Australian Capital Territory

Education (ACT Non-government Schools) Registration Standards Guidelines 2026

Notifiable instrument NI2026-506

made under the

***Education Act 2004*, s 85 (Registration standards guidelines)**

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1 Name of instrument

This instrument is the *Education (ACT Non-government Schools) Registration Standards Guidelines 2026*.

2 Commencement

This instrument commences on the day after it is notified.

3 Registrar's Guidelines

After consulting with the Registration Standards Advisory Board, Catholic Education Archdiocese of Canberra and Goulburn, and the Association of Independent Schools of the ACT, I make the *Registration Standards Guidelines for ACT Non-government Schools* attached in the schedule.

4 Revocation

I revoke the *Education (Non-government Schools) Registration Standards Guidelines 2023* [NI2023-777].

Sean Moysey
Registrar of Non-Government Schools
12 November 2026

Schedule

ACT Government

Registration Standards Guidelines for ACT Non-government Schools

November 2026

Education Directorate

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Introduction

In 2022, amendments to the *Education Act 2004* (the Act) and the Education Regulation 2005 (the Regulation) established a regulatory framework for ACT Non-government Schools.

The regulatory framework includes a set of conditions of registration requiring non-government schools to comply with Registration Standards. Schools must make and keep records about complying with the Standards.

The Registration Standards are detailed in Schedule 2, Parts 2.1 – 2.4 of the Regulation, as follows:

Part 2.1 Governance

2.1 Incorporation
2.2 Not-for-profit
2.3 Governance structure
2.4 Financial viability
2.5 Policies and Procedures
2.6 Annual Statement
2.7 Continuous improvement
2.8 Enrolment policy, procedures and contracts
2.9 Complaints policy and procedures

Part 2.2 Educational programs

2.10 Curriculum
2.11 Educational program accessibility
2.12 Educational performance
2.13 Student learning outcomes

Part 2.3 Safety and welfare

2.14 Protection from harm
2.15 Child Safe Standards
2.16 Encouraging attendance
2.17 Student movement register
2.18 Behaviour management policy and procedures

Part 2.4 Other operational requirements

2.19 Compliance with territory and Commonwealth laws
2.20 Suitability of key individuals for the proprietor
2.21 Teaching staff
2.22 Buildings, facilities and grounds
2.23 Educational facilities
2.24 Residential boarding services
2.25 Emergency management plan

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Using the Registration Standards Guidelines

The **Registration Standards Guidelines for ACT Non-government Schools** are intended to provide guidance to schools in determining the type of record keeping they may consider maintaining, to demonstrate compliance with the Registration Standards. The examples of evidence outlined in this document are not intended to be comprehensive or treated as a checklist. The examples are to be used as a guide and should be read in conjunction with the Act and the Regulation.

Evidence may be requested at the time of a registration review or upon request by the Registrar of Non-government Schools — for example, after a concern is raised with the Registrar.

The proprietors of all Non-government Schools in the ACT are either a Catholic system school, or members of the Association of Independent Schools of the ACT (AIS). The **Registration Standards Guidelines for ACT Non-government Schools** were developed in consultation with the Registration Standards Advisory Board, AIS, and Catholic Education, Archdiocese of Canberra and Goulburn (CECG).

The Registrar recognises that CECG is the proprietor for a large number of Catholic schools registered in the ACT. It is understood that CECG schools will apply common frameworks, policies and resources developed by CECG.

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Registration Standards – Governance

The proprietor of a non-government school is responsible for ensuring the governance structure of the school enables the school to fulfill its legislative responsibilities, be financially viable, and operate safely.

The Governance Registration Standards are outlined in sections 2.1 to 2.9 of the Regulation.

2.1 Incorporation

The proprietor of a registered school must be a corporation.

Evidence

Evidence should demonstrate that the proprietor is a corporation. This could be in the form of a current registration certificate from the Australian Securities and Investments Commission (ASIC).

2.2 Not-for-profit

The proprietor of a registered school must be registered under the *Australian Charities and Not-for-profits Commission Act 2012* (Cwlth).

Evidence

Evidence should be in the form of a registration certificate and/or dated extract from the register of Australian Charities and Not-for-Profits Commission (ACNC).

2.3 Governance structure

(1) The proprietor of a registered school must ensure the governance structure of the school enables the school to –
  (a) fulfill its legal obligations; and
  (b) be financially viable; and
  (c) operate safely.

(2) The proprietor must ensure that the governance responsibilities of the governing body of the school are separate from the day-to-day control and management responsibilities of the principal of the school.

Note: The governing body of a non-government school, means the body responsible for the governance, conduct and management of the school.

Evidence

Evidence may include:

- Constitution for the governing body, showing board structure, roles and responsibilities
- Management plan for dealing with conflicts of interest for key individuals
- Strategic plan and business plan for the governing body
- Board policies and procedures on managing financial risk.

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Best Practice: The governing body should consist of members whose combined knowledge, skills and experience enable the effective delivery of education services with sufficient financial, operational and human resources.

2.4 Financial viability

(1) The proprietor of a registered school must ensure that the school has access to adequate financial resources for its viable operations

(2) The proprietor must ensure the school's funding model enables delivery of the school's educational programs to the number of students at the school, at the levels of education for which the school is registered.

(3) The proprietor must ensure that the school's—

(a) finances are managed in accordance with the requirements of the Corporations Act 2001; and

(b) financial records are audited annually; and

(c) financial records and audit reports are made available to the Registrar on request.

Evidence

Evidence to demonstrate financial viability may include:

- Annual audited financial statements
- Enrolment estimates and assumptions
- Estimated Territory and Commonwealth grant funding
- Financial forecasts for five years
- Business plan
- Board statements on financial risk management.

Note: It is understood that financial records kept by a proprietor can be for one school or many schools, as the case for Catholic system schools in the ACT.

2.5 Policies and procedures

(1) The proprietor of a registered school must ensure that the school has policies and procedures in place to ensure the school complies with the registration standards.

(2) The proprietor must ensure that students, parents and staff are consulted about the following policies for the school:

(a) the enrolment policy under standard 2.8;

(b) the complaints policy under standard 2.9;

(c) the behaviour management policy under standard 2.18.

(3) The proprietor must ensure that—

(a) current and prospective students, parents and staff are made aware of the school's policies and procedures; and

(b) the school's policies and procedures are made available to the public; and

(c) the school's policies and procedures are made available to the Registrar on request.

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Evidence

Evidence may include:

- Copies of the school's enrolment, complaints, and behaviour management policies
- Record of consultation activities with students, parents and staff about school policies
- Current school policies and procedures are available to the public via:
    - the school website
    - parent newsletters
    - student / staff handbooks
    - enrolment and information packs.

2.6 Annual statement

(1) The proprietor of a registered school must ensure that a written statement is prepared annually, describing how the school has complied with the registration standards during the year.

(2) The proprietor must ensure that the school's annual statement is made available to the public.

Example–made available to the public

- Included in a publicly available annual report
- Published on the school's website

Evidence

In addition to the examples provided in the Regulation, the school may consider keeping a 'live' document that is easily updated and supports the annual written statement.

2.7 Continuous improvement

(1) The proprietor of a registered school must ensure that the school has processes in place to ensure continuous improvement in the operation of the school.

(2) The proprietor must ensure that the school has processes to—

(a) consult students, parents and staff about the operation of the school, including its educational programs; and
(b) regularly review complaints and safety incidents; and
(c) plan, monitor and assess strategies for improving the operation of the school.

(3) The proprietor must ensure that the school keeps written records of—

(a) the school's processes for improving its operation; and
(b) how the strategies are to be monitored and assessed; and
(c) whether the strategies have been successful in improving the operation of the school.

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Evidence

Evidence to demonstrate consultation requirements may include:

- Information sessions for parents and students
- Staff meetings
- Parents, students and staff satisfaction surveys and results

  Evidence to demonstrate reviews (including reviews of complaints and safety incidents) and assessment of strategies to improve operations may include:

- A plan for the review of policies and procedures
- A plan for reviewing and updating curriculum documents and teaching practices
- Approaches to improve teaching and learning outcomes
- Assessment of complaints lodged, processes undertaken in handling complaints, and complaint outcome
- Register and assessment of safety incidents, handling and investigations
- Assessment of safety incidents handling and investigation.

2.8 Enrolment policy, procedures & contracts

(1) The proprietor of a registered school must ensure that the school has—

(a) a written enrolment policy; and

(b) written enrolment procedures; and

(c) a written enrolment contract.

(2) The proprietor must ensure that the school's enrolment policy and enrolment contract clearly state the grounds on which a student's enrolment may be ended.

(3) The proprietor must ensure that the school's enrolment policy and enrolment procedures—

(a) have regard to the effect on a student of ending the student's enrolment; and

(b) apply natural justice and procedural fairness.

Note: A school must consult students, parents and staff about the school's enrolment policy and ensure it is available to current and prospective students, parents and staff. (see standard 2.5)

Evidence

Evidence may include:

- Copy of the school's enrolment policy and related procedures
- Codes of conduct for students
- Grounds for ending an enrolment
- Procedures for consulting with parents and student about enrolment cancellation which apply natural justice and procedural fairness

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- Written enrolment contract for students/parents/guardians to sign which outlines an agreement to abide by school policies, procedures, codes of conduct and explains the grounds for ending enrolment of a student.

The school's enrolment policy, procedures and contract should reflect the requirements outlined elsewhere in the Act.

2.9 Complaints policy and procedures

(1) The proprietor of a registered school must ensure that the school has—

(a) a written complaints policy; and

(b) written complaints procedures.

(2) The proprietor must ensure that the school's complaints policy and complaints procedures—

(a) include procedures for receiving, assessing, investigating and resolving complaints; and

(b) take into account the impact of the issues involved in the complaint on all students involved in the complaint; and

(c) apply natural justice and procedural fairness.

Note: A school must consult students, parents and staff about the school's complaints policy and ensure it is available to current and prospective students, parents and staff. (see standard 2.5)

Evidence

Evidence may include:

- Copy of the school's complaints policy and procedures
- Log of complaints and timeline of communications relating to the complaint
- Details of how each complaint was assessed and investigated
- Outline of complaint outcome.

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Registration Standards – Education Programs

The proprietor of a non-government school is responsible for ensuring the school's compliance with the Standards relating to the school's educational programs.

The Registration Standards for Educational Programs are outlined in sections 2.10 to 2.13 of the Regulation.

2.10 Curriculum

In this section:

Australian Curriculum means the national curriculum as agreed by the Ministerial Council and administered by ACARA under the *Australian Curriculum, Assessment And Reporting Authority Act 2008* (Cwlth).

Australian curriculum, assessment and reporting authority (or ACARA) means the body established under the *Australian Curriculum, Assessment And Reporting Authority Act 2008* (Cwlth), section 5(1).

Board of Senior Secondary Studies means the board established under the *Board of Senior Secondary Studies Act 1997*, section 4(1).

(1) The proprietor of a registered school must ensure that the school has a curriculum framework in place for the organisation and implementation of the school's educational program.

(2) The proprietor of a school that is registered to provide a level of education from kindergarten to year 10 must ensure the school's educational program complies with the requirements of at least one of the following:

(a) the Australian curriculum;

(b) the International Baccalaureate Primary Years program;

(c) the International Baccalaureate Middle Years Program;

(d) the Australian Steiner Curriculum Framework;

(e) the Montessori National Curriculum Framework;

(f) another curriculum recognised by ACARA.

Evidence

Evidence may include documentation that outlines:

- Curriculum documents / Curriculum handbook
- Plan showing how the curriculum will be organised, implemented and delivered
- Process for reviewing the delivery of the school's curriculum
- Compliance with curriculum requirements
- Findings of curriculum reviews
- Certification and/or review reports from the International Baccalaureate.

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(3) The proprietor of a school that is registered to provide a level of education from year 11 to year 12 must ensure the school's educational program complies with the requirements of at least one of the following:

(a) the Board of Senior Secondary Studies;

(b) a diploma program authorised by the International Baccalaureate;

(c) the *Education Act 1990* (NSW), section 12 (Curriculum for Higher School Certificate candidates).

Evidence

Evidence may include documentation that outlines:

- Findings of BSSS moderation or compliance reviews
- Certification from the International Baccalaureate or NSW Education Standards Authority.

(4) The proprietor must ensure that the nature and content of its educational courses are appropriate for the levels of education the school is registered to provide.

Evidence

Evidence may include documentation that outlines:

- Resources and equipment available for all educational courses
- Teaching programs that align with approved curriculum.

(5) The proprietor must ensure that the school makes reasonable adjustments to the way the curriculum is delivered for students with disability and students with complex needs.

Evidence

Evidence may include:

- Individual learning plans templates and processes which would be used for students with a disability and/or complex need
- Documents that outline how reasonable adjustments have been assessed and developed
- Documents demonstrating consultation with parents about reasonable adjustments.

(6) A registered school's educational program may include, in addition to the courses required under subsections (2) and (3), other courses, programs, studies or subjects decided by the principal of the school.

Evidence

Evidence may include:

A list of approved additional educational courses/ programs / studies that include details of the provider, location, risk assessments, record of student involvement and parent permission notes.

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2.11 Educational program accessibility

(1) The proprietor of a registered school must ensure that the school makes information about the school's educational program available to students, parents and staff.

(2) The proprietor must ensure that the school consults students, parents and staff about significant changes to the school's educational program.

Evidence

Evidence of consultation can include:

- Details of parent information sessions
- Records of staff and student meetings about proposed changes to educational programs
- Changes included on the school website
- Communication with school families about the proposed changes.

2.12 Educational performance

The proprietor of a registered school must ensure that—

(a) the educational performance of each student at the school is assessed, monitored and recorded; and

(b) each student at the school, and their parents, have access to information about the student's performance; and

(c) at least twice each year, the parents of each student at the school are given a written report about the student's educational performance and social development at the school.

Evidence

Evidence may include:

- Assessment and reporting policies
- Report~~s~~ templates for parents on student performance
- School calendar reporting times, including parent meetings.

2.13 Student learning outcomes

The proprietor of a registered school must ensure that the school—

(a) sets learning outcomes for all students at the school; and

(b) has processes in place to support all students at the school to achieve their learning outcomes, including processes for making reasonable adjustments to support learning outcomes for students with disability and students with complex needs.

Evidence

Evidence may include:

- Copies of learning goals on student files
- Differentiated curriculum documents as outlined in 2.10(1) and (2).

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Registration Standards – Safety and welfare

The proprietor of a non-government school is responsible for ensuring the school's compliance with the Standards relating to the safety and welfare of students, members of staff, and other people involved in the school's operations.

The Safety and welfare Registration Standards are outlined in sections 2.14 to 2.18 of the Regulation.

2.14 Protection from harm

(1) The proprietor of a registered school must ensure that the school takes all reasonable steps to protect the following people from harm:

(a) students at the school;

(b) members of staff of the school;

(c) other people involved in the school's operations.

(2) The proprietor must take all reasonable steps to ensure that the school has a safe and effective learning environment.

Evidence

Evidence may include policies and procedures that cover the following:

- Accidents and critical incidents
- Emergency management
- Fire safety
- Lockdown and evacuation
- Hazardous substances, inflammable noxious substances
- Risk assessments
- Staff professional learning on reportable incidents and mandatory reporting
- Record of regular building maintenance
- Playground/outdoor supervision.

2.15 Child safe standards

The proprietor of a registered school must ensure that the school complies with the child safe standards under the *Human Rights Commission Act 2005*, part 5A.

Evidence

Evidence may include:

- Policies incorporating all of the child safe standards
- Professional learning for staff of the child safe standards
- Promotion of the school's policies to staff and the school community.

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2.16 Encouraging attendance

(1) The proprietor of a registered school must ensure that the school has procedures in place to—

(a) ensure students attend school regularly; and

(b) help parents to encourage students to attend school regularly.

(2) The procedures must —

(a) state that school attendance is compulsory; and

(b) state the benefits of a student's regular school attendance; and

(c) include steps that may be taken to support a student's attendance.

Example—par (c)

referring a student to a support service

Evidence

Evidence may include policies and procedures for:

- Monitoring student attendance
- Communicating with parents/guardians on attendance/non-attendance
- Implementing measures to encourage regular attendance
- Referrals to support services.

2.17 Student movement register

The proprietor of a registered school must ensure that the school has procedures in place to ensure the principal of the school complies with procedures established by the director-general under the Act, section 10AB (Student movement register—procedures).

Evidence

Evidence must include procedures for:

- Maintaining the student movement register.

2.18 Behaviour management policy and procedures

(1) The proprietor of a registered school must ensure that the school has—

(a) a written behaviour policy; and

(b) written procedures about behaviour.

(2) The proprietor must ensure that the school's behaviour policy—

(a) deals with the following:

(i) for a catholic system school—suspension, expulsion and exclusion of students at the school;

(ii) for an independent school—suspension and expulsion of students at the school; and

(b) is consistent with the Act, chapter 2A (Suspension, transfer, expulsion and exclusion of students); and

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(c) has regard to the best interests of—

(i) the student whose behaviour is being considered; and

(ii) other students; and

(iii) members of staff at the school; and

(d) applies natural justice and procedural fairness.

Note: A school must consult students, parents and staff about the school's behaviour policy and ensure it is available to current and prospective students, parents and staff (see standard 2.5).

Evidence

Evidence may include behaviour management policies and procedures that are available to the school community and include an outline of expectations around behaviours and the management of inappropriate behaviour.

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Registration Standards – Other operational requirements

The proprietor of a non-government school is responsible for ensuring the school's compliance with all Territory and Commonwealth laws that apply to the school, and the Registration Standards related to the school's operations.

The Registration Standards for other operational requirements are outlined in sections 2.19 to 2.26 of the Regulation.

2.19 Compliance with territory and Commonwealth laws

(1) The proprietor of a registered school must ensure that the school complies with all territory and Commonwealth laws that apply to the school.

Examples—applicable territory and Commonwealth laws

Act Teacher Quality Institute Act 2010

Australian Education Act 2013 (Cwlth)

Children And Young People Act 2008

Disability Discrimination Act 1992 (Cwlth)

Discrimination Act 1991

Education Act 2004

Human Rights Act 2004

Ombudsman Act 1989

Privacy Act 1988 (Cwlth)

Senior Practitioner Act 2018

Work Health and Safety Act 2011

Working With Vulnerable People (Background Checking) Act 2011

Evidence

Evidence may include:

- Copies of Teacher Quality Institute registrations for teachers (permanent, contracted, and relief)
- Copies of WWVP registration for all staff and school volunteers
- Policy and procedural documents that reflect and reference requirements outlined in laws.

(2) The proprietor must ensure that the proprietor, and the school, comply with conditions of the school's registration.

Evidence

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Evidence must include documentation outlining compliance with conditions on the school's registration.

(3) The proprietor must tell the registrar within 5 working days, in writing, if any action is taken against the proprietor, or the school, under a territory or Commonwealth law.

(4) The proprietor, and each person involved in the management or operation of the school, must comply with any lawful direction given under a territory or Commonwealth law.

Evidence

Evidence must include compliance with any lawful direction received.

(5) The proprietor, and each person involved in the management or operation of the school, must make any record the school is required to keep under a territory or Commonwealth law available to the registrar on request.

Evidence

Evidence is that records are made available on request.

2.20 Suitability of key individuals for the proprietor

(1) The proprietor of a registered school must ensure that each key individual for the proprietor is a suitable person to be involved in the governance or management of the school.

Evidence

Evidence may include:

- Documentation that outlines the governing body structure (including committees of the board), membership, experience and expertise.

(2) A person is not suitable to be involved in the governance or management of a registered school if the person—

(a) is not registered under the *Working with Vulnerable People (Background Checking) Act 2011* to engage in regulated activities involving children; or

(b) has been convicted or found guilty, in the act, of an offence punishable by imprisonment for at least 1 year; or

Note: A conviction does not include a spent conviction or an extinguished conviction (see *Spent Convictions Act 2000,* s 16(c)(i) and s 19h (1)(c)(i)).

(c) has been convicted or found guilty, outside the act, of an offence that, if committed in the act, would be punishable by imprisonment for at least 1 year; or

(d) is or has been bankrupt or personally insolvent; or

(e) has been the subject of an adverse finding or action taken by a court, tribunal, commission of inquiry, professional disciplinary body or regulatory authority (in the territory or elsewhere), if the adverse finding or action relates to—

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(i) dishonest, misleading or deceptive conduct; or

(ii) non-compliance with a legal obligation relating to the provision of education; or

(iii) a breach of a duty (including a duty of disclosure).

Evidence

Evidence may include:

- Procedures for complying with this Standard
- List of current WWVP registrations for all key individuals (including name, registration number, registration expiry date).

2.21 Teaching Staff

The proprietor of a registered school must ensure that each person employed to teach at the school is an approved teacher under the *ACT Teacher Quality Institute Act 2010*.

Note: Approved teachers include registered teachers and people with a permit to teach, but not if the registration or permit is suspended (see *ACT Teacher Quality Institute Act 2010,* s 9).

Evidence

Evidence may include:

- List of TQI registrations for teaching staff (permanent, contract, and relief) including name, registration number and registration expiry date.

2.22 Buildings, facilities and grounds

The proprietor of a registered school must ensure that the school's buildings, facilities and grounds comply with all territory and Commonwealth laws that apply to the buildings, facilities or grounds, including laws about planning, sustainability, building and work health and safety.

Evidence

Evidence may include:

- Policies and procedures to assess and monitor the standard and state repair of proposed premises and buildings
- A maintenance schedule for buildings, facilities and grounds
- Policy and procedures to maintain compliance with the *Work Health and Safety Act 2011*
- Risk assessments and safety plans
- Register for safety measures.

2.23 Educational facilities

The proprietor of a registered school must ensure that the school's educational facilities are—

(a) sufficient to enable the school to effectively provide the educational program offered by the school; and

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(b) suitable for the ages of the students attending the school.

Evidence

Evidence may include:

- Reasonable adjustment to facilities to accommodate students with additional needs
- Review and plan of facilities against student enrolments and educational programs.

2.24 Residential boarding services

The proprietor of a registered school that provides residential boarding services must ensure that the residential boarding services comply with AS 5725:2015 (Boarding Standard for Australian schools and residences) as in force from time to time.

Note: AS 5725:2015 may be purchased at www.standards.org.au.

Evidence

Evidence may include policy and procedures complying with the Boarding Standard.

2.25 Emergency management plan

(1) The proprietor of a registered school must ensure that the school has an emergency management plan.

(2) The proprietor must ensure that, in developing the emergency management plan, the school has regard to AS 3745-2010 (Planning for emergencies in facilities) as in force from time to time.

Note: AS 3745-2010 may be purchased at www.standards.org.au.

Evidence

Evidence may include:

- Emergency management plans, policies and procedures addressing the Australian Standard
- Records of staff training
- Records of regular practice drills for lockdown and evacuation
- Evacuation areas and routes displayed in all areas of the school
- Risk assessments and safety plans for facilities and equipment.

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