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Governance Framework Policy

PURPOSE

This Governance Framework Policy is for the purpose of guiding internal governance and management of Diocese of Lismore Catholic Schools Limited (DLCSL). The purpose of this document is to ensure DLCSL, schools, District of Lismore Catholic Schools (DLCS) and other stakeholders have a common understanding of how they operate and function within the context of the Catholic Church and the system of schools in the Diocese of Lismore in order to meet Commonwealth and State legislative requirements.

It is expected that this framework will assist with the understanding of how DLCSL can use resources efficiently, act with integrity and ethically in the best interests of students, staff, families and other stakeholders, and that decisions are supported by transparent and clear roles, responsibilities and procedures.

APPLICATION

This policy applies to all persons engaged by DLCSL, including but not limited to employees, contractors and volunteers of DLCSL. It outlines the obligations, responsibilities and standard of behaviour required in the context of governance to uphold the values, integrity and reputation of the Catholic Church, DLCSL, DLCS and all Catholic schools in the Diocese of Lismore.

Employees, contractors and volunteers are to make themselves familiar with the requirements of this document and ensure they comply with the behaviours and obligations outlined within it.

This policy does not form part of any employment contract or contractor agreement and does not impose contractual obligations on DLCSL.

POLICY

Governance in the context of Catholic schools in the Diocese of Lismore means encompassing *'the system by which an organisation is controlled and operates, and the mechanisms by which it and its people are held to account'*.

DLCSL is committed to complying with all applicable governance related legislation and associated guidance from authorities.

Accordingly, DLCSL aims to implement identifiable and measurable governance framework and governance procedures consistent with the requirements of the *Education Act 1990 (NSW)*, the *Australian Education Act 2013 (Cth)*, and associated Regulations as administered by the NSW Education Standards Authority (NESA).

RATIONALE

Governance of schools in the Diocese of Lismore refers to the various authority structures, decision making processes and lines of accountability operating within DLCSL and in diocesan schools. Proper accountable governance in schools in the Diocese of Lismore will assist in the efficient use of resources, and ensure decisions are made and supported by transparent roles, responsibilities and procedures.

NESA sets out specific obligations for the governance of schools and DLCSL is accountable for governance of Catholic schools in the Diocese of Lismore. Proper governance requires the system, and individual schools, to have in place structures, policies and procedures for governance, leadership, authority, decision-making, accountability and transparency.

OUTCOMES

In order to meet governance requirements for the management and operation of DLCSL and individual schools, DLCSL will ensure the following governance requirements are met:

- Maintaining a formal register of all Responsible Persons, as defined in the *Education Act 1990* (NSW), as being a 'fit and proper persons' and ensuring that they are able to carry out their responsibilities in relation to the operation of the school;
- Maintaining school charters or documents identifying the governance structure of each school and the respective authority, role and responsibilities of each of the school's Responsible Persons and any other person or body concerned in the management of the school;
- Establishing a delegations schedule, supervisory arrangements and reporting requirements for each school's Responsible Persons and a Code of Conduct;
- Establishing, monitoring adherence to and regularly reviewing governance policies and procedures such as legal compliance and risk management policies;
- Maintaining records of governance decisions and actions made by each school's Responsible Persons;
- Maintaining a formal register of conflicts of interest and related-party transactions to ensure that conflicts of interest are disclosed and appropriately managed;
- Operating on a not-for-profit basis;
- Recording and providing ongoing professional learning and governance training to Responsible Persons;
- Recording and providing induction and governance training to all new Responsible Persons;
- Facilitating annual independent audits of financial statements in accordance with the Australian Accounting/Auditing Standards;
- Notifying NESA of change of character of Responsible Persons, if a school is moved or is sold, of alleged breaches of law or bankruptcy; and
- That DLCSL is financially viable.

Governance and financial decision making will be based on formal authority to act through delegations, authorisations, policies, procedures and/or responsibilities associated with a role, position or function.

RELATED DOCUMENTS

Catholic Education in the Diocese of Lismore: The Mission of Jesus Christ Foundational Values

Conflict of Interest Procedures

Related Party Transactions Procedures

Responsible Persons Procedures

Australian Education Act 2013 (Cth)

Australian Education Regulation 2013 (Cth)

Education Act 1990 (NSW)

AGDET Guide to the Australian Education Act

National Education Reform Agreement: NSW Bilateral Agreement 2013

NSW Education Standards Authority (NESA) Registration Systems and Member Non-government Schools (NSW) Manual

NSW Department of Education *Not-for-Profit Guidelines for Non-Government Schools* (September 2019)