



EDUCATION REVIEW OFFICE
Te Tari Arotake Mātauranga

Private School Assurance Statement and Self-Audit Checklist

January 2023

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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

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Name	Signature	Date
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Principal

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Name	Signature	Date
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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
1	Premises			
	<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 style="color: blue;">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"> • The Building Act 2004? • The Building Regulations (the NZ Building Code)? • Building warrant of fitness (if required)? • Health and Safety at Work Act and regulations? • Fire Safety Evacuation of Building Regulations? <i>[Note: the above list is non-exhaustive]</i> 			
<p><i>Items ERO will check/verify as required:</i></p> <ul style="list-style-type: none"> • <i>Property management and maintenance documentation</i> • <i>Swimming pool safety</i> • <i>Smoke-free environment</i> • <i>Workplace safety</i> • <i>Evacuation procedures</i> • <i>New buildings, alteration, demolition – Code of Compliance certificate from the local council</i> 				
2	Students			
	<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>			

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		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 <i>Corporal Punishment and seclusion</i>			
	(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 any student or seclude any student enrolled or attending the school? (Good practice; section 98 Education and Training Act 2020). Prohibition on corporal punishment and seclusion in registered schools			
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> • Attendance monitoring • Disciplinary records 				
3	Staffing			

Self-Audit Checklist

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
	<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>Criteria for registration as private school</p>			
	<p><i>Registration/Practising Certificates</i></p> <p>Has school management:</p> <p>(ii) Ensured that persons without a practising 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"> • whose registration as a teacher has been cancelled, and who has not since been registered as a teacher again; or • whose LAT has been cancelled, and who has not since been granted an authorisation again or registered as a teacher; or • whose practising certificate or LAT is suspended by the Disciplinary Tribunal? [section 93(1) Ed and Training Act 2020] <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 practising certificate? [Write N/A if not applicable] [section 93(2) and (3) Education and Training Act 2020]</p> <p>Restrictions on appointment of teachers Restrictions on continued employment of teachers</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 & Training Act 2020 in the following situations: [Write N/A if not applicable].</p> <ul style="list-style-type: none"> • When a teacher has been dismissed for any reason (section 489)? 			

Please tick all questions including bullet points or write N/A if not applicable.	Yes	No	Unsure
<ul style="list-style-type: none"> • 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)? • 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)? • The school manager has reason to believe that the teacher has engaged in serious misconduct (section 491)? • 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)? <p>48 9 Mandatory reporting of dismissals and resignations</p> <p>49 0 Mandatory reporting of complaints received about former employees</p> <p>49 1 Mandatory reporting of possible serious misconduct</p> <p>49 2 Mandatory reporting of failure to reach required level of competence</p>			
<p><i>Police Vetting</i></p> <p>In accordance with section 104 and Schedule 4 of the E&T Act 2020 has school management obtained a Police vet of every person -</p> <ul style="list-style-type: none"> • Whom management appoints or intends to appoint to a position at the school, and who is to work during normal school hours and who is not a registered teacher who holds a current practising certificate or holder of a limited authority to teach [LAT] before the person’s employment or engagement at the school begins? • 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? • Under bullet points one and two who still works at the school on or about the third anniversary of the previous Police vet)? <p><i>Reference: Clauses 9, 10, 11, and 12 Schedule 4 Education and Training Act 2020.</i></p> <p>104 Required Police vetting</p>			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
	Schedule 4 Police vetting			
	<p>Children's Act 2014 - Safety Checking of Workforce</p> <p>For persons that the school management <i>proposes</i> to employ or engage as a paid <i>children's worker*</i>, the following checks have been undertaken:</p> <ul style="list-style-type: none"> • confirmation of the identity of the children's worker (for example sighting the required documents, or using an electronic service) • collection and consideration of a range of information about the person, including: <ul style="list-style-type: none"> (a) a work history, (b) a referee check (c) an interview of the person (d) third party checks with their professional registration body or licensing authority (as appropriate) and (e) a Police vet. • Evaluation of this information and assessment of the risk the person would pose to the safety of children if employed or engaged as a children's worker <p>Note:</p> <p>(i) *Children's workers who are <i>core workers</i> work alone with or have primary responsibility or authority over children, e.g. teachers, teacher aides or support staff. Also applies to persons undertaking unpaid children's work as part of educational or vocational training course. The above procedures also apply to non-core workers</p> <p>(ii) For details the school management should refer to the relevant provisions of the <i>Children's Act 2014</i>, and regulations 5 – 8 of the <i>Children's (Requirements for Safety Checks of Children's Workers) Regulations 2015</i> – www.legislation.govt.nz.</p> <p>(iv) For more information visit: www.childrensactionplan.govt.nz.</p> <p>(v) Seek independent advice.</p> <p>(vi) Keep accurate records about each aspect of the safety checking process.</p>			
	<p>Child Protection Policy</p> <p>Does the school management have a child protection policy* that-</p> <p>(a) is written down and in use?</p>			

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
	(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.			
	Physical Restraint <u>Has the school management:</u>			
	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 s101 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]			
	<u>Application of the new Physical restraint Rules**:</u> School policies [Rule 4]			
	1. Does the school management have a policy on reducing student distress and the use of physical restraint that has regard to the guidelines issued by the Secretary under section 101 of the Ed & Training Act 2020, including a process for managing complaints? [Note: the policy must be in place by 7 May 2023]			
	2. Has the school management taken reasonable steps to ensure that parents and caregivers, students, school staff and the school community know about the school's policies on student distress and the use of physical restraint?			

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
Authorisation of staff members who are not teachers [Rule 5]				
	1. Has the management authorised an employee, who is not a teacher, and who has been trained in accordance with Rule 12, to use physical restraint in accordance with section 99 of the Act;			
	and			
	2. That every authorisation under sub-clause (1) must be in writing.			
	and			
	3. Has the board given the employee a copy of the authorisation.			
	and			
	4. That the board may, by written notice to the employee, revoke an authorisation at any time (if the situation arises)?			
Information to be made available [Rule 6]				
	Has the school management ensured that the following documents are available to the school community:			
	a. Guidelines issued by the Secretary under section 101 of the Act			
	b. the names and positions of any authorised staff members;			
	and			
	c. the school's policy on reducing student distress and the use of physical restraint under Rule 4.			
Keeping records [Rule 7]				
	1. Does the school management keep written records of every instance of physical restraint of a student.			
	2. Is the school management aware that any record must be kept for a minimum period of 10 years from the date of last action?			
Developing support plans for the prevention of physical restraint [Rule 8]				
	1. Has the school management ensured that a support plan for preventing student distress and de-escalating crisis situations is put in place for any student:			
	a. who the management identifies as having a high likelihood of			

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
	being involved in a crisis situation where the physical restraint may be used on them; or			
	b. who is subject to the use of physical restraint more than once in a term; or			
	c. at the request of the student's parents or caregivers ?			
	2.Has the school management ensured that the student's parents or caregivers provide written informed consent if a section on physical restraint is appended to the student's support plan?			
	Notifying the use of physical restraint [Rule 9] Has the school management ensured that when a student has been physically restrained the student's parents or caregivers are:			
	a. notified as soon as possible about the incident of physical restraint; and			
	b. provided with a reasonable opportunity to actively participate in a debrief about the incident, including how it was managed with regard to guidelines, within three working days of the incident or later by mutual agreement?			
	Monitoring the use of physical restraint [Rule 10] 1.Has the school management taken reasonable steps to ensure that:			
	a. any student who has been physically restrained, and			
	b. any staff member who has used physical restraint, has their physical and psychological wellbeing monitored so that appropriate support can be provided if adverse impacts from the restraint occur? [write N/A if the situation has not arisen]			
	2.Has the school management ensured that records kept under Rule 7 are analysed so that trends including increased use of physical restraint can be identified, and appropriate responses to minimise physical restraint developed?			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
<p>Reporting on the use of physical restraint [Rule 11]</p> <p>1. Has the school management reported every incident of physical restraint to the Ministry of Education, including the information in Appendix 1, using the online form, their Student Management System or by completing and emailing the form attached to these Rules as Appendix 1?</p>				
<p>2. Has every staff member who uses physical restraint completed a staff physical restraint incident report. Has management placed a copy of the form in the student's file and provided a copy to the student's parents and/or caregivers?</p>				
<p>Training and support for staff [Rule 12]</p> <p>Is the school management aware that it must ensure:</p> <p>a. that from 7 February 2024, teachers and authorised staff members have completed the online module on the content of the Guidelines issued under section 101 of the Act?</p>				
<p>b. that from 7 February 2025, teachers and authorised staff members are supported and trained in identifying stress triggers, understanding unmet needs and preventing, minimising and responding to student distress;</p>				
<p>c. teachers that management identifies as having a high likelihood of needing to use physical restraint are trained in appropriate physical holds by accredited physical restraint practitioners?</p>				
<p>d. that every authorised staff member (who is not a teacher) has been trained in appropriate physical holds by accredited physical restraint practitioners prior to their authorisation.</p>				
<p>**Note: New rules[PDF, 392 KB] and guidelines[PDF, 13 MB] on understanding ākongā distress and minimising the use of physical restraint in schools came into force on 7 February 2023 - these supersede the 2017 rules and guidelines.</p> <p>For further information including the new online reporting form refer to MOE website:</p> <p>Minimising the use of physical restraint in New Zealand schools and kura</p> <p>Relevant sections of the Education & Training Act 2020:</p> <p>99 Limits on use of physical restraint at registered schools</p>				

Self-Audit Checklist

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
100	Rules on use of physical restraint at registered schools			
101	Guidelines on use of physical restraint and behaviour management at registered schools			
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> • <i>Teacher registration</i> • <i>Authority to teach</i> • <i>Mandatory Reporting</i> • <i>Police vetting</i> • <i>No Corporal Punishment</i> • <i>Staff Appraisal and PMS documentation</i> • <i>Safety Checking of Workforce and Child Protection Policy</i> • <i>Documents as required under the Education (Physical Restraint) Rules 2017 and any amendments to the Rules.</i> 				
4	Equipment			
	<p>Has school management ensured that the school has equipment that is suitable for the curriculum being delivered at the school? <i>[Clause 2(d), Schedule 7, Ed & Training Act 2020]</i></p> <p>Criteria for registration as private school</p>			
<p><i>Equipment Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> • <i>Equipment inventory</i> • <i>Property management policies/practices</i> • <i>Equipment for practical classes</i> • <i>Curriculum statements*</i> • <i>Laboratory equipment</i> 				
5	Curriculum			
	<p>(i) Does the school have a curriculum for</p> <ul style="list-style-type: none"> • Teaching • Learning, and • Assessment? and 			
	<p>(ii) Does the school make details of the curriculum and its programme for delivery available for parents?</p>			

Please tick all questions including bullet points or write N/A if not applicable.		Yes	No	Unsure
	<p>[Clause 2(e), Schedule 7, Ed & 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?</p> <p>(Refer page 20, Private Schools and the Law, Law Commission Report September 2009)</p> <p>Criteria for registration as private school</p>			
<p>Curriculum Items ERO will check/verify as required</p> <ul style="list-style-type: none"> • Curriculum statements • Curriculum programme • Achievement expectations • Availability of curriculum information to parents (school prospectus) 				
6	Tuition Standards			
	<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?</p> <p>(Clauses 2(f);and 5, Schedule 7 Ed & Training Act 2020)</p> <p>Note: in assessing the standard of tuition, the mode of curriculum delivery and the regularity of instruction will be considered by reviewers</p> <p>[Refer Clause 5(2) Schedule 7 Ed & Training Act 2020)</p> <p>Criteria for registration as private school</p> <p>Tuition standards</p>			
<p>Items ERO will check/verify as required</p> <ul style="list-style-type: none"> • Teacher and school-wide planning • Student assessment and reporting • Curriculum review • Classroom observation • Attendance monitoring • Classroom management • Regularity of instruction 				
7	Health and Safety			
	<p>Does the school have suitable health and safety polices that enable it to meet its health and safety obligations including the requirement for regular review?</p>			
<p>Items ERO will check/verify as required</p>				

Self-Audit Checklist

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
<ul style="list-style-type: none"> • <i>Child protection policy/procedures under Children’s Act 2014</i> • <i>Safety checking of staff under the Children’s Act and regulations</i> • <i>No seclusion</i> • <i>Police vetting</i> • <i>Compliance with Physical Restraint Rules 2017- Download the rules [PDF, 847 KB]; updated Guidelines for Registered Schools in New Zealand on the Use of Physical Restraint</i> • <i>Policies/procedures under Health and Safety at Work Act</i> • <i>Compliance with Fire Safety Evacuation Procedures and Evacuation Schemes</i> • <i>Internet safety policy including cyber bullying.</i> • <i>EOTC guidelines</i> 				
8	Privacy			
	Does the school have policies and procedures to manage personal information under the Privacy Act 2020?			
<p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> • <i>Policies/procedures under the Privacy Act 2020</i> 				
9	Managers			
	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?			
	<p>6 Managers to be fit and proper persons</p> <p><i>Items ERO will check/verify as required</i></p> <ul style="list-style-type: none"> • <i>Completed attestation forms (please see separate template for this)</i> 			
10	Statement of national education and learning priorities			
	Did the school manager:			
	(a) In operating the school, have regard to any statement of			

<i>Please tick all questions including bullet points or write N/A if not applicable.</i>		Yes	No	Unsure
	<p>national education and learning priorities; and</p> <p>(b) ensure that, in developing and delivering the curriculum, the school's principal and staff have regard to any statement of national education and learning priorities.</p> <p>Refer: Schedule 7, Clause 7 Manager must have regard to statement of national education and learning priorities (Ed & Training Act 2020)</p>			
11	International Students			
	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].			
	Has school management ensured that it is complying with the Code of Practice for Pastoral Care of International Students* particularly in terms of processes for:			
	• Marketing and promotion [clauses 56/57 of Code]			
	• Managing and monitoring education agents [clauses 58/59 of Code]			
	• Offer, enactment, contracts, and insurance [clauses 60 to 66 of Code]			
	• Immigration matters [Clauses 67/68 of Code]			
	• Orientation [clauses 69/70 of Code]			
	• Safety and wellbeing [clauses 71/72 of Code]			
	• International school learners under 18 [clause 73]			
	• International school learners under 10 years [clause 74]			
	• International school learners at risk or with additional learning needs [clause 75]			
	• Accommodation [clause 76]			
	• Safety checks and appropriate checks [clause 77]			
	• Learner support, advice and services [clauses 78/79]			
	• Managing withdrawal and closure [clauses 80/81]			
	• Dealing with complaints [clauses 82/83]			

