

# Governing bodies

## Fact sheet: NSS-FS6

This fact sheet provides information regarding governing bodies of a non-State school, and the role of the Non-State Schools Accreditation Board (the 'Board') in regulating governing bodies.

### General information

The governing body is the body that oversees the operations of a school. A governing body must be a corporation.

A school's governing body is usually the point of contact for the Board.

A governing body of a non-State school must be approved by the Board under the [Education \(Accreditation of Non-State Schools\) Act 2017](#) (the 'Accreditation Act').

For grammar schools, under the [Grammar Schools Act 2016](#), boards of trustees are appointed by the Governor in Council.

If a governing body is a company under the [Corporations Act 2001](#) (C'th), and if the governing body is also eligible for government funding for a non-State school, the governing body is to be a company limited by guarantee.

### Functions of the Board

Under the Accreditation Act, it is the function of the Board to ensure a governing body of a non-State school is suitable to be, or continue to be, the school's governing body.

### Suitability of a governing body

If a governing body is applying for government funding for a school, the Board must be satisfied:

- the school will not be operated for profit
- the governing body is not party to a prohibited arrangement and
- there is no direct or indirect connection between the governing body and a for-profit entity.

In making this decision, the Board may consider:

- the governing body's relationships with other entities
- whether the governing body has appropriate guiding principles and procedures for identifying, declaring and dealing with any conflict of interest a director of the governing body may have and

- the conduct of the governing body, or its directors, relevant to the operation of the school.

The Board may also have regard to whether the governing body, or any of its directors have been convicted of an indictable offence, including the nature, and circumstances, of the commission of the offence.

### Directors of a governing body

Members of a school's governing body are called directors. If a director of a school's governing body does not have a current blue card or an exemption card, the Board must decide that the governing body is not suitable to be, or continue to be, the school's governing body.

Refer to Fact sheet NSS-FS7 for more information regarding directors of non-State school governing bodies.

### Governing body update

The Board surveys governing bodies once a year to ensure that the following details, held by the Board, are checked, and either confirmed or amended as necessary.

- Registered governing body name
- Type of incorporation
- Type of company (if applicable)
- Contact person
- Office details
- Chairperson details
- Names and blue card/exemption card details for all directors

It is the responsibility of the governing body to maintain the accuracy of the data, via [NSSAB Online Services](#).

### Further information

For further information, refer to the [NSSAB website](#).