

# **Administrative guidelines for approval of training providers and courses relating to proper governance of non-government schools**

**May 2018**

Note: These Guidelines may be amended from time to time. The most up-to-date Guidelines at any time are those published on the NESA website.

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Phone: (02) 9367 8289

Fax: (02) 9279 1482

Email: [copyright@nesa.nsw.edu.au](mailto:copyright@nesa.nsw.edu.au)

Published by NSW Education Standards Authority

GPO Box 5300

Sydney NSW 2001

Australia

[www.educationstandards.nsw.edu.au](http://www.educationstandards.nsw.edu.au)

First published March 2015 – Official Notice BOSTES 12/15

Updated February 2016

Updated February 2017

Updated March 2017

Updated September 2017

Updated May 2018

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# 1 Introduction

In January 2014, the *Education Act 1990* (‘the Act’) was amended to require registered non-government schools to have and implement policies and procedures for the proper governance of the school.

For individual non-government schools, the requirement is detailed in section 3.9.3 of the *NESA Registered and Accredited Individual Non-government Schools (NSW) Manual* (‘the Manual’). For systemic non-government schools, the requirement is detailed in section 5.9.3 of the *NESA Registration Systems and Member Non-government Schools (NSW) Manual*.

The initial and ongoing professional learning of a school’s ‘responsible persons’ is a key aspect of the proper governance of a non-government school.

Under the Act a ‘responsible person’ for a school includes:

- a) the proprietor of the school, and if the proprietor is a corporation, each director or person concerned in the management of the school
- b) a member of the governing body
- c) the principal of the school.

The Manual specifies the following minimum professional learning requirements for a school’s ‘responsible persons’:

- the mandatory completion of a minimum of twelve (12) hours professional learning with regard to governance issues for each ‘responsible person’ for the school over each three (3) year period from the time of commencing as a ‘responsible person’; to be delivered by a NESA approved training provider
- an induction process for new responsible persons for a school including, at a minimum, the mandatory successful completion of a NESA approved training program delivered by a NESA approved training provider.

[NESA approved training providers and courses](http://rego.bostes.nsw.edu.au/governance-training) are listed on the NESA website (<http://rego.bostes.nsw.edu.au/governance-training>).

These guidelines refer to the approved professional learning as an approved ‘course’.

NESA approval is based on the content of the provider’s course aligning with the governance requirements detailed in section 3.9 of the Manual.

Note: the specific professional learning to be completed by any one ‘responsible person’ for a school will depend on the person’s pre-existing qualifications and professional experiences, the school’s policies and procedures for professional learning and the particular role and responsibilities of the person. Governance professional learning should include a school context regardless of a ‘responsible person’s’ professional experience and qualifications.

## **2 The purpose of these Guidelines**

These guidelines provide the process and requirements for an organisation wishing to make a submission to become a NESAs approved training provider for specific courses where the content of those courses addresses the requirements for proper governance of a school.

## **3 The submission process for approval**

### **3.1 Timeline for submission**

NESA will accept submissions at any time. The timeframe for assessing a submission and advising of a decision will generally be no longer than six (6) weeks, subject to payment of a submission fee, where applicable.

### **3.2 Submission fees for approval**

There is no fee for 'not-for-profit' organisations.

Organisations operating 'for-profit' are required to pay a fee prior to the submission being assessed. The current fee at any time is published on the NESAs website. The fee is based on a cost recovery calculation and is subject to change.

When a submission for approval is received by NESAs, an invoice will be sent to the organisation.

### **3.3 NESAs assessment process**

On receipt of a submission, an email will be sent to the organisation confirming receipt of the submission. Where applicable, an invoice will be sent separately.

The submission will be allocated to an Inspector for assessment, subject to receipt of payment, where applicable.

The assessment of a submission will be based on the coverage of the course content in relation to addressing the governance requirements detailed in section 3.9 of the Manual and its relevance to the non-government school context.

Following assessment, the Inspector will make a recommendation relating to the submission to the Director, School Registration and Accreditation ('the Director').

### **3.4 The decision and appeals for review of certain decisions**

Following consideration of the Inspector's recommendation and the reasons for that recommendation, the Director will decide whether the organisation and course are approved. The organisation will be advised of the decision in writing.

The decision will be one of the following:

- approved – the governance training provider’s details and approved courses will be listed on the NESA website
- deferred – the organisation will be invited to provide further information to NESA, within a given timeframe, prior to a final decision being made
- declined – the governance training provider may appeal the decision in writing to the Executive Director, Regulation and Governance.

To appeal a decision to decline an organisation’s submission, the organisation must write to the Executive Director, Regulation and Governance requesting an appeal, stating the reasons for the appeal and providing any further information in support of the organisation’s submission. If such an appeal is made and subsequently affirms the earlier decision to decline the submission, there is no recourse for further appeal.

If a submission is declined, a new submission may be made.

### **3.5 Approval time period**

The maximum period of approval is up to five years, after which time the approved training provider may make a new submission to NESA.

### **3.6 Limitation of approval**

Approval from NESA is limited to approving that the identified organisation’s course content addresses the governance requirements in section 3.9 of the Manual.

NESA approval of an organisation’s course content is not, and must not be misrepresented to be, a general endorsement of the organisation for any purpose other than that identified above nor an endorsement of the quality of the organisation or the course.

If approved, an organisation may refer clients to the NESA list of approved providers and courses. Use of the NESA logo is not permitted by an approved provider.

The Director may cancel the approval of an approved provider if:

- there is evidence that the approved course content is not being delivered to participants enrolled in the approved course
- there is evidence that the organisation’s publication of a course is inconsistent with the intent of the approval from NESA as described in these guidelines.

The appeal process described in section 3.4 will also be followed in relation to the cancellation of approval.

## **4 Approval of additional courses**

An approved provider may seek approval of additional courses at any time by making a new submission according to the process described in section 5 of these guidelines.

## 5 The submission requirements for approval

Submissions should be emailed to NESA using the following details:

**Email address:** [schoolrego@nesa.nsw.edu.au](mailto:schoolrego@nesa.nsw.edu.au)  
**Subject:** Governance Training Provider submission

The submission includes two parts:

- PART A requires completion of the form identified below and attached to the email submission.
- PART B requires relevant course documentation, identified below, to be attached to the email submission.

Details of each part of the submission are described below.

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### PART A

Download the form **Submission to become a NESA approved governance training provider** from the NESA website. Complete the form by providing the following details.

#### 5.1 Details of training organisation

- name of organisation
- ASIC registration details
- Chief Executive Officer (or equivalent) details
- submission contact person details
- status as 'for-profit' or 'not-for-profit'

#### 5.2 History of training provision

A brief description of the organisation's history and context demonstrating its capacity to provide governance training, including, for example, details such as:

- how long the organisation has been operating
- how long the organisation has been delivering governance training
- the organisations to whom governance training has been delivered
- the quality and experience of its trainers/presenters
- whether the organisation has NESA approval for any other governance course.

#### 5.3 Mapping of courses to governance requirements in the Manual

A table is provided to identify how the course content offered by the governance training organisation maps to the governance requirements in the Manual.

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## **PART B**

The following information regarding the course(s) submitted for approval is to be attached to the email submission. The format of this information is at the discretion of the organisation. It may be provided as PDFs or as links to content available on a website (please provide appropriate access details if a log-in is required).

### **5.4 Overview of courses provided**

For each of the courses/modules/packages to be delivered by the governance provider, please provide the following details:

- name of course/module/package
- the objectives and purpose of the course including whether it is designed to address induction and/or ongoing professional learning needs and its relevance to the non-government school context
- duration in hours
- delivery mode (eg face-to-face, online)
- a copy of the course materials (Note: online access to course materials may be provided. In this case, please provide access details. Course materials may be mailed to: NESA, School Registration and Accreditation, GPO Box 5300, Sydney, NSW, 2001. In this case, please advise in the email submission that course materials have been/will be mailed.)
- certification or evidence of successful completion.