



Queensland
Government

**Non-State Schools
Accreditation Board**

11 October 2017

The Non-State Schools Accreditation Board ("Board") advises that the new *Education (Accreditation of Non-State Schools) Act 2017* ("Accreditation Act 2017") and the new *Education (Accreditation of Non-State Schools) Regulation 2017* ("Accreditation Regulation 2017") will commence on 1 January 2018.

This new legislation is to replace the current *Education (Accreditation of Non-State Schools) Act 2001* and the current *Education (Accreditation of Non-State Schools) Regulation 2001*, both of which will cease to have effect on 1 January 2018.

The Accreditation Act 2017 and the Accreditation Regulation 2017 introduce a range of changes for non-State schools and their governing bodies.

An outline of the key changes follows:

Accreditation Act 2017

- The current 'provisional accreditation' step is removed from the establishment process for a new non-State school. From 2018, a new non-State school will be granted accreditation, and must meet the requirements for accreditation from the first day the school starts to operate (i.e. student-intake day). The Board must commence an initial assessment of a new school within the first six months after the student-intake day or another date agreed by the Board and the school's governing body.
- The current 'eligibility for government funding criteria' (such as choice, impact on other schools, projected population of school-age children, and anticipated minimum enrolment numbers) are removed as a consideration in deciding whether a governing body is eligible for government funding for a school. From 2018, 'government funding eligibility criteria' will continue the requirement that a governing body must not be an ineligible company (a company not limited by guarantee), and that the school operated by the governing body must not be operated for profit.
- From 2018, the Board is to be the decision maker on whether a governing body is eligible for government funding for a school.
- From 2018, reviews of decisions of the Board about accreditation or government funding eligibility will be dealt with by the Queensland Civil and Administrative Tribunal.
- From 2018, governing bodies will have the ability to give the Board a notice if they wish to amalgamate two or more schools, or divide a school into two or more schools. For it to authorise the amalgamation or division, the Board must be satisfied there is no change proposed for the attributes of accreditation for each site. If the governing bodies of school/s were, immediately before the amalgamation or division, eligible for government funding, the governing body of the new school/s is deemed to be eligible for government funding.

Floor 8 Education House
30 Mary Street Brisbane 4000
PO Box 15347 City East
Queensland 4002 Australia
Telephone +61 7 351 36773
Website www.nssab.qld.edu.au
ABN 53 636 704 278

- From 2018, the governing body of a non-State school must, within 28 days after a new director is appointed to the governing body, give the Board notice of: the name of the new director; the date the person was appointed as director; and a copy of a current positive notice (blue card) or current positive exemption notice for the person.
- The transitional provisions include that on 1 January 2018: all schools provisionally accredited will be deemed as accredited schools; all accreditations and government-funding eligibilities existing will continue to exist; and an undecided application for accreditation or for government-funding eligibility will be decided under the Accreditation Act 2017.

Accreditation Regulation 2017

- **Educational program.** This accreditation criterion prescribes new requirements in connection with the school's educational program, including: use of the Australian curriculum; use of curriculum recognised by the Australian Curriculum, Assessment and Reporting Authority for the Preparatory Year to Year 10; and use of a syllabus or program developed or endorsed by the Queensland Curriculum and Assessment Authority for senior secondary education.
- **Administration and governance.** This accreditation criterion includes a requirement that a school must have a document that outlines the organisational structure for the governance of the school, and requires a school to keep records in relation to the school's financial transactions for 5 years.
- **Student welfare processes.** This accreditation criterion requires a school to have, and implement, written processes about receiving, assessing, investigating and otherwise dealing with complaints made by the school's staff, students or a student's parent or guardian.
- **School resources.** This accreditation criterion requires that a school must provide a sufficient number of staff and facilities for the effective delivery of the education program, as well as ensuring school buildings comply with relevant legislation. If a school provides boarding facilities, the school must have the necessary accommodation and associated facilities to ensure the health, safety and welfare of students while boarding.

It is important to note that the above is not an exhaustive list of the changes.

Directors of governing bodies are advised to review the Accreditation Act 2017 and the Accreditation Regulation 2017 to ensure full compliance with any changed provisions applying to the governing bodies and to non-State schools under their governance.

Copies of the new legislation may be found on the Queensland legislation website at www.legislation.qld.gov.au.

Application forms and further information will be available in due course on the Board's website at www.nssab.qld.edu.au.