers is equivalent to the information in paragraph (4)(a).

Supporting evidence

The following documents must be provided:

- Proposed assessment and reporting policy.
- Proposed sample assessment tools.
- Proposed reports to parents for each of the year levels of education provided showing evidence of reporting and assessment in accordance with Australian Government requirements.

¹⁵ [Assessment and reporting](#)

¹⁶ [Australian Education Regulations 2023](#)

¹⁷ [Privacy Act 1988](#)

Explanatory notes

The assessment and reporting policy for Prep to Year 10 is also to be in accordance with the reporting policy requirements and guidelines of the Australian Curriculum and reflecting Australian Curriculum Achievement Standards.

In terms of reporting, student reports requirements - Clause 59 of the Education Regulations 2013 (Australia) is no longer in force. Superseded F2015C0074725 August 2015 - 09 May 2016.

Standard Five – Student Welfare

Legislative Requirement

Student welfare¹⁸

(1) In this clause –

critical incident means an incident that poses a present or imminent risk to the life, health, safety or wellbeing of a person or may cause a person to suffer extreme stress or fear.

(2) The governing body of a new school must have a policy which details the school's response to a critical incident.

(3) The governing body of a new school must have one or more policies relating to –

(a) student welfare, including child protection, student privacy, bullying of students, harassment of students and the maintenance of appropriate relationships between staff and students; and

(b) if the new school is to operate a boarding house, the safety and welfare of students accommodated at the boarding house; and

(c) the pastoral care of students or positive learning environments for students.

(4) The policies referred to in [subclauses \(2\)](#) and [\(3\)](#)¹⁹ are to include a mechanism for informing the Registrar if a student –

(a) dies as a result of an incident while in the care of the school; or

(b) is hospitalised as a result of an incident while in the care of the school and that hospitalisation continues for more than 3 days.

Supporting evidence

The following must be provided as part of the school's submission.

- Critical incident policy and procedures.
- Statement of guardianship i.e., boarding house.
- Process of notification to the governing body of all critical or emergency incidents.
- Code of Conduct – and how it will be communicated and implemented.
- Critical incident register and how this will be acted upon. Consequent to an incident.
- Student welfare policies including anti-bullying, harassment, discrimination.
- Mandatory reporting policy and processes.
- Child safe policies including staff-student relationships and **peer to peer relationships**.
- Pastoral care policy and procedures.
- First aid responders and ratios.
- Risk assessment process and sample documents for excursions, camps, and trips.

¹⁸ [Student welfare](#)

¹⁹ [Subclauses \(2\) and \(3\) Education Regulations 2017](#)

For all policies and procedures, schools will be asked as part of the review to provide evidence and examples of how these have been implemented and evidence of a program for regular review and updating of policies and procedures.

Schools should ensure that students are involved in the development of policies designed to protect them, and particularly policies requiring or enabling students to make reports about unsafe behaviours.

In addition, schools will be asked to show how they have endeavoured to inform and involve staff, parents, volunteers, and others interacting with the school in a shared commitment and approach to keeping students safe.

Explanatory notes

Student welfare policies

A school must have policies and procedures that articulates the goal to provide students with a safe environment where the risk of harm is minimised and students feel physically and emotionally secure.

Critical incident policy and procedures

Schools must have a documented critical incident policy together with procedures that cover the action to be taken in the event of a critical or emergency incident, the required follow-up to the incident, and the recording of the incident and the action taken. The school's focus must clearly be on recovery and future prevention.

Thus, the policy is to cover:

- response to the incident
- recording of the incident
- recovery from the incident
- review of policy and procedures
- risk assessment
- prevention and preparedness.

Child-safe policy and procedures

Schools must demonstrate a public commitment to the National Principles for Child Safe Organisations²⁰ and the corresponding Child Safe Standards identified by the *Royal Commission into Institutional Responses to Child Sexual Abuse (RCIRCSA) Report*²¹ through the development and comprehensive implementation of child-safe policies and accompanying procedures.

²⁰ [National Principles for Child Safe Organisations](#)

²¹ [Royal Commission into Institutional Responses to Child Sexual Abuse \(RCIRCSA\) Report](#)

As part of the development and implementation of child safe policies and procedures, consideration should be given to:

- Reviewing and utilising the Department for Education, Children and Young People (DECYP) public guidance, including the DECYP website links on *online safety*²².
- Providing information to and communicating with the school community about the role of the Office of the eSafety Commissioner²³.
- Reviewing and incorporating *Article 3* of the *United Nations' Convention on the Rights of the Child*²⁴ promoting the wellbeing of children, including assisting families in fulfilling their responsibilities for the safety, care, upbringing, and development of their children.

Schools are strongly encouraged to use the *Commonwealth Child Safe Framework*²⁵ as a guide, published by the National Office for Child Safety²⁶.

Note that the Framework requires not only the adoption and implementation of the National Principles, but also regular review of risk assessment and an ongoing system of training and compliance.

Schools that operate a boarding school must ensure that all child welfare policies and procedures extend to the boarding school and boarding school staff. Schools are also required to meet standard [AS 5725:2015](#)²⁷ and any subsequent updated Australian Standard.

Child safety measures should be under continuous review in all schools including:

- Regular professional development for staff on all aspects of child safety, including recognition of a range of indicators of child harm, well-being, the rights of children in relation to records and their use, grooming and mandatory reporting such professional development to be delivered at a minimum on an annual basis.
- Clear policies relating to unacceptable staff, contractor and volunteer behaviour (including grooming) and the risk of termination of employment, contracts and volunteer status.
- Mandatory training programs for the School Governing Board, contractors and volunteers; advice to visitors on student protection responsibilities, including verified sign in/sign out procedures for every visit; presentations of WWVP Card or Visitor ID identification.
- Investigation and resolution of complaints and critical incidents as they occur.
- Clear advice to staff and students on when and how to report behaviour which is of concern.

Staff Code of Conduct

A staff code of conduct should clearly and explicitly state the acceptable and unacceptable forms of behaviour between a staff member and a student.

It should be clear that the penalty for a breach of identified parts of the Code of Conduct could be termination of employment.

Schools should consider whether to include in the school's code of conduct for staff, a prohibition on staff employed at the school beginning a sexual or inappropriate relationship with a student for at least 2 years after that student has left the school.

²² [Staying safe online, DECYP](#)

²³ [Office of the eSafety Commissioner](#)

²⁴ [United Nations Convention on the Rights of the Child](#)

²⁵ [Commonwealth Child Safe Framework](#)

²⁶ [National Office for Child Safety](#)

²⁷ [Australian Standards for Boarding Schools](#)

The purpose of this prohibition is to prevent grooming of students. This sends a message to the school community that the development of intimate relationships between students and staff is unacceptable, and the protection of students is paramount.

This prohibition is regardless of whether that former student is regarded in law as an adult or has reached the age of consent.

Record keeping

Schools are required to keep records on all aspects of students' time at the school. In particular, the relevant current scope of record keeping and time for retention of records are outlined in two documents published by the Office of the State Archivist²⁸.

- Disposal Freeze for Records Relating to Children

This states that schools should keep all records that contain the best information about children, services provided to them, and employees that provide the service, until 2029.

- Records Relating to Child Abuse (DA2520)

This has a range of requirements, depending on the nature of the documents.

Schools need to demonstrate that they have a robust process in place for the retention and storage of records and adoption of these documents would be a clear demonstration of that.

First aid responders and ratios

- Schools are to ensure that there are sufficient first aid qualified staff or volunteers for the numbers of children.
- Schools should take into account any special medical needs of students and the risks involved in particular activities such as outdoor education or swimming when determining ratios.
- Schools should ensure that there are policies in place which clearly explain to staff the numbers of adult staff or volunteers to children required for particular activities and the number of first aid qualified people required for those activities.

²⁸ Office of the State Archivist

Standard Six – Financial Resources

Legislative Requirement

Financial resources²⁹

The governing body of a new school must demonstrate that the school will have sufficient financial resources to provide education and learning programs of the kind referred to in [clause 3\(1\)](#) and [\(2\)](#)³⁰.

Clause 3(1) and (2) Student learning

(1) The governing body of a new school must demonstrate to the satisfaction of the Board that the school will provide education that is satisfactory for –

- (a) a registered school of the type for which it is proposed to be registered; and
- (b) the kind of students that will be attending the school.

(2) The governing body of a new school must demonstrate that the school will provide a differentiated learning program to cater for the learning needs of all of its students.

Supporting evidence

The following documents must be provided as part of the School's submission.

- Evidence of written expressions of interest, or enrolment forms and deposits received.
- Details of any existing financial resources that may be used in the start-up process of the school.
- A detailed budget of expenses and revenues expected in the first year of operation based on the number of committed enrolments.
- Lease or rental agreements, if applicable, including the length of the lease or rental agreement and the annual cost of accommodation services.
- Schedule of loan agreements, if applicable.
- Current school business plan.
- Forecast budgets for three to five years.
- Insurance policies.

It should be noted that schools may be requested to submit additional evidence in relation to ongoing financial viability and management.

Explanatory notes

Committed Enrolments

Evidence of Committed Enrolments must include Application for Enrolment forms signed by both parents/guardians if the student is not from a single parent family and evidence an application fee has been paid.

²⁹ [Financial resources](#)

³⁰ [Clauses 3\(1\) and \(2\) Education Regulations 2017](#)

An application form should include, in its terms and conditions, that for non-single parent families, the responsibility for paying fees as they fall due shall be joint and several.

Loans

Loan agreements may impact the financial viability of the school. A schedule of any loan agreements is required. The schedule is to include the following information with respect to each loan: loan provider, loan amount, repayment amount and frequency, interest rate, interest subsidy and security against the debt.

Leases

Lease and rental agreements have a major impact on the financial viability of a school. Formal written agreement(s) are to be provided for the property to be used by the school and should detail the annual cost of accommodation services. Each agreement should be signed and dated by both parties (i.e., owner and lessee), include the length of tenure and clearly state on the document all parties involved.

Business plan

The school business plan should outline the current objectives/targets to be achieved through the day-to-day operation of the school. It is for the school to determine the size of any such plan, based on the level of detail deemed appropriate to the school context. However, it must at least include projections of student numbers and detail the assumptions on which these projections are based and the evidence supporting these assumptions. A school business plan may be part of the school's strategic plan.

Budgets

The budget for the first year of operation should be based on expected revenues and costs based on committed enrolment numbers and forecast budgets as per the school's business plan should provide information about predicted future enrolment trends, income, expenditure and cash flow. These include cash flows for projected operations of the school including asset investment plans. They should provide evidence of the school's sound financial management and ongoing viability. This information should also be linked to the Board's strategic plan for the school.

Insurance

Schools are expected to keep insurance policies current covering, for example, workers compensation, public liability, professional indemnity, buildings and all risks.

Standard Seven – Staff

Legislative Requirement

Staff³¹

(1) The governing body of a new school must demonstrate that all staff to be employed at the school in teaching roles are, or will be, registered teachers, within the meaning of the *Teachers Registration Act 2000*³².

(2) The governing body of a new school must demonstrate that all staff to be employed at the school, whether in teaching roles or other roles, are, or will be, registered under the *Registration to Work with Vulnerable People Act 2013*³³ to engage in the regulated activity of a child-related service, within the meaning of Division 1 of Part 2 of the³⁴ *Registration to Work with Vulnerable People Regulations 2014*.

(3) The governing body of a new school must demonstrate that the school will comply with the *Registration to Work with Vulnerable People Act 2013* in relation to all staff and volunteers at the school.

(4) The governing body of a new school must have professional development plans, for all professional staff employed at the school, that are consistent with guidelines issued by the Australian Institute for Teaching and School Leadership³⁵ Limited (ABN 17 117 362 740).

Supporting evidence

The following documents must be provided as part of the School's submission.

- Evidence that a staff register documenting all staff including teaching, administration, and support staff will be created.
- Evidence that staff who are registered teachers hold registration in accordance with the Teachers Registration Act.
- Evidence that relevant teaching staff are supported to move from provisional to full registration in accordance with the Teachers Registration Act.
- Proposed Staff induction and re-induction, performance management, professional development plan, and professional learning policies and procedures and relevant documentation of their implementation.
- Evidence of the school's intended compliance with the *Registration to Work with Vulnerable People Act 2013* in respect of staff and volunteers.
- Non-government Schools Registration Board *Teacher Qualifications (Professional Teaching Profile) – Standard 7 Form*³⁶

³¹ [Staff](#)

³² [Teachers Registration Act 2000](#)

³³ [Registration to Work with Vulnerable People Act 2013](#)

³⁴ [Division 1 of Part 2 of Registration to Work with Vulnerable People Regulations 2014](#)

³⁵ [Australian Institute for Teaching and School Leadership \(AITSL\)](#)

³⁶ Teacher Qualifications (Professional Teaching Profile) – Standard 7 Form

Explanatory notes

Working with vulnerable people registration details (or application date and receipt number) are required for:

- all staff
- volunteers who are not parents of children at the school
- parents of children at the school who undertake a volunteer role at the school.

Induction, performance management, professional learning

The staff induction, performance management and professional learning policies and procedures must stipulate that all new staff will receive an induction which is effective in maintaining both continuity of the learning environment and duty of care for students **with a focus on child safety**. There must be clear links between performance management, professional learning and student learning.

Further, there must be evidence of re-familiarisation of school policies, performance management and professional learning policies and procedures for existing staff on an annual basis. **This should include ongoing review of child safety elements.**

Professional staff

Professional staff include teachers, teacher aides, social workers, and school psychologists.

Standard Eight – Facilities and Environment

Legislative Requirement

Facilities and environment³⁷

- (1) The governing body of a new school must demonstrate that the buildings, facilities and grounds of the school comply, or will comply before the school commences operating, with all relevant laws.
- (2) The governing body of a new school must demonstrate to the satisfaction of the Board that the school will provide a physical environment and facilities that –
 - (a) are, or will be before the school commences operating, safe; and
 - (b) are, or will be before the school commences operating, suitable for the age groups of the students that will be in that environment and using those facilities; and
 - (c) will enable the delivery of the curriculum to students; and
 - (d) will enable the delivery to the students of a diverse range of experiences which promote learning and development.

It is expected that a school will have premises which it permanently occupies, and which meet the standards for use as a school and allow the conduct of all aspects of the curriculum and co-curricular activities as they relate to the school. The school is required to be the main occupant and operator of the premises on which the school is situated. For the purposes of these standards the school is to be housed in a constant location which meets the requirements of these standards.

Supporting evidence

Facilities

In the case of buildings which are yet to be erected the following may be requested:

- A project plan showing the projected completion timelines and allowance made for contingencies.
- Documentation confirming the premises will meet the health, safety and structural requirements of the State or local government area.
- Documentation showing compliance with local government planning and health and safety by-laws; – documentation confirming the premises will meet any requirement for occupancy, including approved student and staff capacity.
- Evidence of expected compliance with the disability access to premises requirements as applicable to building approval applications lodged after 1 May 2011.
- Auditing and compliance against other Act's in relation to work, health and safety including safety of environment and facilities.
- Disaster Recovery and Business Continuity Plan.

For all existing buildings – those relevant from the above the list and the following:

- A maintenance schedule for the premises – both buildings and grounds.
- Work Health and Safety policy and procedures.

³⁷ [Facilities and environment](#)

- Non-government Schools Registration Board *Facilities and Environment (Statement of Compliance) – Standard 8 Form*³⁸.

Professional Staffing Resources

The school must demonstrate that it will have the appropriate number of registered teachers for the number and kind of students enrolled in the school. The school must submit the NGSRB form titled – Kinds of Students within 6 weeks of commencement of operation.

The following minimum ratios of registered teachers to students are the standard for registered schools:

Primary (including Kindergarten):	1 teacher for every 20 students
Secondary (7-10)	1 teacher for every 16.2 students
Senior secondary	1 teacher for every 16.25 students

NB: the above ratios are not class sizes – Refer to explanatory notes.

Explanatory notes

Work Health and Safety

The Board does not regulate compliance with the Building Code of Australia or with local government health and safety requirements. However, copies of approvals, permits and certificates that provide evidence of such compliance may be requested.

Schools are required to demonstrate through their Work Health and Safety (WHS) policy and procedures that the safety and health of students, volunteers and visitors as well as staff and contractors will be managed appropriately.

Ratios

Ratios are not class size to teacher ratios, they are to ensure that there are sufficient teacher to student numbers across the tiers of schooling (eg K-6, 7-10 and 11-12). The Ratio is calculated by dividing the full time equivalent number of students in each tier of schooling by the full time equivalent number of teachers working in each tier.

Project plan and approvals

The details of a school's project plan may vary depending on the nature of the project (e.g. new building on a green-fields site, refurbishment of existing building, change of use of existing building) and the proposed use and location of the structure. In preparing a project plan, schools should take into account all applicable legislative and regulatory requirements at all levels of government: Commonwealth, State and local.

The project plan should list all actions and requirements, dates of approval or expected approval by the relevant authority and an explanation of factors which may expedite or delay approval. Although approval processes vary slightly across local government authorities, a typical project plan for a new building will address the following key stages:

- design – school planning and financing by the governing body
- apply – application for development approval to the relevant authority

³⁸ Facilities and Environment – Standard 8 Form

- permit – application for Building Permit to the relevant authority
- build – notional timeline for stages of the building works to be completed and certificates of design and construction compliance to be obtained
- notification – notification of completion by builder and all approvals provided by relevant authorities
- occupancy – application and issue of occupancy certificate, timeline and plan for transition to new building/s
- contingencies – if approvals described above are delayed, what contingencies are in place?

The Board may request evidence of approvals already obtained in relation to the stages described above.

Maintenance schedule

A planned annual maintenance schedule will cover areas of short term and regular activity designed to ensure buildings and grounds are maintained for the health and safety of students and staff. Where applicable, a site visit will provide the opportunity for the independent school reviewers to check that an annual maintenance schedule is in operation.

Standard Nine – Enrolment and Attendance

Legislative Requirement

Enrolment and attendance³⁹

(1) The governing body of a new school must demonstrate that the school has enrolment and attendance procedures that –

- (a) comply with all relevant laws; and
- (b) are detailed in written documents in a clear and concise manner.

(2) The governing body of a new school must demonstrate that the school will comply with all relevant Ministerial instructions relating to evidence of the identity of students and their parents.

Supporting evidence

The following documents must be provided as part of the School's submission.

- Enrolment policy and procedures and associated documents such as the prospectus, enrolment information and other documents for prospective students and their parents as well as an enrolment application form.
- Attendance policy and procedures, including the procedures for monitoring and recording student attendance and following up on extended absences and unexplained absences of any duration.

The following documents may be requested.

- The school's enrolment register and attendance records maintained in accordance with legislative or Ministerial requirements.

Explanatory notes

Enrolment

Schools must have an enrolment policy and associated documents such as an enrolment application form and published information for prospective students and their parents (including details of the orientation process for students and their families).

The enrolment application form will require parents/carers to provide information to the school that enables it to meet its legal obligations (student's legal name, usual place of residence and date of birth) as well as other matters to support the safe enrolment of their child. This information may include:

- Details of legal provisions for care, welfare, and development of the student (including copies of Family Court orders).
- Country of residence of student and, if applicable, the right to reside in Australia.
- Emergency contact information.
- Details of any disability the student is known to have.
- A Student's vaccination status.

³⁹ [Enrolment and attendance](#)

As part of their enrolment policy and procedures, schools should ensure that they have practices in place for regularly updating each student's enrolment information and for securing the confidentiality of students' personal information.

The school should ensure that it meets the requirements of the *Education Act 2016* particularly in relation to section 11 and that a child must be at least 5 years of age as at 1 January in any year to be enrolled in full-time compulsory education.

The school should ensure that it is capable of meeting the requirements of the *Education Act 2016* particularly in relation to section 20 in relation to cancellation of enrolment or withdrawal from school.

Attendance

A schools' attendance policy and procedures must make provision for monitoring the attendance of all enrolled students, identifying students with attendance issues and implementing appropriate measures to restore regular attendance. These processes must meet *Ministerial Instruction No 6⁴⁰ Relating to School Student Absences* and the Education Registrar's Guidelines for referring a matter to a Compulsory Conciliation Conference⁴¹.

The Act requires a principal to ensure that attendance records are kept showing for each day whether each student attended or participated in an educational programme of the school or, alternatively, failed to attend or participate.

Schools are expected to develop procedures for following up unexplained absences and improving student attendance rates where appropriate. This may also include school based policy on maintaining enrolment over a student's extended period of absence.

⁴⁰ [Ministerial Instruction No 6 relating to school student absences](#)

⁴¹ [Compulsory Conciliation Conference, Office of the Education Registrar website](#)

Standard Ten – Number of Students

Legislative Requirement

Number of students⁴²

- (1) The governing body of a new school must demonstrate that the number of students who will be attending the school, in the year levels for which it is proposed that the school be registered, are sufficient to establish and maintain the school's financial and educational viability.
- (2) The governing body of a new school must demonstrate that the school class sizes will be appropriate to meet the educational, social and supervision needs of the students in those classes.
- (3) The governing body of a new school must demonstrate that not more than half of its students will be the children of the principal and staff of the school.

Supporting evidence

The school must provide evidence of the following:

- Non-government Schools Registration Board *Number of Students – Standard 10 Form*⁴³
- The breadth and depth of the proposed curriculum offerings and the nature of delivery in relation to the enrolment numbers.
- The likely ability of the school to provide the socialising aspects of education generally expected of a school.
- The financial capacity of the school to be able to provide appropriate educational resources and opportunities for learning, social, cultural and physical development.

Explanatory notes

There is no prescribed minimum number of students. However, enrolled students must be from at least two families and, for the purposes of this Standard, must not include the children of the Principal and staff.

⁴² [Number of students](#)

⁴³ Number of Students – Standard 10 Form

Standard Eleven – Complaints Management

Legislative Requirement

Complaints management⁴⁴

- (1) The governing body of a new school must have a complaints management policy and procedures that ensure that complaints are addressed fairly, objectively and in a timely manner.
- (2) The governing body of a new school must demonstrate that the complaints policy and procedures provide that –
 - (a) complaints by staff and parents are processed separately; and
 - (b) complaints against the principal are processed separately from other complaints.

Supporting evidence

The following documents must be provided as part of the School's submission.

- Complaints management policy and procedures.

The following documents may be requested to be provided to the Board.

- The school's complaints records.

Explanatory notes

Policy and procedures

All policy and procedures must respond to the National Principles for Child Safe Organisations⁴⁵
These require that:

- The school has an accessible, child-focused complaint handling policy which clearly outlines roles and responsibilities, approaches to dealing with different types of complaints and obligations to act and report.
- The school has effective complaint handling processes that are understood by students, families, staff, and volunteers, and are culturally safe.
- Complaints are taken seriously, responded to promptly and thoroughly, and reporting, privacy and employment law obligations are met.

The complaint handling policy and procedures should cover the process of:

- making a complaint (including when to report)
- responding to a complaint
- investigating a complaint
- providing support and assistance to parties involved in a complaint
- achieving systemic improvements following a complaint.

⁴⁴ [Complaints management](#)

⁴⁵ [National Principles for Child Safe Organisations](#)

The school's complaints management system, which includes its policy and procedures as well as complaints records should demonstrate that:

- the school welcomes complaints
- the school supports or takes steps to protect the welfare of all students and their families
- there is a clear and separate process for dealing with complaints from students, parents, members of the community, staff, and the Principal, including allocation of responsibility for responding to any complaint
- staff are aware of the process and how to respond to a complaint
- all staff are enabled either to resolve or refer a complaint
- complaints are acknowledged promptly
- the assessment phase enables prompt resolution where possible and, where it is not, a prompt decision is made to determine how to proceed
- the complainant receives information as to how the school proposes to deal with the complaint and the proposed timeframe and the school takes into account the complainant's view
- the school informs the complainant of the outcome of the complaint with an explanation of the reasons and information on any further avenues of redress which may be available
- the school maintains a record of complaints received, all documents including notes of formal meetings and any letters or other relevant written material, actions taken, decisions made and outcomes
- the school reviews its complaints records regularly with a view to assessing both its services and its complaints management system
- mediation is always a possibility and legal advice may be sought at any time.

Accessible

The school's complaints policy and procedures must be clear, open, and accessible to all members of the school community. Information about the process for raising concerns and lodging complaints must be made available to parents, students, and staff.

This can be done via a range of media. Typically, it is included in the Parent Handbook and available on the school's website. To increase accessibility for all members of the school community, including students, a simple flow diagram should be included.

Fair process

Fairness, which must be accorded to both the complainant and the person against whom the complaint is made, requires that:

- Each party has an opportunity to be heard, in person or in writing as appropriate to their needs, and to respond to the allegations and/or evidence offered by the other.
- Issues or facts which are disputed are investigated.
- The investigator is free from bias or the perception of bias and, in particular, is not 'judge in his or her own cause'.

- Any complaint outcome is supported by the evidence, including a finding on the balance of probabilities in the event of a dispute of fact.
- If necessary, the complaint outcome is finalised by an adjudicator, who may also be the investigator, who is free from bias or the perception of bias.
- The outcome is consistent with established school policy.

However, procedural fairness does not otherwise dictate the outcome of a complaint.

Standard Twelve – Behaviour Management

Legislative Requirement

Behaviour management⁴⁶

- (1) The governing body of a new school must have a student behaviour management policy.
- (2) The student behaviour management policy must –
 - (a) ensure that students will receive positive guidance and encouragement towards acceptable behaviour and will be given opportunities to interact and develop respectful and positive relationships with each other, staff and volunteers; and
 - (b) expressly forbid any form of child abuse, corporal punishment or punishment which threatens or humiliates a child.
- (3) The governing body of a new school must demonstrate that the behaviour management and discipline of students will observe the principles of procedural fairness and the prohibition of discrimination.
- (4) The governing body of a new school may have a behaviour management policy relating to staff and adult visitors to the school.

Supporting evidence

The following documents must be provided as part of the School's submission.

- Copy of the proposed school's behaviour management and support policies and procedures, including discipline and consequences, however described.

The following documents (or similar) may be requested to be provided to the Board.

- Documented evidence of proposed consistent, proportionate and fair application of the policies and procedures.

Explanatory notes

Policies and procedures

The school's behaviour management and support policies and procedures must be disseminated to all students and be sufficiently clear and certain to ensure that students can be confident in knowing what behaviour will be a breach of discipline and what consequences may result.

Behaviour policies should clearly state types of behaviour that are unacceptable and the consequences of such behaviour. These policies should include unacceptable student-student behaviour and relationships.

⁴⁶ [Behaviour management](#)

Fair process

Procedural fairness requires that:

- The student is informed about the nature of the complaint or alleged breach in such a way that he or she is capable of understanding it clearly.
- Disputed matters are fully investigated which may include interviewing witnesses.
- The student is given a chance to respond to the allegations or complaint.
- Both the investigator and the decision-maker/adjudicator (who may be the same person) are free from bias and from the perception of bias.
- The decision-maker acts reasonably and consistently with school policy.

A school's response to a student's breach of discipline must not only accord procedural fairness to the student but also be proportionate to the nature of the breach and provide an avenue to appeal the outcome where the outcome restricts the ability of the student to attend school.

Discipline Records

Schools are required to keep records of disciplinary actions and to ensure that relevant policies are implemented fairly.

Standard Thirteen – Compliance with the law

Legislative Requirement

Compliance with law⁴⁷

The governing body of a new school must have such policies as are necessary to ensure that the school will comply with all relevant laws.

Supporting evidence

The school may be asked to provide any policies or procedures it has in relation to compliance with the law generally, such as its organisational and non-delegable duty of care, mandatory reporting procedures, a public commitment to the National Principles for Child Safe Organisations, information management standards for the national privacy principles, records retention and limitation periods, records disposal freeze and schedules, a drug and alcohol policy, smoking on site policy or place of assembly certificates.

⁴⁷ [Compliance with law](#)

Standard Fourteen – Impact on existing schools

Legislative Requirement

Impact on existing schools⁴⁸

In this clause –

existing school means a school in the area in which a new school is to be established or in a nearby area.

(2) The governing body of a new school must –

(a) demonstrate to the satisfaction of the Board that it has sought advice from the relevant administrative authorities responsible for existing schools on the likely impact that the registration of the new school will have on existing schools; and

(b) provide to the Board a copy of any advice received under [paragraph \(a\)](#)⁴⁹.

Supporting evidence

The school will be asked to demonstrate to the Board that it has sought advice from the relevant administrative authorities of existing schools likely to be impacted on the registration of the new school.

The school must provide the responses from the administrative authorities to the Board.

Explanatory notes

The administrative authorities are:

For government schools – The Secretary of the Department of Education.

For Catholic Schools – the Executive Director, Catholic Education.

For other independent schools – the Chair of the School Board or governing body.

⁴⁸ [Impact on existing schools](#)

⁴⁹ [Education Regulations 2017](#)

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