

Independent Public Schools – legislative and policy requirements

While *Independent Public Schools* will not be required to follow a number of operational procedures, they will be required to operate within legislation, industrial instruments, directives, delegations, whole-of-government policy and national agreements.

Policies and procedures

Queensland state schools have a range of procedures that are published on the department's *Procedure Register* www.education.qld.gov.au/strategic/eppr/index.html. The majority of these procedures are based on guiding legislation, such as the *Education (General Provisions) Act 2006* or *Education (General Provisions) Regulation 2006*, however the procedures generally provide more detail and prescription of responsibilities aimed at assisting school decision making and operation.

Independent Public Schools will still operate within the bounds of legislation but will have the flexibility to determine local approaches if desired, and as appropriate.

Education legislation

The most significant pieces of guiding legislation for Queensland schools are the *Education (General Provisions) Act 2006* (the Act) www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf and the *Education (General Provisions) Regulation 2006* www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrR06.pdf. The Act sets out the conditions and requirements for the provision of education to children and young people in Queensland. A number of the powers or

conditions set out in the Act refer to decisions that can only be made by the Minister or the Director-General, for example the power to establish or change the name of a state school.

However, there are also many sections of the Act that place conditions on the daily operation of Queensland state schools (including *Independent Public Schools*), for example, in relation to enrolment processes, mature age students, applying fees and charges, religious instruction, school councils and parents & citizens' associations.

Other legislation

There are aspects of other state and national legislation that place conditions on the operation of Queensland state schools. For instance, legislation that impacts on privacy, information sharing, anti-discrimination, workplace health and safety and financial management, to name a few.

Support for schools

Independent Public Schools will be provided with access to professional development materials to assist with understanding their ongoing legislative requirements. *Independent Public Schools* wishing to design local policies and procedures will have access to support from central office to ensure local approaches remain compliant with existing legislation, industrial instruments, directives, delegations, whole-of-government policy and national agreements.

Want to know more?

For more information about the *Independent Public Schools* initiative visit the Education Queensland website at www.education.qld.gov.au/schools/independent-public-schools/index.html or email IPS@dete.qld.gov.au