



## Declaration for Fit and Proper Person Protocol

**This protocol should be read in conjunction with the DOBCEL Responsible Persons Policy and Procedure.**

The *Declaration for Fit and Proper Person* is listed on the Schedule for Review of Policies and Procedures. This declaration is to be completed by a responsible person who is defined in the Education and Training Reform Regulations 2017 as:

- the proprietor (the individual or all persons involved in directing the body)
- each governing body member and each person who is conferred responsibility in the school governance structure for managing the school or its finances
- the principal
- any other person who by the persons conduct assumes a position of authority over the governance or management of the school

It is a VRQA requirement that members of the School Advisory Council also complete a Fit and Proper Declaration (although SAC members are not designated as responsible persons in DOBCEL's governance structure)

The protocol identifies that the Declarations are completed every three years and obtained for every new responsible person to the school. The Schedule is monitored by the principal as part of an ongoing process of school improvement and risk management.

### Notifiable Disclosure Event

The 'fit and proper person' requirements for non-government schools has been expanded to include a requirement that a responsible person is not the subject of, or associated with, specific kinds of adverse findings or other actions taken by a court, tribunal, commission of inquiry, professional discipline body or regulatory authority (in Victoria or elsewhere). The adverse findings or actions relate to:

- dishonest, misleading or deceptive conduct; or
- non-compliance with an obligation relating to the provision of education; or
- a breach of duty (including a duty of disclosure).

The requirement to satisfy the 'fit and proper person' test is ongoing and requires DOBCEL to notify the VRQA should a 'notifiable disclosure event' occur that affects a responsible person at the school. Minimum standard 15(4)

A 'notifiable disclosure event' is triggered by adverse findings or proceedings for conduct that would mean the 'responsible person' is not a 'fit and proper person'.

The principal will inform the DOBCEL Executive Director of any "notifiable disclosure event". The Assistant Director School Improvement (who is the CEB delegate on the CECV Review Body Committee) will observe CECV protocols in relation to informing the CECV of any "notifiable disclosure event".