



Revised 2016 WA Non -Government Schools Registration Standards

Important briefing paper for Principals, Bursars, Business Managers and Governors of individual and systemic non-government schools on changes announced February 2016

The information in this briefing paper is current as at March 2016. The legal and regulatory obligations in this area are in a constant state of change. Please visit www.complispace.com.au to ensure that you have the most up-to-date version of this briefing paper.

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1. DID YOU KNOW?

The revised WA Non-Government Schools Registration Standards and Requirements 2016 (the 2016 Standards) have been released by the Department of Education Services WA (DES). The 2016 Standards took effect as of 8 February 2016.

Non-government schools should be aware of the changes to the 2016 Standards and what they mean for their registration policies and procedures.

Critically, non-government schools now have additional requirements to update their governance frameworks. These include:

- new mandatory reporters in their child protection programs;
- an updated definition of a 'critical incident' and revised critical incident reporting processes; and
- new behaviour management policies and procedures that reflect the new Discipline and Punishment Standard.

It is important to note that the 2016 Standards state that from 2017 a new standard will be made by the Minister of Education which provides for "the arrangements for preventing child abuse at schools and for responding to any such abuse which may occur." This future standard relates to section 159(1)(l) of the *School Education Act 1999* (WA). Although that standard is not part of the 2016 Standards, non-government schools are expected to comply with the standard by the beginning of the 2017 school year, once it has been released.

2. BACKGROUND

Non-government schools in WA are required to comply with the 2016 Standards.

The Standards are published by DES and are regularly updated. In fact, they have been amended nine times in the past twelve years, making it incumbent upon all non-government schools in WA to ensure that not only are they aware of the changes to the Standards but also that they continually comply with the terms of the current 2016 Standards.

The following legislative developments were considered in the review of the 2016 Standards:

- changes to the *Children and Community Services Legislation Act 2004* (WA) which took effect on 1 January 2016; and
- changes to the *School Education Act 1999* (WA) and *School Education Regulations 2000* (WA), which came into effect on 2 February 2015, in particular the creation of standards for methods of discipline and punishment.

The titles of some standards have been revised in line with the legislative amendments.

Other key changes to the 2016 Standards which do not appear to have been influenced by any legislative development include:

- an expanded definition of 'critical incidents', which must be reported to the Director General of DES, to include child protection incidents; and
- recognition that all schools have made a commitment to implement the National Quality Standard for Early Childhood Education and Care.

3. CHILD PROTECTION CHANGES

On 1 January 2016 amendments to the *Children and Community Services Act 2004* (WA) (the Act) took effect. The amendments were introduced by the *Children and Community Services Legislation Amendment and Repeal Act 2015* (WA) (the Amending Act).

The Amending Act introduced a new category of persons mandated to report sexual abuse under Division 9A of the *Children and Community Services Act 2004* (WA). Under section 124B of the Act a 'boarding supervisor' who believes on reasonable grounds that a child is, or has been subject to sexual abuse must now report the belief to the to the Department for Child Protection and Family Support. The Act defines a 'boarding supervisor' as a person who holds an office or position at a boarding facility (a school providing residential accommodation) and whose duties include the supervision of children living at the facility.

This amendment extends the group of mandatory reporters in WA to include doctors, nurses, midwives, police officers, teachers and boarding supervisors.

How do the amendments to the Act impact the 2016 Standards?

Chapter 4 of the 2016 Standards has been revised to reflect the changes to the mandatory reporting obligations in the Act. Section 4.2 Student Welfare now:

- includes boarding supervisors as mandatory reporters; and
- states that where a principal knows that a mandatory report has been made in regard to a student at their school the making of the mandatory report is classified as a critical incident which a principal must notify to the Director General. The notification only needs to record that a mandatory report has been made to the CPFS and provide the report receipt number.

A principal must now also make a critical incident notification if they have issued a formal warning to a staff member or terminated the employment of a staff member for a breach of the staff Code of Conduct that is suspected to be grooming behaviour. The Teacher Registration Board of Western Australia must also be notified.

The 2016 Standards include a definition of grooming from the United Nations Multilingual Terminology Database:

'Grooming' means actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child, to lower the child's inhibitions in preparation for engaging in sexual activity with the child or to lure the child into sexual exploitation such as child prostitution or the production of child pornography.'

This definition is not reflected in any WA legislation¹ however its inclusion in the 2016 Standards suggests that for registration purposes, schools should be incorporating the definition in their child protection policies and procedures.

Future Standard

As explained earlier in this briefing paper, from 2017 a new standard will be made by the Minister of Education which provides for "the arrangements for preventing child abuse at schools and for responding to any such abuse which may occur." The capacity for the Minister to make such a standard has existed since 2014 under section 159 of the *School Education Act 1999* (WA).

¹ Refer to *Grooming Behaviours and Schools – An important briefing paper for Principals, Bursars and Business Managers* available at www.schoolgovernance.net.au

So although the 2016 Standards do not include the required arrangements given the time that has passed since 2014, the changes to Section 4.2 impose new obligations on schools which require policies and procedures to be implemented (or updated) to achieve compliance.

4. CRITICAL INCIDENTS

The definition of a 'critical incident' has been amended in the 2016 Standards to include the following new examples:

- receipt of an allegation of child abuse, including but not limited to sexual abuse, against a student by a staff member or student or other person, whether the abuse is alleged to have occurred recently or in the past; and
- issuing a formal warning to a staff member or ceasing the employment of a staff member for a breach of the staff Code of Conduct suspected to be grooming behaviour.

In order for schools to be able to notify the Department of these critical incidents, the school must have policies and procedures in place so that the events they relate to are expediently detected and reported internally.

If a school does not have sufficient child protection policies and procedures, including grooming policies, they will not be able to meet their critical incident reporting obligations.

A Critical Incident Report is now a Critical Incident Notification form.

5. BEHAVIOUR MANAGEMENT

The new **Chapter 12 – Behaviour Management**, contains a Discipline and Punishment Standard.

That Standard states as follows:

All students receive positive guidance and encouragement towards acceptable behaviour and are given opportunities to interact and develop respectful and positive relationships with each other and with staff members and volunteers.

The student behaviour management policy explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment as defined.

The administration of permitted forms of behaviour management, discipline or punishment conforms to the principles of procedural fairness and the prohibition of unlawful discrimination.

The **Intent** section of the Chapter states:

To ensure that the school provides positive behaviour management and imposes such disciplinary measures as are required in accordance with published policies and procedures which are fair, consistent and respectful.

The **Written Evidence** section of the Chapter states:

A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to explanatory notes).

12.1 Copies of the school's behaviour management, discipline and punishment policies and procedures, however described.

12.2 Documented evidence of consistent and fair application of the policies and procedures

The **Explanatory Notes** provide guidance for schools on how to comply with the new Standard. Schools must ensure that they develop and implement policies and procedures to comply with the Explanatory Notes and Written Evidence requirements.

Section 12.1: Behaviour management, discipline and punishment	<p>The use of corporal and other degrading punishments in schools is banned by this standard.</p> <p>Degrading punishment means any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child.</p>
Section 12.2: Consistent and fair application	Schools are required to keep records of disciplinary actions and to ensure that relevant policies are implemented fairly.

6. AN OUTLINE OF THE STRUCTURE AND REVISION OF THE STANDARDS

The structure of the 2016 Standards has been changed from the 2015 Standards. Although the registration requirements continue to be assessed through information gathered on 12 'criteria', there have been changes to the terminology and content of the 'criteria'.

For example, the criteria are now called 'chapters' which have separate sections which do not all share the same structure of common headings. The Chapters which directly relate to a Standard as listed in Appendix 1, have the title of the Standard as their opening section e.g. 'Curriculum Standard' for Chapter 3. Those Standards which do not directly relate to a Standard have 'Requirements' as their opening section for the Chapter e.g. Chapter 1.

Other changes are as follows:

Chapter 1 – Governance & Accountability (Substantive Revision)

Chapter 2 – Student Learning (Minor Revision)

Chapter 3 – Curriculum (Minor Revision)

Chapter 4 – Levels of Care (Substantive Revision)

Chapter 5 – Financial Viability & Management (Minor Revision)

Chapter 6 – Staff and Management (Substantive Revision)

Chapter 7 – Physical Environment (Minor Revision)

Chapter 8 – Enrolment and Attendance (Minor Revision)

Chapter 9 – Number of Students (Revised Terminology. Not Substantive)

Chapter 10 – Time for Instruction (Revised Terminology. Not Substantive)

Chapter 11 – Complaints Management (Revised Terminology. Not Substantive)

Chapter 12 – Behaviour Management (New Chapter topic. Was 'Legal Compliance'. Substantive change)

Appendix 1 – The Standards

7. A SUMMARY OF KEY CHANGES

DES has not provided a “marked up” copy of the 2016 Standards which would have allowed for easy comparison of the changes from the 2015 Standards. We have only included changes within this document which we believe to be material.

Chapter 1 – Governance and Accountability (Substantive Revision)

Evidence Guideline	Summary of Key Changes
Requirement	<p>The following sentence has been amended (refer to bold font) in the first paragraph of the requirement to reflect changes to section 150 of the <i>School Education Act 1999</i> (WA):</p> <p>“The body that governs a registered school (the governing body as defined in section 150) is responsible for maintaining a satisfactory standard of education and is accountable for the strategic direction of the school, the quality of educational programs provided, the safety and welfare of students, financial management and legal compliance.”</p> <p>The change of the word ‘responsible’ to ‘accountable’ in the <i>School Education Act 1999</i> (WA) is considerable in terms of definition and it has been used extensively within this section.</p> <p>The ‘Written evidence’ sub-section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
1.1 – Legal entity	<p>The definition of ‘governing body’ has been changed as per amendments made to section 150 of the <i>School Education Act 1999</i> (WA). It has been amended to include the additional responsibility:</p> <p>Governing body means, in relation to a registered school, the person or body of persons that is recorded in the register as the governing body of the school.</p> <p>The ‘register’ is defined in section 161 of the <i>School Education Act 1999</i> (WA) and includes information about the governing body which is to be kept accurate and up to date by DES.</p>
1.2 – Constitution	<p>Criteria 12 in the 2015 Standards was ‘Legal Compliance’. That Criteria has been replaced by Chapter 12 ‘Behaviour Management’. The content that was in Criteria 12 is now included at Section 1.2.</p>

Evidence Guideline	Summary of Key Changes
1.3 – Operation of the Governing Body	The title of this section has changed. Previously, it was ‘Supporting Documentation’. The content of Section 1.3 is otherwise unchanged.
1.7 – School strategic plan	References to a school’s governing body being able to demonstrate how its early childhood program is moving towards achieving the National Quality Framework (NQS) from the beginning of 2016 have been removed from this section.
1.9 – Critical Incidents	This section from the 2015 Standards has been deleted. The content has been moved to Chapter 4 – Levels of Care.
1.12 – NQS in Early Childhood Education and Care and School Age Care	This section from the 2015 Standards has been deleted.

Chapter 2 – Student Learning (Minor Revision)

Evidence Guideline	Summary of Key Changes
Requirement	<p>The ‘Written evidence’ sub-section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p> <p>The reference to written evidence in the form of a school improvement plan has also been amended.</p> <p>The requirement now states: “A school improvement plan or related document, outlining strategies to improve student learning outcomes, including literacy and numeracy”.</p>
2.3 – School Improvement Plan	A new requirement in the Explanatory Notes has been added: “The school improvement plan is to give effect to the implementation of the new Western Australian Certificate of Education (WACE) requirements from Term 1, 2016”.
2.8 – Observations during a school visit	<p>This evidence requirement has been revised by adding the following words to the requirement:</p> <p>“Additional evidence and observations made during a school visit.”</p>

Chapter 3 – Curriculum (Minor Revision)

Evidence Guideline	Summary of Key Changes
Requirement	The 'Written evidence' section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).
3.1 – School curriculum plan	<p>References to the implementation of the NQS have been deleted.</p> <p>References to the implementation of the Australian Curriculum have been changed to the implementation of the Western Australian Curriculum.</p>
3.5 – Additional evidence	<p>This evidence requirement has been revised by adding the following words to the requirement:</p> <p>“Evidence gathered and observations made during a school visit.”</p> <p>In relation to <i>Documented Education Plans</i>, references to the Chief Executive Officer of the Department of Child Protection and Family Support (CPFS) have been changed to the Director General of the CPFS.</p> <p>The information about a school’s duties in relation to children in the care of the CPFS has also been updated.</p>

Chapter 4 – Levels of Care (Substantive Revision)

Evidence Guideline	Summary of Key Changes
Introduction Section	<p>Unlike the 2015 Standards, there is no equivalent to a clear ‘Criterion’ title to introduce the key elements of the Chapter. Instead the opening text is divided into five sections:</p> <ul style="list-style-type: none"> • Critical Incidents Standard; • Boarding Standard; • Requirement; • Intent; • Written Evidence; and • Additional Evidence. <p>The most significant changes have been made to the Critical Incidents section, including an expanded definition of a ‘critical incident’. The information that was included in Section 1.9 of the 2015 Standards has been relocated to this Chapter and updated.</p> <p>See Section 4 of this briefing paper for more information on the new critical incident requirements in the 2016 Standards.</p>
Requirement	<p>The ‘Written evidence’ section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
Explanatory Notes	<p>A few minor changes have been made to the introductory wording of this section. The key change is the addition of the following bold text:</p> <p>The development and implementation of policies and procedures underpins the provision of satisfactory levels of care for students.</p>
4.1 – Positive Learning Environment	<p>This section has been revised so that rather than schools having the option of providing information on ‘policies, procedures and strategies to develop a school ethos’, a school may be asked to provide such information.</p>
4.2 – Student Welfare	<p>This section has been revised to reflect changes that have been made to the <i>Children and Community Services Act 2004</i> (WA) which were introduced after the 2015 Standards.</p> <p>See Section 5 of this briefing paper for more information on the new student welfare requirements in the 2016</p>

Evidence Guideline	Summary of Key Changes
	Standards.
4.4 – Critical Incidents	See Section 4 of this briefing paper for more information on the new critical incident requirements in the 2016 Standards.
4.6 – Schools with boarding facilities	This evidence requirement has been revised to include changes to the <i>Children and Community Services Act 2004</i> (WA). Supervisors of boarding facilities are now mandatory reporters under that Act.
4.8 – Evidence gathered and observations made during a school visit	The title of this evidence requirement has been amended from the previous title: ‘Observations made during a school visit’. References to the Chief Executive Officer of the CPFS have been changed to the Director General of the CPFS. The references to a Documented Education Plan and Corporal Punishment have been deleted.

Chapter 5 – Financial Viability & Management (Minor Revision)

Evidence Guideline	Summary of Key Changes
Title	The title of this Chapter has been amended to include the word ‘Viability’.
Financial Viability Standard	This section was previously titled ‘Criterion’. The legal provision it refers to is an obligation in section 159(1) of the <i>School Education Act 1999</i> (WA) which has since been amended. See the Requirement row below.
Requirement	This is a new addition to this Chapter. Previously, section 159(1)(l) of the <i>School Education Act 1999</i> (WA) was relevant to this Chapter of the Guidelines. That section of the <i>School Education Act 1999</i> (WA) has now become section 159(1)(m): “The governing body is accountable for the effective management of the school’s financial resources in accordance, where relevant, with any purposes for which they were provided.”

Evidence Guideline	Summary of Key Changes
Written Evidence	This section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).
5.1 – Audited Financial Statements	<p>Additional requirements for demonstrating financial viability have been added.</p> <p>An Independent Auditor’s Management Letter must be prepared by a registered auditor in addition to the Independent Audit Report. This letter is not a new requirement as the 2015 Standards referred to a school’s financial statements being accompanied by ‘the auditor’s independence declaration and management letters’.</p> <p>The 2016 Standards have just formalised these documents into what is known as an Independent Auditor’s Management Letter.</p> <p>The audited financial statements must include a statement of cash flow to 31 December 2015 (updated from 31 December 2014).</p>
5.2 – School year operating financials (management accounts)	There have been terminology and date changes in this section. A ‘registration visit’ is now known as a ‘school visit’ and forward budget projections to 31 December 2015 are required (updated from 31 December 2014).
Additional information relating to financial management	The title of this section has been updated to reflect the new heading of this Chapter: Additional Information relating to financial viability and management. The rest of this section is substantially unchanged.

Chapter 6 – Staff & Management (Substantive Revision)

Evidence Guideline	Summary of Key Changes
Staff Standard	<p>There has been a terminology change to this requirement. ‘Staff Standard’ has replaced ‘Criterion’.</p> <p>The legislative reference for this Chapter has been updated following amendments to the <i>School Education Act 1999</i> (WA). The Staff Standard has been issued in accordance with section 159(1)(d) of that Act; previously section 159(1)(e).</p> <p>Information about the requirements of boarding staff members which was included at Section 6.5 of the Explanatory Notes in the 2015 Standards is now included under this Section. Despite deleting this information from Section 6.5, the numbering in the Explanatory Notes was not updated so it now appears as 6.4, 6.6.</p>
Written Evidence	<p>This section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
6.1 – Staff Declaration	<p>The 2015 Standards included a section of information under the Explanatory Notes titled ‘Teacher Registration’. The content in that Section has now been relocated to Section 6.1. Some updates were made to the relocated content, including the omission of full definitions of each type of teacher registration. Instead of including the relevant definitions of full registration, provisional registration, limited registration and non-practising registration from the <i>Teacher Registration Act 2012</i> (WA), the 2016 Standards just refer to the different types of registration.</p> <p>The Working with Children requirements have also been updated and made clearer. Now, WWC Card details are required for:</p> <ul style="list-style-type: none"> a) All staff; b) Volunteers who <u>are not</u> parents of children at the school; and c) Parents of children at the school who undertake a professional role at the school (even if unpaid).

Chapter 7 – Physical Environment (Minor Revision)

Evidence Guideline	Summary of Key Changes
Premises and Facility Standard	<p>There has been a terminology change to this requirement. ‘Premises and Facilities Standard’ has replaced ‘Criterion’.</p> <p>The legislative reference for this Chapter has been updated following amendments to the <i>School Education Act 1999</i> (WA). The Premises and Facilities Standard has been issued in accordance with section 159(1)(e) and (f) of that Act; previously sections 159(1)(f) and (g).</p>
Written Evidence	<p>This section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
7.1 – Changes to location or infrastructure	<p>Several sentences in this section have been rephrased. A new evidentiary requirement for an application for registration change has been added: “The application must be accompanied by a current advance determination granted by the Minister for Education for the change of location.”</p> <p>There have been terminology and date changes in this section. A ‘registration visit’ is now known as a ‘school visit’.</p>
7.2 – Maintenance schedules	<p>A small change has been made which could make the occurrence of a school visit less certain:</p> <p>‘Where applicable, a school visit will provide the opportunity for Independent School Reviewers to see an operating annual maintenance schedule.’</p>
7.4 – Occupational Safety and Health	<p>Information from the equivalent section of the 2015 Standards has been deleted.</p> <p>References to smaller schools and the implementation of the NQS have been deleted.</p>
7.7 – Evidence gathered and observations made during a school visit	<p>The title of this section has been amended to include the words “and observations.”</p>

Chapter 8 - Enrolment and Attendance (Minor Revision)

Evidence Guideline	Summary of Key Changes
Premises and Facility Standard	<p>There has been a terminology change to this requirement. 'Enrolment and Attendance Standard' has replaced 'Criterion'.</p> <p>The legislative reference for this Chapter has been updated following amendments to the <i>School Education Act 1999</i> (WA). The Enrolment and Attendance Standard has been issued in accordance with section 159(1)(h) of that Act; previously section 159(1)(i).</p>
Written Evidence	<p>This section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
8.2 – Attendance policy and procedures	<p>Information under 'Managing attendance issues' about 'additional advice and assistance in the case management of students with attendance issues' has been deleted from the 2016 Standards.</p>
8.3 – Attendance records and enrolment register	<p>There have been several terminology and sentence re-phrasing changes in this section including:</p> <ul style="list-style-type: none"> • Enrolment registers and attendance records must be capable of being made available as hard copy separate documents; and • The removal of specific birth dates relate to students reaching Years 11 and 12 under 'Exemption from attending a registered school'.
8.5 – Evidence gathered and observations made during a school visit	<p>The title of this section has been amended to include the words "and observations."</p>

Chapter 9 – Number of Students (Revised terminology. Not substantive)

Evidence Guideline	Summary of Key Changes
Number of Children per Year Level Standard	<p>There has been a terminology change to this requirement. ‘Number of Children per Year Level Standard’ has replaced ‘Criterion’.</p> <p>The legislative reference for this Chapter has been updated following amendments to the <i>School Education Act 1999</i>. The Number of Children per Year Level Standard has been issued in accordance with section 159(1)(g) of that Act; previously sections 159(1)(c) and (h).</p>
Written Evidence	<p>This section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
9.1 – Number of students in each year level	<p>Various terminology changes have been made to this section. References to the Minister for Education have been replaced by the Director General. This change reflects that fact that while the Minister for Education determines the Standards, the Director General is responsible for registration decisions.</p> <p>For schools seeking registration for the first time, the numbers of students included in the table in this section have been qualified by the amendment of a sentence above the table:</p> <p>“As a rule of thumb, the number of children to attend a school making application for registration should approximate the following [SEE TABLE].”</p> <p>Exemptions by the Director General from the prescribed number of students have been extended to include Pre-Kindergarten education, in addition to Kindergarten and/or Pre-primary education.</p>
9.3 – Class Sizes	<p>The information in this section has been substantially changed by the addition of the NQS staff-to-child ratios which are now a requirement in all WA schools:</p> <p>(a) the staff to student ratio is one staff member, working directly with the students, to a maximum of 10 students; however, staff may take breaks of up to 30 minutes per day ‘off the floor’. Throughout the break the staff must remain on the school premises and be immediately available to assist if required. In planning staff breaks, adequate supervision must be maintained at all times and the overarching consideration must be the needs of the children;</p>

Evidence Guideline	Summary of Key Changes
	<p>(b) one early childhood teacher (as defined) is required for every 30 students; and</p> <p>(c) an early childhood teacher must be in attendance at all times that students are present.</p> <p>New definition of early childhood teacher: an early childhood teacher is a teacher with either an approved early childhood teaching qualification or at least 7 years' experience as an early childhood teacher. If the early childhood teacher is absent for up to 12 weeks his or her place may be filled by a primary -qualified teacher.</p> <p>The reference to <i>The School Education Act Employees' (Teachers and Administrators) General Agreement 2011</i> has been updated to the 2014 Agreement.</p>

Chapter 10 – Time for Instruction (Revised terminology. Not substantive)

Evidence Guideline	Summary of Key Changes
Days and Hours of Instruction Standard	<p>There has been a terminology change to this requirement. 'Days and Hours of Instruction Standard' has replaced 'Criterion'.</p> <p>The legislative reference for this Chapter has been updated following amendments to the <i>School Education Act 1999</i>. The Days and Hours of Instruction Standard has been issued in accordance with section 159(1)(c) of that Act; previously sections 159(1)(d) and <i>School Education Regulations 2000</i> r 129.</p>
Written Evidence	<p>This section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
10.1 – Days open for instruction	<p>The dates and the number of days have been amended to reflect the correct information for 2016.</p>
10.2 – Hours allocated for instruction	<p>The time allocated for instruction at government schools has been updated for Kindergarten students.</p>

Chapter 11 – Complaints Management (Revised terminology. Not substantive)

Evidence Guideline	Summary of Key Changes
Complaints Management Standard	<p>There has been a terminology change to this requirement. ‘Complaints Management Standard’ has replaced ‘Criterion’.</p> <p>The legislative reference for this Chapter has been updated following amendments to the <i>School Education Act 1999</i> (WA). The Complaints Management Standard has been issued in accordance with section 159(1)(k) of that Act, previously section 159(1)(j).</p>
Written Evidence	<p>This section has been amended as follows: A school may be requested to submit the following evidence with an application for registration, renewal of registration or registration change (refer to Explanatory Notes).</p>
11.3 - Evidence gathered and observations made during a school visit	<p>The title of this section has been amended to include the words “and observations.”</p>

Chapter 12 – Behaviour Management (New Chapter topic. Was ‘Legal Compliance’. Substantive change)

Evidence Guideline	Summary of Key Changes
Discipline and Punishment Standard	<p>This is an entirely new Standard. It replaced Legal Compliance in the 2015 Standards (see earlier in this briefing paper for more information about the deletion of Legal Compliance).</p> <p>The legislative reference for this Chapter is section 159(1)(n) of the <i>School Education Act 1999</i> (WA) which is the general ‘catch-all’ provision that allows the Minister to make standards about ‘any other matter prescribed by the regulations’.</p> <p>Section 131A of the <i>School Education Regulations 2000</i> (WA) states that “for the purposes of section 150(1)(n) the Minister may also determine standards for non-government schools about methods of discipline and punishment.”</p> <p>See Section 7 of this briefing paper for more information on the new behaviour management requirements in the 2016 Standards.</p>

Appendix 1 – The Standards

New Appendix 1 sets out the 2016 Standards for non-government schools as determined by the Minister for Education in accordance with section 159 of the *School Education Act 1999*.

8. RECOMMENDATIONS TO ENSURE COMPLIANCE WITH THE 2016 STANDARDS

Central to a school's ability to comply with its obligations under the 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 are monitored and reviewed on a continuous basis.

9. WHAT CAN COMPLISPACE DO TO HELP?

CompliSpace combines 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.

A team of lawyers and industry experts actively monitor changes to relevant laws and registration standards to deliver a full suite of online policies, procedures and governance programs that enable Schools to continuously comply with their legal and regulatory obligations. CompliSpace's suite of content modules, training programs and software platforms are specifically tailored for non-government schools by jurisdiction. They include:

- ISO 31000 Risk Management Program;
- AS/ISO 19600 Compliance Program;
- Comprehensive School Registration Programs;
- ISO 10002 Complaints Handling Program;
- AS 5050 Business Continuity Program;
- AS 8004 Fraud and Corruption Control Program;
- AS 8001 Whistleblower Program;
- AS 4804 and AS 4801 Workplace Safety Program;
- A Child Protection Program;
- A Human Resources Program (tailored to relevant State and Territory laws, and enterprise agreements);
- A Privacy Program;
- A Board Governance Program; and
- Assurance software to manage risks, tasks and incidents.

If you would like to know more about how CompliSpace can assist you with your governance, risk and compliance, including registration, contact us on:

Telephone: 1300 132 090

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