

# POLICY

## Community Use of School Facilities

Responsibility of:	School Support Services	DoE File: FILE2015/239
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Target Audience:	School staff, school councils and community members	

This document should be read in conjunction with [Community Use of School Facilities Guidelines](#) document.

### 1. POLICY

Northern Territory Government schools are encouraged to make school facilities available for use by community groups and organisations outside of normal school hours.

Schools should ensure that the proposed use is consistent with the goals and values of the school and that community use does not interfere with the provision of education for students. Schools must also undertake a risk assessment prior to entering into an agreement for community use. The risk assessment must ensure that the relevant facilities are fit for the intended purpose, the proposed use is legal and appropriate, the applicant is suitable and the risk and child protection issues are addressed.

Schools must complete a formal user agreement, in accordance with this policy. Agreements should be for a maximum of two years. Agreements must be reviewed and/or renegotiated at the end of this time. School councils and their sub-committees do not need to have a formal user agreement to conduct normal school council functions.

All community use agreements will be subject to suspension or termination in circumstances of emergent school or departmental requirements for the facility.

All users of school facilities outside of normal school hours must comply with this policy.

### 2. BUSINESS NEED

The [Education Act \(the Act\)](#) provides that a school council may determine and regulate the conduct of activities for the benefit of the local community when the grounds or buildings are not required for their usual purpose. Schools play an important role in communities and can help shape a strong sense of local identity. Schools have equipment and facilities which can be used to assist in the lifelong learning of the whole community.

This policy will ensure a clear and consistent approach for the management and approval process for community use of school facilities.

### 3. SCOPE

This policy does not apply to the following:

- care services such as After School Care or Vacation Care
- establishment and renewal of markets on school sites.
- commercial operators providing school canteens
- commercial operators for the use of playing fields.

These uses require a contract drafted specifically for the proposed use. In the first instance, principals must seek advice from the department's Legal Services in relation to these types of arrangements.

#### **Use of school facilities for polling purposes**

This policy applies to the use of school facilities for polling purposes by the Australian and Northern Territory Electoral Commissions.

The department has entered into overarching agreements with both Commissions; this eliminates the need for individual schools to put in place formal user agreements when schools are being used as polling places. Refer to the "Use of school facilities for polling purposes" in the [Community Use of School Facilities Guidelines](#) for further details.

### 4. DEFINITIONS

**School facilities:** school buildings, school grounds and recreation areas including parking areas.

**Normal school hours:** refers to the times set by schools during which instruction and/or programs are provided to students.

**User:** means any organisation or individual who is granted approval to use the school facility or specific location on the school site.

**School council:** means a school council established under section 103(4b) or in the case of a school management council or group school management council established under section 103(4a) of the Act. A school council is a legally formed body that is given functions as per section 107(1).

**Commercial group:** is an operation that trades for a profit.

**User agreement:** is a written agreement between the school council and the representative/s of users for the purposes of using school facilities. School councils should use the approved Agreement. Variations to the Agreement need to be approved by Legal Services.

**Public liability insurance:** protects the department and the school council in the event of a claim taken against it for any liability arising from injury to or death of a person or damage to or destruction of property as a result of the community user's use of school facilities.

## **5. ROLES AND RESPONSIBILITIES (if applicable)**

### **School principal**

The school principal is responsible for:

- ensuring this policy is complied with at their school
- consulting and seeking approval from the school council for hiring facilities, including determining the schedule of fees and requirement for public liability insurance
- signing the user agreement on behalf of the school council following authorisation by the school council chair
- discussing variations to the user agreement template with the department's Legal Services
- where applicable, liaising with the Australian and Northern Territory Electoral Commissions, making school premises available for the conduct of Commonwealth, Territory and Local Government elections
- suspending or terminating user agreements in extenuating circumstances such as, but not limited to:
  - the school is needed as an emergency shelter
  - the facility is unsafe
  - the user is engaged in activities detrimental to the school and its students
  - breaches of the user agreement and conditions
  - where an unforeseen essential school need arises requiring exclusive use of the facilities
  - where the school has been closed and the land subject to disposal.

### **School councils**

School councils are responsible for determining and regulating the conduct of activities for the benefit of the local community served by that government school at any time when that government school's buildings or grounds are not required for the usual purposes, in consultation with the principal and in accordance with this policy.

### **Users**

It is the responsibility of the user to:

- provide evidence of appropriate public liability insurance and workers compensation insurance (if appropriate) as regulated by this policy
- meet the security responsibilities for the school's resources and facilities
- report any damage or accidents occurring during use to the principal
- meet the costs of repair or replacement of equipment or damage to buildings or fixtures in accordance with the signed agreement
- comply with the user agreement and the requirements of this policy.

## 6. RELATED POLICY, LEGISLATION AND DOCUMENTS

[Alcohol consumption on departmental premises policy](#)

[Emergency management – public shelter responsibilities policy](#)

[Emergency school closure policy](#)

[Smoke free premises policy](#)

[Trespass on school grounds policy](#)

Australian Electoral Commission Agreement

Northern Territory Electoral Commission

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