

POLICY

REGISTRATION OF A NON-GOVERNMENT SCHOOL

Responsibility of: Education Services
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Target Audience: School Governing Body

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This document should be read in conjunction with **Registration or Variation to Registration for a Non-Government School** procedures and guidelines document.

1. POLICY

All non-government schools (NGS) in the Northern Territory must be registered under Part 7 of the *Education Act*. The registration must specify conditions of the registration, including but not limited to the educational programs the school is authorised to provide and the year levels of the school's students.

To register a new NGS, or to vary the registration conditions of a currently registered NGS, a written application must be made to the registrar of non-government schools (the registrar) at least one year before the school begins to provide educational programs or the variation is to take effect. The registrar may reduce that period in appropriate cases.

Applications to register a NGS or vary the registration of an existing NGS must be in writing and accompanied by the fee prescribed by the *Education Regulations*.

Prospective applicants should apply to the registrar for a preliminary assessment of the effects of the registration, or variation of registration, on the education system in the NT or any other matter relevant to the application.

All applications for registration or variation that progress past preliminary assessment must address all of the matters required by section 130 (1) of the Act. Applications for variation must set out details of the variation, when and how the variation is to take effect and the extent to which the matters mentioned in section 130 (1) will be affected by the variation. Applications must demonstrate how the applicant proposes to ensure compliance with the registration requirements as set out in section 125 of the Act.

As soon as practicable after the registrar is satisfied that the application provides all the information required by the Act, the registrar will give written notice to the applicant of the receipt of the application.

The registrar may at any time by written notice, request additional information of the applicant. The written notice will provide a reasonable timeframe for the provision of the additional

information. If the applicant does not supply the additional information within the specified timeframe, the application will lapse.

The registrar will refer all complete applications for registration or significant variation to a registration assessment panel (the panel) for review and recommendation. The registrar will specify a reasonable timeframe for the review and recommendation at the time of referral.

The panel will review applications having regard to the matters set out in section 136 of the Act. The panel will include in its methodology, consideration of written submissions gathered from interested members of the public as well as any responses by the applicant to those submissions, as set out in section 135.

Within nine months of giving written notice of receipt of the complete application, the registrar must either approve or refuse an application, having regard to the matters mentioned in section 136 of the Act, the recommendation of the panel, and any other matters the registrar considers relevant to the application. As soon as practical after making a decision, the registrar must provide written notice of the decision to the applicant.

Upon registration or variation to registration, DoE will issue a certificate of registration that details the educational programs the school is authorised to provide, the year levels of the school's students and any other conditions of the registration decided by the registrar.

The registration or variation to the registration of a non-government school will lapse if the school does not commence operations within two years after the registration certificate is issued.

2. BUSINESS NEED

The *Education Act 2015* came into effect on 2 January 2016 and sought to address deficiencies in the registration and operational requirements of NGS.

The objective of the changes to the Act was to address anomalies between government and non-government schools, between schools within the NGS sector and to align the NGS sector in the Territory with best practice in other jurisdictions, particularly through increased regulation and monitoring of the development of the NGS sector.

Registration of new schools and variation of existing school registration is an area where increased rigour will be applied.

The Act has extended the criterion that applicants must address when seeking to register an NGS or vary the registration of an existing NGS. It includes provisions designed to strengthen the administration and operation of the NGS as well as conditions to evaluate the likely impact of a proposed new school or change in registration of an existing school on other schools.

3. SCOPE

This policy seeks to guide applicants of the non-Government school sector in the Northern Territory, applying to register a new school or vary the registration conditions of an existing school.

This policy does not apply to Northern Territory Government schools or registered training providers.

4. DEFINITIONS

In this Part:

The Act - *Education Act (NT) 2015*.

Regulations - *Education Regulations*.

NT - Northern Territory.

DoE - Department of Education of the Northern Territory Government.

Registrar - registrar of non-government schools appointed under section 123 of the Education Act.

Registration - in relation to a non-government school, means a registration of the school under section 125 of the Act.

5. RELATED POLICY, LEGISLATION AND DOCUMENTS

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

Part 7, Division 1 -11 relates to Non-Government Schools

Guidelines for Applying for Registration or Variation to the Registration of a Non-Government School.

Policy - Routine Assessment and Special Investigation of a Non-Government School.

<https://education.nt.gov.au/education/policies/registration-of-a-non-government-school>