

B.(ii)(a) – Safety and welfare related policies

Safety and welfare related policies provide appropriate, clear and consistent support for the provision of a safe learning environment at the school.

As non-government schools must be compliant with the *Work Health and Safety Act 2011* (WHS Act) and all relevant ACT codes of practice and standards, non-government schools must develop a Workplace Health and Safety Management System Framework as required by the WHS Act.

Evidence that the school is compliant with this condition of registration could include:

- evidence of compliance with the WHS ACT
- evidence of compliance with AS4801
- copies of emergency management plans and processes relating to:
 - handling of asbestos
 - evacuations and lock-downs
 - work safety training undertaken by staff
 - first aid facilities, certification, equipment
 - chemicals and hazardous materials including those housed in science facilities and the school grounds
 - safety processes including visitor sign in procedures
 - risk assessments undertaken for school activities
 - school science laboratories and workshops
 - tagging and testing of electrical equipment
 - certification where necessary of sporting equipment, science equipment, playground equipment
- evidence that the school's policies that guide its collection and storage of personal information comply with Commonwealth Privacy legislation
- copies of all Certificates of Occupancy and Use for buildings/major changes to buildings constructed since the last registration visit
- copies of relevant policies relating to matters such as:
 - the school's pastoral care approach
 - critical incident handling and recording of critical incidents
 - mandatory reporting in accordance with the *Children and Young People Act 2008*
 - enrolment of students, including the checking of visa classes where the birth certificate or residency papers indicate the student is not an Australian citizen or resident
 - recording and monitoring of attendance and absences
 - encouraging school attendance and managing non-attendance
 - the archival of enrolment and attendance records
 - suspension and exclusion (expulsion) of students
 - transfer of students and the use of the Student Transfer Register
 - complaints management
 - duty of care including playground supervision
 - excursions and camps
 - visitors to the school and volunteers
 - provision of educational psychologists, counsellors or social workers
 - partnerships with other agencies

- first aid
- communication with parents
- safety and welfare as it specifically applies to:
 - Aboriginal and Torres Strait Islander students
 - students with a disability.

B.(ii)(b) – Safety and welfare related facilities

It is expected that the school will provide to the panel evidence that the school's facilities appropriately support the safety and welfare of students at the school.

Evidence that the school is compliant with this condition of registration could include:

- a description of the school's current facilities and future facilities including first aid facilities and counselling facilities
- a tour of the school during the preliminary registration visit.

A detailed map of the school which labels all curriculum related facilities may assist the panel to report on the school's safety and welfare related facilities.

B.(ii)(c) – Safety and welfare related equipment

It is expected that the school will provide to the panel evidence that the school's equipment appropriately supports the safety and welfare of students at the school.

Evidence that the school is compliant with this condition of registration could include:

- a description of the school's current equipment
- a tour of the school during the preliminary registration visit together.

Item C - Curriculum framework

Section 91(c) of the [Education Act 2004](#)

The school's curriculum (including the framework of the curriculum and the principles on which the curriculum is based) must meet the curriculum requirements for students attending government schools.

Evidence that the school is compliant with this condition of registration could include:

- mapping of all teaching and learning against the Australian Curriculum
- the school's timetable for all classes
- school calendars for the current and following years
- where relevant certification for teaching an alternative curriculum e.g. International Baccalaureate; NSW Higher School Certificate; ACARA approved Montessori or Steiner Curriculum
- evidence that the school has fully implemented the Australian Curriculum or other curriculum approved by ACARA in accordance with the ACT's implementation plan
- summary of time allocation demonstrating that the school is allocating appropriate time to deliver the Australian Curriculum and Board of Senior Secondary Studies requirements
- documentation that shows the school is fully compliant with Board of Senior Secondary Studies and/ or NSW Higher School Certificate and/or International Baccalaureate requirements for year 11 and 12 students

- documentation that shows the school makes literacy and numeracy a priority for all kindergarten to year 6 students
- documentation that shows the school provides regular moderate to vigorous planned physical activity for all kindergarten to year 10 students
- documentation that shows the school provides language education in one of the ACT’s eight priority languages (French, German, Italian, Spanish, Korean, Indonesian, Japanese, Chinese) or another language approved by the Registrar for Non-government Schools for all year 3 to year 8 students.

To seek approval of an alternative language the principal should contact the Registrar of Non-government Schools via the Directorate’s online web form: [ACT Education and Training Contact Form](#) Subject: Attention Registrar Non-government Schools

Item D - Nature and content of the education

Section 91(d) of the [Education Act 2004](#)

The nature and content of the education offered at the school is to be appropriate for the educational levels for which the school is registered.

Evidence that the school is compliant with this condition of registration could include: examples of how the school’s pedagogical approaches, curriculum, and co-curricular activities meet the educational needs of all students and specifically the varying age groups, backgrounds, genders, abilities, talents etc of students enrolled at the school.

Item E - Teaching staff qualifications

Section 91(e) of the [Education Act 2004](#)

Teaching staff are to be qualified to teach at the educational levels at which they are employed to teach.

Definition:

For the purposes of registration in a non-government school, ‘teaching staff are qualified to teach at the educational levels at which they are employed to teach’ means that the teacher holds a registration or permit to teach issued by the ACT Teacher Quality Institute (TQI), and where appropriate the necessary academic qualifications and/or experience to teach at the educational levels at which they are employed to teach.

Evidence that the school is compliant with this condition of registration could include:

- copies of all employment related policies
- a list of all current teaching staff and their TQI registration status (registered/permit to teach) with their TQI registration numbers.

Item F - Monitoring educational outcomes

Section 91(f) of the [Education Act 2004](#)

The school must have satisfactory processes to monitor quality educational outcomes.

The school's monitoring of educational outcomes should be consistent with ACARA guidelines which detail the intended educational outcomes for young Australians as stated in the *Melbourne Declaration on Education Goals for Young Australians, December 2008*.

Evidence that the school is compliant with this condition of registration could include:

- the school's improvement plan
- the school's current strategic plan (however named)
- other planning document/s such as those relating to:
 - facility and resource development
 - future implementation of the Australian Curriculum
 - school improvement including the improvement of student outcomes.

Item G - Financial viability

Section 91(g) of the [Education Act 2004](#)

The school must be financially viable.

Requirement

The school should provide:

- copies of all insurances
- copies of current business plans including projected enrolments, staffing, income and expenditure over the maximum future registration period (5 years)
- audited financial statements for the last two financial years.

Where a school's financial viability is underwritten by a school system recognised by the Commonwealth Government, alternative evidence for financial viability may be negotiated with the Registrar of Non-government Schools.

To negotiate alternative evidence for financial viability the principal should contact the Registrar of Non-government schools at please use the Directorate's web form:

Online: [ACT Education and Training Contact Form](#) **Subject:** *Attention Registrar Non-government Schools*

Registration Panels

Registration panels for independent school registration applications, and Catholic systemic school registration managed by the Education and Training Directorate involves:

- panel training and receipt of supporting documentation
- registration meetings.

The panel training covers:

- registration requirements
- processes for gathering, assessing, validating and reporting evidence of compliance
- requirements for confidentiality, transparency and conflicts of interest / code of conduct.

The details of the registration meeting will be determined in consultation between the Panel Chair, Principal of the relevant school and the Directorate.

Registration panels coordinated by Catholic Education (CE) occur according to a time frame organized by the CEO.

Appointment of panels

Sections 86, 88, 88B, 90 and 97 [Education Act 2004 \(ACT\)](#)

The Minister must appoint a panel to report to the Minister on applications for registration or registration renewal. To enhance transparency, the panel appointment process will endeavour to ensure that panels include a balanced representation from the public and non-government sectors.

Panels are appointed to report to the Minister on a school's compliance with the relevant registration criteria. With the exception of panels appointed for the registration renewal of Catholic systemic schools, panels for registration processes typically comprise:

- panel chair from ACT public schools
- panel members from:
 - Non-government schools who will seek registration in the following calendar year
 - other Non-government schools or the wider educational community
 - ACT public schools
- an officer of the Directorate's Financial Services section
- an officer of the ACT Board of Senior School Studies (BSSS) for schools offering the ACT curriculum for years 11 and 12.

Where the registration application relates to provisional registration or registration at additional educational levels, an officer from the Directorate's Learning and Teaching Branch may be appointed.

In addition to reporting to the Minister on a school's compliance, panel membership provides Non-government school sector staff with professional development for registration processes scheduled or anticipated in subsequent years.

Role of the Panel Chair

For panels coordinated by the Directorate, the Panel Chair:

- manages the panel's deliberations and the development of the panel's report
- ensures that the panel members understand that as the evidence of compliance suggested in these guidelines are not obligatory, non-government schools are not obliged to provide all the suggested evidence
- provides any commendations / recommendations about the school or the school's programs directly to the school or the principal and Catholic Education Registration officer
- provides monthly updates to the Directorate on the progress of the panel's report
- ensures that the panel report:
 - addresses the school's compliance with the conditions of registration
 - does not contain comments or observations unrelated to the conditions of registration or other legislated requirements
 - is completed by the end of Term 3
- signs the panel's report to the Minister prior to the start of Term 4.

Where the panel cannot identify that the school is compliant with a condition of registration, the Panel Chair meets with the school principal to discuss the panel's concerns and may request that additional evidence demonstrating compliance be provided. The Panel Chair will negotiate with the Principal a due date by which evidence of compliance is provided.

Where panel members cannot agree on the school's compliance with a condition of registration, the Panel Chair seeks assistance from the Directorate prior to determining the reporting comment.

Operational guidelines for panel members

In fulfilling their role, panel members will:

- familiarise themselves with the *Education Act 2004* and the legislation and compliance requirements as outlined in these guidelines at Items A-G of the Conditions of Registration
- familiarise themselves with the supporting documents provided by the school
- recognise that:
 - o with the exception of the ACT's curriculum framework, non-government schools are not required to comply with ACT public school policy requirements
 - o independent schools are independent by nature and panel members may be presented with different educational and religious philosophies
 - o schools seeking provisional registration or registration at an additional educational level are not required to provide completed curriculum documentation at the time of the registration visit, rather the school may choose to provide evidence of its curriculum development process.
- assess the school against the legislated compliance requirements
- use the assessment tools and evidence provided to make sound and justified decisions regarding the school's ability to meet the criteria prescribed in the *Education Act 2004*
- not have regard to information, or seek information, outside of the conditions of registration

- remain objective at all times and not compare schools, teachers or programs
- avoid personal bias or advocacy of their own educational theories or programs
- maintain confidentiality regarding the school's resources, students, staff, curriculum and financial records
- not take, or make, copies of the documentation in hard copy or in electronic form away from the school without permission of the school
- understand that they are appointed in their personal capacity, and not as representatives of the school or other workplace where they ordinarily work.

Code of conduct for registration panel members

This *Code of Conduct* is reviewed as part of the training undertaken by appointed registration panels.

Panel members are required to declare any conflicts of interest before appointment and sign a confidentiality agreement prior to receiving information from the school.

Should a panel chair or the principal of a school seeking registration believe there is a conflict of interest with a panel member appointed to the registration panel the principal should contact the Registrar of Non-government Schools using the Directorate's web form:

Online: [ACT Education and Training Contact Form](#) **Subject:** *Attention Registrar Non-government Schools*

The code of conduct for registration panel members applies to each appointed member of a Non-government school registration panel.

Conduct of panel members

Impartiality of panel members is essential. To ensure impartiality adherence to the following is required.

Ethics and integrity

A panel member must act ethically and with integrity at all times.

Decision making

A panel member should draw upon professional insight (background and experience) when reviewing evidence. Decisions should be objective and robust, fully supported by evidence and be defensible.

Accurate and comprehensive information

The chair of a panel should ensure that all information provided to the Minister is accurate, comprehensive, timely, honest and impartial. Information obtained from the review should be maintained within the context of the panel.

Use of data

Panel members must not use student and school achievement data to:

- compare individual students or teachers, or assess teacher performance
- make positive or negative comparisons about school performance

- compare non-government schools with other non-government or public schools.

Dignity, rights and views of others

A panel member should treat members of the educational community and colleagues fairly, sensitively, consistently and with respect. A panel member should listen and be tolerant of the views and opinions of others, even if those views and opinions differ from their own.

Personal behaviour

A panel member should conduct his or herself professionally and not behave in an inappropriate manner.

Confidentiality

A panel member should maintain confidentiality at all times and not disclose information and resources obtained from the registration process except when consulting the Directorate or the Board of Studies. Panel members should utilise their skills and experience for the purpose of preparing the panel's report. Information obtained for the purposes of preparing the report should only be used for that purpose and not otherwise be disclosed without the permission of the school concerned.

Panels for registration renewal of Catholic systemic schools

Under a Memorandum of Understanding (MOU) between the Education and Training Directorate and the Catholic Education (CE) registration renewal processes for Catholic systemic schools are managed by CE. The Directorate recognises that these processes may differ from the processes managed by the Directorate. Under the terms of the MOU panels include a person from the broader ACT educational community.

Catholic systemic schools seeking renewal of registration will provide documentation in accordance with Catholic Education's guidelines.

Where appropriate CE may provide an addendum to the panel report confirming that registration conditions are overseen by the CE.

Panel reports

In order for the Minister for Education and Training (the Minister) to consider an application for registration of an ACT non-government school, the Minister must first appoint a panel to provide a report to the Minister on the registration application.

The panel's report will inform the Minister of the panel's findings relating to the school's compliance with the conditions of registration.

Any person may request to be provided with a copy of the registration panel's report.

Inspection of Panel Reports

Section 98 [Education Act 2004 \(ACT\)](#)

The report to the Minister may be inspected by a member of the public. A person may obtain a copy of all or part of the panel's report.

Members of the public may inspect a copy of the panel report during business hours at the offices of the Directorate once the Minister has read the report and decided the application. A copy of a panel report will be provided upon request to members of the community.

To obtain a copy of a panel report please contact the Liaison Unit via the Directorate's web form: **Online:** [ACT Education and Training Contact Form](#) **Subject:** *Panel report request*. This online web form can also be found on the *Contact Us* page of the Directorate's web site: www.det.act.gov.au

Registration status

Requirement: The school's registration status is to be included in the school's Annual Report. This status should include the date of the most recent registration process and the period of current registration. This notification should advise the community how to obtain copies of the most recent registration report.

To obtain a copy of a panel report please contact the Liaison Unit via the Directorate's web form: **Online:** [ACT Education and Training Contact Form](#) **Subject:** *Panel report request*.

This online web form can also be found on the *Contact Us* page of the Directorate's web site: www.det.act.gov.au

Certificates of Registration

Registration certificates are signed and dated by the Registrar of Non-government Schools.

The registration certificates will record:

- the name of the school and the school's proprietor
- address at which the school is registered
- educational levels for which the school is registered
- the name, address and educational levels relevant to any additional campus for which the school is registered
- the current registration period.

The proprietor of a registered non-government school must advise the Registrar in writing about a change in any of the particulars of the certificate within one month after the date the change happens. Registration particulars covered by registration processes outlined in the *Education Act 2004* and this manual are not subject to change by notification.

Requirement: The certificate/s must be prominently displayed in the reception area of the school and any registered additional campuses. Where a school has more than one campus, additional certificates will be provided so that each campus can display the certificate of registration in its reception area.

PART 3: COMMUNITY NOTIFICATION /CONSULTATION

The Registrar of Non-government Schools will inform the Association of Independent Schools, Catholic Education, the unions and key parent bodies of all applications received for in-principle approval or registration, the associated community consultation opportunities and the outcomes of the applications.

Information about applications received for in-principle approval or registration will also be found on the Education and Training Directorate's [website](#).

In-principle Approval

The community is notified about applications for In-principle Approval (IPA) for new or developing schools. The Minister for Education and Training has regard to any written comments received from the public relating to applications for IPA.

A notice inviting written comments on all applications received for IPA will be published in the Community Notice section of a Saturday edition of *The Canberra Times*, on the Directorate's website and on the ACT Government's *Time to Talk* [website](#). A minimum of 60 days after the notice is published will be provided for the receipt of written comments on the proposal by the community.

Inspection of applications

Members of the public may inspect applications during business hours at the offices of the Directorate. A copy of an application will be provided upon written request. To arrange to inspect or receive a copy of an application, members of the community should apply in writing through the Manager, Liaison Unit, Education and Training Directorate.

Advising the outcome of an application for In-principle Approval

Once the Minister has determined an application for IPA, a written notice giving the Minister's decision and reasons for this decision will be placed on the Directorate's website and provided in writing to:

- the applicant
- members of the community who submitted comments on the application.

Members of the public may inspect this notice during business hours at the office of the Directorate. Upon written request a copy of the notice will be provided to members of the community.

Receiving a copy of the notice of decision

To arrange to inspect or receive a copy of this notice, members of the community should apply in writing through the Directorate's web form: **Online:** [ACT Education and Training Contact Form](#)
Subject: Request for copy of application / notice of decision

Registration

Provisional registration and registration

Sections 85 and 87 of the Act require the community to be notified about applications for provisional registration and registration. A notice advising the community of all applications received for provisional registration and registration will be published in both the Community Notice section of a Saturday edition of *The Canberra Times* and on the Directorate's website.

Although the Act does not require the Minister to have regard to any written comments received from the public relating to applications for provisional registration, these comments will be provided to the Minister when determining an application for registration.

Registration at additional campus or additional educational level

Sections 88A and 89 of the Act require the community to be notified about applications for registration at an additional campus or additional educational level. Sections 88A and 89 of the Act also provide for written comments to be made on applications for registration at an additional campus or additional educational level. All comments received by the Directorate will be provided to the Minister.

A notice advising the community of all applications received for registration at an additional campus or additional educational level will be published in both the Community Notice section of a Saturday edition of *The Canberra Times* and on the Directorate's website.

A minimum of 60 days after the notice is published will be provided for the receipt of written comments on the proposal by the community.

Inspection of applications for registration

Members of the public may inspect applications during business hours at the offices of the Directorate. A copy of an application will be provided upon written request. To obtain a copy of an application please use the Directorate's web form:

Online: [ACT Education and Training Contact Form](#) **Subject:** *Application request*.

Advising the outcome of an application for Registration

Provisional registration

If the Minister is satisfied that the school has provided the evidence required to demonstrate that it meets the criteria for provisional registration, the school will be provisionally registered at the prescribed year levels and the particulars of the school entered in the register. The proprietor of the school will be provided with a certificate of provisional registration. The Minister's decision is placed on the Directorate's website.

Registration of additional campus or educational levels

If the Minister is satisfied that the school has provided the evidence required to demonstrate that it meets the criteria for registration, the school will be registered at the additional educational levels or campus for the remaining period of the school's current registration. The school will be provided with a new certificate of registration and the original certificate is to be returned to the Liaison Unit within 14 days of receipt of the new certificate. If the school is registered at additional campuses, additional certificates will be provided. The Minister's decision is placed on the Directorate's website.

Registration renewal

If the Minister is satisfied that the school has provided the evidence required to demonstrate that it meets the criteria for registration, the school will be registered at the prescribed year levels; and the particulars of the school entered in the register for a period of not longer than five (5) years. The school will be provided with a certificate of registration. If the school is registered at additional campuses, additional certificates will be provided. The Minister's decision is placed on the Directorate's website.

Refusal

If the Minister is not satisfied after considering the panel's report, that the school meets the registration criteria, the school will be refused registration. Such decisions are reviewable under Schedule 1 of the Act. The Minister's decision is placed on the Directorate's website

PART 4: APPLICATION FORMS AND PRIVACY

Information Privacy Act 2014: Territory Privacy Principle 5

Notification of collection of personal information

The ACT Education and Training Directorate is obliged to handle personal information openly, transparently and in accordance with the Territory Privacy Principles set out in the *Information Privacy Act 2014*.

The Directorate explains its processes for the collection, use, distribution, and storage of personal information and how an applicant can access and correct it in our privacy policy. Our privacy policy is available on the [About Us](#) page of the Directorate's website.

In-principle Approval or *Registration* application forms collect the following personal information:

- the name and contact details of the applicant
- the name and contact details of the contact person for the application.

In-principle Approval applications may also contain the name and contact details of persons supporting the application. Before providing this personal information, applicants must ensure that these persons have given written permission for their personal information to be provided to the Directorate.

When processing applications for *In-principle Approval* or *Registration*, the ACT Education and Training Directorate shares the collected personal information with the ACT Minister for Education and Training; and may share the information with:

- other agencies such as other ACT Government Directorates and the Australian Government Department of Education
- members of the community who make written request to view copies of the application.

You can contact the Education and Training Directorate **for general privacy enquiries** at:

ACT Education and Training Directorate

Privacy Contact Officer

Governance and Legal Liaison Section

Governance and Assurance Branch

post: GPO Box 158, CANBERRA ACT 2601 **email:** DET.legal.liaison@act.gov.au

phone: (02) 6205 9159

Application forms

To obtain a copy of the application forms for *In-principle Approval* or *Registration* of ACT Non-government Schools please use the Directorate's online web form:

Online: [ACT Education and Training Contact Form](#)

Subject: Application form for *In-principle Approval* and/or Application form for *Registration*.

This online web form can also be found on the *Contact Us* page of the Directorate's web site: www.det.act.gov.au

PART 5: STATEMENT OF ASSURANCE

Under a Memorandum of Understanding between the Education and Training Directorate and Catholic Education, and a Memorandum of Understanding between the Education and Training Directorate and the Association of Independent Schools in the ACT, the principal of each ACT Non-government School is required to make the following annual statement of assurance regarding the school's compliance with legislative matters that relate to schooling in the ACT.

The Catholic Education Office and the Association of Independent Schools in the ACT will annually provide a written report to the Minister for Education and Training confirming that the statements of assurance have been made by each school principal.

Assurance statement

I, [name of principal] am of the opinion that [name of school] maintains evidence that the school is compliant with all relevant ACT and Commonwealth legislation, including but not limited to the *ACT Education Act 2004*, the *Australian Education Act 2013* and ACT and Commonwealth legislation, regulations and standards relating to discrimination, privacy, health and safety, working with vulnerable people, and mandatory reporting.

APPENDIX 1

Relevant legislation, regulations and standards

Australian education legislation

[Australian Education Act 2013 \(Cth\)](#)

[Australian Education Regulation 2013 \(Cth\)](#)

ACT education legislation

[Education Act 2004 \(ACT\)](#)

Discrimination

[Discrimination Act 1991 \(ACT\)](#)

[Disability Discrimination Act 1992 \(Cth\)](#)

[Racial Discrimination Act 1975 \(Cth\)](#)

[Sex Discrimination Act 1984 \(Cth\)](#)

Overseas students

[Education Services for Overseas Students Act 2000 \(ESOS Act\) \(Cth\)](#)

Education and care¹

[Education and Care Services National Law Act 2000 \(Cth\)](#)

Privacy

[Information Privacy Act 2014 \(ACT\)](#)

[Privacy Act 1988 \(Cth\)](#)

Safety of students

[Children and Young People Act 2008](#)

[Working with Vulnerable People \(Background Checking\) Act 2011](#)

Work health and safety

[Work Health and Safety Act 2011 \(ACT\)](#)

[Work Health and Safety Regulations 2011](#)

[Australian Standard 4801 \(AS4801\)](#)

Registration of teachers

[ACT Teacher Quality Institute Act 2010](#)

¹ Education and Care refers to licensed child care services including preschools and school aged care such as before and after school programs.

APPENDIX 2

Relevant guidelines and websites

Curriculum

[ACT Curriculum requirements](#)

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

[Australian Curriculum](#)

[Shape of the Australian Curriculum](#)

Disability

[National Disability Insurance Scheme](#)

Education and care

[Policy and regulation](#)

Community services

[Employment of children and young people](#)

[Office for Aboriginal and Torres Strait Islander Affairs](#)

Overseas students

[ESOS legislative framework](#)

[National code of practice for providers of education to overseas students](#)

Privacy

[Australian Privacy Principles \(2014\)](#)

Safety of students

[National Safe Schools Framework](#)

[Care and protection services including information for Mandated Reporters](#)

[Working with Vulnerable People](#)

Senior secondary students

[Board of Senior Secondary Studies \(BSSS\)](#)

Work health and safety

[Work Health and Safety \(How to Manage Work Health and Safety Risks\) Code of Practice 2011](#)

[Work Safe ACT](#)