

4.9A RESPONSIBLE PERSON POLICY - NESA

REQUIREMENTS FOR REGISTRATION & ACCREDITATION

1. Responsible Person School Policy

1.1 Responsible Person

It is important that the legal requirements and liabilities of each responsible person for the School are clearly defined and understood. These are similar to those applying to members of governing bodies, other public corporations or organisations.

A responsible person for the School is under the *Education Act*:

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

1.2 Policy – General

At the beginning of each school year each responsible person for the School must sign the declaration on the following page.

1.3 Document to be included in Board papers

- (a) At the beginning of the School Committee meeting the Chair will ask the council members and the Principal of the School whether they have anything to declare as a responsible person for the School.
- (b) In accordance with the *Education Act 1990 (NSW)* as amended by the *Education Amendment (non-Government Schools Registration) Act 2004 (NSW)*, the council members and the Principal of the School must notify the Chair if:
 - (i) they are a *'disqualified person'* who is no longer permitted to act as a Director;
 - (ii) they are bankrupt or insolvent;
 - (iii) any refusal to register, or cancellation of registration of the School or any other school, during the previous five years, has been largely attributable to their actions;
 - (iv) they have been convicted of an offence that is punishable by imprisonment for 12 months or more;

- (v) they have been prohibited by the Commission for Children and Young People Act 1998 and Commission for Children and Young People Regulation 2009 from seeking, undertaking or remaining in child related employment; or
- (vi) they have any personal interest or conflict of interest in relation to any item on the agenda.

POLICY REVIEWED	MODIFICATIONS	NEXT REVIEW DATE
June 2021	Checked copy	2022

RESPONSIBLE PERSON (REQUIREMENTS FOR REGISTRATION & ACCREDITATION)

DECLARATION

As per Section 47(b) of the Education Act, which requires each 'responsible person' for a non-government school to be a fit and proper person or body, I declare that:

- i. I am not a 'disqualified person' who is no longer permitted to act as a Director;
- ii. I have never become bankrupt, insolvent or placed under external administration;
- iii. I have never been a responsible person for a non-government school or proposed non-government school where registration was refused or cancelled;
- iv. I have not been convicted of an offence against a law of an Australian State or Territory or the Commonwealth of Australia;
- v. I have not been convicted of, or charged with, and offence, including an offence in relation to children, dishonesty or violence;
- vi. I have never been determined not to be a fit and proper person as prescribed under any law of an Australian State or Territory or Australian Commonwealth;
- vii. I have never engaged in a deliberate pattern of immoral or unethical behaviour;
- viii. I will declare any personal interest or conflict of interest in relation to my position as a responsible person for Lindfield Montessori Society.

Name: _____

Signed: _____

Date: _____