

Guidelines for Applying for Registration or Variation to the Registration of a Non-Government School

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

While reference is made in these guidelines to *some* specific sections and provisions of the Act, applicants should refer to Part 7 of the Act to ensure that they are complying with *all* of the requirements of the Act in completing their application. Part 7 of the Act is available at <http://www.det.nt.gov.au/parents-community/schooling/ngs>

Applications must be made in writing to:

The Chief Executive
Northern Territory Department of Education and Training
GPO Box 4821
DARWIN NT 0801

Attention: Director Policy, Research and Non-Government Schools

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 corporate/governing body.
2. Applicants for the registration or variation of registration of a non-government school may request a preliminary assessment of any relevant matter associated with the application. The preliminary assessment may indicate whether the application is likely to fail because of any adverse findings of the assessment (section 63). Requests for a preliminary assessment must be made in writing and must clearly state the particular matters that the CEO is being requested to consider.
3. Prospective applicants considering proposals involving Northern Territory Government (NTG) constructed facilities, current DET schools or DET Homeland Education Programs are encouraged to have preparatory conversations with the Chief Executive Officer (CEO) of the Department of Education and Training (DET) and to undergo preliminary assessment prior to submission of a full application.
4. Applications must be made at least one year before the school begins to provide the educational programs or the variation is to take effect (section 63A(3)), but the CEO may reduce that period in appropriate cases (section 63A(4)).
5. Applicants seeking to have a school commence providing or vary their provision of educational programs less than one year from the date of application must specifically

request the CEO to exercise their discretion under section 63A(3) and in doing so provide the CEO with full particulars of the grounds upon which the request is made.

6. Applications must address all of the matters required by section 63B(1) and demonstrate how the applicant will ensure compliance with the all of the registration requirements as in section 61A of the Act.
7. Applicants for variation 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 63B(1) will be affected by the variation.
8. Should the information provided not be complete, the CEO will request additional detail in writing, indicating a timeframe for the information to be provided. If the information is not provided within the specified timeframe, the application will lapse.
9. Once satisfied that the application is complete, the CEO will give written notice to the applicant that the application has been received. The CEO must finalise the application within nine (9) months of this notification (s65).
10. The CEO will refer all applications for registration (s63C(2)) or significant variation (s68F(2)) to the Registration Assessment Panel (RAP) for review and recommendation(s64A).
11. The five members of the RAP are representative of the non-government schools sector and government agencies and are appointed by the Minister for Education and Training.
12. The RAP will convene to review the application. The CEO 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 for the panel with the opportunity for panel members to seek any clarification from the applicant directly.
13. In reviewing the application the RAP must have regard to those matters set out in section 64C:
 - The applicant's capacity to comply with the registration requirements and any other requirements under a law of the NT in relation to the proposal; and
 - The effects of the proposal contained in the application on the existing educational system in the NT and on the existing schools in the school's catchment area; and
 - The level of community support for the proposal and public comments on, or criticisms of, the proposal; and
 - The impact of the proposal on government infrastructure, services and resources; and
 - Any other matter, or a matter relating to a matter mentioned in any of the preceding paragraphs, prescribed by legislation.

It is important that when they are addressing the registration requirements of section 63B(1) applicants take into account the matters that the RAP must have regard to when reviewing an application.

14. The RAP will then consider the application and make a recommendation to the CEO.
15. The CEO will consider the application, the panel's recommendation and any other relevant matter and either approve or refuse the application. The CEO will then notify the applicant in writing, providing reasons for the decision in the notification (s65).
16. New schools will be registered and variations to school registration recorded in the register. A new or replacement certificate of registration will be issued to the school. The registration certificate will note the conditions of the registration, including the educational programs the school is authorised to provide and the year levels of the school's students (s65). The certificate of registration must be displayed in a prominent position on the school premises (s68M).
17. The registration or variation of registration will lapse if it does not take effect within 2 years after the date of approval (s65B).
18. Applicants may seek a review of a decision that refuses an application for registration or variation of registration of a non-government school. The request for the review must be made in writing to the Minister for Education and Training within 28 days of the date of the decision and must set out in detail, the grounds for the review. Further information on this process is available from the Director, Planning, Research and Non-Government Schools on 8901 4944 or ngs.det@nt.gov.au.
19. It is anticipated that applications will consist of:
 - A covering letter
 - Governing body information
 - A comprehensive business plan
 - Policy statements
 - Process statements

Applicants for registration of a new non-government school will obviously not be able to supply actual documents such as annual reports, but will instead have to provide statements regarding anticipated process and schedules for the development of such plans and reports as well as samples that will be emulated.

Applicants for variation of registration will be able to supply actual documents, reports, policies and schedules, noting the extent to which they will be affected by the variation.

A checklist for the registration of non-government schools is available on the DET website.

Templates for business plans can be found at:

<http://www.business.gov.au/Howtoguides/Thinkingofstartingabusiness/Whatplanningtoolscanhelpme/Pages/Businessplanguidesandtemplates.aspx>

and

<http://forms.bli.net.au/Forms/State/NT/Forms/ap505a.pdf>

	Matters to be Addressed in the Application S63B	Registration Requirements from the Act S61A	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: (i) must be persons of good character; and (ii) must collectively possess the skills and experience necessary for the proper administration of the school.</p>	<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 S61B:</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. 	<p>(b) The governing body's philosophy and objects and the school's educational programs must be consistent with the principles mentioned in section 61B as required by that section.</p> <p>S61B 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. • Any 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. 	

	Matters to be Addressed in the Application S63B	Registration Requirements from the Act S61A	Suggested Evidence	Resources
3	(c) The school's methods of governance.	(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.	S64C 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 school's catchment area; and • the impact of the proposal on government infrastructure, services and resources. 	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, any plans for their maintenance, renovation and expansion and related construction schedules.	(d) The school's facilities must: (i) be appropriate and adequate for the purposes of its educational programs and year levels and number of its students; and (ii) must 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 or grounds. 	
6	(f) The insurance coverage for the school's facilities and for any liabilities 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.	
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.	

	Matters to be Addressed in the Application S63B	Registration Requirements from the Act S61A	Suggested Evidence	Resources
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 	https://schools.dest.gov.au/ssp/help/html/fv/index.htm
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: <ul style="list-style-type: none"> (i) must be of good character; and (ii) for its teaching staff – 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. 	

	Matters to be Addressed in the Application S63B	Registration Requirements from the Act S61A	Suggested Evidence	Resources
11	(k) The school's curriculum and methods of student assessment.	(j) 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>http://www.det.nt.gov.au/teachers-educators/curriculum-ntbos</p> <p>http://www.det.nt.gov.au/teachers-educators/assessment-reporting</p> <p>http://www.det.nt.gov.au/data/assets/pdf_file/0013/706/ProvideInstructionFullYear.pdf</p> <p>http://www.det.nt.gov.au/data/assets/pdf_file/0011/641/physical_activity_requirements_for_schools.pdf</p> <p>http://www.det.nt.gov.au/about-us/policies/documents/schools/school-management/gifted-education</p>

	Matters to be Addressed in the Application S63B	Registration Requirements from the Act S61A	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 67A and 67B which deal with student records and reports, financial records and annual financial statements);</p> <p>(iv) the reporting on the school's performance to the community and Chief Executive Officer (including complying with the requirements in sections 67A, 67B and 67C which deal with student records and reports, financial records, annual financial statements and annual report).</p>	<p>(k) The school must have appropriate procedures for its 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 about the school (including complying with the requirements in sections 67A and 67B);</p> <p>(iv) the reporting on the school's performance to the community and Chief Executive Officer (including complying with the requirements in sections 67A, 67B and 67C).</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>http://notes.nt.gov.au/dcm/legislat/legislat.nsf/64117ddb0f0b89f482561cf0017e56f/ac76474bec70bb55692576a8000eac17?OpenDocument</p> <p>http://www.det.nt.gov.au/_data/assets/pdf_file/0015/708/sm-01.4.pdf</p> <p>http://www.det.nt.gov.au/_data/assets/pdf_file/0013/4126/DET_strategic_plan2009-2012.pdf</p> <p>http://www.det.nt.gov.au/_data/assets/pdf_file/0013/616/det_privacy_statement.pdf</p> <p>http://www.det.nt.gov.au/teachers-educators/school-management/enrolment-attendance</p> <p>http://www.det.nt.gov.au/teachers-educators/professional-learning</p>

	Matters to be Addressed in the Application S63B	Registration Requirements from the Act S61A	Suggested Evidence	Resources
12 con			<ul style="list-style-type: none"> • Access to student records and security processes and procedures to be followed. Statement regarding the proposed annual reporting process, including: <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.	(l) The school must comply with the current policy of the Northern Territory government in relation to the age of school entry for students.	Policy statement on age of school entry.	http://www.det.nt.gov.au/about-us/policies/documents/schools/aoe
14	(n) The school's policy for the discipline of its students.	(m) The school's policy for the discipline of students must be based on procedural fairness and must not involve corporal punishment.	Discipline policy that: <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. 	http://www.det.nt.gov.au/about-us/policies/documents/schools/management-of-student-behaviour
15	(o) The school's provision for meeting the needs of any of its students who has a disability.	(n) 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.	http://www.det.nt.gov.au/about-us/policies/documents/schools/school-management/students-with-disabilities

	Matters to be Addressed in the Application S63B	Registration Requirements from the Act S61A	Suggested Evidence	Resources
16	(p) The school's policy and procedures for safeguarding the health, safety and wellbeing of its staff and students, including, for example, the following: (i) an occupational health and safety manual for its staff; (ii) procedures to ensure a criminal history report is obtained for each member of its staff; (iii) a contingency plan for emergencies.	(o) The school must have adequate safeguards for the health, safety and wellbeing of its staff and students, including, for example, the following: (i) an adequate occupational health and safety manual for its staff; (ii) appropriate procedures to ensure a criminal history report is obtained for each member of its staff; (iii) an adequate contingency plan for emergencies.	Occupational health, safety and wellbeing policy that covers staff and students	http://www.det.nt.gov.au/about-us/policies/documents/schools/recording-and-reporting-student-injuries http://www.det.nt.gov.au/about-us/policies/documents/schools/students-with-notified-medical-conditions http://www.det.nt.gov.au/_data/assets/pdf_file/0019/595/EmergencyPreparednessPolicy.pdf http://www.det.nt.gov.au/_data/assets/pdf_file/0014/590/EmergencyManagementKit.pdf
17	(q) The school's policy and procedures for dealing with complaints and disputes.	(p) 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 	http://www.det.nt.gov.au/_data/assets/pdf_file/0019/577/complaints_policy.pdf
18	(r) The school's plan for maintaining a system of self audit in accordance with section 67D.	(q) A self audit must be conducted for the school in accordance with section 67D.	Statement regarding the system that will be used and the schedule of review.	http://www.det.nt.gov.au/about-us/APIF
19	(s) any other matter, or a matter relating to a matter mentioned in any of the preceding paragraphs, prescribed by regulation.	(r) Any other matter, or a matter relating to a matter mentioned in any of the preceding paragraphs, prescribed by regulation.		
	(2) Without limiting subsection (1), the application must demonstrate how the applicant proposes to ensure compliance with the registration requirements.			

S64C Matters to be considered for application

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

- the applicant's capacity to comply with the registration requirements and any other requirements under a law of the Territory in relation to the proposal; and
- the effects of the proposal contained in the application on the educational system in the Territory and on the existing schools in the school's catchment area; and
- the level of community support for the proposal and public comments on, or criticisms of, the proposal; and
- the impact of the proposal on government infrastructure, services and resources; and
- any other matter, or a matter relating to a matter mentioned in any of the preceding paragraphs, prescribed by regulation.