

# Community use of school facilities – policy

This document should be read in conjunction with the Community use of school facilities guidelines.

## Policy statement

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 2 years. Agreements must be reviewed and renegotiated at the end of this time. School representative bodies (SRB) and their subcommittees 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 department requirements for the facility.

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

## Purpose

The *Education Act 2015* (the Act) provides that an SRB 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.

## 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 of Education's (the department) Quality Assurance Services branch 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 NT 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.

## Roles and responsibilities

### School principal

The school principal is responsible for:

- ensuring this policy is complied with at their school
- consulting and seeking approval from the SRB for hiring facilities, including determining the schedule of fees and requirement for public liability insurance
- signing the user agreement on behalf of the SRB following authorisation by the SRB chair
- discussing variations to the user agreement template with the department's Quality Assurance Services
- where applicable, liaising with the Australian and NT 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 representative bodies

School representative bodies 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.

## Definitions

| Term                       | Definitions   |
|----------------------------|---|
| Commercial group           | An operation that trades for a profit.  |
| Normal school hours        | The times set by schools during which instruction or programs are provided to students.   |
| Public library insurance   | Protects the department and the school representative body 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.                 |
| School representative body | An incorporated body under the <i>Education Act 2015</i> and includes independent public school boards, school councils and joint school representative bodies.   |
| School facilities          | School buildings, school grounds and recreation areas including parking areas.  |
| User                       | Any organisation or individual who is granted approval to use the school facility or specific location on the school site.  |
| User agreement             | A written agreement between the school representative body and the representatives of users for the purposes of using school facilities. School representative bodies should use the approved Agreement. Variations to the Agreement need to be approved by Quality Assurance Services. |

## Related legislation, policy and documents

### Legislation

- *Education Act 2015* - <https://legislation.nt.gov.au/en/Legislation/EDUCATION-ACT-2015>

### Policy

- Alcohol consumption on department premises policy – <https://education.nt.gov.au/policies/school-operations>
- Emergency management – public shelter responsibilities policy – <https://education.nt.gov.au/policies/school-operations#public-emergency-shelter>
- Smoke free premises policy – [https://education.nt.gov.au/policies/school-operations#smoke\\_free\\_premises](https://education.nt.gov.au/policies/school-operations#smoke_free_premises)

### Documents

- Australian Electoral Commission Agreement – 17 September 2018 to 31 December 2023
- Community use of school facilities guidelines - [https://education.nt.gov.au/policies/resource-management#community\\_use](https://education.nt.gov.au/policies/resource-management#community_use)

- Emergency management - temporary school closure guidelines – <https://education.nt.gov.au/policies/school-operations#temporary-school-closure>
- Northern Territory Electoral Commission MOU – 1 January 2017 to 31 December 2022
- Trespass on school grounds factsheet – [https://education.nt.gov.au/policies/school-operations#trespass\\_on\\_school](https://education.nt.gov.au/policies/school-operations#trespass_on_school)
- The following can be located on the Community use of school facilities page - [https://education.nt.gov.au/policies/resource-management#community\\_use](https://education.nt.gov.au/policies/resource-management#community_use)
  - Community use of school facilities agreement and schedule
  - Community use of school facilities guidelines
  - Community use of school facilities school holiday user group registration form

| Acronyms | Full form                  |
|----------|----------------------------|
| SRB      | School representative body |

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| 3       | April 2023    | Quality Standards and Regulation – Operational Policy | Administrative amendments to align roles and responsibilities to the structural alignment in effect from 1 July 2022, including NTG template and minor formatting |