Governance Workshop

Purpose Session: 10.15am to 10.30am
Governance not new

- All Catholic Schools have a Governance Structure
- Catholic schools and Canon law. Canons 796 to 806.
- BOS earlier requirements relating to “School Proprietors”, Registration and Accreditation requirements.
What is required?

- Being explicit about your Governance structure.
- Being accountable for your Governance structure.
- Maintaining the Catholic dimension of your Governance Structure.
Who leads the way?

- Those schools that are structured as “Companies Limited by Guarantee”
- Schools which are companies are experienced with oversight by ASIC.
Drivers of Governance Change

a) The Royal Commission into Institutional Responses to Child Abuse

b) Australian Charities and Not-for-Profit Commission

c) BOSTES Governance requirements, NSW Education Act (1990)
   section 47 “Registration Requirements”

d) New NSW Education Not-for-Profit requirements. Section 83(c)
   replacing section 21 (A)

e) Commonwealth Australian Education Act Section 75, “Approved Authority Requirements”
The Involved Regulators

- Bishop, Order/Institute/CEO/CECNSW/CCER
- BOSTES: School Registration and Accreditation
- Commonwealth Department of Education and Training
- ACARA
- AITSL
- ASQA: For VET
- ACECQA: For Early Childhood Services
- ASIC: For Companies
- ACNC: For charity status and Tax Concessions (ATO)
- NSW Office of Education: For Not-for-Profit Status as a school in NSW
- ICAC: For Public Administration, corrupting public officials.
The Compliance Challenge

• Establishing processes that can address the needs of multiple Regulators through the same compliance systems and measures.
The Goals

• Good Governance that supports preferred educational outcomes for children/students.

• Effective and efficient Governance that supports public confidence in and public funding for Catholic schools.

• Ethical Governance that protects the rights of children.

• Transparent and participatory Governance which values teachers and parents.
An Opportunity

A crisis creates opportunities.

If there is a Governance crisis we have an opportunity: an opportunity to create the Governance we want (and need).

If there is no crisis then there is a need to document the Governance we practice.
Governance Workshop

Key Issues: 12.00pm to 12.30pm
Section 47 Registration Requirements

- Policies and Procedures for Governance
- Identifying Responsible persons.
- Good character assessment for Responsible persons
- Induction for Responsible persons
- Training and Professional learning for Responsible persons
- Related Party transactions Register and Audit
- Conflict of Interest, management and procedures
- BOSTES notifiable matters
- Other?
Section 83(C) Not-for-Profit Requirements

- Identifying the School’s Governing Body and Responsible Persons
- Identifying all related party transactions and record keeping
- Assessing reasonable market value
- Managing Conflicts of Interest
- Policies and Record Keeping
- Maintaining an Asset Register(s)
- Audit processes / requirements
- BOSTES notifiable events
Governance Workshop

Workshopping the Issues: 1.00pm – 2.30pm
You are asked to categorise BOSTES Governance issues according to:

1. Governance compliance requirements already addressed.

2. New Governance requirements that can be addressed by each individual school alone.

3. New Governance requirements that require Agency support together with the preferred Agency for each requirement.

4. Any highly problematic Governance requirements which CECNSW and or CCER should take up with BOSTES.