



**Education Review Office**  
Te Tari Arotake Mātauranga

# **Private School Assurance Statement and Self-Audit Checklist**

*August 2020*

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## **How to fill out the Self-Audit Checklists and Assurance Statement**

As part of the review process, the Education Review Office (ERO) asks the school management to complete the **Self-Audit Checklist** and the **Assurance Statement**.

The accuracy and validity of the information given in the checklists and assurance statement is important for the focus of the review.

Completing the checklists and the assurance statement is a useful process for your own self-review.

To guide you in preparing for the ERO review, a list of the areas that the review team will seek to verify is included for each part of the checklist. Please note these lists are indicative. The team may wish to follow up other areas to verify in determining its judgements against the criteria for registration of private schools.

### **How to fill in the checklists**

The checklists cover requirements of key interest to ERO in the following areas:

- Premises
- Student numbers
- Staffing
- Equipment
- Curriculum
- Tuition Standards
- Health and Safety
- Privacy
- Managers
- International Students

Please complete and add any further comments or explanations on the sheet of paper provided. Attach any explanations or matters you are unsure about to the relevant sheet.

### **How to fill in the Assurance Statement**

After you have completed the checklist sheet please complete and sign the assurance statement. The second page is for school management to note areas where you are aware that you are not meeting legal requirements. There is space to outline the circumstances and the action you are taking on each issue. This information will be very useful for school management as well as for the review.

*Please remember to attach your checklists to your assurance statement.*

**PRIVATE SCHOOLS ASSURANCE STATEMENT**

**To:** The Chief Review Officer, Education Review Office

**From:** The School Management

\_\_\_\_\_ (School Compliance Certification)

Has the school management taken all reasonable steps to meet its legal requirements related to:

	Compliance Area	Yes	No	Unsure
1	Premises			
2	Students			
3	Staffing			
4	Equipment			
5	Curriculum			
6	Tuition Standards			
7	Health and Safety			
8	Privacy			
9	Managers			
10	International Students			

**Areas of self-identified non-compliance and actions to be taken: see next page.**

**Attestation:**

The school management and the principal have taken all reasonable steps to meet their legal requirements and/or adopt efficient good practice as identified in the Self-Audit Checklist. Where non-compliance has been identified, measures are being taken to remedy this.

Management/Chairperson

.....  
**Name** **Signature** **Date**

Principal

.....  
**Name** **Signature** **Date**



**This page is for you to note areas where you are aware that you are not meeting legal requirements and to advise any action you are taking.**

*Identified area(s) of non-compliance:*

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*Action being taken to address non-compliance:*

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**What does ERO want to know?**

ERO wants to know that the school management meet the criteria for registration as a private school and has appropriate documents, or policies and/or procedures to support this (includes questions for your own self-review).

**Note:** References are in brackets where appropriate.

**Self-Audit Checklist**

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
<b>1</b>	<b>Premises</b>			
	<p>(i) Has school management ensured that the school premises are suitable for a school of its description and the number of students at the school?  <i>(note that this applies to all premises used by the school for the regular delivery of courses, whether or not the managers of the school own or lease the premises for the school); (Refer clause 3, Schedule 7 Education and Training Act 2020)</i></p> <p>Suitable premises</p> <p>(ii) In considering the above, do the school premises comply with the provisions of:</p> <ul style="list-style-type: none"> <li>• The Building Act 2004?</li> <li>• The Building Regulations (the NZ Building Code)?</li> <li>• Building warrant of fitness (if required)?</li> <li>• Health and Safety at Work Act and regulations?</li> <li>• Fire Safety Evacuation of Building Regulations?</li> </ul> <p>[Note: the above list is non-exhaustive]</p>			
<p><i>Items ERO will check/verify as required:</i></p> <ul style="list-style-type: none"> <li>• Property management and maintenance documentation</li> <li>• Swimming pool safety</li> <li>• Smoke-free environment</li> <li>• Workplace safety</li> <li>• Evacuation procedures</li> <li>• New buildings, alteration, demolition – Code of Compliance certificate from the local council</li> </ul>				
<b>2</b>	<b>Students</b>			
	<p>(i) Does the school usually provide tuition for 9 or more students who are of or over the age of 5 years and under the age of 16 years?</p>			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
	Criteria for registration as private school [refer to clause 2(b), Schedule 7, E&T Act 2020]			
	(ii) Does the principal for all pupils attending the school keep accurate admission and daily attendance records when the school is open? [section 36 Ed & Training Act 2020; reg.3 Education (School Attendance) Regulations 1951]			
	(iii) Has the principal ensured that an enrolment record is kept for each student attending the school in a form and containing information and rules specified by the Secretary for Education?  (section 237 Ed and Training Act 2020 and MOE Circular 2013/21 or any amendment – Rules for student enrolment records) Enrolment records			
	(iv) Has the principal taken reasonable steps to send the enrolment record to the principal of another school when a student moves to the other school? [Write N/A if situation has not arisen] (section 237 Ed & Training Act 2020 and MOE Circular 2013/21 or any amendment – Rules for student enrolment records) Enrolment records			
	(v) Has the principal given written notice of any suspensions or expulsions, and the reasons for those suspensions and expulsions, to the Secretary for Education in accordance with clause 16, Schedule 7 of the Ed & Training Act 2020? [Write N/A if situation has not arisen] Suspensions and expulsions from private schools to be notified to Secretary			
	Corporal Punishment and seclusion			
	(vi) Has school management ensured, through policy or notification, that the principal, staff and persons supervising or controlling on behalf of the management are aware of the requirement not to use force by way of correction or punishment towards students enrolled or attending the school? (Good practice; section 98 Education and Training Act 2020).  Prohibition on corporal punishment and seclusion in registered schools			
<p>Items ERO will check/verify as required</p> <ul style="list-style-type: none"> <li>• Attendance monitoring</li> <li>• Disciplinary records</li> </ul>				

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
3	<b>Staffing</b>			
	<p><i>Suitable staffing</i></p> <p>(i) Has school management ensured that it has staffing that is suitable to the age range and level of its students, the curriculum taught at the school, and the size of the school? [Clause 2(c), Schedule 7 Education and Training Act 2020]</p> <p><a href="#">Criteria for registration as private school</a></p>			
	<p><i>Registration/Practising Certificates</i></p> <p>Has school management:</p> <p>(ii) Ensured that persons without a practicing certificate are not permanently appointed to a teaching position? [section 92(2) Education and Training Act 2020]</p> <p>(iii) Ensured that it does not continue to employ in any teaching position, any person—</p> <ul style="list-style-type: none"> <li>• whose registration as a teacher has been cancelled, and who has not since been registered as a teacher again; or</li> <li>• whose LAT has been cancelled, and who has not since been granted an authorisation again or registered as a teacher; or</li> <li>• whose practicing certificate or LAT is suspended by the Disciplinary Tribunal? [section 93(1) Ed and Training Act 2020]</li> </ul> <p>(iv) Ensured that it does not continue to employ any person in any teaching position who does not hold a practising certificate or LAT for a period of more than 20 half-days in any calendar year; and</p> <p>(v) That person is under general supervision of a person who holds a practicing certificate? [Write N/A if not applicable] [section 93(2) and (3) Education and Training Act 2020]</p> <p><a href="#">Restrictions on appointment of teachers</a></p> <p><a href="#">Restrictions on continued employment of teachers</a></p>			
	<p><i>Mandatory Reporting</i></p> <p>As employer has school management reported to the Teaching Council in compliance with the mandatory reporting requirements under the Ed &amp; Training Act 2020 in the following situations: [Write N/A if not applicable].</p>			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
	<ul style="list-style-type: none"> <li>When a teacher has been dismissed for any reason (section 489)?</li> </ul>			
	<ul style="list-style-type: none"> <li>If, within the 12 months before a teacher's resignation (including a fixed-term position) or expiry of the teacher's fixed-term contract, the school manager had advised the teacher that it was dissatisfied with, or intended to investigate, any aspect of the teacher's conduct or teacher's competence (section 489)?</li> </ul>			
	<ul style="list-style-type: none"> <li>The board receives a complaint about the teacher's conduct or competence while he/she was an employee within 12 months of after the teacher ceases to be employed (section 490)?</li> </ul>			
	<ul style="list-style-type: none"> <li>The school manager has reason to believe that the teacher has engaged in serious misconduct (section 491)?</li> </ul>			
	<ul style="list-style-type: none"> <li>The school manager is satisfied that despite undertaking competency procedures with the teacher, the teacher has not reached the required level of competence (section 492)?</li> </ul>			
	<p>489 Mandatory reporting of dismissals and resignations</p> <p>490 Mandatory reporting of complaints received about former employees</p> <p>491 Mandatory reporting of possible serious misconduct</p> <p>492 Mandatory reporting of failure to reach required level of competence</p>			
	<p><b>Police Vetting</b></p> <p>In accordance with section 104 and Schedule 4 of the E&amp;T Act 2020 has school management obtained a Police vet of every person -</p>			
	<ul style="list-style-type: none"> <li>Whom management appoints or intends to appoint to a non-teaching position at the school, and who is to work during normal school hours and who is not a registered teacher or holder of a limited authority to teach [LAT]</li> </ul>			
	<ul style="list-style-type: none"> <li>Who is a contractor or the employee of a contractor, before the person has or is likely to have, unsupervised access to students at the school during normal school hours?</li> </ul>			
	<ul style="list-style-type: none"> <li>Under bullet points one and two who still works at the school on or about the third anniversary of the previous Police vet)?</li> </ul> <p><b>Note:</b> Nothing in the provisions above limits or affects Part 3 of the Children's Act 2014 in relation to the safety checking of children's workers [refer clause 14 of Schedule 4 E&amp;T Act 2020].</p>			



Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
	<b>Child Protection Policy</b> Does the school management have a child protection policy* that- (a) is written down and in use?  (b) says how suspected neglect and abuse will be identified and reported?  (c) will be reviewed every three years?  (d) is available on the school's website or on request? [Reference sections 18 and 19 <i>Children's Act 2014</i> . Refer to Part 6 of <u>Children's Act 2014 - a practical guide for assistance</u> ] *Note: the policy is a mandatory requirement.			
	<b>Physical restraint</b> a. Ensured that a teacher or authorised staff member does not physically restrain a student, unless the conditions set out in s 99(2) are met and b. follow the practice and procedure prescribed by the Ministry of Education's Rules under section 100 and c. Guidelines on the use of physical restraint and behaviour management under s.101 of the Education and Training Act 2020. *Note: the definition "physically restrain" means to use physical force to prevent, restrict, or subdue the movement of the student's body or part of the student's body against the student's will. "Authorised staff member" means an employee of the school who is trained and authorised by the board to use physical restraint in accordance with the section [refer s99(4) E&T Act]  <a href="#">99 Limits on use of physical restraint at registered schools</a> <a href="#">100 Rules on use of physical restraint at registered schools</a> <a href="#">101 Guidelines on use of physical restraint and behaviour management at registered schools</a> <u>Application of Physical restraint Rules**:</u> Has the school management ensured that the following documents are available for inspection at the school: a. Guidelines issued by the MOE on the practice and procedure to be followed in relation to physical restraint by authorised staff			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
	b. the names and position of authorised staff [Clause 4]			
	Has the school management taken appropriate steps:			
	c. to ensure parents/caregivers are notified if physical restraint is an element in a student's Individual Behaviour Plan, and how physical restraint will be applied in accordance with the Guidelines, and			
	d. notified as soon as possible on the same day about any incident of physical restraint, including how it was managed in accordance with the Guidelines [Clause 6]			
	e. to ensure that for any student who has been physically restrained and for any staff member who used physical restraint, their physical and psychological wellbeing is monitored for the rest of the school day following the incident of physical restraint			
	f. that records kept under clause 9 are analysed so that trends can be identified			
	g. checked that documentation about each incident is complete [Clause 7]			
	h. Has the management reported every incident of physical restraint to the Ministry of Education using the form attached to the Rules (Appendix 1)			
	i. Has every staff member who uses physical restraint completed a staff physical restraint report, and			
	j. has the management a copy of the form in the student's file and provided a copy to the student's teacher/s, parents and/or caregivers [Clause 8]			
	k. Has the management kept written records of every instance of physical restraint of a student that is carried out under the Rules [Clause 9]			
	l. Has the management ensured that teachers and authorised staff are suitably supported and trained [Clause 10]			
	m. Does management have a school policy on managing challenging behaviour and using restraint that is consistent with the Guidelines and			
	n. taken appropriate steps to ensure that parents, students, school staff and the community know about the school's			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
	<p>policies for managing challenging behaviour and using physical restraint.[clause 11]</p> <p><b>**Note:</b> MOE advice: Until new rules and guidance are issued, schools should continue to follow the procedures set out in the existing rules and have regard to the current guidelines. When used, these will continue to help keep teacher practice safe. Where there are inconsistencies between the legislation and the guidelines about the threshold for when physical restraint can be used, the legislation takes precedence.</p> <p>Education (Physical Restraint) Rules 2017- <a href="#">Download the rules [PDF, 847 KB]</a>; updated <a href="#">Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint (September 2017)</a></p>			
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> <li>• Teacher registration</li> <li>• Authority to teach</li> <li>• Mandatory Reporting</li> <li>• Police vetting</li> <li>• No Corporal Punishment</li> <li>• Staff Appraisal and PMS documentation</li> <li>• Safety Checking of Workforce and Child Protection Policy</li> <li>• Documents as required under the Education (Physical Restraint) Rules 2017 and any amendments to the Rules.</li> </ul>				
4	<b>Equipment</b>			
	<p>Has school management ensured that the school has equipment that is suitable for the curriculum being delivered at the school?</p> <p><i>[Clause 2(d), Schedule 7, Ed &amp; Training Act 2020]</i></p> <p><a href="#">Criteria for registration as private school</a></p>			
<p><i>Equipment Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> <li>• Equipment inventory</li> <li>• Property management policies/practices</li> <li>• Equipment for practical classes</li> <li>• Curriculum statements*</li> <li>• Laboratory equipment</li> </ul>				

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
<b>5</b>	<b>Curriculum</b>			
	<p>(i) Does the school have a curriculum for</p> <ul style="list-style-type: none"> <li>• Teaching</li> <li>• Learning, and</li> <li>• Assessment? and</li> </ul>			
	<p>(ii) Does the school make details of the curriculum and its programme for delivery available for parents? [Clause 2(e), Schedule 7, Ed &amp; Training Act 2020]</p>			
	<p>(iii) Does the curriculum enable students to leave school able to participate in and contribute to their own community and New Zealand society as a whole?  (Refer page 20, Private Schools and the Law, Law Commission Report September 2009)  <a href="#">Criteria for registration as private school</a></p>			
<p><i>Curriculum Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> <li>• Curriculum statements</li> <li>• Curriculum programme</li> <li>• Achievement expectations</li> <li>• Availability of curriculum information to parents (school prospectus)</li> </ul>				
<b>6</b>	<b>Tuition Standards</b>			
	<p>Does the school have suitable tuition standards which include giving students tuition of a standard no lower than that of the tuition given to students enrolled at State schools of the same class level?  (Clauses 2(f);and 5, Schedule 7 Ed &amp; Training Act 2020)  <i>Note: in assessing the standard of tuition, the mode of curriculum delivery and the regularity of instruction will be considered by reviewers</i>  (Refer Clause 5(2) Schedule 7 Ed &amp; Training Act 2020)  <a href="#">Criteria for registration as private school</a>  <a href="#">Tuition standards</a></p>			
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> <li>• Teacher and school-wide planning</li> <li>• Student assessment and reporting</li> <li>• Classroom management</li> <li>• Regularity of instruction</li> </ul>				

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
<ul style="list-style-type: none"> <li>• Curriculum review</li> <li>• Classroom observation</li> <li>• Attendance monitoring</li> </ul>				
7	<b>Health and Safety</b>			
	Does the school have suitable health and safety policies that enable it to meet its health and safety obligations including the requirement for regular review?			
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> <li>• Child protection policy/procedures under Children's Act 2014</li> <li>• Safety checking of staff under the Children's Act and regulations</li> <li>• No seclusion</li> <li>• Police vetting</li> <li>• Compliance with Physical Restraint Rules 2017- <u>Download the rules [PDF, 847 KB]; updated <a href="#">Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint</a></u></li> <li>• Policies/procedures under Health and Safety at Work Act</li> <li>• Compliance with Fire Safety Evacuation Procedures and Evacuation Schemes</li> <li>• Internet safety policy including cyber bullying.</li> <li>• EOTC guidelines</li> </ul>				
8	<b>Privacy</b>			
	Does the school have policies and procedures to manage personal information under the Privacy Act 2020? [Note this Act will apply from 1 December 2020]			
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> <li>• Policies/procedures under the Privacy Act</li> </ul>				
9	<b>Managers</b>			
	Have the school managers attested that they are fit and proper persons as set out in clause 6, Schedule 7 of the Education and Training Act 2020?  <a href="#">6 Managers to be fit and proper persons</a>			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> <li>Completed attestation forms (please see separate template for this)</li> </ul>				
10	<b>International Students</b>			
	Has school management documented and implemented policies and procedures to ensure compliance with the Code of Practice for the Pastoral Care of International Students? [Write N/A if not applicable].			
	<p>Has school management ensured that it is complying with the Code of Practice for Pastoral Care of International Students particularly in terms of:</p> <ul style="list-style-type: none"> <li>Support services for students</li> <li>Information on international students</li> <li>Communicating with parents for students under 18 years</li> <li>Students with additional needs</li> <li>Monitoring attendance to ensure student welfare</li> <li>Accommodation Provisions</li> <li>Homestays</li> <li>Boarding Establishments</li> <li>Designated caregivers</li> <li>Temporary accommodation</li> <li>Residential caregivers</li> <li>Police vetting of accommodation for students under 18</li> <li>Complaints procedures</li> </ul> <p>* Refer <a href="#">2019 amendments to the Code of Practice 2016 (PDF, 736KB)</a></p>			
<p><i>Items ERO will check/verify as required</i></p> <p><i>The school's self-review of its implementation of the Education (Pastoral Care of International Students) Code of Practice 2016 (including 2019 amendments). Please see the information sheet International Students Information for Schools</i></p>				

*For further information on any of the items above, please visit the Ministry of Education website*

<http://www.education.govt.nz/school/>

*The panel on health, safety and wellbeing may be of particular interest with*

*the introduction of the physical and emotional safety criteria for registration*

*Is there any further information you would like to provide in relation to the Self-Audit-Checklist?*

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