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

Note: These Guidelines may be amended from time to time. The most up-to-date Guidelines at any time are those published on the BOSTES’ website.
The Board of Studies, Teaching and Educational Standards NSW ('the BOSTES') reserves the right to make amendments to the Guidelines at any time where additional information/clarification regarding policies or procedures is required. The current version of the Guidelines will be maintained on the BOSTES’ website.

©Board of Studies, Teaching and Educational Standards NSW 2015

Published by Board of Studies, Teaching and Educational Standards NSW
GPO Box 5300
Sydney NSW 2001
Australia
Tel: (02) 9367 8111
Fax: (02) 9367 1482
Internet: www.bostes.nsw.edu.au

First published March 2015 - Official Notice BOSTES 12/15
Contents

1. Introduction .................................................................................................................. 4
2. The purpose of these Guidelines ............................................................................. 5
3. The submission process for approval ...................................................................... 5
   3.1 Timeline for submission .......................................................................................... 5
   3.2 Submission fees for approval .................................................................................. 5
   3.3 BOSTES assessment process .................................................................................. 5
   3.4 The decision and appeals for review of certain decisions ...................................... 5
   3.5 Approval time period ............................................................................................... 6
   3.6 Limitation of approval ............................................................................................. 6
4. Approval of additional courses .................................................................................. 6
5. The submission requirements for approval .............................................................. 7
   5.1 Details of training organisation ................................................................................ 7
   5.2 History of training provision .................................................................................... 7
   5.3 Mapping of courses to governance requirements in the Manual ......................... 7
   5.4 Overview of courses provided ............................................................................... 8
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 BOSTES’ *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 BOSTES’ *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 proper governance.

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 four hours professional learning with regard to governance issues for all responsible persons for the school each year to be delivered by a BOSTES approved training provider
- an induction process for new responsible persons for a school including, at a minimum, the mandatory successful completion of a BOSTES approved training program delivered by a BOSTES approved training provider.

BOSTES approved training providers and courses are listed on the BOSTES’ website at <rego.boardofstudies.nsw.edu.au/go/approved-providers>.

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

BOSTES approval is based on the content of the provider’s course aligning with the governance requirements detailed in the Manuals.

Note: The specific courses 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. In considering the annual professional learning needs of each ‘responsible person’, a non-government school may have regard to the annual professional learning undertaken by a person as part of that person’s professional role outside of the school and whether this learning may satisfy or exceed completion of a BOSTES approved program. For example, if a member of the school’s board is also a member of the Australian Institute of Company Directors, the school may consider that the annual professional learning necessary for retaining membership of the Institute serves the purpose of addressing the BOSTES requirement for annual professional learning. With respect to any such decision by a school, Board Inspectors will have regard to the decision and the school’s evidentiary documentation in support of such a decision.
2. The purpose of these Guidelines

These Guidelines provide the process and requirements for an organisation wishing to make a submission to become a BOSTES 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

The BOSTES 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 a submission being assessed. The current fee at any time is published on the BOSTES’ website. The fee is based on a cost recovery calculation and is subject to change.

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

3.3 BOSTES 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 a Board 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 3.9.3 of the Manual.

Following assessment, the Board Inspector will make a recommendation relating to the submission to the Director, School Registration and Accreditation Standards (‘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 BOSTES’ website
- deferred - the organisation will be invited to provide further information to the BOSTES, within a given timeframe, prior to a final decision being made
declined - the governance training provider may appeal the decision in writing to the BOSTES' Executive Director, Regulation and Governance.

To appeal a decision to decline an organisation’s submission, the organisation must write to the BOSTES' 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 the BOSTES.

3.6 Limitation of approval

The BOSTES' approval is limited to approving that the identified organisation’s course content addresses the governance requirements in section 3.9.3 of the Manual.

The BOSTES’ 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 BOSTES’ list of approved providers and courses. Use of the BOSTES’ 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 BOSTES’ approval as described in these guidelines.

The appeal process described at 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 the BOSTES using the following details:

**Email address:** schoolrego@bostes.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.

**PART A**

Download the form **Submission to become a BOSTES approved governance training provider** from the BOSTES’ 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 BOSTES’ approval for any other governance or other 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.
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 training 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
• duration in hours
• delivery mode (e.g., 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: BOSTES, School Registration and Accreditation Standards, GPO Box 5300, Sydney, NSW, 2001. In this case, please advise in the email submission that course materials have been/will be mailed.)
• certification, if any, provided upon successful completion.