

GUIDELINES AND PROCEDURES

REGISTRATION OF A NON-GOVERNMENT SCHOOL

Responsibility of: Education Services
Effective Date: January 2017
Next Review Date: January 2022
Target Audience: School Governing Body

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This document should be read in conjunction with the **Registration of a Non-Government School** policy, the *Education Act 2015* and the Education Regulations.

1. INTRODUCTION

All non-government schools in the Northern Territory must be registered under the *Education Act 2015* (the Act). These guidelines assist applicants seeking to register a new non-government school or vary the registration of an existing non-government school.

Applications to register or vary the registration of a non-government school must be made in writing to:

Registrar of Non-Government Schools
Attention: Manager Non-Government Schools
NT Department of Education
GPO Box 4821
DARWIN NT 0801

2. DEFINITIONS

DoE	Northern Territory Department of Education
Minister	Northern Territory Minister for Education
NGS	non-government school
NTG	Northern Territory Government
Registrar	Registrar of Non-Government Schools
Variation	means the variation of the conditions of the school's registration or any other matter on the basis of which the school is registered (including the school's location).
(s 1xx)	Sections of the <i>Education Act 2015</i>

3. ROLES AND RESPONSIBILITIES

The Registrar is responsible for:

- preliminary assessments;
- appointing members of the registration assessment Panel;
- approval or refusal of registration or variation applications;

- applying conditions to NGS' registration; and
- establishment and maintenance of the register of NGS.

The **Executive Board of the Department of Education** is responsible for approval of policy relating to the registration or variation of the registration of an NGS.

The **registration assessment panel** is responsible for assessment of all applications for registration, or variation of registration, and for making recommendations to the registrar.

The **Manager, Non-Government Schools** will act on behalf of the registrar for all administrative matters relating to the processing and review of applications for registration or variation of registration.

Applicants are responsible for providing the information required by legislation and the guidelines, as well as additional information requested by the registrar or delegate, within the specified timeframe.

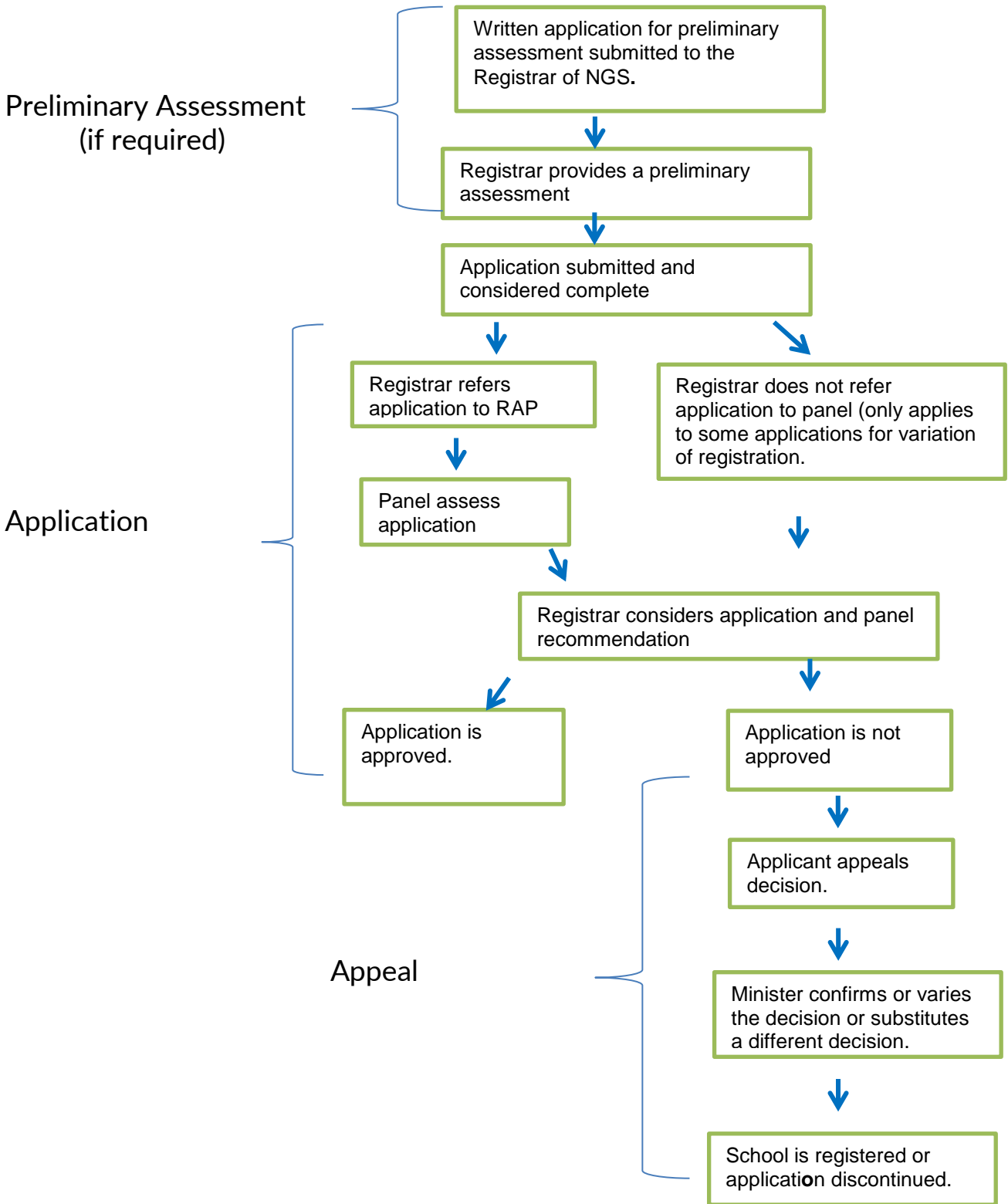
4. GUIDELINES AND PROCEDURES

- 4.1 A non-government school must be administered by a body corporate (the governing body) and an application to register or vary the registration of a non-government school must therefore be made on behalf of the relevant governing body.
- 4.2 Applicants may ask the registrar for feedback after making a preliminary assessment of the effects of the registration on the educational system in the Northern Territory and any other matter relevant to the application (s 128).
- 4.3 Applications must be made in writing at least one year before the school proposes to provide the educational programs or the variation is to take effect, and must be accompanied by the fee prescribed by the *Education Regulations* (s 129).
- 4.4 Applicants seeking to reduce the one year period in guideline 4.3 must specifically request the registrar to exercise their discretion under section 129(4) and provide the registrar with full particulars of the grounds upon which the request is made.
- 4.5 Applications must address all matters specified in section 130 of the Act and demonstrate how the applicant will ensure compliance with all of the registration requirements in section 125.
While applicants for registration of a new non-government school may not be able to supply documents such as annual reports, they will be required to provide statements regarding anticipated process and schedules for the development of such plans and reports as well as samples that will be emulated.
- 4.6 Applicants for variation of registration must provide details of the variation, when and how the variation is to take effect, and the extent to which the matters mentioned in section 130 will be affected by the variation (s 154(4)(b)).
- 4.7 The registrar may, by written notice to the applicant, require the applicant to provide additional information relevant to the application within a reasonable specified timeframe. If the information is not provided within the specified timeframe, the application will lapse (s 132).

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- 4.8 Once satisfied that the application is complete, the registrar will give written notice to the applicant that the application has been received. The registrar must approve or refuse the application within nine (9) months of this notification (s 137(1)).
- 4.9 The registrar will refer all applications for registration (s 131(4)) or significant variation (s 154(2)) to the registration assessment panel (the panel) for review and recommendations (s 134(1)).
- 4.10 The panel will convene to review the application and the registrar may request additional information at any stage. It may be helpful for the applicant to provide this information in the form of a site visit, with the opportunity for panel members to seek clarification from the applicant directly.
- 4.11 In assessing the application, the panel must have regard to those matters set out in section 136 :
- (a) the expected capacity of the applicant to comply with the registration requirements and any other requirements under any law of the Territory that relates to the proposal; and
 - (b) the expected effects of the proposal, as described in the application, on the education system in the Territory and on the existing schools in the area in which the school is to be located; and
 - (c) the level of community support for the proposal and public comments on, or criticisms of, the proposal; and
 - (d) the expected impact of the proposal on government infrastructure, services and resources; and
 - (e) a matter relating to any of paragraphs (a) to (d), or any other matter, prescribed by regulation.
- When applicants are addressing the requirements of section 130 and 125, consideration should also be given to the matters outlined in section 136.
- 4.12 The panel will consider the application and make a recommendation to the registrar.
- 4.13 The registrar will consider the application, the panel's recommendation and any other relevant matter and either approve or refuse the application. The registrar will then give written notice of the decision to the applicant (s 137(3)).
- 4.14 New schools will be registered and variations to school registration recorded in the non-government schools register (s 157).
- 4.15 The registration or variation of registration will lapse if it does not take effect within 2 years after the registration certificate is issued (s 139).
- 4.16 Applicants may seek a review of the registrar's decision to refuse an application for registration or variation of registration (s 156). The request for the review must be made in writing to the Minister for Education within 28 days of the date of the decision and must set out in detail, the grounds for the application.

Summary of Steps for Registration or Variation of Registration of a Non-Government School



	Matters to be Addressed in the Application s130	Registration Requirements from the Act s125 (a)	Suggested Evidence	Resources
1	<p>(a) The composition of the governing body of the school (including information about each of its directors' skills and experience that is relevant to the proposal).</p>	<p>(a) The school must be administered by a body corporate (the governing body), whose directors:</p> <ul style="list-style-type: none"> (i) must be persons of good character; and (ii) must collectively possess the skills and experience necessary for the proper administration of the school. 	<ul style="list-style-type: none"> • Statements regarding the size, composition, length of term and method of recruitment of members of the governing body, including any checks that will be conducted into their background are included in the proposed constitution of the governing body. • Names, relevant skills and experience and checks carried out on members of the governing body. 	
2	<p>(b) How the governing body's philosophy and objects (including any particular cultural or religious interest connected with the philosophy or objects) and the school's educational programs will be consistent with the principles mentioned in s 122</p> <ul style="list-style-type: none"> • Governments should be democratically elected • The rule of law should prevail and all should be equal before the law • There should be freedom of religion, freedom of speech and freedom of association • There should be tolerance of diverse religion, political, social and cultural beliefs and practices, to the extent to which they are consistent with contemporary values. 	<p>(b) The governing body's philosophy and objects and the school's educational programs must be consistent with the principles mentioned in section s122 as required by that section.</p> <p>S 122 states: The philosophy and objects of the governing body of a non-Government school and the school's educational programs (including the way in which they are provided) must be consistent with the following principles:</p> <ul style="list-style-type: none"> • Governments should be democratically elected • The rule of law should prevail and all should be equal before the law • There should be freedom of religion, freedom of speech and freedom of association • There should be tolerance of diverse religion, political, social and cultural beliefs and practices, to the extent to which they are consistent with civilized values. 	<ul style="list-style-type: none"> • Constitution of the governing body that articulates its educational philosophy, as well outlining the objects, powers, structure, roles and responsibilities and how governance is separated from management. • Certificates, applications for or statements of intent regarding certificates that demonstrate the governing body as a legal entity, eg Certificate of Incorporation, Certificate of Registration of a Business Name. • Declaration of the school's not-for-profit status. 	

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	Matters to be Addressed in the Applications 130	Registration Requirements from the Act s 125 (c)	Suggested Evidence	Resources
3	(c) The school's governance arrangements.	(c) The school's methods of governance must be appropriate to its educational programs and the year levels, and number, of its students.	Included in the business plan is a governance plan which includes information on: <ul style="list-style-type: none"> • How decisions will be made • Work flow 	
4	(d) A description of the following: (i) the school's location and catchment area (including the population projections for the area and expected effects of the proposal on the existing schools in the area); (ii) the school's educational programs and the year levels and number of its students. S136 (d) the expected impact of the proposal on government infrastructure services and resources	S 136 states: In reviewing the application, the Panel must have regard to: <ul style="list-style-type: none"> • the effects of the proposal contained in the application on the educational system in the Territory and on the existing schools in the area the school is to be located and • the impact of the proposal on government infrastructure, services and resources. • Section 125 (h) the school's staff establishment (including its structure and size) must be appropriate and adequate for the school's education programs and the year levels, and number, of its students. 	Included in the business plan are: <ul style="list-style-type: none"> • Annotated map or written description of the school's location and catchment area. • Analysis of the viability of the school as a business (see point 8) and includes examination of local schools and anticipated student movement. • Description of the proposed number of students, year levels and educational programs. 	
5	(e) The school's facilities, including any plans for their maintenance, renovation and expansion and related construction schedules.	(d) The school's facilities must: <ul style="list-style-type: none"> (i) be appropriate and adequate for the purposes of its educational programs and year levels, and number, of its students; and (ii) comply with any relevant requirements of the laws of the Territory. 	Included in the business plan are: <ul style="list-style-type: none"> • Map of the proposed facilities. • Maintenance schedule for buildings, facilities and grounds. • Plans and schedules for any proposed construction or renovation • Any proposed or finalised lease or purchase agreements relating to the proposed school's buildings, facilities. 	
6	(f) The insurance coverage for the school's facilities and for any liabilities that that may arise from the conduct of its activities.	(e) The school must be adequately insured for its facilities and for any liabilities that may arise from the conduct of its activities.	Included in the business plan are statements of intent regarding the insurance cover that will be obtained on successful registration, for example, public liability, professional indemnity, building and contents, all risks.	

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	Matters to be Addressed in the Application s 130	Registration Requirements from the Act s 125	Suggested Evidence	Resources
7	(g) The school's financial and other resources for its operation, the extent to which government financial assistance and other support will be sought, and whether or not the school will be operated for profit.	(f) The school must have adequate financial and other resources for its operation.	See point 8.	For Australian Government Department of Education funding: http://education.gov.au/
8	(h) The school's business plans and budgets for the first 5 years of its operation (including projections of its capital and recurrent expenditure and sources of its income for each of the 5 years).	(g) The school must have a business plan and a budget that makes appropriate provision for each year of its operation.	Included in the business plan is a section on finances that notes: <ul style="list-style-type: none"> • key objectives • assumptions • estimates of operating and capital costs • proposed financing arrangements, including any government financial assistance that will be sought • proposed fee structure including any provision for full fee-paying students and/or international students • salary scale applied to payment of staff • start-up costs • balance sheet forecast, profit and loss forecast, expected cash flow for 5 years • break even analysis. • projected financial viability 	
9	(i) The school's staff establishment (including its structure and size).	(h) The school's staff establishment (including its structure and size) must be appropriate and adequate for the school's educational programs and the year levels, and number, of its students	Included in the business plan is: <ul style="list-style-type: none"> • an organisational chart that shows the proposed school management hierarchy and number and distribution of teaching and non-teaching staff • statement regarding the maximum and minimum staff/student ratios 	
10	(j) The school's policy and procedures for ensuring: <ul style="list-style-type: none"> (i) its staff are of good character; and (ii) its teaching staff are registered with the Teacher Registration Board of the Northern Territory and maintain appropriate standards of professional competence; 	(i) The school's staff (must be of good character; and (j) (j) must be registered with the Teacher Registration Board of the Northern Territory and must maintain appropriate standards of professional competence.	Staffing policy that describes: <ul style="list-style-type: none"> • recruitment processes • TRBNT registration checking process • Structure of the school register of teachers that includes their name, TRBNT Registration number and the financial status of their registration. 	

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	Matters to be Addressed in the Application s 130	Registration Requirements from the Act s 125	Suggested Evidence	Resources
11	(k) The school's curriculum and methods of student assessment.	(k) The school's curriculum and methods of student assessment must meet the requirements of the Northern Territory Board of Studies.	<p>Curriculum, assessment and reporting policy/ies that include:</p> <ul style="list-style-type: none"> • Length of the school day, term and year and instructional time available each day (daily timetable), • Descriptions of the curriculum to be used across stages of schooling • A sample of a whole-school curriculum plan showing how scope and sequence of content across the key learning areas will be recorded. • A sample of a classroom teaching and learning plan • A description of how curriculum planning will occur at the whole school and class level • A description of how and how often students will be assessed and their achievement described and recorded • Review cycle for curriculum plans, including how student achievement data will inform curriculum planning • How and how often student achievement and attendance will be reported to parents • Samples of school reports 	<p>https://nt.gov.au/learning/primary-and-secondary-students/northern-territory-board-of-studies</p> <p>https://nt.gov.au/learning/primary-and-secondary-students/naplan-assessment-and-reporting</p>

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	Matters to be Addressed in the Applications 130	Registration Requirements from the Act s 125	Suggested Evidence	Resources
12	<p>(l) The school's procedures for financial management, performance management and accountability, including, for example, procedures for the following:</p> <p>(i) the development and implementation of a strategic management plan;</p> <p>(ii) the assessment of the school's performance against goals set out in the strategic management plan and against national benchmarks;</p> <p>(iii) the keeping of financial and other records (including complying with the requirements in sections 142 and 143;</p> <p>(iv) the reporting on the school's performance to the community and registrar (including complying with the requirements in sections 142, 143 and 144 which deal with student records and reports, financial records, annual financial statements and annual report).</p>	<p>(l) The school must have appropriate procedures for its financial management, performance management and accountability, including, procedures for the following:</p> <p>(i) the development and implementation of a strategic management plan;</p> <p>(ii) the assessment of the school's performance against goals set out in the strategic management plan and against national benchmarks;</p> <p>(iii) the keeping of financial and other records about the school (including complying with the requirements in sections 142 and 143);</p> <p>(iv) the reporting on the school's performance to the community and registrar (including complying with the requirements in sections 142, 143 and 144).</p>	<p>Financial planning and management policy that addresses:</p> <ul style="list-style-type: none"> • Governance, procurement, budgeting and internal control processes • Salary and wages payment processes, including taxation, superannuation and any other compulsory government requirement. • How and what financial records will be kept and who is responsible <p>Strategic planning proposal that:</p> <ul style="list-style-type: none"> • Outlines the process for the development of the plan including who will be involved and how long it will take • Describes how often progress will be measured against the plan, who will do it and who this information will be reported to • Demonstrates clear links between the staff performance management, professional learning and student achievement and the strategic plan • Includes a sample strategic plan structure • Notes the review cycle <p>Policy on keeping of student records that addresses:</p> <ul style="list-style-type: none"> • Records to be kept (enrolment, attendance, address, etc) • Processes to be used to collect student information • Systems that will be used to store records (eg MAZE, SAMS etc) 	<p>https://education.nt.gov.au/copyright,-disclaimer-and-privacy</p> <p>https://education.nt.gov.au/education/statistics-research-and-strategies/enrolment-and-attendance</p>

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	Matters to be Addressed in the Application s 130	Registration Requirements from the Act s 125	Suggested Evidence	Resources
12 con			<ul style="list-style-type: none"> Access to student records and security processes and procedures to be followed. <p>Statement regarding the proposed annual reporting process, including:</p> <ul style="list-style-type: none"> Inclusions Structure (sample or headings to be used would provide illustration) Publication schedule 	
13	(m) The school's policy in relation to the age of school entry for its students.	(m) The school must comply with the requirements of the Act and Northern Territory government policy in relation to the age of school entry for students and criminal checks for mature age students (18 years and over) who have not been enrolled in a school for 12 months or more(Act, Part 4, division 5).	<p>Policy statement on age of school entry.</p> <p>Policy statement on Criminal History checks for mature age students (18 years and over) who have not been enrolled in a school for 12 months or more.</p>	https://education.nt.gov.au/education/policies
14	(n) The school's policy for the discipline of its students.	(n) The school's policy for the discipline of students must include procedural fairness.	<p>Discipline policy that:</p> <ul style="list-style-type: none"> Describes the principles that underpin the policy explicitly states that corporal punishment will not to be used at the school describes the positive and/or preventative approaches the school will adopt notes the consequences of unacceptable student behaviour. 	https://education.nt.gov.au/education/policies
15	(o) The school's provision for meeting the needs of any of its students who has a disability.	(o) The school must have adequate provision for meeting the needs of any of its students who has a disability.	Students with a disability policy that details how the school will provide for such students.	

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	Matters to be Addressed in the Application s 130	Registration Requirements from the Act S125	Suggested Evidence	Resources
16	(p) The school's policy and procedures for safeguarding the health, safety and wellbeing of its staff and students, including the following: (i) an work health and safety manual for its staff; (ii) procedures to ensure a criminal record report is obtained for each member of its staff; (iii) a contingency plan for emergencies.	(p) The school must have adequate safeguards for the health, safety and wellbeing of its staff and students, including the following: (i) a work health and safety manual for its staff; (ii) procedures to ensure a criminal record report is obtained for each member of its staff (iii) a contingency plan for emergencies	Occupational health, safety and wellbeing policy that covers staff and students.	https://education.nt.gov.au/education/policies
17	(q) The school's policy and procedures for dealing with complaints and disputes.	(q) The school must have appropriate policies and procedures to deal with complaints and disputes.	Complaints and disputes policy that includes: <ul style="list-style-type: none"> principles that underpin the policy strategies for dealing with complaints and disputes 	
18	(r) The school's plan for maintaining a system of self-assessment in accordance with section 145	(r) An annual self-assessment must be conducted for the school in accordance with section 145.	Statement regarding the system that will be used and the schedule of review.	
19	(s) a matter relating to any of the preceding paragraphs, or any other matter prescribed by regulation.	(s) a matter relating to any of the preceding paragraphs or any other matter prescribed by regulation.		
	(2) Without limiting subsection (1), the application must demonstrate how the applicant proposes to ensure compliance with the registration requirements.			

S136 Matters to be considered

In considering the application, the Panel must have regard to:

- the expected capacity of the applicant to comply with the registration requirements and any other requirements under any law of the Territory that relates to the proposal; and
- the expected effects of the proposal, as described in the application, on the educational system in the Territory and on the existing schools in the area in which the school is to be located ; and
- the level of community support for the proposal and public comments on, or criticisms of, the proposal; and
- the expected impact of the proposal on government infrastructure, services and resources; and
- a matter relating to any of the preceding paragraphs, or any other matter prescribed by regulation.