

Background

In April 2015 the revised 2015 Tasmanian Non-Government Schools Registration Handbook (the April 2015 Standards) was released by the Tasmanian Schools Registration Board (SRB). The April 2015 Standards replaced the June 2014 Tasmanian Non-Government Schools Registration Handbook (the 2014 Standards).

As a result of further legislative changes, in September 2015 the Standards were again amended (the September 2015 Standards).

The Department of Education has advised schools that the September 2015 Standards will apply to schools seeking re-registration from 1 January 2016 and that, from this date, governing bodies of schools must be able to demonstrate that they have policies and procedures in place that will enable them to meet the requirements of the new Standards.

Why were the Standards amended twice in 2015?

The April 2015 Standards:

- ✔ added instructions from the SRB (SRB Instructions) for each criteria that explicitly stated what documentation schools must submit to address each Standard when seeking or renewing registration; and
- ✔ removed the requirements present in the 2014 Standards for non-government schools to have policies and procedures in place in relation to a Code of Conduct for Employees and for school Review and Development (previously Standards 4.11 and 4.12).

In September 2015, following a proclamation from the Education Minister in June 2015, Standards 4.11 and 4.12 were reintroduced into the Registration Standards (the September 2015 Standards), as statutory requirements under section 53(1)(g) of the Education Act.

Critically Tasmanian non-government schools now have explicit requirements to establish and effectively implement a governance framework which includes:

- ✔ a risk management program;
- ✔ a compliance program;
- ✔ a complaints handling program;
- ✔ an internal grievance program;
- ✔ a workplace health and safety program;
- ✔ a continuous improvement program; and
- ✔ a process for ensuring that policies and procedures are current and effectively implemented.

This briefing paper is designed to provide school governors and executives with:

- ✔ the rationale for changes to the 2014 Standards;
- ✔ an outline of the structure and revision of both the April and September 2015 changes to the Standards;
- ✔ a summary of key changes contained within both the April and September 2015 Standards; and
- ✔ recommendations to ensure compliance with the latest version of the 2015 Standards.

Recommendations

Central to a school's ability to comply with its obligations under the September 2015 Standards is its ability to demonstrate that:

- ✓ it has documented policies and procedures in place to meet specific obligations under the Standards;
- ✓ these policies and procedures have been effectively implemented; and
- ✓ the school has developed a process of improvement through which the quality of its internal procedures is monitored and reviewed on a continuous basis.

Rationale for Changes to the Standards

In September 2014 the Tasmanian Minister for Education and Training announced a review of the Education Act (the Review) that is ongoing. The aim of the Review is to 'develop legislation that meets the needs of learners now and into the future.' Some of the issues being addressed as part of the Review will only apply to government schools. As at the date of this paper, the first two phases of the Review (a discussion paper and public consultation forums) have been completed.

Phase 3 includes drafting a bill to introduce a new Education Act. The bill is due to be made available to the public in March 2016. If enacted as law in 2016, the Standards will require further revision.

The April 2015 Standards do not appear to have been influenced by the Review. The rationale for the publication of these Standards is unknown.

However, the September 2015 revision of the Standards appears to be a direct reflection of the Minister's consultations held in July and August 2015.

It is important for non-government schools to understand the changes that have occurred as a result of both the April and September revisions of the Standards.

An Outline of the Structure and Revision of the April 2015 Standards

There were 2 substantive structural changes to the April 2015 Standards;

- first, the number of Standards was reduced from 12 to 10, with the removal from the 2014 Standards of Standard 4.11 Code of Conduct (Employee) and 4.12 Review and Development. Both of these Standards were subsequently reinstated in the September 2015 Standards; and
- second, the April 2015 Standards introduced new SRB Instructions for each Standard that explicitly stated what documentation non-government schools must submit when seeking or renewing registration.

The 10 April 2015 Standards were as follows:

Standard 4.1: Curriculum **(Revised to include new requirements and combine previous standards 4.1.1 and 4.1.2, substantive);**

Standard 4.2: Teacher Qualifications **(Revised to include new requirements, not substantive);**

Standard 4.3: School Facilities **(Revised to include new terminology, not substantive);**

Standard 4.4: Minimum Number of Students to Attend a School **(Revised to include new terminology, not substantive);**

Standard 4.5: Kinds of Students to Attend a School **(Revised to include new requirements, not substantive);**

Standard 4.6: Enrolment and Attendance Procedures **(Revised to include new requirements, not substantive);**

Standard 4.7: Financial Viability **(Revised, not substantive);**

Standard 4.8: Governance and Administration **(Revised, not substantive);**

Standard 4.9: Likely Impact on Existing Schools **(Revised, not substantive);** and

Standard 4.10: Grievance Process **(Revised, not substantive).**

Each Standard reflects the provisions of section 53 of the Education Act.

A Summary of Key Changes in the April 2015 Standards

Unfortunately the SRB did not provide a “marked up” copy of the April 2015 Standards which would have allowed for direct comparison of the changes from the 2014 Standards. This summary has been developed through a manual cross-referencing of the published documents. There are many minor changes to text throughout the April 2015 Standards. We have only included changes we believe to be material.

Standard 4.1 - Curriculum

Summary of Key Changes

The numbering of this Standard has changed. Under the 2014 Standards this requirement was numbered 4.1.1 and Standard 4.1.2 *Assessment and Reporting* also existed. Now, Standard 4.1 includes both the former 4.1.1 and 4.1.2, so that *Curriculum* and *Assessment and Reporting* Procedures are addressed together in Standard 4.1.

A change in terminology has also been made, with the Summary of the Standard requiring ‘the provision of appropriate quality [learning programs](#) underpinned by the *Melbourne Declaration on Educational Goals for Young Australians 2008*’ rather than the provision of a [curriculum](#) appropriate to students’ needs under the 2014 Standards.

Schools must now deliver those programs through ‘contemporary pedagogical practices’.

Requirements for ‘students of a specified kind’ and distance education, formerly in 4.1.1, have now been incorporated into Standard 4.5.

SRB Instructions listing the specific documentation that must be provided in relation to this Standard have been added and they include providing documentation evidencing a school’s:

- overview of pedagogical approaches; and
- information on teacher planning and ongoing monitoring processes.

Standard 4.2 - Teacher Qualifications

Summary of Key Changes

This Standard was revised to include the requirements that schools:

- ensure that teachers have appropriate and ongoing professional learning opportunities; and
- provide sufficient teaching resources to deliver quality education and professional support for students.

SRB Instructions listing the specific documentation that must be provided in relation to this Standard have been added and include:

- completion of a ‘Standard 4.2 Teacher Qualifications Form’; and
- the requirement to have a School Professional Learning Policy / Plan.

Standard 4.3 -School facilities

Summary of Key Changes

Standard 4.3 has been revised so that a school must be able to demonstrate that the space, facilities and [resources](#) are ‘able to support the effective delivery of the curriculum and are appropriate for student learning’. This is different to the previous requirement to ensure ‘space, facilities, [apparatus and materials](#) are acceptable and appropriate for student learning.’

A school must have a WHS Action Plan, identifying any gaps in its WHS management system, in place by 31 December 2016.

SRB Instructions, listing the specific documentation that must be provided in relation to this Standard, have been added and include evidence that was also required under the 2014 Standard.

Standard 4.4 - Minimum number students to attend a school

Summary of Key Changes

Standard 4.4 has not been amended however new guidance has been added to clarify that to meet the Standard, enrolled students must 'not include the children of the principal'.

SRB Instructions, listing the specific documentation that must be provided in relation to this Standard, have been added and include the provision of a completed 'Standard 4.4 Minimum numbers of students to attend a school form'.

Standard 4.5 Kinds of Students to Attend a School

Summary of Key Changes

The requirements of this Standard have been amended. Schools must now provide 'appropriate learning [and support programs and facilities](#) for the needs of the various 'kinds of students' to attend the school.

A new section on Distance Education has been added to the Standard.

SRB Instructions, listing the specific documentation that must be provided in relation to this Standard, have been added and include:

- completion of a 'Standard 4.5 The kinds of students to attend that school' form; and
- providing details of the adjustments, interventions, special programs and/or support services provided to relevant kinds of students.

Standard 4.6 Enrolment and Attendance Procedures

Summary of Key Changes

The wording of Standard 4.6 is substantially unchanged. Guidance regarding the enrolment of children under the age of four that was previously included in guidance to Standard 4.5 has been added to the guidance to Standard 4.6.

Guidance has also been added on when a student can be exempted from attendance (permission from the Secretary of the Department of Education is required).

SRB Instructions, listing the specific documentation that must be provided in relation to this Standard, have been added and include evidence that was also required under the 2014 Standard.

Standard 4.7 Financial Viability

Summary of Key Changes

The wording of Standard 4.7 has been amended but the underlying obligation that a school must remain financially viable has not.

The guidance on documentation required to comply with the 2014 Standard has been incorporated into the SRB Instructions for Standard 4.7 in the April 2015 Standard.

Standard 4.8 Governance and Administration

Summary of Key Changes

The wording of Standard 4.8 has been amended but the underlying obligation that a school must have appropriate governance and administrative structures has not.

The guidance on documentation required to comply with the 2014 Standard (a Governance Statement) has been incorporated into the SRB Instructions for Standard 4.7 in the April 2015 Standard.

One key change to the documentation requirement is the option to separate information on the 'delineation of roles and responsibilities between the Governing Body and the principal/school' from inclusion in the Governance Statement, although the SRB Instructions do not prescribe what alternative document this information should be included in.

4.9 Likely Impact on Existing School

Summary of Key Changes

The wording of Standard 4.9 has been amended but the changes just incorporated wording which was previously guidance under the 2014 Standard. Under the April 2015 Standard there must be 'no significant impact of the registration of a new school or [changes to an existing school](#) on existing schools in the same geographical area'.

The SRB Instructions listing the specific documentation that must be provided in relation to this Standard includes evidence that was also required under the 2014 Standard.

4.10 Grievance Process

Summary of Key Changes

The wording in the April 2015 Standard has been expanded to prescribe that a school must have a process with dealing with grievances from [a range of stakeholders](#).

The guidance given in the 2014 Standard has been reproduced in the April 2015 Standard, with the added requirement that the grievance policies/procedures must be accessible to the entire school population [and wider community](#).

The SRB Instructions, listing the specific documentation that must be provided in relation to this Standard, also include guidance that Systemic and Archdiocesan Catholic schools do not need to supply a copy of their Grievance Process to the SRB if they are using the *Tasmanian Catholic Education Commission Grievance Procedure*.

An Outline of the Structure and Revision of the September 2015 Standards

The most substantive change in the September 2015 revision of the Standards is the reinstatement of the two standards that were removed by the April 2015 Standards. Other than those additions, the overall structure of the Standards remains consistent.

Standard 4.1: Curriculum **(Revised to amend the name of accreditation body, not substantive);**

Standard 4.2: Teacher Qualifications **(No revisions made);**

Standard 4.3: School Facilities **(No revisions made);**

Standard 4.4: Minimum Number of Students to Attend a School **(No revisions made);**

Standard 4.5: Kinds of Students to Attend a School **(No revisions made);**

Standard 4.6: Enrolment and Attendance Procedures **(No revisions made);**

Standard 4.7: Financial Viability **(No revisions made);**

Standard 4.8: Governance and Administration **(No revisions made);**

Standard 4.9: Likely Impact on Existing Schools **(No revisions made);**

Standard 4.10: Grievance Process **(No revisions made);**

Standard 4.11: Code of Conduct (Employees) **(Reintroduced into the Standards, substantive) and;**

Standard 4.12: Review and Development **(Reintroduced into the Standards, substantive).**

The September 2015 Standards also include changes to the way in which proportional rates for grants are calculated for the purposes of section 65(b) of the Education Act to include 'needs-based funding' and the 'needs index' in the calculation. There were also minor changes made throughout the Standards to reflect changes to the names of relevant education entities (e.g. Polytechnics are now known as TasTAFE).

A Summary of Key Changes in the September 2015 Standards

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Standard 4.1 Curriculum

Summary of Key Changes

This Standard has remained substantially unchanged from the April 2015 revision. The Tasmanian Qualification Authority (TQA) has been renamed the Tasmanian Assessment, Standards and Certification (TASC) and the September 2015 Standards have reflected this change.

The TASC continues to provide the same assessment services as previously offered by the TQA and is referred to throughout the Handbook.

Standard 4.11 Code of Conduct (Employee)

Summary of Key Changes

This Standard was present in the 2014 Standards and then removed by the April revision.

The September 2015 Standards reintroduce this Standard in the same format as it existed under the 2014 Standards.

SRB Instructions have been included to explicitly state what documentation schools must submit when seeking or renewing registration.

These SRB Instructions require the following specific documentation to be provided by a school:

- a copy of the school's Code of Conduct including prescribed minimum requirements;
- Tasmanian Catholic Education Office (TCEO) schools must provide a signed Standard 4.11 Code of Conduct Declaration; and
- details of how the Code of Conduct is communicated to, and accessed by, all staff, including new staff, on a regular basis.

4.12 – Review and Development

Summary of Key Changes

This Standard was present in the 2014 Standards and then removed by the April revision.

The September 2015 Standards reintroduce this criteria in the same format as it existed under the 2014 Standards.

SRB Instructions have been included to explicitly state what documentation schools must submit when seeking or renewing registration.

These Instructions state that the SRB requires the following specific documentation to be provided by a school:

- a copy of the annual report provided to the school community on the school's progress towards achieving planning priority targets;
- information on how the annual report is made available to the school community;
- a school review plan including an outline of areas to be reviewed, including timelines, stakeholders to be involved and how the review process will take place;
- TCEO schools must provide a School Improvement Plan including the Strategic Component of Schools Vision and Mission, School Profile, the Strategic Pathway and the current Annual Plan;
- a copy of the school's Strategic Plan or Annual Operation Plan or similar such document.

Addendum 3: Code of Conduct

The September 2015 Standards reintroduce Addendum 3 which was present in the 2014 Standards. This Addendum provides more detailed information on the minimum requirements for the school's Code of Conduct as required by Standard 4.11.

What can CompliSpace do to help?

At CompliSpace we combine governance, risk, compliance and policy management expertise with technology solutions to deliver sustainable governance solutions to non-government schools in every State and Territory in Australia.

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- ✓ ISO 31000 Risk Management Program;
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- ✓ AS 8002 Organisational Conduct of Conduct
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- ✓ AS 8004 Fraud and Corruption Control Program;
- ✓ AS 8001 Whistleblower Program;
- ✓ AS 4804 and AS 4801 Workplace Safety Program;
- ✓ A Student Safety Program;
- ✓ A Child Protection Program;
- ✓ A Child Protection Program
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- ✓ An Internal Grievance Policy
- ✓ A Privacy Program; and
- ✓ A Boardroom Program.

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