

National School Chaplaincy Program 2015-2018

ACT National School Chaplaincy Program Guidelines

1. Overview

Introduction

The 2008 the Melbourne Declaration on Educational Goals for Young Australians stated: *“Schools play a vital role in promoting the intellectual, physical, social, emotional, moral, spiritual and aesthetic development and wellbeing of young Australians, and in ensuring the nation’s ongoing economic prosperity and social cohesion. Schools share this responsibility with students, parents, carers, families, the community, business and other education and training providers.”*

In 2007 the National School Chaplaincy Program was introduced and made a contribution to the wellbeing of school communities across Australia. This was a voluntary program that assisted school communities to support the spiritual, social, and emotional wellbeing of their students. This included support and guidance about ethics, values, relationships and spirituality; the provision of pastoral care; and enhancing engagement with the broader community.

In 2010, the Australian Government announced a new National School Chaplaincy and Student Welfare Program which was funded to the end of 2014.

In 2014, Australian Government contributed funding for 47 placements for the National School Chaplaincy Program within the Australian Capital Territory (ACT) to commence in Term 1 2015. All registered ACT schools are eligible to apply to participate in the NSCP over the funded period from 2015 to 2018.

The major changes to the Program are the removal of the Student Welfare Worker component, the method of distributing funding from the Australian Government and the selection and prioritisation of schools for funding.

The new National School Chaplaincy Program (NSCP) funding will be allocated to the States and Territories. In the ACT, the NSCP will now be administered by the Education Directorate of the ACT Government (the Directorate). Details of the Program are available on the Directorate’s website at www.det.act.gov.au

The general nature of the chaplaincy services is outlined in these Program Guidelines while more specific program details are to be decided by the school, following consultation with the school community. Participation in the chaplaincy program is voluntary. Students will not be obliged to participate in the Program, and parents and students will regularly be informed by the school about the availability and the voluntary nature of these services.

Access to advice, support and guidance about ethics, values and relationships are already available in schools through existing services, student welfare teachers, school

psychologists, youth support workers, social workers, pastoral care co-ordinators and community programs in schools. National School Chaplaincy Program funded services are designed to form part of these existing wellbeing services provided within the school community.

It is not the intention that this initiative will in any way diminish or replace existing careers advice, counselling services or any other wellbeing service funded by schools and the ACT Government. The Program is designed to provide a tailored option, based on the requirements of the school community and their decisions regarding the service to be delivered.

Funding will be continued to 31 December 2018, with payments subject to Funding Recipients meeting the conditions of the Funding Agreement. Payments are made in advance, but only after proper execution of a Funding Agreement and subject to meeting the payment conditions of the Funding Agreement. To receive the payment of \$20,000 (excluding GST), services must be for a minimum of 400 hours annually, as per **Section 4.3**.

1.1 Purpose of these Guidelines

These ACT *National School Chaplaincy Program Guidelines* (Guidelines) have been updated to reflect the changes and revised requirements for the administration and delivery of the Program from January 2015.

The Guidelines will form part of the Funding Agreement and must be adhered to by all parties involved in school chaplaincy projects. If there is any discrepancy between the information contained in these Guidelines and the Funding Agreement, the Funding Agreement shall take precedence.

Funding is only available for those schools deemed eligible through the selection process outlined in these Guidelines.

The ACT Government, in consultation with the cross-sectoral panel, reserves the right to amend these Guidelines as necessary. Information concerning changes to the Guidelines will be posted on the Directorate's website and participating schools and Funding Recipients will be advised accordingly.

1.2 Objectives

The objectives of the Program are to assist school communities to provide pastoral care and general spiritual, social and emotional comfort to all students, irrespective of their faith or beliefs. This can include support and guidance about ethics, values, relationships and spiritual issues; the provision of student welfare; and enhancing engagement with the broader community.

1.3 General principles

The following general principles apply to the Program:

- Participation in the Program by school communities is voluntary.
- Participation by students is voluntary. Schools must inform students and parents of the voluntary nature of the Program and of the choice about using the services of a school chaplain.
- Schools must ensure that adequate permission arrangements are in place to confirm prior informed parental/ guardian consent (see **Section 5.2**)

- All students, parents and school community members are to be fully advised of the appropriate consent procedures as per **Section 5**, and that these measures are consistent with the ACT Government and non-government education system or individual school policy or guidelines where applicable.
- The choice of chaplaincy services including the religious affiliation is a decision for the school following consultation with the school community as per **Section 5.3**.
- There must be consultation with, and ongoing support from, the broader school community about the demand for, and role of, a school chaplain.
- To receive and maintain funding, school communities must engage the services of a school chaplain through a funding recipient and demonstrate how the services provided by the school chaplain will achieve the outcomes required by the Program.
- School communities are expected to maintain any existing complementary chaplaincy services i.e. those not funded under the Program. Program funding should not diminish or replace existing funding and/or student wellbeing services.
- Funding under this Program can only be used for expenditure that directly relates to the provision of chaplaincy services under the Program.

1.4 Chaplaincy

Chaplaincy is a service that complements the care offered by other helping disciplines and aims to assist school communities through the provision of help and care to support the personal and social wellbeing of students and the school community. Services and actions could include:

- Assisting school counsellors and wellbeing staff in the delivery of student welfare services.
- Providing students, their families and staff with support and or appropriate referrals, in difficult situations such as during times of grief or when students are facing personal or emotional challenges.
- Supporting students to explore their spirituality and providing guidance about spirituality, values and ethical matters or referring students to, or sourcing appropriate services, to meet these needs; and facilitating access to support agencies in the community, where applicable.
- Supporting students and staff to create an environment which promotes the physical, emotional, social and intellectual development and wellbeing of all students.
- Supporting students and staff to create an environment of cooperation and mutual respect, promoting an understanding of diversity and the range of cultures and their related traditions.
- Being approachable to all students, staff and members of the school community.
- Supporting students, their families and staff of all beliefs and not seeking to impose any beliefs or persuade an individual toward a particular set of beliefs.

2. Definitions

The following describes and defines the various key stakeholders and partners in the delivery of this Program.

2.1 School Chaplains

For the purposes of this Program, a school chaplain is a person who:

- is recognised by the school community and the appropriate governing authority for the school as having the skills and experience to deliver school chaplaincy (as outlined at **Section 1.2**) to the school community
- is recognised through formal ordination, commissioning, recognised religious qualifications or endorsement by a recognised or accepted religious institution or a state/territory government approved chaplaincy service and
- meets the minimum qualification requirements, as outlined in **Section 5.5**.

Details of the role and responsibilities of the school chaplain are in **Section 3.1** of these Guidelines.

2.2 School communities/ governing bodies

School communities are expected to work through the School Principal or project leader (as outlined at **Section 2.3** below), who will work closely with and assist the Funding Recipient to monitor and report on the activities funded under the Program, according to the terms of the Funding Agreement. Schools are also required to explore and confirm ongoing school community support for the Program through school community consultation.

Details of the role and responsibilities of the school communities/governing bodies are in **Section 3.2** of these Guidelines.

2.3 School Principal/ project leader

The School Principal, in consultation with the parent body and the school's governing body, is responsible for working with the Funding Recipient to lead, coordinate and manage all aspects of the chaplaincy services within the school, including complaints management as outlined at **Section 7**.

The School Principal may appoint another member of the school's staff as project leader to undertake these tasks on his/her behalf. Details of this appointment must be communicated to the Directorate in writing within five working days of the signing of the Service Agreement. Further information about the Service Agreement is available at Attachment D. Details of the role and responsibilities of the School Principal are in **Section 3.3** of these Program Guidelines.

2.4 ACT Education Directorate

The ACT Education Directorate is responsible for regulating activities within schools, including setting policies and guidelines for the activities of volunteers within schools in the public and private sectors. The Directorate on behalf of the ACT Government will work with school sectors in the delivery of outputs set out in the Project Agreement for the National School Chaplaincy Program.

2.5 Funding Recipient

For the purposes of this Program, a Funding Recipient is a legal entity (an organisation incorporated under Commonwealth or state legislation) that may enter into a Funding Agreement and manage funding under the Program on behalf of a school community. In order to act as a Funding Recipient and enter into a Funding Agreement with the ACT schools under the Program, potential Funding Recipients must undergo and pass eligibility checks prior to entering into a funding agreement. These checks will include:

- whether the organisation is incorporated

- whether they have a history of correctly accounting for and reporting on the payments and expenditure of past grants
- the Funding Recipient's religious status, a verification of the religious denomination of the organisation, as per the Australian Standard Classification Of Religious Groups to ensure it is a recognised religion
- the organisation's ability to meet the minimum standards for Funding Recipients as per **Section 5.6** of these Guidelines
- the ability of the Funding Recipient to employ workers with the minimum qualifications requirements as per **Section 5.5**.
- the current holding of mandatory insurances or the ability to acquire them prior to entering into a funding agreement.

If the above eligibility requirements are met and the Directorate has provided approval, organisation types listed in **Sections 2.5.1, 2.5.2, 2.5.3** may be eligible to apply to act as Funding Recipients.

2.5.1 Non-Government school

There are a number of non-government schools that may choose to act as a Funding Recipient on behalf of their school. They include non-government schools that are incorporated under relevant Commonwealth, state or territory legislation.

2.5.2 Non-Government education authority

There are a number of incorporated non-government education authorities in the ACT that may choose to act as a Funding Recipient on behalf of their schools. These include Religious Education Authorities that are incorporated under relevant legislation who represent their faiths such as Catholic, Anglican, Protestant, Jewish, Islamic, Buddhist etc.

2.5.3 Other legal entity as a Funding Recipient

For example: A chaplaincy service provider which is legally incorporated. Details of the role and responsibilities of the Funding Recipient are in **Section 3.4** of these Guidelines.

3. Roles and Responsibilities

3.1 School Chaplains

School chaplains are responsible for supporting the spiritual, social, and emotional wellbeing of their students. School chaplains have in particular a role in supporting the spiritual wellbeing of students, regardless of faith or beliefs. School chaplains must be able to provide support for a range of day to day matters affecting the school community and communicate effectively with a diverse group of people. They can become involved in a wide variety of issues including health, social and values education and emotional support.

It is expected that school chaplains will support and work with the School Principal, the school's student wellbeing staff or equivalent to refer students to appropriate services where required. To assist in facilitating this, school chaplains should have or develop an appropriate and suitable external network of professional groups working with the community. Chaplains should also be aware of current student wellbeing, anti-bullying and cyber safety strategies such as the National Safe Schools Framework, and school specific policies and guidelines. The School Principal is ultimately responsible for the welfare of students within their school. In interactions with students, school chaplains must adhere to existing school operational

requirements and report to the School Principal or his/her nominated project leader (as per **Section 2.3**) where required.

School chaplains must ensure that all services that are delivered:

- are approved by the School Principal,
- have the appropriate prior parental/guardian consent, where relevant, as per existing school policy or as per **Section 5.2**, and
- have the voluntary consent of students who participate.

Where parents/guardians have demonstrated that they accept the school is faith based and they agree to the values of the school by enrolling their child in a religious school, additional consent for general chaplaincy services is not required, beyond current education authority or school arrangements.

School chaplains must also

- abide by the Guidelines
- observe communication protocols as required in the Service Agreement at **Attachment D**, including complaints reporting requirements as per **Section 7**
- assist the School Principal in notifying students/ parents about all aspects of the chaplaincy service, including the voluntary nature of the Program and the need for consent forms to be signed prior to participation in services, as appropriate,
- report on services relating to the Program and participate in any monitoring and/or evaluation strategies as determined by the Directorate and outlined in the Funding Agreement,
- avoid theological terminology and language that assumes that those with whom they speak share their beliefs. School chaplains should ensure that any faith based statements are presented as personal beliefs rather than as factual assertions,
- ensure that they take responsibility for, and obtain prior approval from the School Principal for any external people the school chaplain invites onto school premises to provide student activities such as musical shows or lectures or to assist in providing chaplaincy services. School chaplains must vet any content to ensure that these external people do not proselytise, distribute biased material or undertake any activities as detailed at **Section 3.1.2**, and
- deliver services in a way that respects the range of spiritual views and cultural traditions in the school community, and also respects the stated views of parents/guardians to ensure the spiritual and moral education of their children is in line with their own convictions.

3.1.1 What do school chaplains do?

While the key tasks of a school chaplain will vary depending on the needs of individual school communities, they could include:

- working closely with, and/or as part of the school wellbeing committee or team to plan for and deliver student resilience and wellbeing services;
- providing students, their families and staff with support and or appropriate referrals, in difficult situations such as during times of grief or when students are facing personal or emotional challenges;
- supporting students who express a desire to explore their spirituality. This may include providing guidance about spirituality, values and ethical matters and/or appropriate referral of questions of faith/spirituality;

- providing services with a spiritual content (excluding religious education) including facilitating discussion groups and lunch time clubs if approval and consent for the activities as per **Sections 3.1** and **5.2** have been obtained;
- developing relationships with, and referring students/parents/carers to specialist services within the school as appropriate or externally under the direction of the School Principal if there are existing state/territory or school referral policies;
- organising one-on-one or group sessions with students, parents, staff and other members of the school community as requested and required by the school community;
- running breakfast clubs;
- delivering peer leadership and support programs;
- participating in school activities such as sport, camps, gardens etc;
- contributing to school newsletters;
- reporting to school community organisations on service provision within the school community;
- attending Parents & Citizens' or equivalent parent body meetings to provide details of the Program and the services that are available;
- facilitating activities connecting students with other members of the community;
- mentoring or coaching;
- providing support and/or appropriate referral in times of grief and other critical events; or
- facilitating community partnership programs between the school and the wider community.

3.1.2 What do school chaplains not do?

When delivering services under the Program, school chaplains must adhere to the Guidelines and the Code of Conduct (**Attachment A**).

As outlined in Section 3.1, religious schools are exempt from any additional consent requirements for the provision of religious services/rites and faith discussions.

Services provided during Program funded hours must **not** include:

- providing religious education in their schools. The decision on whether non Program funded religious education is delivered by the same person who is employed with Program funding is to be determined by schools and Funding Recipients. However, to avoid potential role confusion, best practice recommends that these roles be conducted by different persons. Where this is not a school preference or not possible, schools need to ensure they take all necessary steps to delineate the roles, including on the school website as per **Section 6.5**
- attempting to convert students to a religion or set of beliefs through proselytizing or evangelising. School chaplains must not:
 - coerce students to attend activities that have religious content or focus,
 - ask or encourage students to proselytize or evangelise within the school,
 - deliver activities or services that promote a particular view or religious belief without prior approval and consent as per **Sections 3.1** and **5.2**, or
 - put students in a position of feeling manipulated or intruded upon by intense persuasive conversation.
- initiating faith discussions with a view to coercing or manipulating students to a particular view or spiritual belief. While recognising that an individual school chaplain may respond to questions and in good faith express views and articulate

values consistent with his or her own beliefs, a school chaplain must not take advantage of his or her privileged position to proselytise, evangelise or advocate for a particular view or spiritual belief

- attempting to undermine students' religious or other beliefs
- using other methods such as social media - blogs and Facebook, or newsletters and school websites, to proselytise/evangelise to students within their school, in their role as a Program funded school chaplain
- providing professional support services, for example counselling or legal or medical advice
- providing support to students who have indicated that they do not wish to access the services of a school chaplain, or where an appropriate consent process has not been followed
- performing religious services/rites (such as worship or prayer during school assembly etc), without the appropriate prior consent as per **Sections 3.1** and **5.2**
- expressing views that are discriminatory or biased on the grounds of religious ideology, beliefs or sexuality. Regardless of individual school chaplain's personal/spiritual view, they must treat all students with dignity and respect.

School chaplains must adhere to the Guidelines and the Code of Conduct at all times and not participate in activities in a private capacity that might impact or be perceived to impact on their delivery of the services under the Program.

For example, a school chaplain should not make public comments which could be perceived as compromising their capacity to fulfill their duties in accordance with the Code of Conduct. This could include, but is not limited to, using methods such as social media, including blogs and Facebook, in a private capacity to proselytise or evangelise, targeting students from the funded school.

3.2 School communities/ governing bodies

School communities are expected to demonstrate their support for chaplaincy services by:

- affirming support for the chaplaincy service, including the suitability of the role and/or religious affiliation of the school chaplain (this can be done via a combination of methods including surveys, questionnaires, Parent and Citizens' body meeting minutes etc) which must be done annually at a minimum as per **Section 5.3**
- if required, providing and maintaining cash and/or in-kind assistance through activities such as fund raising to ensure that the chaplaincy service remains viable
- assisting the School Principal in monitoring and reviewing the nature and role of the school chaplain, including the service being provided.

3.3 School Principals/ project leaders

The School Principal or nominated project leader has a lead role in coordinating and managing all aspects of the chaplaincy service within the school.

In order to assist School Principals and Funding Recipients to work together collaboratively under the Program, a Service Agreement that outlines the roles and responsibilities of each party must be entered into prior to the commencement of the school chaplain, and should be renewed on an annual basis. If any changes occur, a revised Service Agreement should be signed by the parties. Details of the minimum requirements for Service Agreements are at **Attachment D**.

A Service Agreement is not required if a non-government school as a legal entity, is accepted by the Directorate as a Funding Recipient and is a signatory to the Funding Agreement.

The school retains overall duty of care for all students attending the school during the school day. The School Principal, working within education system rules, is ultimately responsible for students within the school setting and therefore is responsible for:

- undertaking and/or coordinating ongoing consultation with the school community at a minimum on an annual basis, to assess the demand, support for, and nature of chaplaincy services as per **Section 5.3**;
- checking that all school chaplains and Funding Recipient personnel who may come into contact with students in their school comply with all legislative, policy and other requirements and permissions necessary to have access to and work on the school premises as per **Attachment B**. School Principals are not responsible for arranging child protection checks and Australian Federal Police (AFP) criminal record checks for school chaplains engaged by the Funding Recipient unless they are acting as the Funding Recipient;
- making every effort to inform all parents and students of the voluntary nature of Program participation;
- ensuring that sufficient procedures are in place for students and their families to consent to the voluntary service, as outlined at **Section 5.2** of these Guidelines,
- completing, endorsing, and submitting the school's application for funding;
- endorsing the choice of school chaplain prior to employment, and ensuring formal ongoing endorsement of the service by the school community in accordance with the annual consultation requirements in **Section 5.3**;
- in consultation with the Funding Recipient and school governing body, agree to and sign off on a school chaplain work-plan as required by **Attachment D**;
- if applicable, supporting the school chaplain and Funding Recipient in order to meet the minimum qualifications requirement as per **Section 5.5**;
- overseeing the delivery of the chaplaincy service within the school;
- co-operating with the Funding Recipient to ensure compliance with all provisions of the Funding Agreement, including completing required annual progress reports by required timeframes (see **Section 6.2**);
- ensuring that effective complaints handling protocols, including the maintenance of a complaints log, are in place to notify Funding Recipients and/or the Directorate of all complaints or issues that may arise, and ensuring that the requirements at **Section 7** of these Program Guidelines are met;
- ensuring induction to the school is provided to the school chaplain;
- ensuring appropriate facilities and relevant resources are provided as required and as per risk management requirements or as per ACT Government or school policy (eg. appropriate private rooms for one-on-one sessions; lockable filing cabinet; access to relevant IT etc);
- approving all chaplaincy service activities and matters that vary students' school routine and participation or attendance;
- advising the Funding Recipient of variations in routine such as absences of the school chaplain and long-term gaps in service when there is no service provision and other day to day management issues;
- ensuring that a school chaplain does not deliver chaplaincy services if a child protection check/police check expires and a renewal is not in place; and
- ensuring that details of the chaplaincy Program are published and maintained on the school website as per **Section 6.5**.

3.3.1 Risk management requirements for School Principals

School Principals are also required to identify potential risks with program delivery; develop and maintain an ongoing Risk Management Plan which identifies mitigating actions; and report if required to the Directorate, during monitoring visits. Any risk management plan must include strategies to address the possibility of the following areas as a minimum:

- resignation of school chaplain
- poor performance of school chaplain
- prolonged absence of school chaplain
- mismatch of school chaplain to school community needs
- alternate strategies/activities for students if they do not opt-in, or specifically opt-out of activities
- complaints received against school chaplain
- concerns with school chaplain Funding Recipient relationship and/or service delivery
- diminished school community support for the school chaplain (person and/or role)
- minority opposition for the continuation of the Program by members of the school community
- possible community/school funding requirements to ensure the viability of chaplaincy services.

3.4 Funding Recipients

Funding Recipients are the employing bodies of school chaplains.

In order to ensure that Funding Recipients and School Principals work together collaboratively under this Program, a Service Agreement that outlines the roles and responsibilities of each party should be entered into and reaffirmed annually. If any changes occur, a revised Service Agreement should be signed by the parties. The minimum requirements for Service Agreements are at **Attachment D**.

A Service Agreement is not required if a non-government school as a legal entity is accepted by the Directorate as a Funding Recipient and is a signatory to the Funding Agreement.

Funding Recipients are responsible for:

- the financial management of the chaplaincy service in the school for which they have entered into a Funding Agreement
- recruitment and selection of the school chaplain in consultation with the School Principal (the Funding Recipient must seek the School Principal's endorsement of the school chaplain)
- ensuring adequate induction is provided for school chaplains prior to commencement within a school, including all role requirements and boundaries as per the Program Guidelines and the Code of Conduct (as outlined in **Section 5.6.1**)
- ensuring, where applicable, that school chaplains obtain minimum qualifications within agreed timeframes (as outlined at Section 5.5) and keeping evidence of these qualifications
- ensuring that school chaplains and any Funding Recipient staff who may come into contact with children, have appropriate Working with Vulnerable People/AFP criminal record checks in place as per **Attachment B**, and keeping evidence of these clearances
- ensuring compliance with Funding Recipient minimum standards within agreed timeframes (as outlined at **Section 5.6**)
- monitoring of the school chaplain role in consultation with the School Principal, including that an agreed work-plan is in place and that the school chaplain is

- complying with the work-plan as detailed in **Attachment D**
- maintenance of required insurances as per **Section 5.6.3**
- ensuring that requested information and reports from schools are submitted to the Directorate. Schools are required to submit their reports to the Funding Recipient, who must note and endorse the report and forward it to the Directorate before payments can be made
- notifying the Directorate of complaints/allegations as per **Section 7**.

3.5 The ACT Education Directorate

The Directorate has overall responsibility for the administration of the Program through:

- developing and updating Program Guidelines as required
- monitoring adherence with Funding Agreements through schools
- managing, handling and reporting against complaints as outlined in **Section 7**
- making payments in accordance with Funding Agreements
- ensuring funding for each service is properly acquitted and accounted for
- managing Program funds
- monitoring and reviewing progress of individual services

4. FUNDING

4.1 Introduction

The Program is a calendar year support program. Reporting required under the Funding Agreement is based on the 52 week period, commencing 1 January each year from 2015. Funding is available for nominated Funding Recipients of government and non-government schools to employ a school chaplain.

Chaplaincy services funded under this Program may commence from 1 January 2015, but only following the signing of a Funding Agreement by both the Funding Recipient and an ACT school. Funding Recipients will not receive any funding prior to the proper execution and lodgment of the Funding Agreement by both parties and Funding Agreements cannot be backdated. The Funding Recipient cannot use funds provided under the Program for chaplaincy services that have been provided prior to the signing of an agreement.

Funding will be provided, in accordance with the provisions in the Funding Agreement and are subject to continued school community support as outlined in Section 5.3.

As no funding has been committed by the Australian Government beyond 2018, the program will cease in the ACT at 31 December 2018. School communities understand that additional funds will not be provided by the ACT Government to supplement the NSCP or continue the NSCP when it finishes in December 2018.

4.2 Funding arrangements

Funding under the Program is available from 1 January 2015. Payments under the Program cannot be made prior to this date or before the execution of a Funding Agreement.

Funding Recipients must not subcontract the performance of any obligation within these Program Guidelines or Funding Agreement to any other party.

4.2.1 Delay in Funding Agreement execution

If the proper execution of a Funding Agreement is delayed:

- Up to and including 30 June 2015, the Funding Recipient, in consultation with the school, can determine whether it still believes it can deliver the full service allocation, e.g. 400 hours, over the remainder of the year, and must provide details to the Directorate of how they intend to provide the service allocation in the shortened time frame. Alternatively, the Funding Recipient, in consultation with the school, may wish to pro-rate the payment based on the date of proper execution of the Funding Agreement and based on its assessment of the likely number of hours to be delivered in the remainder of the year.
- Beyond 30 June 2015, the payment must be pro-rated based on the date of proper execution of the Funding Agreement. This will be based on the proportion of the remainder of the year. For example, if the agreement is executed on 1 October 2015, a 400 hour service allocation will be reduced to 100 hours and a payment of \$5,000 as per **Section 4.7**.

4.2.2 Funding Agreement pool

Funding Recipients cannot pool funds to provide general services to all schools. Each payment is allocated to an individual school and must be expended accordingly.

4.3 Funding allocation

Funding is allocated for each individual school and must be expended accordingly. Funding is provided as advance payments per school, subject to milestone requirements. Funding for 2015 will be provided as advance payments, in an annual installment, and subject to milestone requirements as outlined in the Funding Agreement.

School chaplains must provide services for a minimum of four hundred (400) hours per calendar year, to obtain maximum funding of \$20,000 (excluding GST). Schools and Funding Recipients can negotiate a level of servicing above the minimum requirement, however NSCP funding levels are agreed at \$20,000 and additional Program funding will not be provided. Extra hours of service must be funded by the school.

4.5 Goods and Services Tax (GST)

Where GST is payable on the transaction between the ACT Government and the Funding Recipient, the Directorate will increase the amount of the grant to cover the GST that the recipient must pay to the Australian Taxation Office (ATO).

4.6 Schools receiving funding from the current National School Chaplaincy/Student Welfare Worker Program

This program ceases on 31 December 2014 and all schools will need to apply for funding for the new National Schools Chaplaincy Program to start in January 2015. Schools wishing to maintain their current chaplaincy service will need to be successful in their application to the NSCP Cross Sectoral Panel to receive funding or alternatively, schools may fund their chaplain as part of their annual school budget.

4.7 Use of funds

Program funding is to be used to provide chaplaincy services within the school/s covered under a Funding Agreement. The Funding Recipient will employ a school chaplain according to the requirements of the school for which the funding is provided.

Funding can only be used for purposes that are directly related to the provision of chaplaincy services in the school for which funds are provided. School communities may engage the services of more than one school chaplain. The amount of funding available to school communities will not increase if there is more than one school chaplain engaged under this Program.

Funding Recipients will be responsible for paying the salary and other employment related costs for all school chaplains providing services under the Program.

Funding can only be used in the calendar year for which the payment is made. Funding provided for a particular year cannot be 'rolled over' to subsequent years. Any unused entitlement will result in the subsequent funding years' payment being prorated based on the number of hours that have been provided. For example: a school chaplain delivers 250 hours of service of a 400 hours service allocation then leaves the school. No replacement is found and as a result, no service is provided to the end of the calendar year. The following year's payment will be reduced by 150 hours (\$7,500) to offset the unused service. A minimum of 400 hours of services will then be required for the following year utilising the unexpended funds from the previous year in addition to the reduced payment (\$20,000 in total).

Conversely, if a chaplain delivers more than 400 hours of service in one year, the funding payment will still be \$20,000 and any extra salary payments will be made by the school and will not be covered by the Program.

4.7.1 Acceptable use of funds

Administration costs

Up to a maximum of 20 per cent of the total annual funding may be used for administrative costs including:

- workers compensation cover and relevant insurances (as outlined at **Section 5.6.3**)
- general administration fees
- audit and monitoring compliance fees
- administration/support staff costs
- training and personal development costs associated with the school chaplain.

School chaplain salary/wages

A minimum of 80 per cent of the total annual funding must be used for the purposes of paying school chaplain salary or wages and superannuation. This may also include salary/wages whilst attending training or development but not regular/daily commute.

Gaps in service

If a school has had a gap in service within the calendar year due to the resignation of a school chaplain and there is a delay in sourcing a replacement, excess service hours/funds can only be utilised by:

- increasing the school chaplain's service hours, for example providing full-time services for a designated period, to ensure no under spend for that calendar year and/or
- employing an additional school chaplain to provide additional service hours during the calendar year and/or
- utilising the services of an existing school chaplain in the school, who is not funded

under the Program, to provide additional service hours that meets the requirements of the Program Guidelines, by increasing their operational hours in addition to work they are providing under their current role.

4.7.2 Unacceptable use of funds

Activities and the purchase of services and goods which are inconsistent with the purpose of this Program will not be funded. This includes:

- any costs incurred by the Funding Recipient or school prior to 1 January 2015 and the proper execution of a Funding Agreement
- the purchase of religious education or religious training packages and the purchase of goods related to these activities
- the purchase of capital items, assets or resources including, but not limited to; capital works, vehicles, computers and text books
- any existing programs or support mechanisms that are already funded by alternate funding sources
- provision of services to other unfunded schools
- reallocation of funds between schools, that is, transference of unspent funds from one school to another, including schools that have a deficit
- utilisation of unspent funds from allocations for previous years as per **Section 4.7**. Any unspent funds at the end of 2018 will be recovered by the Directorate.

5. PROGRAM MANAGEMENT

5.1 Participation and voluntary nature of the Program

It is not compulsory for any student to participate in activities or receive services from a Program school chaplain. Parents/caregivers must be provided with information about the availability of chaplaincy services in their school (see **Section 6.5**) which emphasises the voluntary nature of the Program and explains that members of the school community do not have to participate in this service.

5.2 Consent Arrangements

Schools must follow existing ACT Government Education Directorate or individual school guidelines or policies when arranging consent (including consent forms) for chaplaincy services.

Schools must ensure that adequate procedures are in place to enable parents/guardians to clearly establish their approval prior to the commencement of activities. The ACT Education Directorate recommends that arrangements include:

- annual consent forms at enrolment, or as soon as possible following school year enrolment, that cover general information about the proposed school chaplain service and allow parents/guardians to opt-out of the service
- consent forms for prearranged one on one appointments/sessions and ongoing assistance from the school chaplain, particularly where there is religious or spiritual content .

Better practice examples for consent arrangements are available at **Attachment G**. Please note that no specific parental/guardian consent for school chaplains to provide any faith based/religious services, in addition to current school arrangements, is required in religious schools as parental/guardian consent to the provision of religious services is

understood to have occurred in the parent/guardians' decision to enroll their child in a religious school.

All other chaplaincy services and activities would require prior consent as outlined above or as per existing Education Directorate or individual school guidelines or policies. School Principals can also decide whether student consent and self-referral to services is appropriate and within Education Directorate or individual school guidelines or policies. School Principals must decide whether the student has the appropriate maturity and understanding to give informed consent and sign consent forms themselves.

Procedures must be in place to ensure parents and students are aware of these consent arrangements, including outlining processes and details of the chaplaincy services on the school website as per **Section 6.5**.

Participation in the Program is voluntary and school communities will have supported successful applications. School communities will have also determined the role and the choice of school chaplain. Therefore, general school chaplain interaction within the school does not require mandatory opt-in arrangements. General interaction includes school chaplain attendance at school coordinated events such as school camps and assemblies, discussions with students who have approached the chaplain directly during a moment of urgency or otherwise and general playground interaction. In these cases school communities may determine if they wish to implement any additional consent practices.

5.3 Community consultation and support

Evidence and feedback of consultation with the school community is a mandatory requirement for Program funding. This must include clear evidence of a choice for a school chaplain based on the results of the school community consultation

Evidence and feedback can take various forms including:

- the documented results of parent and school surveys, for example a summary of the results and comments
- meeting notes from meetings of the representative parent body or school equivalent which document all discussion and decisions
- letters of support from school parent bodies
- information on the processes used to record details of any consultation including duration and frequency
- evidence of public discussions and resources such as newsletters
- evidence of confirmation of school community discussions and the resultant evidence of support for the Program.

At a minimum, there must be consultation with the school's parent body or equivalent on an annual basis to review and confirm the support of the school community for the Program. Evidence and feedback from the school community consultation will form the basis of progress reports as per **Section 6.1.1** and continued funding. School Principals will use the outcomes of school community consultation to determine the nature of the service required in the school community.

Given the changing nature of school communities, consultation may be required more regularly. For example, frequency may be guided by risks identified in school risk plans (see **Section 3.3.1**). Evidence of consultation and the subsequent results will be required in order to vary any elements of Program delivery and initiate a variation to the Funding Agreement. The ACT Government recognises and values the diversity of Aboriginal and Torres Strait

Islander languages, communication protocols and cultures. Aboriginal and Torres Strait Islander communities may not utilise formal petitions, surveys, newsletters etc. If so, verbal endorsement by parents and elders from the community and recorded in writing by the school will be sufficient evidence of school community consultation and support.

A plan for implementing and reviewing the support of the school community for the Program is required to be maintained by the school. The school community consultation plan is in addition to the risk plan and must be reviewed annually, at a minimum, to ensure that the objectives and measures of school community support that have been adopted continue to be relevant and effective. This plan must include strategies and activities for those who choose not to participate in services funded under the Program and for any minority opposition to the Program within the school community. Plans may be requested by the Directorate as per monitoring requirements in **Section 6.6**.

Suggested better practice examples for improving and/or adopting school community consultation processes and developing required consultation plans are available at **Attachment E**.

5.4 Working outside of school hours/grounds

The majority of chaplaincy services should be provided on school grounds and during normal school hours however it is recognised that services outside of the school may be required at times. If work outside of school grounds and/or school hours is required, school chaplains must obtain permission to undertake the off-site work from the School Principal and the employing Funding Recipient, prior to conducting any visit/providing any service. If service of this nature occurs regularly, it should be included in the school chaplain's agreed work plan.

It should be noted that the overall duty of care for students is the responsibility of the School Principal.

5.5 Minimum qualifications for employment as a school chaplain

Given the range of possible tasks that a school chaplain may be required to undertake in delivering chaplaincy services, and that they are positions of trust, it is necessary to ensure they have a minimum level of skills to provide these support services.

School chaplains also need to have a highly developed ability to identify relevant issues and conduct appropriate referrals in each circumstance where required. As they can often be the first port of call for individuals needing assistance, detailed knowledge of relevant and available services and when they should be used, as well as a keen awareness of their own professional limitations, is a fundamental part of the role.

Subject to sections 5.5.2 and 5.5.3, school chaplains must have a minimum Certificate IV in Youth Work or Pastoral Care or equivalent qualification. The minimum qualification must include mental health related and making appropriate referrals unit/s of competency. Both qualifications are part of the nationally accredited Community Services Training Package under the Australian Qualifications Framework.

Funding Recipients will be required to keep evidence of school chaplains' qualifications and provide the details to the Directorate prior to the commencement of the worker in the Program as part of the overall school chaplain employment notification process.

In addition to minimum qualification requirements, this process includes a signed Code of Conduct, verification of current Working with Vulnerable People/AFP criminal record checks and identity details.

The Directorate may request to view evidence of qualifications and outcomes of assessments from Funding Recipients and or schools during monitoring visits and as part of desktop monitoring activities.

5.5.1 Existing school chaplains

The Directorate recognises school chaplains employed through the National School Chaplaincy/Student Welfare Worker Program 2012-2014 had the opportunity to update to the minimum qualification requirements of the Program in the ACT during this funding time period. To that end, the Directorate will require Funding Recipients to ensure that existing workers meet the minimum formal qualification requirements to be employed as chaplains in the NSCP 2015-2018.

5.5.2 School chaplains holding other qualifications

Where a school chaplain funded under this Program holds an equivalent or higher qualification to the Certificate IV in Youth Work or Pastoral Care, in a different but related field (e.g. education, psychology etc), the Funding Recipient must consider the school chaplain's qualifications in the light of the competencies contained in the two identified qualifications, particularly CHCCS422B and CHCMH301C.

Where the Funding Recipient is satisfied that the school chaplain is qualified against these competencies they must document this in writing and provide the details to the Directorate prior to the commencement of the worker in the Program as part of the overall school chaplain employment notification process indicated in **Section 5.5**.

Funding Recipients can also assess and document against the competencies where a school chaplain is already enrolled and working towards a higher qualification in a different but related field. Funding Recipients must retain evidence that the progress made towards the completion of the qualification meets the minimum qualification requirements and provide this to the Directorate if requested.

The Directorate reserves the right to not accept the Funding Recipient's assessment of the worker's skills.

Where the Funding Recipient is not satisfied that the school chaplain holds the required qualifications, for example in the case of a new school chaplain under the Program, the chaplain must meet the minimum qualification requirements set out in **Section 5.5** prior to commencement of employment as a Program funded school chaplain.

Note: National Training Package qualifications and units of competency are subject to change as National Training Packages are regularly reviewed and modified. The Directorate will update this section of the guidelines in accordance with any relevant future changes to the Community Services National Training Package.

5.6 Minimum standards for Funding Recipients

The Directorate recognises that most major providers of chaplaincy services already have arrangements in place to ensure appropriate development and quality assurance of their workers.

To ensure consistency and quality assurance of chaplaincy services funded under this Program, the following minimum standards must be met by all Funding Recipients.

5.6.1 Provision of ongoing professional development and support

Section 5.5 outlines all Funding Recipient requirements in regard to minimum qualifications for school chaplains. Additionally, Funding Recipients must provide ongoing professional development and support through:

- ACT mandatory reporting requirements in relation to child protection (as outlined at **Attachment B**). Funding Recipients are responsible for school chaplain training around mandatory reporting requirements and processes. This training must be conducted within one month of the school chaplain commencing services at a school
- Links with other professional services:
 - School chaplains under the Program cannot perform professional or other services. Chaplains cannot provide professional counselling or crisis management for students.
 - They are to refer students to appropriate student support services where required. As such, Funding Recipients must implement appropriate support mechanisms such as referral registers and appropriate training to assist school chaplains to refer to and/or work with local professional support services such as counselling and crisis management groups.

5.6.2 Monitoring of school chaplain programs and services

Compliance with all elements of the minimum standards outlined in **Section 5.6** is mandatory for all Funding Recipients funded under this Program. Funding Recipients will be required to report on their achievement of the minimum standards by 31 March 2015 and at each subsequent reporting timeframe (See **Section 6.2** for further details). Subsequently, evidence of the maintenance of minimum standards may be examined during monitoring visits by the Directorate.

In addition to the above requirements, all Funding Recipients must ensure that complaints and grievance resolution processes that comply with the requirements outlined in **Section 7** are in place within 30 days of commencement under this Program.

As per **Section 6.6**, the Directorate may conduct monitoring visits to schools and Funding Recipients to ensure that delivery of the program meets the requirements of the Code of Conduct and Funding Agreement.

5.6.3 Governance structures

Governance arrangements must include accountability structures to support the delivery of the Program, ensure compliance with the Funding Agreement, and outline clear responsibilities for:

- overseeing the performance of school chaplains
- recruiting and training strategies for school chaplains
- risk management
- dispute resolution processes
- financial management, including annual operational and financial planning and auditing processes

- communication management with the school and the Directorate
- fraud prevention strategies
- insurance.

A Funding Recipient (whether an organisation, consortium or partnership) is required to have and maintain all of the following types and levels of insurance at a minimum:

- public liability insurance for an amount not less than \$10 million per claim
- professional indemnity insurance
- workers' compensation insurance to the level required by state or territory law.

These insurances must be in place for as long as the Funding Recipient has any contractual obligations in connection with the delivery of chaplaincy services under the Program. Funding Recipients will be required to provide information annually regarding and/or evidencing the required insurances. Funding Recipients should contact the Directorate if they cannot meet this requirement for any reason.

5.6.4 Risk management and compliance requirements

Each Funding Recipient is also required to have a Risk Management Plan in place that identifies potential risks, the likelihood of a risk occurring, the consequence/effect of a risk occurring and the mitigation strategy in place to deal with the risk.

All risks have a likelihood and consequence from low to moderate to serious. The Funding Recipient must weigh these up, whilst considering the following factors:

- potential harm and distress to students
- disruption to programs
- public perception
- lack of continuity in supporting students and the school community and delivering programs
- fraud risks and internal financial management risks.

The Directorate may request access to Risk Management Plans during monitoring activities to assess the quality of mitigation strategies to ensure service delivery against the Funding Agreement.

Funding Recipients are obliged to comply with the Program Guidelines, Funding Agreement and Service Agreement when engaged with the Program. All services under the Program must adhere to the Program Guidelines. Funding Recipients must ensure that they understand and take the necessary steps to comply with all obligations imposed on them by all legislation relating to their operations notwithstanding whether such obligations are mentioned in these Program Guidelines.

In addition, all Funding Recipient personnel coming into contact with children must also comply with the ACT Government Working with Vulnerable People check and/or child protection policies as per **Attachment B**.

The currency of the checks must be maintained during the period of employment. Funding Recipients will be required to certify the currency of checks for all relevant personnel, including school chaplains as part of their reporting requirements.

5.6.5 Complaints and grievance resolution processes

Funding Recipients must ensure they have complaints handling processes in place that comply with the requirements outlined in **Section 7**. These must be well publicised to schools and potential schools and well understood by staff. Funding Recipients and schools must be aware of each others complaints management procedures.

Funding Recipients are required to maintain a complaints register and at a minimum, log all complaints that are made and include details of the source of the complaint; the nature of the complaint; the dates/duration of the complaint; action officer; resolution process; and outcomes and escalation processes. A complaints register template is available on request via: ETDStudentWellbeing@act.gov.au

Funding Recipients are required to notify the Directorate of all significant complaints/allegations and any alleged breaches of the Code of Conduct, as outlined in **Section 7**. This includes matters covered under mandatory reporting and allegations made against school chaplains in a private capacity that may raise questions about their appropriateness to occupy a position of trust. This requirement extends to all Funding Recipient personnel who may come into contact with children.

6. Monitoring and Reporting Requirements

The Funding Agreement includes a payment and reporting schedule; describes the purpose for which the Program funding must be used; provides a description of how, when and where the services must be delivered; how Program funding will be applied; when payments will be made; and what requirements need to be met to receive payments.

The Directorate will monitor progress against the Funding Agreement through progress reports, financial acquittals, desktop monitoring and monitoring visits. Failure to meet the reporting requirements outlined in the Funding Agreement may result in withdrawal and/or recovery of funds and/or termination of the Funding Agreement.

6.1 Progress reports and financial acquittals

6.1.1 Progress reports

Funding Recipients must provide progress reports in accordance with the Funding Agreement. Progress reports must provide details of the services provided by the school chaplain and evidence of annual school community consultation. Progress reports must be completed by schools, forwarded to Funding Recipients, and then lodged with the Directorate.

Progress reports must cover all calendar year service from 1 January to 31 December (or part thereof) during the 2015 to 2018 funding period.

Progress report templates will be available on request via: ETDStudentWellbeing@act.gov.au

6.1.2 Financial acquittals

Funding Recipients must provide the Directorate with financial acquittals as specified in the Funding Agreement. An acquittal is a formal statement by the Funding Recipient of income and expenditure in accordance with the Funding Agreement. Funding Recipients should familiarise themselves with the Funding Agreement to ensure they comply with the acquittal

requirements. Financial acquittals must cover all calendar year service and from 1 January to 31 December (or part thereof) during the 2015 to 2018 funding period.

Financial acquittal template forms will be available on request via:

ETDStudentWellbeing@act.gov.au

6.2 Reporting Schedule

Funding Recipients and schools must provide all reports as specified in the Funding Agreement in order to receive payments under the Program.

All progress reports and financial acquittal reports as per **Sections 6.1.1** and **6.1.2** must cover a full 12 month period during the 2015 to 2018 funding period.

The details are as follows:

Reporting Period	Progress Report and Financial Acquittal Due
1 January 2015 to 31 December 2015	31 March 2016
1 January 2016 to 31 December 2016	31 March 2017
1 January 2017 to 31 December 2017	31 March 2018
1 January 2018 to 31 December 2018	31 March 2019

Funding Recipients can choose to lodge reports earlier than the above due dates. Early lodgment of reports is permitted if:

- as at 31 December of the relevant calendar year, the Funding Recipient and school have compiled all required information and can immediately report fully on the services and expenditure during the calendar year; or
- a chaplaincy is fully expended prior to 31 December, as the service allocation has been utilised early (e.g. the full 400 hours was provided in the first half of the year); or
- the school year is concluded prior to 31 December and no further services will be provided, i.e. the school chaplain is paid for the school period only; over a 40 week school term period, rather than a 52 week period.

The submission of reports is a prerequisite for the Funding Recipient to receive subsequent payments for the Program. If the Funding Recipient fails to lodge the required annual progress reports and financial acquittals by the due date, the Funding Recipient is not eligible for subsequent payments for the Program unless the Funding Recipient can:

- demonstrate to the Directorate's satisfaction that there were exceptional circumstances that prevented the Funding Recipient from submitting the reports by 31 March the following year; and
- provide supporting documentation that verifies the exceptional circumstances.

The Directorate in its sole discretion will determine what constitutes 'exceptional circumstances'. However, exceptional circumstances may include, but are not limited to:

- where a key staff member is unavailable due short-term incapacity and serious illness, and
- IT faults which impact on the online lodgment of reports.

6.3 Milestone requirements

Funding Recipients and schools must provide all mandatory reports as specified in the Funding Agreement in order to receive payments under the Program. Program milestones will vary based on each payment requirement.

6.3.1 Prerequisites for first payments

In order to receive their first payment under the Program in 2015, all Funding Recipients must provide:

- a completed school chaplain details form which will be available on request via: ETDStudentWellbeing@act.gov.au including;
 - confirmation of a current and valid working with children check/AFP criminal record check
 - details of the qualifications held
 - identity details
- a signed and witnessed Code of Conduct form
- confirmation of a signed Service Agreement between the school and Funding Recipient which satisfies the requirements set out in **Attachment D**.

Evidence of the above must be retained by the Funding Recipient and provided to the Directorate when requested for monitoring purposes.

6.3.2 Prerequisites for further payments

Funding Recipients must comply with the prerequisites for payments as set out in the Funding Agreement in order to receive installments of funding.

6.4 Minimum standards reporting

As outlined at **Section 5.6**, Funding Recipients under the Program must meet minimum standards requirements.

Funding Recipients must ensure that appropriate complaints and grievance resolution processes as outlined in **Section 7** are in place within one month of commencement of the Funding Agreement.

Funding Recipients are required to complete a declaration form as required by the Funding Agreement indicating their full compliance with the outlined minimum standards. Failure to comply with the minimum standards may result in termination of the Agreement and withdrawal of Program funding.

Declaration form templates will be available on-line on request via:

ETDStudentWellbeing@act.gov.au

6.5 School website reporting

Schools will be required to publish details of any Program funded service on their website within 3 months of commencement in this Program.

At a minimum the information should include:

- a general statement of the aims of the service within the school
- an overview of the role of the chaplain within the school
- the voluntary nature of the service
- how the service links into other school support services and networks
- a clear distinction between which school chaplain and which activities operating in the school are funded under the Program and which are not, particularly where Religious Education and other chaplaincy services are also delivered at the school
- how to opt-out of services as outlined at **Section 5.2**
- how to access activities such as arranging for one-on-one sessions
- complaints handling avenues
- details of school community consultation
- recognition and acknowledgement of the Program as outlined at **Attachment C**.

If a school does not have a website, they must include all details in communication products such as enrolment information or school newsletters.

6.6 Monitoring

Progress monitoring of this Program is undertaken by the Directorate's staff within a risk management framework. The Directorate may conduct a range of monitoring activities to verify that chaplaincy services are delivered in accordance with the conditions of the Funding Agreement, these include:

- Responding to approaches from members of the school community or seeking feedback from them to verify participation and outcomes
- Conducting site visits to review compliance with the conditions of the Funding Agreement
- Examining documentation associated with claims for payment.

Funding Recipients must keep adequate records to verify the provision of services. This includes keeping records that demonstrate ongoing school community support for the Program. Records must be sufficient to justify all claims for payment. Further information about complaints record keeping is at **Section 7** of these Program Guidelines.

6.6.1 Monitoring visits

The Directorate may conduct monitoring visits to Funding Recipients and schools during the period of the Funding Agreement. Monitoring visits provide an opportunity for the Directorate to ensure that the delivery of chaplaincy services in schools meets the requirements of the Funding Agreement and Code of Conduct. Visits are also an opportunity for School Principals to convey their satisfaction and/or concerns in relation to the implementation of the Program and/or service delivery.

Monitoring visits may be made by:

- a random sample of visits to participating schools
- annual visits to organisations acting as Funding Recipients
- targeted visits to schools experiencing difficulties/complaints
- a random sample of all other Funding Recipients.

In some cases it may be appropriate for a Funding Recipient representative to accompany the Directorate on school monitoring visits. This would be determined in consultation with the School Principal. Funding Recipients are required to provide access to employees, premises and material relevant to the Program services if required by the Directorate, subject to reasonable notice.

Fraud and Corruption

Fraud means taking or obtaining by deception, money or another benefit when not entitled to the money or benefit, or attempting to do so – this includes evading a liability. A benefit can be either tangible (for example theft or acceptance into a program on the basis of providing deliberately false information) or intangible (for example, hacking into a Directorate computer system or charging the Directorate for goods or services not delivered).

The Directorate is committed to minimising the incidence of fraud through the identification of risk and the development, implementation and regular review of a range of fraud prevention and detection strategies. Each strategy is designed to contribute to an environment based upon risk management, sound internal controls, monitoring and improvement to systems and proper ethical practices.

Where required, investigations are conducted in accordance with the ACT Government's Standards for the Conduct of Inquiries and Investigations for ACT Agencies. Investigators require full access to premises and records at times without notice.

6.6.2 Desktop monitoring

The Directorate may also conduct desktop monitoring to oversee Program delivery. Funding Recipients and schools may be requested to provide additional information throughout the funding period. This may include, but is not limited to:

- evidence of school chaplain qualifications
- evidence of progress towards minimum standards
- evidence of Working with Vulnerable People and/or AFP checks
- evidence of parental consent processes
- copies of complaints registers
- follow up on resolution of complaints on a regular basis
- evidence of continued school community support, including meeting notes and/or other information as required
- copies of school community consultation plans
- progress towards provision of service and annual hours
- satisfaction with service provision
- verification of details that have been provided in progress and acquittal reports.

7. Feedback and complaint procedures

7.1 Complaints

The Directorate understands that effective complaints procedures can be an important mechanism for identifying where policy and administration can be strengthened. Complaints procedures are also essential to identify situations where individuals are experiencing concerns and/or problems in receiving services or engaging with the Program. To this end, the

Guideline provides a number of transparent and accessible avenues through which complaints can be lodged.

As the School Principal has an overall duty of care and is ultimately responsible for all students and staff within the school setting, all complaints about the school chaplain or chaplaincy service within the school should be directed to the School Principal, or a complaints officer designated by the School Principal, in the first instance (except where specified otherwise in these Program Guidelines). Complaints may be escalated to the Funding Recipient and/or the Directorate in accordance with the process set out below.

7.1.1 Definitions

Complaint – For the purposes of this Program, a complaint is defined as an expression of concern or dissatisfaction following an incident or pattern of behaviour by a particular Program funded school chaplain, or in relation to a particular chaplaincy service or Funding Recipient. Complaints can also relate to any aspect of the Directorate’s administration of the Program.

There are five categories of complaint referred to in this section:

- Code of Conduct – alleged serious breach
- Code of Conduct – alleged other breach
- Non-Code of Conduct – significant complaint
- Non-Code of Conduct – other complaint
- Program administrative complaint

All complaints should first be considered to determine whether they relate to the Code of Conduct. If they do not relate to the Code of Conduct, they should then be categorised as a “significant complaint”, an “other complaint” or a “program administrative complaint” (see the descriptions below).

Alleged serious breach of the Code of Conduct – An alleged serious breach of the Code of Conduct is defined as any issue relating to matters covered in the Code of Conduct where the School Principal, Funding Recipient and/or the Directorate feel that the service must be immediately suspended to maintain the integrity of the program. This particularly includes allegations relating to Items 1, 10 and 11 of the Code of Conduct. Any Code of Conduct allegation, where the School Principal/Funding Recipient believes there to be, on initial inspection, sufficient evidence to support the allegation, meets this definition.

Alleged other breach of the Code of Conduct – An alleged other breach of the Code of Conduct is defined as any issue relating to matters covered in the Code of Conduct which does not meet the definition of an alleged serious breach of the Code of Conduct.

Significant complaint – A significant complaint is defined as any complaint, which does not relate to the Code of Conduct that relates to the following issues:

- any matter that is likely to bring the Program into disrepute
- any complaint that cannot be easily resolved at the local/school level.

Other complaint – Any complaint which does not relate to the Code of Conduct, that does not meet the definition of a significant complaint.

Program administrative complaint – Any complaint relating to the Directorate’s

administration of the program. Any complaints meeting this definition should be referred to the Directorate for investigation.

7.1.2 Roles and Responsibilities

School chaplain

In relation to complaints management, the school chaplain must:

- immediately report any complaints relating to the delivery of the Program to the School Principal and Funding Recipient
- cooperate fully with any investigation into a complaint/alleged breach of the Code of Conduct
- comply with all other requirements as outlined in **Section 3**.

School Principal

Where, as per **Section 2.4** of these Program Guidelines, a School Principal appoints a project leader to undertake management of the Program, the project leader must meet all of the requirements of the School Principal in this section. The management of complaints relating to the Program should complement schools' existing complaints and grievance resolution processes.

In relation to complaints management, the School Principal must:

- work with the Funding Recipient in the first instance and/or the Directorate if serious to manage and resolve complaints received about the operation of the Program in that school
- ensure there is a designated Complaints Officer (the School Principal may choose to take on this role) to manage and resolve complaints received about the operation of the Program in that school. In appointing a complaints officer the School Principal retains overall responsibility for the management of the Program in the school
- promote complaints management processes within the school and on the school's website
- maintain a Risk Management Plan which includes strategies to address complaints made against the school chaplain
- ensure that effective complaints handling protocols, including the maintenance of a complaints log, are in place to notify Funding Recipients of all complaints or issues that may arise
- refer all Code of Conduct matters and significant complaints to the Funding Recipient
- record all complaints and Code of Conduct matters, including other complaints, in the annual Progress Report. A complaint record template is available on request via: ETDStudentWellbeing@act.gov.au

Complaints Officer

The Complaints Officer is designated by the School Principal. The School Principal may choose to take on this role. In relation to complaints management the Complaints Officer must:

- manage and resolve complaints received about the operation of the Program in that school
- assist the School Principal with all other aspects of managing complaints about the operation of the Program in the school, as instructed by the School Principal.

Funding Recipient

Where the school is also the Funding Recipient for the Program, the School Principal will be responsible for both roles. In relation to complaints management, the Funding Recipient

must:

- notify the Directorate of all significant complaints immediately upon becoming aware of the complaint. In the event of an alleged serious breach of the Code of Conduct, the Funding Recipient is required to notify the Directorate immediately, upon becoming aware of the allegation, and cease any services under the Program
- In the event of an alleged other breach of the Code of Conduct, investigate in an unbiased manner, and notify the Directorate within two business days of becoming aware of the allegation. This includes matters covered under mandatory reporting and/ or allegations made against school chaplains in a private capacity that may raise questions about their appropriateness to occupy a position of trust. This requirement extends to all Funding Recipient personnel who may come into contact with children. Investigation timeframe requirements for Code of Conduct complaints are at **Section 7.1.6**.
- ensure that complaints and grievance resolution processes are in place within 30 days of the execution of the Funding Agreement
- promote complaints and grievance resolution processes to schools and potential schools and ensure that the School Principal is aware of how to report complaints. Funding Recipients must also make schools aware of the Directorate's complaints management procedures
- maintain a complaints register and, at a minimum, log all complaints that are made and include details of the source of the complaint; the nature of the complaint; the dates/duration of the complaint; action officer; resolution process; outcomes and escalation processes; and appropriate measures to address these complaints and ensure they do not recur.

A complaints register template is available on request via: ETDStudentWellbeing@act.gov.au

The Education Directorate of the ACT Government

The Directorate will work with the school and Funding Recipient to investigate serious or significant complaints that are within the scope of these Program Guidelines. It will investigate complaints received either directly to the Directorate or escalated through the Funding Recipient or school. In investigating a complaint or alleged breach of the Code of Conduct, the Directorate will take into account the outcomes of the investigation undertaken by the School Principal, Complaints Officer and/or Funding Recipient.

The Directorate may decline to deal with a complaint at any time where:

- the complaint is deemed by the Directorate to be:
 - frivolous
 - vexatious
 - not made in good faith
 - misconceived
 - lacking in substance
- the subject matter of the complaint may be more appropriately dealt with by another organisation such as the police, ACT or Federal Authorities.
- the Directorate has already dealt with the substance of the specific complaint previously and forms the view that no additional or new relevant information or evidence has been provided.

Where the Directorate declines to deal with a complaint, the complainant will be informed of this decision and the reasons for this determination.

The Directorate is committed to the principle that all parties to a complaint are entitled to be treated with respect and courtesy throughout the complaint handling process. The Directorate will refer complainants promptly to the relevant organisation (e.g. police, ACT or Federal authority) if the complaint falls outside the scope of the Program Guidelines and will advise the complainant accordingly.

7.1.3 Making a complaint

All attempts should be made to resolve complaints at the local level. However, if a complaint cannot be resolved at the school level, or if a complainant does not wish to address their complaint to the School Principal, Complaints Officer or Funding Recipient, they may be made directly to the Directorate by:

- completing the complaint reporting form available on request via: ETDStudentWellbeing@act.gov.au
- emailing to ETDStudentWellbeing@act.gov.au
- posting to: National School Chaplaincy Program, ACT Education Directorate, PO Box 158, Canberra, ACT 2601
- telephoning the National School Chaplaincy Program at the ACT Education Directorate on **02 6205 7029**

The Directorate will endeavour to maintain a complainant's anonymity where requested. Where it is impracticable or unlawful for the Directorate to deal with an unidentified complainant, the Directorate will advise the complainant why their name or personal information is required and what it will mean for them if the information is not provided. Information collected in the course of complaints reporting may be disclosed to other parties within the provisions of the Information Privacy Act 1988 (ACT). Refer to Sections 8.9 and 8.10 for additional information regarding Freedom of Information and Privacy. Preserving anonymity may also impact upon the level of investigation.

For complaints about breaches of privacy, refer to **Section 7.2** of these Program Guidelines.

7.1.4 Dissatisfaction with management of complaints

Where a complainant is dissatisfied with the management of a complaint or Code of Conduct matter by a School Principal and/or Funding Recipient they should refer this to the Directorate for further investigation. The Directorate will undertake an investigation, taking into account the investigation by the School Principal/Funding Recipient as well as the nature and content of the complainant's dissatisfaction with the original investigation.

Where there is dissatisfaction with the administration of the Program, including the outcome of a complaint investigated by the Directorate, concerns may be raised with the ACT Ombudsman (as outlined in **Section 7.3** of these Program Guidelines). However, the ACT Ombudsman will usually prefer that the matter be raised with the Directorate first and that the Directorate be given a reasonable opportunity to respond before the ACT Ombudsman is approached.

7.1.5 Mandatory reporting

Mandatory reporting laws specify those conditions under which an individual is legally required to make a report to the statutory child protection service in the ACT. Further details and information about mandatory reporting can be obtained from CSD and relevant school policies.

7.1.6 Complaints alleging breaches of the Code of Conduct

The Code of Conduct and Funding Agreement set out the requirements if a breach of the Code of Conduct arises during the term of the agreement. A copy of the Code of Conduct is at **Attachment A**.

In the event of an alleged serious breach of the Code of Conduct:

- the school chaplain must immediately cease providing chaplaincy services
- the Funding Recipient must immediately notify the Directorate when they become aware of the alleged breach
- the Funding Recipient must investigate the matter within three business days,
- the Funding Recipient must report the outcomes of their investigation to the Directorate within five business days. If investigations require more time, the Funding Recipient is to provide updates within timelines as agreed with the Directorate.

In such circumstances, the school chaplains concerned must not continue to provide any services under the Program unless the Directorate gives its written agreement for the chaplain to continue. National School Chaplaincy Program funding must not be used for the purposes of paying a school chaplain until the Directorate gives written approval.

In the event of an alleged other breach of the Code of Conduct:

- the School Principal and/or Funding Recipient must investigate in an unbiased manner and inform the Directorate within two business days of becoming aware of the alleged breach
- the Funding Recipient must investigate the alleged breach within five business days and report the outcomes of their investigation to the Directorate within five business days
- if the School Principal or Funding Recipient believes there is a reasonable likelihood of danger to the welfare of any person, the school chaplain must immediately cease providing chaplaincy services whilst the matter is being investigated.

Further guidance to School Principals on managing potential breaches of the Code of Conduct

As school chaplains hold special positions of trust, they must be accountable for their actions. In addition, the Funding Recipient and the School Principal must take all reasonable steps to ensure that school chaplains comply with the Code of Conduct. On appointment of the school chaplains the School Principal must outline to them the measures in place to ensure compliance with the code and how breaches of the Code of Conduct will be investigated.

When the School Principal and/or Funding Recipient becomes aware of an alleged breach of the Code of Conduct they should reiterate to the school chaplain the process involved to investigate the matter.

Particularly in relation to Item 2 of the Code of Conduct, the School Principal/Funding Recipient should consider whether the matter is sufficiently serious to constitute a potential breach of the Code of Conduct.

The Directorate would not consider standard staff performance management practices aimed at ensuring the best fit of the school chaplain to the school as a matter for the Code of Conduct

In the event of a substantiated breach of the Code of Conduct by the school chaplain, the Directorate may require some or all of the funding provided for the chaplaincy services be repaid to the ACT Government, as set out in the Funding Agreement.

7.1.7 Managing complaints

All Funding Recipients must maintain a log of complaints/Code of Conduct matters ensuring the following details are recorded:

- the date of the complaint
- the nature of the complaint
- the details of the complainant
- the details of the action officer
- the actions undertaken to investigate the complaint, including any escalation
- the outcomes of the investigation (including remedial action).

In addition to the above requirements, Funding Recipients must ensure that complaints/Code of Conduct matters are reported to the Directorate within the timeframes specified at **Sections 7.1.2** and **7.1.6**.

7.2 Privacy Complaints

The Directorate's *Complete Privacy Policy* outlines how complaints about breaches or interferences of privacy may be made. The *Privacy Policy* is available on the Directorate's website (www.det.act.gov.au) on the 'About Us' page.

Privacy complaints can be made directly to the Office of the Australian Information Commissioner; however, the Information Privacy Commissioner will generally prefer that the Directorate be given an opportunity to deal with the complaint in the first instance.

7.3 ACT Ombudsman

Issues of dissatisfaction with the administration of the Program, may be raised with the ACT Ombudsman. The Ombudsman will generally prefer that the Directorate be given an opportunity to deal with the complaint in the first instance.

The ACT Ombudsman may be contacted by telephone on 1300 362 072, by email ombudsman@ombudsman.gov.au or by post at GPO Box 442, CANBERRA ACT 2601.

8. Additional Information

8.1 School mergers and splits

Schools subject to a merger or separation into multiple individual school entities are subject to the below conditions:

- No increase in funding is available or applicable.
- School chaplains cannot provide services to a school that is currently not approved for assistance under the Program. Payments and service, for both mergers and separations of school entities, can only re-commence if official written approval is provided by the Directorate.
- If a school is dividing into separate school entities or campuses, the school must

present the Directorate with a proposal outlining how they wish the existing services be applied amongst each entity/campus. Schools must detail which campus/entity is to receive the existing funding or apply for permission to divide the service between the schools. For example, if the school currently receives 400 hours of servicing, they may request that two of the new schools receive 200 hours of servicing each.

- If a school, after a merger, has a student population of 1,000 students or more, spread over more than one campus, individual campuses may maintain their individual funding if each campus has separate school community governance arrangements and ACT registration as a separate campus. Schools may need to demonstrate that the maintenance of funding provides value for money and achieves Program outcomes. All situations which do not meet these conditions will be treated as individual schools which attract a maximum funding of 400 hours per annum per school.

In all above cases, Funding Recipients and schools must notify the Directorate immediately.

8.2 School closures

If a school or campus entity closes and ceases to operate, then Program funding also ceases. Funding cannot be transferred to existing neighbouring schools that did not apply for, or were unsuccessful in obtaining funding. Funding Recipients must notify the Directorate immediately of any school closures.

If the school closure is part of a broader merger and all displaced students move to a new school entity, the Directorate may consider arrangements to allow some/all servicing to transfer to the new school. In all cases the school will need to provide:

- a business case for consideration by the Directorate and the Cross Sectoral Panel
- evidence of school community support
- a detailed plan for implementing and reviewing the ongoing support of the school community throughout the life of the Program
- a signed Service Agreement (as per **Attachment D**) between the Funding Recipient and the school
- commitment by the School Principal for ensuring that the school chaplain is appropriately qualified and evidence of quality management strategies, including complaints handling practices and processes.

The level of service that may be allocated will also be subject to the merger policy as outlined in **Section 8.1**. The Directorate will review and determine the eligibility of each situation on a case by case basis and the Cross Sectoral Panel will decide on the successful school applicants at any time during the funding period.

8.3 Changing a school chaplain

Schools and Funding Recipients may change their school chaplain at any time during the Funding Agreement period. Any proposed change of school chaplain must be negotiated with the existing Funding Recipient as per the agreed Service Agreement timeframes (see **Attachment D**) and must be in line with the outcomes of school community consultation. Changes to the choice of a school chaplain by a school may impact a Funding Recipients' ability to continue to employ and supply the services of a school chaplain. Schools should be aware that a Funding Recipient who employs:

- school chaplains of a specific religious denomination may not be prepared to supply or employ a school chaplain of an alternate religious denomination.
- If the current Funding Recipient is unable to supply or employ the school's chaplain of choice, the school could consider changing their Funding Recipient as outlined in **Section 8.4**.

8.3.1 Responsibilities of the School Principal

If a school community decides it would like to change its school chaplain and the change can be accommodated by the current Funding Recipient, the School Principal must:

- notify the Funding Recipient immediately and discuss any potential change to the service prior to any variation of the school chaplain
- ensure that any change has been endorsed by the school community. Changes must be in line with the outcomes of their school community consultation, particularly if the alteration of school chaplain is due to a change in school chaplain religious denomination, as per **Section 5.3**
- update the Service Agreement with the Funding Recipient (see **Attachment D**)
- update service details on the school website as per **Section 6.5**
- update consent arrangements and gain appropriate prior consent for the new school chaplain and/or activities (see **Section 5.2**)
- update the school risk management plan (see **Section 3.3.1**).

8.3.2 Responsibilities of the Funding Recipient

If there is a change of school chaplain which the Funding Recipient can accommodate, the Funding Recipient must:

- notify the Directorate immediately of the date of effect that any Program funded school chaplain has ceased employment. Notifications should include details of the school and the school chaplain
- notify the Directorate immediately of the details of the new school chaplain, prior to any variation to the service and the appointment of the alternate school chaplain. School chaplain details templates will be available on request via: ETDStudentWellbeing@act.gov.au
- ensure that the applicable Working with Vulnerable People/ AFP criminal record checks, as per **Attachment B** have been undertaken prior to the school chaplain commencing work
- ensure that the new school chaplain signs the Code of Conduct form located at **Attachment A**, and that this form is provided to the Directorate prior to commencement
- provide Program induction to the new chaplain as per **Section 3.4**
- update the Service Agreement with the school (see **Attachment D**).

8.4 Changing of Funding Recipient

Schools can alter their service arrangements and request a change of Funding Recipient during the Funding Agreement period after negotiating with their existing Funding Recipient and abiding by the agreed Service Agreement timeframes (see **Attachment D**).

Any alternate Funding Recipients must meet eligibility requirements and be approved by the Directorate. Where the Directorate gives approval, the new Funding Recipient must enter into a Deed of Novation with the Directorate and the existing Funding Recipient to deliver

the services on the school's behalf or enter into a new Funding Agreement.

8.4.1 Responsibilities of School Principal

If a school community decides it wishes to change its Funding Recipient, the School Principal must:

- ensure they have consulted with their existing Funding Recipient, endeavouring to accommodate any new requirements and resolve any issues
- ensure that any change has been endorsed by the school community. Modifications must be in line with the outcomes of their school community consultation, particularly if the alteration of Funding Recipient is due to a change in the school chaplains' religious denomination as per **Section 5.3**
- notify the Directorate immediately and obtain the Directorate's approval, prior to any variation to the service
- notify the exiting Funding Recipient of the upcoming change and take steps to terminate their Service Agreement as per Attachment D, and have reached agreement with the alternate Funding Recipient
- provide all relevant Funding Agreement details to the Directorate so that eligibility checks as per Section 2.6 can be conducted and the new Funding Recipient approved by the Directorate
- suspend the service of the school chaplain within their school for any period that a correctly executed agreement is not in place, i.e. if there is a delay in the execution of the Deed of Novation or the execution of a new Funding Agreement. This is particularly relevant if a new school chaplain is immediately sourced, as Program funding must not be used during this transition period
- report to the Directorate on the number of hours of service that have been provided to the school prior to the change.

8.4.2 Responsibilities of existing Funding Recipient

A Funding Recipient that ceases to act as Funding Recipient for a school for any reason must:

- provide a final financial acquittal report to the Directorate, outlining expenditure and service details up to the date of the Deed of Novation or termination of the Funding Agreement
- transfer a pro rata payment to the new Funding Recipient. For example, if the Funding Recipient has provided 200 hours of service of a minimum 400 hours allocation, then the exiting Funding Recipient must transfer 50 per cent of the funding to the new provider, i.e. \$10,000
- Enter into a Deed of Novation with the Directorate and the new Funding Recipient.

8.4.3 Responsibilities of new Funding Recipient

An organisation that meets the requirements outlined at **Section 2.6**, and wishes to act as a Funding Recipient under this Program must:

- provide all requested information to the Directorate in order to undergo eligibility checks
- meet all Funding Recipient requirements e.g. minimum requirements and mandatory insurances

- enter into a Deed of Novation with the Directorate and the exiting Funding Recipient or a new Funding Agreement
- ensure that service under this new arrangement does not begin until a correctly executed agreement (by both parties) is in place
- ensure that any new or ongoing school chaplains sign a Code of Conduct and have the relevant Working with Vulnerable People checks/ AFP criminal record checks in place prior to the commencement of the new service
- ensure that a Service Agreement as per **Attachment D** has been agreed and signed with the school.

8.5 Exiting schools

If a school community determines that they no longer wish to participate in the Program and receive funding, they can exit at any time. The Directorate will work with the school and Funding Recipient to ensure that all required exit documentation is completed.

8.5.1 Responsibilities of School Principal

Schools no longer wishing to participate in the Program must:

- provide the Directorate with a final report, including the reason for exiting the Program
- provide details of consultation that was conducted with the school governing body and school community and provide evidence of support for the decision to exit from the Program and cease funding
- provide confirmation that consultation has occurred and that the Funding Recipient has been notified of the decision to exit the Program.

8.5.2 Responsibilities of Funding Recipient

If a school identifies that it no longer wishes to participate in the Program, the Funding Recipient must:

- provide the Directorate with a final financial acquittal report for the exiting school
- return any unused surplus funds as per the Funding Agreement and based on the level of service provided to the school prior to the decision to exit the Program (see **Section 8.4.2**)
- provide the Directorate with final audit paperwork for the exiting school, as per the Funding Agreement. Final audit documents are required one month after the termination of a Funding Agreement
- execute a mutual Funding Agreement termination or variation (for Funding Recipients with bulk Funding Agreements).

8.6 Mutual terminations

Mutual terminations may also be instigated by the school and Funding Recipient if they no longer wish to participate in the Program. Funding Recipients must contact the Directorate immediately and the Directorate will seek the views of the school prior to determining whether approval will be granted.

If a mutual termination is appropriate, the process is as follows:

- The Directorate will issue a Deed of Mutual termination.
- All unspent funds will be recovered, based on the number of service hours not yet provided to the school (see **Section 8.4.2**).

Once a Funding Agreement has been terminated it cannot be re-instated. Schools that instigate a mutual termination are considered 'non-funded' schools and cannot re-enter the Program at a later date.

Alternatively, if a school and/or Funding Recipient is experiencing temporary issues, such as difficulties in sourcing a replacement school chaplain, they may consider communicating with the Directorate and arranging a suspension of service (as outlined below at **Section 8.7**).

Schools should note that if a Funding Recipient seeks a mutual termination or is terminated through no fault of the school, they will need to source a new Funding Recipient in order to continue to receive services. Until a replacement Funding Recipient is in place, servicing at the school will be suspended and Program funds must not be utilised. Suspension of service is also applicable if the school wishes to maintain the existing school chaplain as a new 'employer' must be sourced and a new Funding Agreement must be executed prior to the utilisation of Program funds.

8.7 Suspension of service or gaps in service

Schools and Funding Recipients may notify the Directorate and arrange a suspension of service at any time during the funding period. If schools are experiencing servicing complications such as difficulties in engaging an appropriate replacement school chaplain, they may seek a suspension of services until the issues are resolved.

If there is a gap in service due to the resignation of a school chaplain, a suspension of the service is required until a suitable replacement is sourced. Once a school and Funding Recipient has resolved any issues it can contact the Directorate and re-commence services. Given that minimum annual service hours have been awarded, schools can continue to draw on unused service hours during the calendar year. Schools could re-negotiate service details with their Funding Recipient to increase school chaplain contact hours and utilise the full calendar year allocation. For example, schools may wish to negotiate full-time service for a specified period in order to utilise additional hours. Please note that any unused service hours will not roll over to subsequent calendar years; the subsequent year will generate a new service allocation of 400 hours.

Schools and Funding Recipients who have experienced a gap in service are still required to provide annual reports as per **Section 6.1**. Reports need to provide details of those funds that have been expended and what service has been provided before and after the gap in service. If the gap in service is over a full 12 month calendar year, then a report is still required and needs to include details of continued school community support.

8.8 Outcomes for Aboriginal and Torres Strait Islander people

The ACT Government, in partnership with the Australian Government is working to develop fundamental reforms to address education disadvantages experienced by Aboriginal and Torres Strait Islander people. As a result of these initiatives, all funding arrangements for education, including this Program, work towards Closing the Gap in educational disadvantage experienced by Aboriginal and Torres Strait Islander people.

Where applicable, schools will be asked to volunteer information on any Aboriginal and/or Torres Strait Islander specific activities or strategies they have in place as part of their reporting process.

Funding Recipients are encouraged to ensure that all school chaplains who may come into regular contact with Aboriginal and/or Torres Strait Islander students and communities under the Program be appropriately qualified by undertaking training in Aboriginal and Torres Strait Islander cultural competencies.

Further information on these issues, including case studies and developing programs for Aboriginal and/or Torres Strait Islander students, may be found at the Australian Government 'What Works' website: www.whatworks.edu.au

8.9 Freedom of Information

All documents in the possession of the Directorate, including those in relation to the Program, are subject to the ACT *Freedom of Information Act 1989* (FOI Act).

The FOI Act creates a general right of access to documents in the possession of the ACT Government, limited only by the exceptions and exemptions necessary for the protection of the essential public interests and the private and business affairs of those of whom the information is collected.

To the extent required by the FOI Act, where documents captured by a request containing personal information or relate to the business, commercial or financial affairs of third parties, the decision-maker may consult with individuals affected prior to making any decision on access to such documents.

Decisions regarding requests for access to documents will be made by an authorised FOI decision-maker in accordance with the requirements of the FOI Act.

All FOI requests are to be sent to the FOI Coordinator:

By post: The FOI Coordinator, Governance and Legal Liaison, Governance and Assurance Branch, ACT Education Directorate, GPO Box 158, Canberra ACT 2601,

By fax: (02) 6205 9453 or

By email: det.legal.liaison@act.gov.au

Further information in relation to making a FOI request to the ACT Education Directorate is available at: http://www.det.act.gov.au/about_us/freedom_of_information

8.10 Privacy

The Directorate is bound, in administering the Program, by the provisions of the *Information Privacy Act 2014* (Information Privacy Act). Schedule 1 of the Information Privacy Act contains the Territory Privacy Principles (TPPs) which prescribe the rules for the handling and management of personal information by ACT public sector agencies.

Legal entities involved in the delivery of the Program will be contractually required by the Funding Agreement to abide by the TPPs and the Information Privacy Act when handling personal information collected for the purposes of that Program.

The TPPs set out how the Directorate and contracted legal entities (service providers) must collect, store, handle, use and disclose personal information, as well as providing individuals with certain rights to access their personal information and correct errors.

The Privacy Act defines 'personal information' as follows:

- “(1) For this Act, personal information—
- (a) means information or an opinion about an identified individual, or an individual who is reasonably identifiable—
- (i) whether the information or opinion is true or not; and
- (ii) whether the information or opinion is recorded in a material form or not; but
- (b) does not include personal health information about the individual”.

More information about the Information Privacy Act, including a copy of the full text of the TPPs, can be obtained from the Office of the Australian Information Commissioner website at: www.oaic.gov.au. The ACT Education Directorate's *Complete Privacy Policy* is located on the About Us page of the Directorate's website (www.det.act.gov.au).

8.11 Recognition and acknowledgement

To receive funding under this Program, there is a requirement to support recognition and acknowledgement of the National School Chaplaincy Program. Further information is included at **Attachment C**.

8.12 Access to premises

Schools must obtain permission from their relevant education authority for school chaplains to have access to school premises or to authorised school localities to deliver chaplaincy services.

9. Glossary

Australian Business Number (ABN): The ABN is the single business identifier that allows businesses to meet their regulatory obligations and access information and assistance through a single entry point to government. It is also for use when dealing with other businesses.

Australian Company Number (ACN): The ACN is a unique nine-digit number issued to every company registered under the Corporations Act 2001. The ABN includes the nine digit ACN.

Australian Standard Classification of Religious Groups (ASCRG): The ASCRG is produced by the Australian Bureau of Statistics and classifies the recognised religious affiliation of the Australian population.

Chaplaincy: Services which aim to assist schools and their communities through providing help and care to support the personal and social wellbeing of students and the school community, covering aspects such as health, spirituality, social and values education and emotional support. Participation in chaplaincy services is defined as involvement in programs promoted and directly delivered by school chaplains that are covered by minimum consent arrangements.

Cluster: A group of schools that have formally agreed to share school chaplains across their schools and coordinate their programming of these services to ensure that the minimum approved services are delivered in each school in a way that meets their needs.

Consultation: Multilateral, open communications designed to obtain ongoing agreement and continued support for chaplaincy services.

Counselling: The provision of psychological therapy. This includes psychological assessment, diagnosis and psychotherapy for individuals, couples, families and groups, in order to treat a wide range of psychological problems and mental health disorders.

Directorate: the ACT Education Directorate

Evangelise: To preach or advocate a cause or religion with the object of making converts to Christianity.

Financial Acquittal: Formal statement by the Funding Recipient of income and expenditure in accordance with the Funding Agreement.

Funding Recipient: An organisation that receives National School Chaplaincy Program funding. A legal entity (an organisation incorporated under ACT, Commonwealth or State legislation) that enters into a Funding Agreement and manages funding under the National School Chaplaincy Program on behalf of a school.

Goods and Services Tax (GST): The GST is a broad-based tax of ten per cent on the supply of most goods and services consumed in Australia.

Guidelines: The National School Chaplaincy Program administrative Guidelines.

In-kind contributions/in-kind support: In-kind support to a project consists of products or services provided to the project that have an intrinsic value, but are not provided as direct cash or financial support. An example includes the use of an office at no charge (the value of the rent not charged would be an in-kind contribution).

Mentoring/coaching: To instruct, direct or guide in a particular situation.

Minister: The ACT Minister for Education.

Novation: The act of replacing a party to an agreement with a new party.

Pastoral Care: The practice of looking after the personal needs of students, not just their schoolwork.

Program: Refers to the National School Chaplaincy Program.

Proselytise: Attempt to convert someone to another opinion and/or belief, particularly a religion.

Religious affiliation: Religious affiliation is the set of religious beliefs and practices to which a person adheres or the religious group to which a person belongs.

Religious institution: A body which is instituted for religious purposes. For a body to be regarded as a religious institution:

- its objects and activities must reflect its character as a body instituted for the promotion of some religious object; and
- the beliefs and practices of the members of that body must constitute a religion. (Source: Taxation Ruling TR92/17, Australian Taxation Office).

Religious service or rite: An act of worship, prayer or ceremony, both public and private, following prescribed rules.

School chaplain: A person who meets all the following conditions:

- is recognised by the school community and the appropriate

governing authority as having the skills and experience to deliver school chaplaincy services to the school community

- prior to commencing employment with the school, has satisfied a mandated ACT Working with Vulnerable People check and a comprehensive Australian Federal Police criminal history check.
- maintains the currency of their Working with Vulnerable People check and Australian Federal Police check for the duration of their employment under this Program and is recognised through formal ordination, commissioning, recognised religious qualifications or endorsement by a recognised religious institution and meets the minimum qualification requirements

School community: For the purposes of this Program, a school community is defined as a school that is recognised by the ACT Government as being a school, having permanently enrolled students and that has its own school community comprising parents, teachers, friends, former students, counsellors/social workers and other people who are connected with the school.

School governing body: For the purposes of this Program, a school governing body is defined as a body which reviews, advises and/or decides school policy, planning, financial and other matters. Its role and composition may vary depending on educational sector.

School parent body: The school parent body is a formal, school endorsed, voluntary group of parents and others, drawn from the broader community, that works together to support the school and its students through non curriculum related activities. The parent body is not involved in the direct management of the school but may assist and advise the School Principal and the school governing body in fulfilling their responsibilities.

School Principal: the educator who has executive authority for a school.

Student welfare: Encompasses all that a school community does to meet the social, personal, spiritual or emotional well-being of students.

Wellbeing services: Support services provided within the school community that enhance the spiritual and/ or emotional wellbeing of its students. Such roles could include, but are not restricted to, psychologist, psychiatrist, youth worker, school counsellor or social worker.

Attachment A: Code of Conduct for School Chaplains under the National School Chaplaincy Program

Following is a Code of Conduct for school chaplains engaged under the Program.

This document must be signed by the school chaplain before the school chaplain commences any chaplaincy services under the Program. School chaplains who refuse to sign the code will not be permitted to be part of the Program.

Code of Conduct

School chaplains are responsible for supporting the spiritual, social, and emotional wellbeing of their students regardless of faith or beliefs. School chaplains must be able to provide support for a range of day to day matters affecting the school community and communicate effectively with a diverse group of people. They can become involved in a wide variety of issues including health, social and values education and emotional support.

It is expected that school chaplains would support and work with the School Principal and the school's student wellbeing staff or equivalent, to refer students to appropriate services where required. To assist in facilitating this, school chaplains should have or develop an appropriate and suitable external network of professional groups working within the community.

In providing these services, the school chaplain must sign and observe this Code of Conduct at all times.

The school chaplain must:

1. Adhere to all relevant ACT and Commonwealth policy and legislation, including that concerning child safety, privacy, and confidentiality.
2. Not conduct themselves in a manner which impacts their delivery of the services under the Program. School chaplains must adhere to the Program Guidelines and the Code of Conduct at all times including where conduct in a private capacity might impact their delivery of the services under the Program.
3. Recognise, respect and affirm the authority of the School Principal and/or school governing body, and work in consultation with them.
4. Contribute to a supportive, safe, inclusive and caring learning environment within the school.
5. Respect, accept and be sensitive to other people's views, values and beliefs that may be different from his or her own, including respecting the rights of parents/guardians to ensure the moral and spiritual education of their children is in line with the family's own convictions.
6. Actively discourage any form of harassment or discrimination on the grounds of religious ideology, beliefs or sexuality.
7. Not perform professional or other services and refer on to an appropriate service, in line with school protocols.
8. Refer a student to a service or organisation which is best placed to support the student's particular needs in accordance with the student's own beliefs and values.

9. Provide accurate and impartial information about the support and services available in the broader community, including community groups and religious groups.
10. Not put him or herself, or allow him or herself, to be placed in a compromising situation, recognising that there are circumstances where confidentiality may be sought by the student.
11. Avoid unnecessary physical contact with a student, recognising however that there may be some circumstances where physical contact may be appropriate such as where the student is injured or distraught.
12. While recognising that an individual school chaplain may in good faith express views and articulate values consistent with his or her own beliefs, a school chaplain must not take advantage of his or her privileged position to proselytise, evangelise or advocate for a particular view or belief.
13. Adhere to the ACT National School Chaplaincy Program Guidelines.

Use of Information on this form and privacy

Information on this form is collected for the purposes of the administration of the National School Chaplaincy Program. Information on this form can be disclosed to other parties without your consent in accordance with the *Information Privacy Act 2014*.

Acknowledgement by school chaplain.

I understand and agree to the terms of this Code of Conduct.

.....
Signature of school chaplain

.....
Print Name of school chaplain

..... Signature of Witness

..... Name of Witness

..... Position of Witness

..... Date

Guidance to Funding Recipients and School Principals for breaches of the Code of Conduct

As school chaplains hold special positions of trust, they must be accountable for their actions. In addition, the Funding Recipient and the School Principal must take all reasonable steps to ensure that school chaplains comply with the Code of Conduct. On appointment of the school chaplain, the School Principal must outline to them the measures in place to ensure compliance with the code and how breaches of the Code of Conduct will be investigated. For guidance on the investigation of matters under the Code of Conduct, refer to **Section 7.1.6** of the Program Guidelines.

Attachment B: Child Protection

Funding Recipients must comply with all relevant ACT and Commonwealth, laws and policies, including those relating to working with children.

Prior to participation in this Program, all school chaplains and Funding Recipient personnel who may come into contact with children under this Program must have a current relevant ACT Working with Vulnerable People check as required under ACT Government legislation

Renewal of Working with Vulnerable People check must follow ACT Government requirements.

If the required ACT Government Working with Vulnerable People check expires or is cancelled, school chaplains and other Funding Recipient personnel must not continue to work with children until the check is renewed.

Records of all Working with Vulnerable People checks must be retained by the Funding Recipient and all documentation must be made available and accessible for viewing by Directorate staff, upon request by the Directorate.

In accordance with **Section 5.6** of these Program Guidelines, Funding Recipients must provide a declaration that these checks have been undertaken, and clearances obtained.

Other information concerning the suitability of the school chaplain

Where the Funding Recipient becomes aware of any adverse information relating to a person's suitability to be a school chaplain, the Funding Recipient must notify the Directorate within two business days of becoming aware of such a situation. The chaplaincy services must not be continued in these circumstances unless the Directorate gives written authority for them to continue.

Attachment C: Recognition and Acknowledgements Requirements

Funding Recipients must provide recognition and acknowledgement of the National School Chaplaincy Program. As a minimum, Funding Recipients must adhere to the following procedures and requirements:

The National School Chaplaincy Program must be acknowledged in the format below under the heading "Acknowledgement". In all acknowledgements, it must be noted that chaplaincy services under the National School Chaplaincy Program have been funded by the Australian Government Department of Education

School communities and other key stakeholders must be advised, either verbally or through materials, that the Australian Government Department of Education and Training has contributed funding to the chaplaincy services through the National School Chaplaincy Program.

All published materials including websites, must acknowledge the Australian Government as a contributor of financial support for the chaplaincy services and must include acknowledgement and disclaimer statements as specified below:

Disclaimer

The views expressed herein do not necessarily represent the views of the ACT Government.

Attachment D: National School Chaplaincy Program Service Agreement Requirement

It is a requirement for funding that the school approved for the program enters into a Service Agreement with their chosen Funding Recipient. A Service Agreement is not required if a non-government school as a legal entity is accepted as a Funding Recipient and is a signatory to the Funding Agreement.

The Service Agreement must be agreed and signed by the school and their chosen Funding Recipient prior to the commencement of the services. The form of the Service Agreement is a matter for the school and the Funding Recipient. However, the Service Agreement must include the following substantive content:

General requirements

- name and address of the school and Funding Recipient
- name and contact details of a nominated contact for the school and funding Recipient in relation to the Service Agreement
- details of the administration services to be provided by the Funding Recipient to support the administration of the service and the percentage of the Program funding which the school and Funding Recipient have agreed will be used for these administration services (which percentage must not exceed 20 per cent of the funding)
- details and agreement on who is responsible and liable for funding issues, such as costs incurred outside the Program funding allocation, deficits and wage/salary increases etc
- that variations of the Service Agreement must be agreed by the school and Funding Recipient and a modified Service Agreement reflecting the variation must be signed by the school and Funding Recipient
- a process for resolving disputes related to the Service Agreement
- a process and agreed notification/transition timeframe for requests to change Funding Recipient (see **Section 8.4**) or school chaplain (see **Section 8.3**)
- a process for terminating the Service Agreement which must:
 - provide that either party can terminate the Service Agreement providing they give the other party one month's written notice of the termination, and
 - require the school to immediately advise the Directorate if the Service Agreement is terminated and of the proposed action to maintain the continuity of chaplaincy services within the school.

Service description

- details of the type of chaplaincy service to be provided
- details of religious affiliations of school chaplains and confirmation that these are in line with that being sought by the school community
- the minimum hours of service to be provided to the school across the school year (this must accord with the minimum hours allocated by the Directorate)

- the pattern of service delivery across the year agreed between the school and Funding Recipient (e.g. number of hours per day, what days/weeks, number of intended hours per term etc.) for the duration of the funding
- location(s) at which services will be delivered
- service outcomes agreed between the school and Funding Recipient

Determining demand for service

There is an obligation on the school to undertake and coordinate a comprehensive consultation process with the school community to assess the demand, the support for and the nature of the chaplaincy services required (see Section 5.3). This must be conducted annually at a minimum.

Pre-commencement of services

Obligations on the school

- Endorsing the choice of school chaplain prior to employment
- Providing evidence to the Directorate and Funding Recipient that there has been formal endorsement of the school chaplain selected by the Funding Recipient by the school's governing body or parent body
- Ensuring compliance with all legislative, policy and other requirements and permissions necessary for the school chaplain to have access to and work on the school premises. This includes, for example, ensuring all personnel of the Funding Recipient who may come in contact with students have all relevant Act child protection checks and AFP criminal history checks
- Ensuring that all parents and students understand that participation in the service is voluntary
- Ensuring that appropriate consent procedures consistent with ACT Government and other education authority policies and procedures are in place for students and their families

Obligations on Funding Recipient

- Recruitment and selection of the school chaplain in consultation with the school including seeking the endorsement by the school of the school chaplain
- Arranging for the school chaplain and any other Funding Recipient staff who may come into contact with children to have the relevant ACT child protection check and the AFP criminal history check.

Engagement of school chaplain

Obligations on the school

In consultation with the Funding Recipient and school governing body and with the chaplain, agree to and sign off on the school chaplain work plan

Ensuring that a whole of school induction is provided to the school chaplain

If applicable, support in the Funding Recipient in the professional development of the school chaplain and in meeting the minimum qualification requirements

Obligations on Funding Recipient

- Employing the school chaplain to provide the Program funded services within

the school, fulfilling all of the responsibilities the Funding Recipient has as an employer under relevant ACT Government or federal industrial relations legislation and regulations

- Ensuring that suitable school chaplains are available to deliver services to the school in line with the school's community consultation outcomes
- Ensuring that the school chaplain is compliant with all of the requirements as outlined in the Program Guidelines and the associated Funding Agreement
- Ensuring that the school chaplain is aware of all role requirements and boundaries as per the Program Guidelines and Code of Conduct
- Ensuring that a work plan is in place between the school chaplain and the school

Project Management

Obligations on the school

- In consultation with the parent body and the school's governing body, working with the Funding Recipient to lead, coordinate and manage all aspects of the chaplaincy services within the school
- Overseeing the delivery of the chaplaincy service within the school and being the first point of contact for the school chaplain in terms of school related issues, complaints and day to day running of the Program
- Completing the required annual progress reports outlining all chaplaincy services up to 31 December each year and forwarding the report to the Funding Recipient by the required timeframe
- Ensuring that details of the chaplaincy services are published and maintained on the school website in accordance with **Section 6.5**
- Ensuring appropriate facilities and relevant resources are provided as required and as per school policy (e.g. appropriate private rooms for one-on-one discussions, lockable filing cabinet, access to relevant IT etc)
- Ensuring formal endorsement of the service by the school community as per **Section 5.3**
- Approving all school chaplain service and matters that vary school routine and participation or attendance
- Advising the Funding Recipient of variations in routine such as short term absences of the school chaplain, long term gaps in service where there is no service provision and other line management issues

Obligations on Funding Recipient

- Working with the School Principal, the parent body or the school's governing body to coordinate and manage all aspects of the chaplaincy services within the school
- The financial management of the chaplaincy service
- Maintaining the currency of this Service Agreement by ensuring that whenever there is a change of School Principal, the Service Agreement is endorsed by the new or succeeding School Principal
- Monitoring of the school chaplain in consultation with the school, including

- ensuring the school chaplain is complying with the work plan
- Maintaining the currency of and renewal of ACT Working with Vulnerable Peoples checks for school chaplains and any other Funding Recipient staff who may come into contact with children
 - Ensuring that school chaplains do not deliver chaplaincy services an ACT Working with Vulnerable Peoples check is not current, renewed or cancelled.

Risk management, compliance, reporting and complaints

Obligations on the school

- Developing, maintaining and making available to the Funding Recipient and Directorate a Risk Management Plan addressing the matters outlined in **Section 3.3.1**
- Cooperating with the Funding Recipient to ensure compliance with all provisions of the Funding Agreement, including reporting requirements and the achievement of the required number of hours of chaplaincy service to your school
- Ensuring that effective complaints handling protocols, including the recording of complaints, are in place to notify Funding Recipients and/or the Directorate of all complaints or issues that may arise, ensuring the requirements in **Section 7** are met
- Working within the ACT Education Directorate educational and financial legislation framework

Obligations on Funding Recipient

- Ensuring compliance with Funding Recipient minimum standards set out in **Section 5.6**
- Formal reporting to the Directorate on the delivery of the Program within the school and of the financial management of the project in accordance with the Funding Agreement
- Notifying the Directorate of all significant complaints or allegations and ensuring the requirements in **Section 7** are met
- Providing any information to the Directorate on the Program as required
- Where an organisation ceases to act as Funding Recipient for a school under the Program, a detailed statement of income and expenditure must be provided to the Directorate immediately – funding received to date will be pro-rated and the balance transferred to a new Funding Recipient via a Deed of Novation

Attachment E: Community Consultation Better Practice Guidance

The following may be used as guidance in the development of school community consultation plans and processes. School community consultation plans could include:

1. details of the relevant governance/roles and responsibilities of School Principals and Parent and Citizen's committees or equivalent to ensure/monitor support and delivery of services a schedule of resources/events for the coming year,
2. strategies/activities for assimilation of the role within the school community and to ensure /monitor continuation of school community support for the Program,
3. include details of any prospective or planned chaplaincy services to be offered in the school with student enrolment forms,
4. if sending out surveys, newsletters etc to parents/school community members, these could be translated into languages other than English as appropriate to the demographics of the wider school community,
5. schools with a religious affiliation can provide documented evidence of parental agreement to the ethos of the school, including any religious values etc. These requirements are generally set out at student enrolment,
6. establishing a local **support committee** which is run by the School Principal. School and Funding Recipient representation could be selected by the School Principal in order to assist with Program administration and planning,
7. working with any existing community Chaplaincy Committees, if available and appropriate,
8. establishing a **Chaplaincy Committee** or similar, or utilising the existing school council/board, as an advisory body to assist the School Principal with monitoring the services provided under the Program and providing guidance and support to the school chaplain. The purpose of this Committee could be to communicate and collaborate, plan, monitor and identify and resolve any issues.

This could include such things as

- ensuring that the direction of the school community is being followed; endorsing and reviewing the school chaplain work plan etc
- having a particular focus on developing and implementing a consultation plan to review school community support and consultation
- dealing with the operational management of the service in the school such as: completion and endorsement of progress reports; overseeing fundraising opportunities etc

The committee may be run by the School Principal (or his/her delegate) and membership on the committee could include: the school chaplain; a Funding Recipient representative; a parent body/school community representative; local community representatives; and a student representative (if appropriate – as determined by the School Principal). Schools may also wish to consider inviting a Directorate representative and/or relevant education authority representative to attend meetings.

Attachment G: Consent Arrangements Better Practice Guidance

The following may be used as guidance in consent arrangements and processes

Develop a register of students whose parents/guardians have opted out of chaplaincy services

Integrate consent arrangements for chaplaincy services into the school's current welfare services governance systems

Consent forms could include additional information such as:

- A clear summary of the approved chaplaincy service to be provided under the ACT National School Chaplaincy Program.
- A clear description of the scope of chaplaincy services and activities to be provided in the school, as agreed to with the chaplain and approved by the School Principal.
- References to alternate strategies or activities for students if parents/guardians choose to opt-out of chaplaincy services.
- Details of the qualifications held by the school chaplain
- Procedures that will be followed by the school that are in line with other school guidelines on informed consent, confidentiality, managing risk or danger to the student or other students, and any legal obligations to report or testify on the issues of concern.
- Information on how and where to lodge a complaint.