

# ANGLICAN CHURCH OF AUSTRALIA

## DIOCESE OF CANBERRA AND GOULBURN

### ANGLICAN SCHOOLS ORDINANCE OF THE DIOCESE OF CANBERRA AND GOULBURN 2016<sup>1</sup>

**AN ORDINANCE** to regulate the conduct of the schools established by the Diocese of Canberra and Goulburn in accordance with its mission, to establish the Anglican Schools Commission of the Diocese of Canberra and Goulburn and for other purposes.

#### **PREAMBLE**

1. The mission of the Anglican Diocese of Canberra and Goulburn commits the Diocese to one in which individuals and communities are transformed through the love of Jesus.
2. In furtherance of its mission, the Diocese has established schools and may establish other schools as a significant missional initiative to provide high quality integrated experiences for young people from a variety of backgrounds within the context of the Diocesan mission and with the opportunity that these schools will provide to the young people the capacity to grow in knowledge of themselves and God and thus become broadly educated, considerate and compassionate contributors to the well-being of the wider community under the influence of Christian teaching and experience.
3. Also in furtherance of its mission, the Diocese intends that certain of its schools be accessible with a fee structure that renders them affordable to the average family and with enrolment policies that allow for as broad a community participation as is feasible and which provide an opportunity for people, who may not relate to the Church through the ministry units of the Diocese, to be able to experience the Christian faith through the community of faith which is within each school and which will be an integral part of the local Christian and wider community.
4. It is necessary to provide for oversight of such schools and to this end it is intended to establish an Anglican Schools Commission of the Diocese of Canberra and Goulburn to assist Bishop-in-Council of the Diocese to regulate the operation of the schools, give leadership to their participation in the mission of the Church and in the transformation of the people of the Diocese and to ensure that the conduct of the schools is collaborative, effective, efficient and integrated into the life of the Diocese.

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<sup>1</sup> Please note that the Original Ordinances included in this Consolidation are recorded in the Ordinance books of the Diocese of Canberra and Goulburn. If you have any concerns about this consolidation please contact: [ordinances@anglicands.org.au](mailto:ordinances@anglicands.org.au)

This version of the Ordinance has been authorised by the Chancellor in accordance with section 75 of the Diocesan Legislation Ordinance 2007.

Bishop-in-Council, in its capacity as the Standing Committee of the Synod of the Diocese of Canberra and Goulburn and in exercise of its powers under section 3 of the Synod (Delegation of Functions) Ordinance 1998, therefore, enacts:

## **PART I - INTRODUCTION**

### **SHORT TITLE**

1.1. This Ordinance is the Anglican Schools Ordinance of the Diocese of Canberra and Goulburn 2016.

### **2. OBJECTS OF THE ORDINANCE**

2.1. The objects of the Ordinance are:

- (a) to provide a framework for the governance of such Diocesan Schools as are established or may be established in the Diocese to serve the mission and ministry of the Church in the Diocese;
- (b) to provide a framework for the Anglican Company Schools and for pre-schools, kindergartens or similar institutions, administered by Anglicare, to collaborate with Diocesan Schools and with each other;
- (c) to provide an expression of the support of the Diocese for the continued work of the Anglican Company Schools within the mission and ministry of the Church;
- (d) to express the intention of the Diocese that the cooperative arrangements contemplated under this Ordinance between the Commission and all existing schools in the Diocese will bring about close working relationships between those schools and any new schools to be established under this Ordinance.

### **3. DICTIONARY**

3.1 Unless the contrary intention provides:

**Applicable Schools** means all the schools and other bodies to which this Ordinance applies under section 4 of this Ordinance.

**Chair** means the Chair of the Board of the Commission appointed under subsection 13.1.

**Church** means the Anglican Church of Australia.

**Commission** means the Anglican Schools Commission established under section 9.

**Deputy Chair** means the Deputy Chair of the Board of the Commission appointed under subsection 13.2.

**Establishment Board** means any board, interim board, working party, committee or other body established by the Commission or Bishop-in-Council for the purpose of establishing a Diocesan School in the Diocese.

**Property Development Commission** means the body established under section 4 of the Property Development Ordinance 2016.

**Special Circumstances** means, in respect of a Diocesan School, that Bishop-in-Council has resolved to proceed under sub-section 25.1.

3.2 A reference to a section, subsection or paragraph is, unless otherwise specified, a reference to a section, subsection or paragraph of this Ordinance.

**Note:** *The Dictionary included in the Diocesan Legislation Ordinance 2007 provides a definition of:*

*Anglican Schools*  
*Anglican Company Schools*  
*Anglican Diocesan Services*  
*Anglican Investment and Development Fund*  
*Anglicare*  
*Bishop*  
*Bishop-in-Council*  
*Diocese*  
*Diocesan Schools*  
*Finance Committee*  
*Property Trust*  
*Registrar*  
*Synod*

#### **4. APPLICATION OF THIS ORDINANCE**

4.1 This Ordinance applies to:

- a) all Diocesan Schools now established or to be established.
- b) all Establishment Boards.
- c) any Anglican Company School which enters into a co-operative arrangement with the Commission under section 5.
- d) Any pre-school, kindergarten or similar institution administered by Anglicare which enters into a co-operative arrangement with the Commission under section 5.

#### **5. CO-OPERATIVE ARRANGEMENTS**

5.1 An Anglican Company School may, by agreement made between its board and the Commission, enter into an arrangement whereby it comes within the collaborative framework of this Ordinance on the terms and conditions set out in the agreement, subject to this Ordinance.

5.2 A pre-school, kindergarten or similar institution administered by Anglicare may, by agreement made between the board of Anglicare and the Commission, enter into an arrangement whereby it comes within the collaborative framework of this Ordinance on the terms and conditions set out in the agreement, subject to this Ordinance.

## **PART II – FRAMEWORK FOR DIOCESAN SCHOOLS AND OTHER BODIES**

### **6. GOALS AND PRINCIPLES FOR THE OPERATION OF DIOCESAN SCHOOLS**

#### 6.1. Diocesan Schools will aim:

- a) to provide a high quality, integrated educational experience in a christian context for young people from a variety of backgrounds;
- b) to deliver such programs as will enable students to be broadly educated, to become considerate and compassionate and to be contributors to the well-being of the wider community;
- c) to provide opportunities for students:
  - (i) to understand and develop their spiritual natures;
  - (ii) to enhance the knowledge, skills, attitudes and awareness they need to understand themselves, their relationship with God and their relationships with others;
- d) to develop appropriate relationships with government schools, with other private schools and with other educational institutions;
- e) to carry out the mission of the Church in the Diocese by enabling people to relate to the Church and the Christian faith who might not normally do so; and
- f) to build communities of faith around Diocesan School communities.

#### 6.2. Diocesan Schools will, within the framework of the Anglican Church of Australia:

- a) be an integral part of the local Christian community and the wider community;
- b) accept responsibility for all dimensions of being “church” within its viable operation as an educational institution;
- c) encourage a spirit of inquiry within the school community;
- d) encourage students and staff to pursue excellence in achievement and application in all their activities;
- e) provide instruction and curricula that will ensure, to the fullest extent possible, that students meet the requirements and standards of the relevant state or territory education systems particularly in relation to secondary schooling certificates;
- f) provide a balanced curriculum which develops each student's spiritual, intellectual, physical, personal and social being in all key learning areas;
- g) cater for students with a wide range of abilities;
- h) provide a well-managed, safe environment conducive to establishing a collaborative and cooperative learning community;
- i) assist students in their personal development to achieve high levels of self-discipline, self-motivated learning, personal responsibility and leadership;
- j) assist students in their community relationships to demonstrate commitment to the common good of the school, as a reflection of the Body of Christ, and to the common good of the wider community; and
- k) foster respect for the integrity and worth of each individual and will demonstrate Christian concern in caring for others, both within the school and beyond.

6.3. Diocesan Schools will:

- a) be accessible schools with a fee structure affordable by the average family in the catchment area;
- b) have enrolment policies which:
  - (i) are non-discriminatory;
  - (ii) encourage parents to have sympathy and support for the educational philosophy and christian ethos of the school;
  - (iii) give consideration to students with special needs; and
  - (iv) provide for exceptional circumstances.
- c) identify opportunities in their operations for achieving economies and efficiencies and attaining educational objectives through cooperation and the sharing of resources and programs, under arrangements made by Anglican Diocesan Services or otherwise, with other Diocesan Schools and also other schools and educational establishments; and
- d) comply with all applicable Acts of Parliament, regulations and government guidelines and directives which are by law binding on the school.

6.4. The Diocese accepts such schools as integral to its life and mission.

6.5. Each Diocesan School and other body to which this Ordinance applies must expressly acknowledge that it is bound to apply these goals and principles and to conduct its affairs according to them.

6.6 Any Anglican Company School or pre-school, kindergarten or similar institution administered by Anglicare which enters into a co-operative arrangement under section 5 will comply with the requirements of subsections 6.1 and 6.2 and, to the extent agreed in the agreement into which they enter with the Commission, subsection 6.3.

## **7. GOVERNANCE OF DIOCESAN SCHOOLS**

7.1. The Chair of the board of each Diocesan School shall be appointed by Bishop-in-Council on the advice of the Commission.

7.2. The Deputy Chair of the board of each Diocesan School shall be appointed by Bishop-in-Council on the advice of the Commission.

7.3. The members of the boards of each Diocesan School shall be appointed by Bishop-in-Council on the advice of the Commission.

7.4 Before providing advice to Bishop-in-Council under this section, the Commission shall consult with the board of the Diocesan School.

## **8. FINANCIAL CONTRIBUTION OF DIOCESAN SCHOOLS**

8.1 Each Diocesan School shall pay to Anglican Diocesan Services upon presentation of an invoice, an amount certified by the Registrar as reasonable for the resources, facilities and services made available to the School by the Church, the Diocese, the Property Trust, Anglican Diocesan Services and the Anglican Investment and Development Fund.

- 8.2 Such payment may be in addition to, but will not include payment for, services for which the School is otherwise liable to pay under any Service Level Agreement with Anglican Diocesan Services.

### **PART III – ANGLICAN SCHOOL COMMISSION**

#### **9. ANGLICAN SCHOOLS COMMISSION**

- 9.1 The Anglican Schools Commission of the Diocese of Canberra and Goulburn is established as a Committee of Bishop-in-Council.

#### **10. FUNCTIONS OF ANGLICAN SCHOOLS COMMISSION**

- 10.1. The Commission is responsible to Bishop-in-Council for:
- a) the development of educational policy for the Diocese for approval by Bishop-in-Council and reporting to Synod;
  - b) monitoring of the financial performance of all Anglican schools and other bodies to which this Ordinance applies;
  - c) advice on the establishment of new Diocesan Schools;
  - d) the oversight of the operation of Applicable Schools;
  - e) the oversight of the missional goals and strategies of Applicable Schools;
  - f) establishing, maintaining and monitoring mechanisms of accountability to the Commission of the boards of each Diocesan School for the management of the relevant school;
  - g) promoting co-operation between Diocesan Schools and between existing Diocesan Schools, Anglican Company Schools and new schools established under this Ordinance;
  - h) taking part in the appointment of members of boards of Diocesan Schools;
  - i) facilitating common educational and administrative services to the schools and other bodies to which this ordinance applies; and
  - j) providing to Bishop-in-Council advice on any aspect of Anglican Schools.
- 10.2. The Commission shall have such other functions as are conferred on it by resolution of Bishop-in-Council.
- 10.3 The Commission is responsible to the Synod for providing a comprehensive report to each session of the Synod on the activity of the Applicable Schools in the Diocese and their operation.

#### **11. OPERATION OF THE ANGLICAN SCHOOLS COMMISSION**

- 11.1 Subject to subsection 11.2, Anglican Diocesan Services shall enter into an agreement with the Commission for the provision of administrative services to the Commission in accordance with that agreement.
- 11.2 If Anglican Diocesan Services and the Commission are unable to make an agreement as required under subsection 11.1, the two agencies shall refer the matter to Bishop-in-Council which, after receiving any submissions from those agencies, shall determine the terms of the agreement.

11.3 Any dispute about the terms of an agreement under subsections 11.1 or 11.2 shall be resolved by Bishop-in-Council or, if it so directs, by Ministry Executive, after considering any submissions by Anglican Diocesan Services and the Commission.

## **12. MEMBERSHIP OF THE ANGLICAN SCHOOLS COMMISSION**

12.1. The Commission shall consist of the following members:

- a) the Chair;
- b) the Deputy Chair;
- c) such number of other members, being not less than 5 and not more than 7, as the Bishop-in-Council determines from time to time; and

12.2 The Director, Schools and Business Development of Anglican Diocesan Services will be the Secretary of the Commission and may attend and speak at each meeting of the Board but is not a member of the Board and may not vote.

## **13. APPOINTMENT OF MEMBERS OF THE ANGLICAN SCHOOLS COMMISSION**

13.1 The Chair shall be appointed by Bishop-in-Council from amongst the members of Bishop-in-Council.

13.2 The other members of the Commission, including the Deputy Chair, shall be appointed by Bishop-in-Council.

13.3 Each member, including the Chair and Deputy Chair, shall be appointed for a period of 3 years but is eligible for re-appointment.

13.4 In the absence of special circumstances, a member of the Commission is expected to serve as a member for not more than 2 consecutive terms.

13.5 Where a person is appointed as Chair or Deputy Chair, any previous service of that person as a member of the Commission does not count as service as a member for the purposes of subsection 13.4.

13.6 In making appointments to the Commission, Bishop-in-Council shall take into account the need for adequate educational, governance and financial expertise amongst its members and the diversity of the Diocese.

13.7 Despite subsection 13.3, Bishop-in-Council may, in making the appointments of the first members of the Commission, appoint a member or members for a term less than 3 years as specified in the resolution of appointment so that the terms of office of those first members do not all finish at the same time.

13.8 This subsection and subsection 13.8 shall expire four years after the appointment of the first members of the Commission.

#### **14. VACANCIES IN MEMBERSHIP OF THE ANGLICAN SCHOOLS COMMISSION**

- 14.1. Subject to subsection 14.2, the Commission may act notwithstanding any vacancy in its membership.
- 14.2. If the number of members of the Commission holding office at any time falls below 5, the Commission may only make decisions for the purpose of dealing with business of an urgent nature.

#### **15. TERMINATION OF MEMBERSHIP OF THE ANGLICAN SCHOOLS COMMISSION**

- 15.1. A member of the Commission ceases to hold office if:
- a) the member resigns by giving a written resignation to the Registrar; or
  - b) the member is absent from 3 consecutive meetings of the Anglican Schools Commission without having obtained leave of absence from the Anglican Schools Commission; or
  - c) the member's appointment is terminated by the Bishop-in-Council under subsection 15.2; or
  - d) the member is or becomes a disqualified person within the meaning of subsection 35.4 of the Governance of the Diocese Ordinance 2000.
- 15.2. Bishop-in-Council may terminate the appointment of any member of the Board of the Anglican Schools Commission if, in the opinion of Bishop-in-Council, it is desirable to do so in the interests of the Commission or of the Diocese.

### **PART IV - MEETINGS AND PROCEDURES OF THE BOARD OF THE ANGLICAN SCHOOLS COMMISSION**

#### **16. MEETINGS OF THE ANGLICAN SCHOOLS COMMISSION**

- 16.1. The Commission must hold such meetings as are necessary for the effective and efficient performance of its functions.
- 16.2. The Chair:
- (a) may at any time convene a meeting of the Commission; and
  - (b) must convene a meeting of the Commission if so requested in writing by such number of other members of the Commission as would constitute a quorum.
- 16.3. The Bishop may convene a meeting of the Commission at any time.
- 16.4. Unless the Bishop or the Chair declares a meeting to be urgently required, at least 7 days' notice must be given to members of the time and place of a meeting of the Commission.
- 16.5. If the Bishop or the Chair declares under sub-section 16.4 that a meeting of the Commission is urgently required, the meeting may be called even though less than 7 days' notice is given to members, but as much notice as practicable must be given to each member.



**17. PROCEEDINGS OF THE ANGLICAN SCHOOLS COMMISSION**

- 17.1 Subject to this Ordinance, the Commission may regulate its own procedures as it considers will most effectively and efficiently discharge its business.
- 17.2 A quorum for a meeting of the Commission shall be one half of the members of the Commission for the time being or, where that number is not a whole number, the next larger whole number.
- 17.3 The Chair shall preside at all meetings of the Commission at which he or she is present.
- 17.4 If the Chair is not present at a meeting of the Commission, the Deputy Chair shall preside if he or she is present at the meeting.
- 17.5 If both the Chair and the Deputy Chair are absent from a meeting of the Commission, a member chosen by the members present shall preside.
- 17.6 A question arising at a meeting of the Commission shall be determined by a majority of those members present and voting.
- 17.7 In deciding a question at a meeting of the Commission, each member has 1 vote but, if there is an equality of votes on any question, the member presiding at the meeting has a second or casting vote.
- 17.8 A meeting of the Commission may be held by electronic means of communication between the members of the Commission or between members of the Commission present together in one or more places and in electronic communication with other members of the Commission not so present who can communicate with the other members at the time when the meeting is held.
- 17.9 A vote of members of the Commission otherwise than at a meeting of the Commission may be taken by mail, facsimile transmission, electronic mail, telephone or other means of communication.
- 17.10 A resolution on which a vote is taken in accordance with subsection 17.9 is to be taken to have been agreed to by the Commission if a majority of members vote in favour of the resolution and shall be reported to the next meeting of the Commission and recorded as a minute of the proceedings of the Commission.

**18. DISCLOSURE OF INTERESTS**

- 18.1. A member of the Commission who has a direct or indirect pecuniary interest in a matter being considered, or to be considered, by the Commission must, as soon as possible after the relevant facts come to the member's knowledge, disclose the nature of that interest at a meeting of the Commission.
- 18.2 The disclosure must be recorded in the minutes of the meeting at which the interest is disclosed and the member must not:
- (a) be present during any deliberation of the Commission in relation to the matter;  
or

(b) take any part in the decision of the Commission in relation to the matter

unless, having considered the particular interest disclosed, the Commission otherwise decides, for reasons recorded in the minutes of the meeting.

## **19. POWERS OF DEPUTY CHAIR**

19.1 The Deputy Chair has, during any absence or inability of the Chair to perform his or her functions, or during any vacancy in the office of Chair, all of the powers and functions of the Chair.

## **PART V – COMMITTEES OF THE ANGLICAN SCHOOLS COMMISSION**

### **20. EXECUTIVE COMMITTEE OF THE ANGLICAN SCHOOLS COMMISSION**

20.1 There shall be an Executive Committee of the Commission comprising the Chair, the Deputy Chair and such other number of members as the Commission may determine from time to time.

20.2 Between meetings of the Commission, the Executive Committee may, subject to any limitations imposed by the Commission, exercise all the powers and functions of the Commission, except this power of delegation.

20.3 The quorum for a meeting of the Executive Committee shall be fixed by the Commission.

### **21. ACCESS BY THE ANGLICAN SCHOOLS COMMISSION TO OTHER COMMITTEES**

21.1 The Commission may consult the Finance Committee and seek such advice from it as if it were its finance committee.

21.2 Bishop-in-Council delegates to the Commission its power under section 15 of the Finance and Annual Reports Ordinance 2003 to request any information from any Anglican School, including any Applicable School.

21.3 The delegation referred to in subsection 21.2 does not prevent Bishop-in-Council from exercising the power under section 15 of the Finance and Annual Reports Ordinance 2003 even if the Commission has exercised that power.

21.4 The Commission may consult the Property Development Commission and seek such advice from it as if it were its development committee.

## **PART VI – NEW DIOCESAN SCHOOLS AND CAMPUSES**

### **22. ESTABLISHMENT OF CAMPUSES**

22.1 A Diocesan School shall not establish a separate campus or campuses of the school without the prior approval of Bishop-in-Council with the advice of the Commission.

22.2 Where the Commission consider that it may be appropriate to establish a new Diocesan School, it shall first consider whether the new school should initially be established as a campus of an existing Diocesan School or of an Anglican Company

School and may recommend to Bishop-in-Council that it approve the establishment of such a campus.

- 22.3 If Bishop-in-Council accepts a recommendation of the Commission under subsection 22.2 and an existing Diocesan School and Anglican Company School agrees, Bishop-in-Council may establish such a campus with a view to it becoming a new Diocesan School if circumstances later warrant it.
- 22.4 Where a campus of an existing school established under subsection 22.3, the Commission may set out criteria which the school on the campus must achieve before it will recommend to Bishop-in-Council under subsection 23.1 that it be established as a new Diocesan School.

### **23. ESTABLISHMENT OF NEW DIOCESAN SCHOOLS**

- 23.1. Bishop-in-Council may, on the advice of the Commission and after receiving advice from the Finance Committee and the Property Development Commission approve by resolution the establishment of a new Diocesan School.
- 23.2. Where Bishop-in-Council approves the establishment of a new Diocesan School, Bishop-in-Council must, by ordinance, establish a school board to develop and to manage the affairs of the new school.
- 23.3. Nothing in this section shall prevent Bishop-in-Council from appointing the board of an existing Diocesan School as the board of the Diocesan School to be established under this section.
- 23.4. A school board so established is responsible directly to the Commission.
- 23.5. The ordinance establishing a school board under this section must be consistent with this Ordinance and must provide for all matters considered necessary or desirable by Bishop-in-Council concerning the constitution, powers, functions and procedures of the board.
- 23.6. The ordinance establishing a school board under this section must contain provisions to ensure the accountability of the school board to the Commission for the management of the school under this Ordinance including, in particular, the financial performance of the school.

### **24. FINANCIAL RESPONSIBILITY FOR NEW DIOCESAN SCHOOLS**

- 24.1. Bishop-in-Council must not approve the establishment of a new Diocesan School unless it is satisfied, after taking advice from the Commission and the Finance Committee, that the school will be financially viable and will be established and operated without net cost to the general revenues of the Diocese.
- 24.2. Subsection 24.1 does not prevent Bishop-in-Council, after taking advice from the Commission, the Finance Committee and the Property Development Commission, from:
- a) making funds available for the purposes of investigating the potential viability of a new school; or

- b) advancing funds to the board of a proposed Diocesan School for establishment costs on condition that the funds so advanced form a debt to the Diocese and that provision is made in the projected budgets of the school for the repayment of those funds to the Diocese within a reasonable period; or
- c) guaranteeing, or authorising the guarantee of, the repayment of funds borrowed by a school board.

## **PART VII – FINANCE, REPORTING AND OTHER OBLIGATIONS OF APPLICABLE SCHOOLS**

### **25. PROVISION FOR SPECIAL CIRCUMSTANCES**

- 25.1. If after advice from the Commission and the Finance Committee and consultation with the board of an Applicable School, Bishop-in-Council forms an opinion that there is a reasonable doubt as to whether the school is viable, then the Bishop-in-Council may:
- a) resolve that the school should be managed directly by the Commission; or
  - b) make such other arrangements that Bishop in Council decides.

### **26. DIRECTIONS BY BISHOP-IN-COUNCIL**

- 26.1. Bishop-in-Council may, after consultation with the Chair and the chair of the board of a relevant Applicable School, give directions to that board in respect of the exercise of any of its functions.
- 26.2. A direction under subsection 26.1 may relate either to matters of general policy or to the specific exercise of a function.
- 26.3. Bishop-in-Council may not give a direction under subsection 26.1 that would have the effect of increasing the financial liability of the board of an Applicable School unless Bishop-in-Council is satisfied that such liability will not materially affect the viability of the Applicable School.
- 26.4 Any Anglican Company School which enters into an agreement under section 5 may, in the agreement, determine the extent, if any, to which this section shall apply to that School and this section shall be applied accordingly.

### **27. DIRECTIONS BY ANGLICAN SCHOOLS COMMISSION**

- 27.1. The Commission may, after consultation with the chair of the board of an Applicable School, give directions to that board in respect of matters of general policy relating to the functions of the board and the board must comply with any directions so given.
- 27.2. Bishop-in-Council may, at the request of the board to which a direction under subsection 27.1 has been given, review and amend or set aside any direction given under this section.
- 27.3 Any Anglican Company School which enters into an agreement under section 5 may, in the agreement, determine the extent, if any, to which this section shall apply to that School and this section shall be applied accordingly.

## **28. LIMITATIONS ON EXPENDITURE BY A SCHOOL BOARD AND APPROVAL OF BUDGETS**

- 28.1. The funds of Applicable Schools must not be used otherwise than for the objects of the school and in accordance with the powers of the board under the ordinance establishing the school or in accordance with the requirements of any other ordinance, including this Ordinance.
- 28.2. An Applicable School board must not make any payment of money or money's worth to any member of the board or to any member of a committee established by the board otherwise than for reasonable remuneration as an employee or for reimbursement of reasonable and proper expenses incurred in connection with the conduct by that person of the business of the board or the committee which business includes a reasonable amount of appropriate training in board governance.
- 28.3. Each Applicable School board must provide its approved budget for its forthcoming financial year to the Commission and to the Finance Committee by 30 November in each year.

## **29. REPORTING TO THE ANGLICAN SCHOOLS COMMISSION**

- 29.1. Each board of an Applicable School shall provide monthly reports to the Commission which shall include, but not be limited to, Key Performance Indicators on approved financial, missional and operational targets.

## **30. CATEGORIES OF SCHOOLS**

- 30.1. The Board of the Commission will determine the category of each Diocesan School and shall report that determination to Bishop-in-Council for approval.
- 30.2. For the purposes of sub-section 30.1, there shall be three categories of school as follows:
  - (a) Category 3. This category will include new schools and those with special circumstances and will require a greater level of management and supervision for a period of time as determined by the Commission and endorsed by Bishop-in-Council;
  - (b) Category 2. This category will include schools that have been established and are developing, or present an increased level of risk because of particular circumstances, for example having increased borrowing, and are still deemed to require some supervision. This will be determined by the Commission and endorsed by Bishop-in-Council;
  - (c) Category 1. This category will include schools that have reached a level of maturity and risk that allows for no supervision and this will be replaced by ongoing monitoring. This will be determined by the Commission and endorsed by Bishop-in-Council;
- 30.3. Schedule 1 to this Ordinance outlines in more detail the requirements attaching to different categories of schools.
- 30.4. When considering the level of oversight required to be exercised in relation to a Diocesan School, especially for the purposes of the Anglican Schools Commission

exercising its powers under subsections 7.1, 7.2, 7.3, 10.1(b), (d), (f) and (h) and 27.1, the Commission shall have regard to the category of the school and the level of involvement required as a result of the School being placed in that category.

- 30.5 The Commission may make and publish guidelines, not inconsistent with this Ordinance, as to the level and detail of management, supervision, monitoring and reporting required of each category of school.
- 30.6 The Commission shall report any guidelines made by the Commission under subsection 30.5 to Bishop-in-Council at its meeting next after the guidelines are made and Bishop-in-Council may, after consultation with the Commission, repeal or amend any of the guidelines.

### **31. OBLIGATION TO PROVIDE INFORMATION TO BISHOP-IN-COUNCIL AND THE ANGLICAN SCHOOLS COMMISSION**

- 31.1. The board of an Applicable School has a duty:
- a) to keep the Bishop-in-Council and the Commission informed about the mission, operations and educational and financial affairs of that school; and
  - b) to provide information concerning those matters and to allow access to any document concerning those matters when requested to do so by or on behalf of, or for the purposes of, Bishop-in-Council or the Commission.

### **32. BUSINESS PLANNING**

- 32.1 The board of an Applicable School must, before the end of each financial year, provide to the Commission a draft business plan for the ensuing 5 years for approval by the Commission.
- 32.2 The requirement of this section is in addition to any other requirement by this or any other Ordinance which applies to an Applicable School.

## **PART VIII – TRANSITIONAL PROVISIONS**

### **33. RELATIONSHIP WITH OTHER ORDINANCES**

- 33.1 In this section “the Schools Ordinances” means the following Ordinance:
- Burgmann Anglican School Ordinance 1998
  - The Riverina Anglican College Ordinance 1998
  - St Peter’s Anglican College Ordinance 2000
  - Sapphire Coast Anglican College Ordinance 2006
  - South Coast Anglican Schools Ordinance 2009
  - The Anglican School Googong Ordinance 2012
- 33.2 Where there is inconsistency between this Ordinance and any of the Schools Ordinances, the provisions of this Ordinance shall prevail.
- 33.3 Where this Ordinance makes any provision that is different from any provision in any of the Schools Ordinances, the provisions of this Ordinance shall apply.

33.4 This section shall expire 18 months after the Bishop consents to this Ordinance<sup>2</sup>.

## SCHEDULE 1

### Categories of Schools (Section 30)

1. The Categorization of Schools will be dependent on their maturity and risk in respect of:
  - A. Mission;
  - B. Operations; and
  - C. Finance.
  
2. Mission
  - 2.1. Maturity and risk in this category will be determined by the school's alignment with the Mission of the Diocese and this includes adherence to Section 6.2 and 6.3 of this Ordinance.
  
3. Operations
  - 3.1. Maturity and risk in this category will be determined by:
    - a) Level of experience in:
      - i. Board;
      - ii. Principal;
      - iii. Teaching staff;
      - iv. Administrative staff (this can be ameliorated by using Anglican Diocesan Services);
    - b) Operating Systems
  
4. Financial
  - 4.1. Maturity in this category will be determined by the level of financial risk and key indicators will be:
    - a) Capacity to meet debt commitments and having planning in place reduce debt;
    - b) Having a history of generating adequate operating surpluses to meet operating costs including interest and covering depreciation and generating cash reserves; and
    - c) Not being dependent on Diocesan support/guarantee for ongoing operations including borrowing and solvency.

### Notes:

Principal Ordinance passed without amendment by Bishop-in-Council and assented to by Bishop Stuart on 15 April 2016.

Amendment Ordinance passed without amendment by Bishop-in-Council and assented to by Bishop Stuart on 21 October 2016.

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<sup>2</sup> Amended by the Anglican Schools Ordinance Amendment Ordinance 2016