

# **Memorandum of Understanding**

**between**

**Victorian Registration and Qualifications Authority**

**(VRQA)**

**and**

**Catholic Education Commission of Victoria Limited**

**(CECV)**

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## Memorandum of Understanding

Between

**Victorian Registration and Qualifications Authority (ABN 89411320250)** (a body corporate established under Chapter 4 of the *Education and Training Reform Act 2006*).

of Level 4, 2 Lonsdale Street, Melbourne VIC 3000

(VRQA)

and

**Catholic Education Commission of Victoria Limited (ACN 119 459 853)** (an Australian public company, limited by guarantee)

of Catholic Leadership Centre, 576 Victoria Parade, East Melbourne VIC 3002

(CECV)

### Background

- A. The purpose of this MoU is to record the shared and separate responsibilities of the CECV and the VRQA to ensure Catholic Schools and Catholic School Boarding Premises comply with the Minimum Standards, and Catholic Schools provide high-quality learning opportunities for children and young people.
- B. This MoU reflects the mature and continuing partnership and shared commitment of the CECV and the VRQA to ensure Catholic Schools and Catholic School Boarding Premises are child safe environments.
- C. The Schedules are intended to strike an appropriate balance between regulatory oversight that is sufficiently robust to give confidence to the CECV, the VRQA, the Victorian Government and the people of Victoria, that Catholic Schools and Catholic School Boarding Premises meet Minimum Standards.
- D. This MoU is intended to support a strengthened working relationship between the CECV and the VRQA so that information is exchanged in a timely manner that enables swift, supportive action by the CECV to assure the compliance of Catholic Schools and Catholic School Boarding Premises with the Minimum Standards.
- E. This MoU gives effect to:
  - a. the VRQA's approval of the CECV as a Review Body under sections 4.3.2(c) and 4.3.8F(c) of the ETR Act to review and report on the compliance of Catholic Schools and Catholic School Boarding Premises with the Minimum Standards; and
  - b. the Statement of Expectations and the School Review Bodies Guide.
- F. The MoU establishes procedures for dealing with:
  - a. applications for registration of Catholic Schools and Catholic School Boarding Premises and the amendment of registration;

- b. review of Catholic Schools and Catholic School Boarding Premises against the Minimum Standards;
  - c. applications for exemptions from the curriculum and enrolment Minimum Standards;
  - d. reporting on the compliance of Catholic Schools and Catholic School Boarding Premises against the Minimum Standards;
  - e. provision to the VRQA, for inclusion on the State Register, of each Catholic School's Annual Report and each Catholic School Boarding Premises' Annual Report to the respective school community;
  - f. reporting on complaints received by the VRQA or CECV relating to compliance of Catholic Schools and Catholic School Boarding Premises with the Minimum Standards;
  - g. referral to the CECV of complaints received by the VRQA about Catholic Schools' and Catholic School Boarding Premises' compliance with the Minimum Standards;
  - h. referral of child safety concerns received from the CCYP and other regulators, or identified by the VRQA via complaints, media and the like, to the CECV for action;
  - i. requests by the VRQA for the CECV to undertake a review or assessment of a Catholic School or Catholic School Boarding Premises.
- G. This MoU outlines the CECV's responsibilities and obligations as the approved Review Body for Catholic Schools and Catholic School Boarding Premises and the KPIs that will inform the annual Review Body Assurance Program.
- H. The parties acknowledge that at the time of the entry into this MOU, CECV is undertaking a governance and organisational review and the parties therefore agree to review and revise this MoU as provided in clause 6.

## Agreed terms

### 1. Definitions and Interpretation

#### Definitions

In this MoU, unless the contrary intention appears, the following definitions will apply:

**Annual Compliance Report** means the report provided by the CECV to the VRQA on the compliance with the Minimum Standards of all Catholic Schools and Catholic School Boarding Premises in Victoria under sections 4.3.5(2) and 4.3.8V(2) of the ETR Act, and regulations 71(1) and 71J of the ETR Regulations, as referenced in the Schedules to this MoU.

**Annual Report to the School Community (ARSC)** means the report a school must make available to the school community concerning the school's performance under clause 18, schedule 4 of the ETR Regulations, which are then provided to the VRQA for inclusion on the State Register in accordance with this MoU.

**Annual report to the School Boarding Premises Community (Boarding Annual Report)** means the report a school boarding premises must make available to the community concerning the school boarding premises' performance under clause 9, schedule 4A of the ETR Regulations.

**Bishop** means a reference to each of the Archbishop of the Archdiocese of Melbourne, the Bishop of the Diocese of Ballarat, the Bishop of the Diocese of Sale or the Bishop of the

Diocese of Sandhurst from time to time, or the administrator of the relevant Diocese during any period that the office of the Bishop in that Diocese is vacant, or a reference to them jointly, as applicable.

**CECV** means Catholic Education Commission of Victoria Limited ACN 119 459 853, the company established by the Bishops to, in cooperation with the Catholic Diocesan Proprietors, support Catholic Schools and Catholic School Boarding Premises in complying with all requirements under relevant laws for their ongoing registration as schools or school boarding premises in the State of Victoria. This includes reviewing and monitoring, and taking whatever steps are necessary in supporting Catholic Schools and School Boarding Premises for the purposes of ensuring such compliance. The CECV is an approved school system and funding authority for all Victorian Catholic schools except one<sup>1</sup>.

**Catholic Diocesan Proprietor** means a reference to each of MACS, CES, DOSCEL and DOBSEL, or a reference to them jointly as applicable.

**Catholic Diocesan School** means a school governed and operated by a Catholic Diocesan Proprietor, or by any other entity that is wholly owned or controlled by any of the Catholic Diocesan Proprietors, and which is registered by the VRQA as owned by that proprietor on the State Register.

**Catholic School** is a school that is established and conducted in any Diocese with the authority of any of the Bishops and which belongs to the CECV system of schools, and includes a reference to:

- (a) a Catholic Diocesan School,
- (b) a Religious Institute School;
- (c) a Ministerial Public Juridic Person (MPJP) School; or
- (d) a school that is jointly owned by any of the Catholic Diocesan Proprietors, a Religious Institute Proprietor and/or a Ministerial Public Juridic Person Proprietor.

**Catholic School Boarding Premises** means a school boarding premises at which school boarding services (as defined in section 1.1.3(1) of the ETR Act.) are provided by or on behalf of a Catholic School.

**CES** means the Catholic Education Sandhurst Limited (ACN 643 894 384), a company limited by guarantee established by the Bishop of the Diocese of Sandhurst which is the registered proprietor (for the purposes of the ETR Act) of Catholic Diocesan Schools and Catholic School Boarding Premises in the Diocese of Sandhurst. CES governs and manages the operation of these schools and boarding premises and provides support, services and leadership to them and to other Catholic Schools and Catholic School Boarding Premises in the Diocese of Sandhurst.

**Chair** means the Chair of the CECV Board.

**CCYP** means the Commission for Children and Young People.

**Chief Executive Officer (Director) VRQA** means the person appointed to, holding or acting for the time being in the position of CEO (Director) of the VRQA.

**Child Information Sharing Scheme** means the sharing of information in accordance with Part 6A of the *Child Wellbeing and Safety Act 2005* (Vic).

**Code of Canon Law** means the Code of Canon Law promulgated by Pope John Paul II on

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<sup>1</sup> St Paul's College Balwyn is a specialist school in Balwyn operated by Villa Maria Catholic Homes Limited.

25 January 1983 or its successor and any other universal or particular legislation promulgated by the competent ecclesiastical authority.

**Commencement Date** means the date of execution of this MoU by the last of the Parties.

**Complaint** means a complaint received by CECV or the VRQA that relates to the compliance of a Catholic School or Catholic School Boarding Premises with the Minimum Standards.

**Confidential Information** means information (in whatever form) of a Party including but not limited to technical, scientific and financial information which comes into the possession of the other Party through intentional or unintentional disclosure, excluding information which:

- (a) is or comes into the public domain other than by disclosure in breach of the terms of this MoU;
- (b) is or becomes available to the recipient Party from a third party lawfully in possession of it and with the lawful power to disclose it to the recipient Party;
- (c) is rightfully known by the recipient Party (as shown by its written record) prior to the date of disclosure to it under this MoU; or
- (d) is independently developed by an employee of the recipient Party who has no knowledge of the disclosure made under this MoU.

**CRICOS** means the Commonwealth Register of Institutions and Courses for Overseas Students.

**Diocese** means a reference to each of the four Catholic Dioceses in Victoria over which the Bishop exercises ecclesiastical jurisdiction, being the Archdiocese of Melbourne, the Diocese of Ballarat, the Diocese of Sandhurst and the Diocese of Sale.

**DOBCEL** means the Diocese of Ballarat Catholic Education Limited (ACN 629 894 686), a company limited by guarantee established by the Bishop of the Diocese of Ballarat which is the registered proprietor (for the purposes of the ETR Act) of Catholic Diocesan Schools and Catholic School Boarding Premises in the Diocese of Ballarat. DOBCEL governs and manages the operation of these schools and boarding premises and provides support, services and leadership to them and to other Catholic Schools and Catholic School Boarding Premises in the Diocese of Ballarat.

**DOSCEL** means the Diocese of Sale Catholic Education Limited (ACN 621 266 993), a company limited by guarantee established by the Bishop of the Diocese of Sale which is the registered proprietor (for the purposes of the ETR Act) of Catholic Diocesan Schools and Catholic School Boarding Premises in the Diocese of Sale. DOSCEL governs and manages the operation of these schools and boarding premises and provides support, services and leadership to them and other Catholic Schools and Catholic School Boarding Premises in the Diocese of Sale.

**ETR Act** means the *Education and Training Reform Act 2006 (Vic)* as in force from time to time.

**ETR Regulations** means the *Education and Training Reform Regulations 2017 (Vic)* as in force from time to time.

**Executive Director, CECV** means the person appointed to, holding or acting for the time being in the position of the Executive Director of CECV.

**Family Violence Information Sharing Scheme** means the sharing of information in accordance with Part 5A of the *Family Violence Protection Act 2008 (Vic)*.

**Government Agency** means any government or any public, statutory, governmental, semi-governmental, local governmental or judicial body, entity or authority and includes a Minister of the Crown or the Commonwealth of Australia and any person, body, entity or authority exercising a power pursuant to an Act of Parliament.

**School Review Bodies Guide** means the VRQA publication entitled School Review Bodies Guide last endorsed by the VRQA Board on 23 May 2022 and any successor guide, as amended from time to time.

**Guidelines** means the VRQA Guidelines to the Minimum Standards and Requirements for School Registration and the VRQA Guidelines to the Minimum Standards and Requirements for School Boarding Premises as gazetted from time to time.

**Investigation** means the processes undertaken by CECV to determine whether a complaint substantiates a breach of the Minimum Standards.

**KPIs** means the key performance indicators which the CECV must endeavour to meet and which will inform the annual Review Body Assurance Program. The KPIs are contained in the Schedules to this MoU.

**Law** means:

- (a) principles of law or equity established by decisions of courts within the Commonwealth of Australia;
- (b) statutes, regulations, by-laws, ordinances, orders, awards, proclamations and local laws of the Commonwealth, State of Victoria, any local government or a Government Agency;
- (c) the Constitution of the Commonwealth;
- (d) binding requirements and mandatory approvals (including conditions) of the Commonwealth, the State of Victoria or a Government Agency which have the force of law; and
- (e) guidelines of the Commonwealth, the State of Victoria or a Government Agency which have the force of law.

**MACS** means the Melbourne Archdiocese Catholic Schools Limited (ACN 643 442 371), a company limited by guarantee established by the Archbishop of the Archdiocese of Melbourne which is the registered proprietor (for the purposes of the ETR Act) of the Catholic Diocesan Schools and Catholic Boarding Premises in the Archdiocese of Melbourne. MACS governs and manages the operation of these schools and boarding premises within the Archdiocese of Melbourne and provides support, services and leadership to them and other Catholic Schools and Catholic School Boarding Premises in the Archdiocese of Melbourne.

**Minister** means the Minister for Education of the State of Victoria.

**Minimum Standards** means the prescribed minimum standards that schools and school boarding premises (and other education providers) must satisfy in order to be registered and remain registered as contained in the ETR Act and Schedules 4, 4A and 8 of the ETR Regulations and includes the requirements under the ETR Act to comply with Ministerial Order 1359 and Ministerial Order 706.

**Ministerial Order 706** means *Ministerial Order 706: Anaphylaxis Management in Victorian schools and school boarding premises* and its successors.

**Ministerial Order 1359** means *Ministerial Order 1359 – Implementing the Child Safe Standards – Managing the risk of child abuse in schools and school boarding premises* and its successors.

**Ministerial Public Juridic Person (MPJP)** means a public juridic person recognised as such under the Code of Canon Law which is established by the decree of a competent ecclesiastical authority for the purpose of active ministry.

**Ministerial Public Juridic Person (MPJP) Proprietor** means a body corporate that is established by a Ministerial Public Juridic Person (MPJP) for the purposes of civil law recognition, or otherwise a body corporate that is owned and controlled (directly or indirectly) by a Ministerial Public Juridic Person (MPJP).

**Ministerial Public Juridic Person (MPJP) School** means a school governed and operated by a Ministerial Public Juridic Person (MPJP) Proprietor and which is registered by the VRQA as owned by that proprietor on the State Register.

**MoU** means this Memorandum of Understanding as amended from time to time and includes the Schedules and Annexures.

**Moderation** means the review and quality assurance of assessment reports by CECV to ensure they are consistent with the Guidelines and the assessment justifies a finding of compliance or non-compliance. The purpose of Moderation is to drive consistency of assessment and understanding of the Minimum Standards and Guidelines across CECV.

**PA Act** means the *Public Administration Act 2004 (Vic)*.

**Party** means either the CECV or the VRQA as the context requires and **Parties** means both of them.

**Primary Representatives** means:

- (a) CECV Executive Director
- (b) VRQA Chief Executive Officer (Director).

**Religious Institute Proprietor** means a body corporate that is owned (directly or indirectly) by a canonically recognised religious institute and/or society with public juridic status in the Roman Catholic Church in which, in accordance with their own law, the members pronounce public vows and live a fraternal life in common.

**Religious Institute School** means a school governed and operated by a Religious Institute Proprietor and which is registered by the VRQA as owned by that proprietor on the State Register.

**Responsible Officer** means the person appointed by the CECV to coordinate registration applications and compliance reporting to the VRQA.

**Review Body** means a person or body approved by the VRQA under section 4.3.2(c) and 4.3.8F(c) of the ETR Act to review a school or group of schools, or school boarding premises.

**Review Body Assurance Program** means the VRQA annual risk-based assurance program of the activities undertaken by the review bodies under their respective MoU.

**Secondary Representatives** means:

- a) CECV: the Responsible Officer appointed by the Executive Director, CECV:
- b) VRQA: Deputy Chief Executive Officer Schools.

**Senior secondary or foundation secondary registration** means a school registered by the VRQA under section 4.3.10 of the ETR Act to deliver a senior secondary or foundation secondary course.



**Specialist school** means a school that is registered pursuant to the ETR Act and defined in regulation 5 of the ETR Regulations and which caters mainly for students with disabilities or with social, emotional or behavioural difficulties.

**Specific purpose school** means a school that is registered pursuant to the ETR Act and is a school registered for a specific purpose which may include a school that provides an alternative educational program. Examples include English Language Schools, Victorian School of Languages and Virtual Schools Victoria.

**Statement of Expectations** refers to the Statement of Expectations provided to the Chair of the VRQA by the Hon Natalie Hutchins MP, Minister for Education and the Hon Gayle Tierney MP, Minister for Training and Skills and Minister for Higher Education, issued in November 2022 and any successor Statements of Expectations.

**Term** means the term of this MoU set out in clause 5 and includes any extension.

**VCAA** means the Victorian Curriculum and Assessment Authority and includes its Board, employees, contractors, consultants and agents.

**VET** means Vocational Education and Training.

**VRQA** means the Victorian Registration and Qualifications Authority and includes its Board, employees, contractors, consultants and agents.

## **2. Memorandum of Understanding not legally binding**

This document is not intended to create legal relations or constitute a legally binding contractual agreement between the Parties, but is a significant document that sets out the commitment of the Parties. Notwithstanding this clause, the Parties will seek to comply with all of the terms of this MoU.

## **3. Memorandum subject to other provisions**

This MoU is to be read subject to:

- (a) any policy, guideline or direction issued to the VRQA by the Minister pursuant to the ETR Act, whether such policy, guideline or direction is consistent with this MoU or not; and
- (b) any whole of Government policy issued under Section 92 of the PA Act that applies to the VRQA.

## **4. Termination of Previous MoUs**

The Parties acknowledge and agree that from the Commencement Date the existing MoU between the Parties dated 21 June 2019 will be terminated and replaced with this MoU.

## **5. Term**

- (a) Subject to clause 5(b), this MoU will commence on the Commencement Date and will end on the third anniversary of the Commencement Date, unless terminated earlier by the Parties in accordance with clause 17.
- (b) Six (6) months prior to the expiry of the Term the Primary Representatives may agree in writing to extend the Term.
- (c) At the expiry of the Term the Parties agree that this MoU has no further force or effect unless extended in accordance with clause 5(b).

## 6. Review of the MoU

- (a) The Parties acknowledge the following:
  - (i) In May 2021 the Bishops, as members of CECV, commissioned an independent review into the role, governance and operations of the CECV;
  - (ii) On 19 October 2022, the Bishops released their response to the material findings from the review into the CECV in a form of a publicly available Response and Directives document;
  - (iii) As at the Commencement Date, a CECV Implementation Committee appointed by the Bishops is overseeing the implementation of the Response and Directives and the review recommendations. This will see changes in the governance, role and operations of CECV to strengthen the organisation and enhance the support provided to the Catholic Schools and Catholic School Boarding Premises in its system.
- (b) The Parties agree to review the MoU on or around the first anniversary of the Commencement Date to ensure that the MoU remains fit for purpose and records adequately the role and responsibilities of CECV as a Review Body in the context of the changes that will result from the implementation of the recommendations of the Review.
- (c) The Parties acknowledge and agree that the review of the MOU will include, without limitation, review of the KPIs under this MOU including specifically agreement to be reached on KPIs for moderation by CECV of:
  - (i) 100% of assessment reports on reviews of Catholic Schools and Catholic School Boarding Facilities completed by externally contracted reviewers by and on behalf of CECV;
  - (ii) 100% of assessments of high risk minimum standards in assessment reports completed in-house by CECV using targeted risk-based methodologies to determine which minimum standards will be moderated; and
  - (iii) 50% of all assessment reports completed in-house by CECV in relation to all of the minimum standards ensuring this includes assessments conducted by all reviewers.
- (d) The Parties acknowledge that at the Commencement Date, reviews of Catholic Schools and School Boarding Premises are largely conducted by the Catholic Diocesan Proprietors. The Parties acknowledge and agree that from the Commencement Date, CECV will transition to conducting reviews of Catholic Schools and Catholic School Boarding Premises (either in-house or by externally contracted reviewers by and on behalf of CECV) and will provide a timeline to the VRQA by which all reviews will be conducted by CECV.

## 7. Delegation and Approvals

Nothing in this MoU constitutes a delegation of any powers of the VRQA, under the ETR Act, the ETR Regulations or any other instrument, to the CECV or the Executive Director, CECV.

## 8. Co-operation and Consultation

The Parties will exercise their rights and perform their obligations under this MoU in a co-operative, consultative and transparent manner.

## 9. Roles and Responsibilities

### 9.1 CECV

- (a) CECV is a company limited by guarantee established by the Bishops to provide leadership and to ensure the proper governance in Catholic education across the State of Victoria. In collaboration with the Catholic Diocesan Proprietors, CECV support supports, reviews and monitors the compliance of Catholic Schools and Catholic School Boarding Premises with all registration, reporting and other requirements under relevant laws in the State of Victoria, and takes whatever steps are necessary in supporting Catholic Schools and Catholic School Boarding Premises for the purposes of ensuring such compliance.
- (b) CECV is accountable to the government and has governance arrangements in place to ensure all financial and non-financial compliance and reporting obligations are met, including those under this MoU. The financial controls and mechanisms relevant to this MoU include:
  - (i) CECV Board oversight of all funding matters;
  - (ii) CECV committees which have compliance, funding and employment related responsibilities under their respective Terms of Reference;
  - (iii) CECV's Internal Audit program, conducted by an external chartered accounting firm and includes the CECV Grants Allocation Committees;
  - (iv) Financial Statements for the Australian Charities and Not-for-profits Commission; and
  - (v) Annual Audited Financial Statements for CECV, Catholic Capital Grants (Vic) Ltd, Catholic Education Long Service Leave Scheme (Victoria), MACS, DOBCEL, CES and DOSCEL.
- (c) In fulfilling its responsibilities as a Review Body, CECV will:
  - (i) ensure processes are established and implemented to enable ongoing compliance with the Minimum Standards by all Catholic Schools and Catholic School Boarding Premises;
  - (ii) ensure the consistency of those assessments and reviews against the Minimum Standards, including by providing templates for assessments and reviews;
  - (iii) by 1 November each year submit to the VRQA for endorsement a proposed review schedule for the next year;
  - (iv) ensure that a regular review of all Catholic Schools and Catholic School Boarding Premises is conducted, operating on a cycle of at least one review within a five-year period;

- (v) have processes in place to quality assure the review program and periodically review these processes to ensure the effectiveness of the review program;
- (vi) ensure that any referrals from the VRQA of complaints or concerns regarding compliance with the Minimum Standards by a Catholic School or Catholic School Boarding Premises are investigated or assessed in a timely manner and otherwise within any timelines specified in this MoU;
- (vii) ensure that guidance and support is provided to Catholic Schools and Catholic School Boarding Premises that have been identified as non-compliant with the Minimum Standards, including assistance with achieving compliance within the timelines specified in this MoU which must include the preparation and monitoring of an action plan with timelines for the Catholic School or Catholic School Boarding Premises to achieve compliance;
- (viii) ensure that the VRQA is notified of any actual or potential significant breaches of the Minimum Standards, in particular breaches of Ministerial Order 1359, that may move into the public domain or attract media or parliamentary attention and for which the VRQA might be requested to comment, within 7 days of CECV becoming aware of any such breach;
- (ix) promote the importance of the Minimum Standards and compliance by Catholic Schools and Catholic School Boarding Premises;
- (x) provide the Annual Compliance Report to the VRQA detailing the compliance of Catholic Schools and Catholic School Boarding Premises reviewed during that cycle in respect of each of the Minimum Standards;
- (xi) ensure that registration applications and amendments to registration are quality-assured by the CECV, complete and recommended by the Executive Director, CECV on the basis they comply with the Minimum Standards and submitted by 31 August in the year preceding the proposed commencement of the Catholic School or Catholic School Boarding Premises;
- (xii) ensure that registration applications for a Catholic School to provide a senior secondary course or foundation secondary course are submitted in coordination with the awarding bodies' authorisation to deliver the course and by 30 June in the year preceding the proposed delivery of that course by the Catholic School;
- (xiii) ensure that the VRQA is provided with quarterly reports on:
  - (A) the number of cyclical reviews completed; and
  - (B) of those completed reviews, the number of schools or school boarding premises found to be non-compliant with one or more of the minimum standards;
- (xiv) inform the VRQA of emergencies that may require a temporary relocation of students within 7 days of becoming aware of a need for a temporary relocation; and
- (xv) use its best endeavours to meet the KPIs under this MoU.

- (d) The CECV will notify the VRQA of any anticipated changes to the registered proprietor of any Catholic School and/or Catholic School Boarding Premises, or changes in the person(s) or entity(ies) that own the registered proprietor of any Catholic School and/or Catholic School Boarding Premises.

## 9.2 VRQA

- (a) The VRQA is an independent statutory body with responsibility for:
  - (i) registration of Government and non-government Schools, and school boarding premises;
  - (ii) registration of providers to deliver courses to overseas students;
  - (iii) home schooling registration in Victoria;
  - (iv) course accreditation and registration of qualifications in Victoria;
  - (v) maintenance of the State Register as per section 4.2.2(i) of the ETR Act;
  - (vi) investigation of complaints relating to the Minimum Standards against providers registered in Victoria;
  - (vii) regulating apprenticeships and traineeships; and
  - (viii) registering education and training providers (vocational education and training, school education, senior secondary education and overseas secondary student exchange organisations).
- (b) Additionally, the VRQA recognises its responsibility to drive consistency in compliance assessment approaches by Review Bodies and the VRQA, particularly regarding child safety, promoting child safety, and improving schools' compliance with the Minimum Standards, including by:
  - (i) documenting and publishing its compliance framework;
  - (ii) documenting and publishing guidance on the evidence required to demonstrate compliance with the Minimum Standards, including through the Guidelines;
  - (iii) implementing the Review Body Assurance Program to ensure the consistency of assessment approaches and outcomes by Review Bodies and the VRQA, and that Review Bodies are continuing to assure the VRQA of the compliance of their schools and school boarding premises with the Minimum Standards; and
  - (iv) ensuring its regulatory approach, including assurance of Review Body arrangements, is risk based and sector neutral.
- (c) The VRQA regulates for quality outcomes in safe and well governed environments. It does this by ensuring that schools in the independent, government and Catholic sectors meet the Minimum Standards.
- (d) The VRQA's regulatory processes are based on:
  - (i) transparency – relevant information, other than private and commercial in confidence information, is available to duty holders and the community

- (ii) proportionality –processes, incentives and penalties are proportional to the consequences of the particular risk.
  - (iii) consistency and predictability –processes and decisions will be sufficiently consistent as to be predictable to duty holders
  - (iv) sector neutrality – all duty holders will be held to the same standards within the regulated sector while respecting their diversity and not taking a one-size-fits-all approach.
  - (v) efficiency and agility – processes deliver maximum public benefit for minimum resources. We will use co-regulators effectively, allow for flexible, case-specific responses, and decisions will be timely.
- (e) Review Bodies must meet the selection criteria, principles and obligations contained in the School Review Bodies Guide, including ensuring their schools and school boarding premises meet Minimum Standards and providing guidance and support to their schools and school boarding premises to do so.
- (f) For its continuing approval as a Review Body and to demonstrate its continued ability to assure the compliance of Catholic Schools and Catholic School Boarding Premises with the Minimum Standards, the CECV is required to participate annually in the Review Body Assurance Program which will include assessment of performance against the KPIs in Schedule 2 of this MoU and to meet all other obligations under this MoU.
- (g) The VRQA retains the authority to conduct a review of a Catholic School and Catholic School Boarding Premises at any time and at its absolute discretion.
- (h) To assist the CECV to fulfil its obligations as a Review Body the VRQA will:
- (i) provide clear, accurate and timely information to the CECV on all registration requirements to enable the CECV to develop appropriate resources to support compliance and registration for Catholic School and Catholic School Boarding Premises;
  - (ii) as part of the Review Body Assurance Program, provide annual information sessions for relevant CECV staff and reviewers to support consistency of understanding of how to assess compliance and to strengthen the quality of practice across the Catholic Schools and Catholic School Boarding Premises;
  - (iii) at the request of CECV, provide guidance regarding various aspects of the application of the Minimum Standards as relevant in CECV's review and assessment of compliance of Catholic Schools and Catholic School Boarding Premises;
  - (iv) provide feedback on the Minimum Standards-related guidance and resources for Catholic Schools and Catholic School Boarding Premises developed by the CECV to support consistency of understanding and to strengthen quality of practice across the Catholic Schools and Catholic School Boarding Premises;
  - (v) provide feedback to the CECV on common non-compliances identified during assessment of the preceding year's applications for school registration and amendment of registration;

- (vi) provide CECV on an annual basis in December of each year the priority areas of focus for cyclical reviews in the following year;
- (vii) notify the CECV of any referrals from the CCYP about child safety in a Catholic School and/or Catholic School Boarding Premises;
- (viii) intervene at the request of the CECV to directly review a Catholic School and/or Catholic School Boarding Premises;
- (ix) ensure the CECV is performing its obligations as a Review Body by meeting its obligations under this MoU, monitoring of the CECV's performance against the KPIs in Schedule 2 of this MoU, and through the Review Body Assurance Program;
- (x) meet regularly with relevant CECV representatives to discuss Catholic School and Catholic School Boarding Premises registration and compliance related matters.

## **10. Schedules**

- (a) The Parties agree to comply with the Schedules.
- (b) The Schedules may only be amended varied or substituted in accordance with clause 15.
- (c) Key dates in relation to the operation of this MoU are listed in Annexure B.

## **11. Representatives**

- (a) Except where otherwise provided, the Primary Representatives will be responsible for the performance of any obligations under this MoU on behalf of the Parties.
- (b) The Secondary Representatives will be responsible for the performance of any obligations under the relevant Schedule on behalf of the Parties.
- (c) A Party may replace a Primary Representative or a Secondary Representative by giving written notice to the other Party.

## **12. Confidentiality and Information exchange**

### **12.1 Confidentiality**

- (a) Subject to the ETR Act and any other applicable legislation, each Party may use the Confidential Information of the other Party only for the purposes of this MoU.
- (b) Each Party must keep Confidential Information of the other Party confidential except:
  - (i) for disclosures permitted under clause (a);
  - (ii) to the extent that Party is required or authorised by or under Law to disclose any Confidential Information; and
  - (iii) to the extent that the VRQA is exercising a power under the ETR Act.
- (c) A Party may disclose Confidential Information of the other Party to its officers or employees who have a need to know for the purposes of this MoU (and only to the extent that each has a need to know).

- (d) Each Party's obligations under this clause will survive termination of this MoU and will continue in relation to Confidential Information until the Confidential Information disclosed to it lawfully becomes part of the public domain.

## **12.2 Information exchange**

- (a) The VRQA acknowledges and agrees that the provision of any information or data by the CECV to the VRQA that is additional to any requirement or obligation under the ETR Act and the ETR Regulations, is at the discretion of the CECV and subject always to the privacy requirements and obligations of the CECV at Law.
- (b) The CECV acknowledges and agrees that, with the exception of information the VRQA is required to provide pursuant to the Child Information Sharing Scheme or the Family Violence Information Sharing Scheme, the provision of any other information or data by the VRQA is at the discretion of the VRQA and is subject to the privacy requirements and obligations of the VRQA at Law, including under the ETR Act.

## **13. Data and Communication of Information**

- (a) Subject to clause 12.2(a), the CECV will:
  - (i) keep the VRQA informed of all matters of which it ought reasonably to be made aware in order for the VRQA to perform its functions;
  - (ii) provide relevant information to the VRQA in a timely manner about issues that may move into the public domain or attract media or parliamentary attention and for which the VRQA might be requested to comment; and
  - (iii) report as required under the ETR Act and this MoU.
- (b) Subject to clause 12.2(b), the VRQA will:
  - (i) keep the CECV informed of matters of which it ought reasonably be made aware, and provide relevant information in relation to the performance of statutory functions for which it is responsible, or other matters as determined and agreed between the Chief Executive Officer (Director) VRQA and/or the VRQA Board Chair and the Executive Director, CECV; and
  - (ii) provide information to the CECV as reasonably requested by the CECV from time to time.

## **14. Meetings, Records and Reporting**

### **14.1 Meetings**

- (a) The Primary Representatives agree to meet quarterly, or as otherwise agreed by them, to discuss the MoU.
- (b) In relation to each Schedule, the Secondary Representatives agree to meet monthly, or as otherwise agreed by them, to discuss the relevant Schedule.

### **14.2 Records**

- (a) The Parties will keep records necessary to comply with their obligations under this MoU.



### 14.3 Reporting

Consistent with Schedule 2, the CECV will provide the following reports to the VRQA:

- (a) Annual Reports to the school and school boarding premises community on or by **30 June** of each year for the preceding school year during the Term; and
- (b) Annual Compliance Report on or by **31 July** of each year for the preceding school year during the Term. The Annual Compliance Report will include:
  - (i) an assessment of Catholic School and Catholic School Boarding Premises compliance with the Minimum Standards in accordance with Schedule 2 reviewed in the school year preceding the preparation of the Annual Compliance Report;
  - (ii) an assessment of Catholic School and Catholic School Boarding Premises' compliance with the Child Safe Standards under Ministerial Order 1359 reviewed in the school year preceding the preparation of the Annual Compliance Report;
  - (iii) data on complaints received by the relevant areas of the CECV that relate to the Minimum Standards in relation to categories/topics to be agreed between the VRQA and the CECV;
  - (iv) analysis of non-compliance and complaints data, including identifying any Minimum Standards, Catholic Schools and Catholic School Boarding Premises that require further guidance and support from the CECV to ensure ongoing compliance
  - (v) reporting against the KPIs in Schedule 2 of this MoU and if any KPIs are not met, identifying any relevant issues that hampered the CECV's ability to meet those KPIs.
- (c) The CECV will provide those reports specified in the relevant schedules in accordance with the timeframes specified.
- (d) The CECV will notify the VRQA of any actual or potential significant breaches of the Child Safe Standards (Ministerial Order 1359), that may move into the public domain or attract media or parliamentary attention and for which the VRQA might be requested to comment, within 7 days of CECV becoming aware of such actual or potential breaches.

### 15. Review and Variation

- (a) The Secondary Representatives will undertake a review of the relevant Schedules annually or as otherwise agreed by them.
- (b) At the end of the Term, the Secondary Representatives will undertake a review of the relevant Schedules.
- (c) Any amendment, variation or substitution of the terms and conditions of this MoU must be mutually agreed in writing and signed by the Parties.
- (d) The Parties agree that additional Schedules may be added to this MoU from time to time and any additional Schedules must be agreed in writing and signed by the Parties.

## **16. Disputes**

- (a) For any disputes arising from this MoU, the Executive Director, CECV and the Chief Executive Officer (Director) VRQA agree to act in a timely manner and in good faith to negotiate a resolution for the dispute, nominating a nominee of the CECV and the VRQA to make determinations in relation to any matters arising that are in dispute.
- (b) Notwithstanding the existence of a dispute, the Parties to the dispute will continue to perform any other obligations under this MoU.

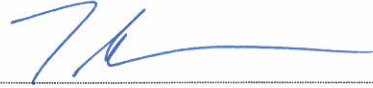
## **17. Termination**

This MoU may be terminated by either Party giving four weeks' notice in writing to the other Party.

## Signing page

Signed as a deed.

Signed for and on behalf of  
**Victorian Registration and  
Qualifications Authority** by  
**Jonathan Kaplan**



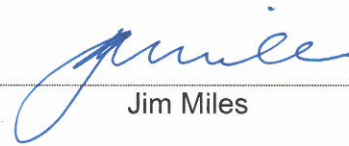
Name

Jonathan Kaplan

Chief Executive Officer (Director)

Date 28/06/2023

Signed for and on behalf of the  
**Catholic Education  
Commission of Victoria Ltd** by  
**Jim Miles**



Name

Jim Miles

Executive Director

Date 28/06/2023

## **Schedule 1: The Registration of Catholic Schools and Catholic School Boarding Premises**

### **1. Purpose**

The purpose of this Schedule is to:

- a) give effect to the obligations of the Parties under the ETR Act to allow them to determine whether Catholic Schools and Catholic School Boarding Premises comply with the Minimum Standards; and
- b) establish procedures for dealing with applications for registration of Catholic Schools and Catholic School Boarding Premises and the amendment of any registration details.

### **2. Procedures for dealing with applications for registration of Catholic Schools and Catholic School Boarding Premises and amending registration details**

- (a) Applications to the VRQA regarding registration of Catholic Schools and Catholic School Boarding Premises, and the amendment of any registration details of registered Catholic Schools and registered Catholic School Boarding Premises, will be managed and submitted by the CECV via the relevant Responsible Officer.
- (b) Consistent with s 4.3.1(3)(b) and section 4.3.8B(2)(b) of the ETR Act, only the CECV has the authority to apply directly to the VRQA for initial registration or amendment to registration of Catholic Schools or Catholic School Boarding Premises. Any such applications will not be accepted by the VRQA unless lodged by CECV.
- (c) Applications to the VRQA regarding registration of Catholic Schools and Catholic School Boarding Premises, and the amendment of any registration details of registered Catholic Schools or Catholic School Boarding Premises, will be made on the approved forms. The VRQA will provide current application forms to the CECV by 31 March each year.
- (d) The CECV will pay the application fee approved or fixed by the Minister relating to school registration and boarding school registration applications as published in the Government Gazette and in the VRQA's published list of fees on the VRQA website.
- (e) Applications concerning the registration or amendment to registration of Catholic Schools and Catholic School Boarding Premises will be accompanied by relevant evidence required under Regulations 65, 69, 71D and 71H of the ETR Regulations.
- (f) The relevant area of the CECV will quality assure all applications for school and school boarding premises registration or amendment to registration and when submitting applications, the Executive Director, CECV will write to the VRQA to recommend the registration of a school or school boarding premises on the basis that the application demonstrates compliance with all of the Minimum Standards and requirements for registration or amendment to registration.
- (g) The relevant area of the CECV will ensure the evidence required to be submitted with an application is complete at the time of making the application (with the exception of those matters referred to in the notes to Schedules 5 and 5A of the ETR Regulations).

- (h) To implement clauses 2(b) and 2(e), the CECV will make applications and submissions in writing to the VRQA in the following circumstances:
- (i) a new Catholic School is proposed to be registered, including without limitation a new school which will result from an amalgamation of existing registered schools;
  - (ii) the registration of a Catholic School is proposed to be amended, including without limitation inclusion of an additional campus or year level at the school or a relocation of a school or campus;
  - (iii) the registration of a Catholic School that is proposed to deliver a senior secondary course/s;
  - (iv) a new Catholic Boarding School Premises is proposed to be registered;
  - (v) the registration of a Catholic School Boarding Premises is proposed to be amended
  - (vi) the registered proprietor of a Catholic School and/or Catholic School Boarding Premises is proposed to be changed.
- (i) The CECV will advise the VRQA, in writing, of the closure of a Catholic School or campus, or Catholic School Boarding Premises or location. Such advice will be considered to be a request for the voluntary cancellation of the registration of the relevant school, school boarding premises, campus or location.
- (j) The VRQA and the CECV acknowledge that:
- (i) with regard to applications for the registration of new Catholic Schools and Catholic School Boarding Premises, the CECV will submit applications for registration by no later than **31 August** of the year prior to commencement;
  - (ii) with regard to applications for a Catholic School to provide an accredited senior secondary or foundation secondary course, the CECV will submit the application by no later than **30 June** of the year prior to commencement unless an alternative date has been agreed between the VRQA and the VCAA (where relevant) and the CECV.
  - (iii) with regard to amendments of registration, including adding a year level, establishing an additional campus, changing a school or campus' location, and changing the registration type for a school, campus or school boarding premises, the CECV will submit the application by no later than **31 August** of the year prior to commencement.
  - (iv) in exceptional circumstances the CECV may progress an out-of-cycle amendment to registration and in such instances, the CECV will submit the application no later than **8 weeks** prior to the proposed commencement date.
  - (v) with regard to emergency relocations (e.g. due to fire or flood), the CECV will notify the VRQA within 7 days of becoming aware of the emergency that requires the relocation;
  - (vi) applications for the change of the registered proprietor of a Catholic School or Catholic School Boarding Premises must be submitted by no later than

31 August in the year prior to where the proposed date of change of proprietor is 1 January in the following year or otherwise at least 4 months prior to the proposed date of the change of proprietor.

- (k) The VRQA may consider varying the dates in 2(j)(i) and 2(j)(iii) at the request of the CECV, for example, if special circumstances arise justifying the varying of a date.
- (l) The VRQA and the CECV acknowledge that applications for Catholic Schools will generally reflect the following approach:
  - (i) Primary: Register for Years P - 6 in one process
  - (ii) Secondary: Register for Years 7 - 10 in one process
  - (iii) Senior secondary: Register for Years 11 - 12 in one process and senior secondary qualifications
- (m) The VRQA and the CECV acknowledge that an application for senior secondary or foundation secondary registration can be submitted concurrent with an application for additional year levels (11-12) or a new school being either one of the following:
  - (i) P-12
  - (ii) 7-12
  - (iii) 10-12
- (n) The VRQA will provide the CECV with:
  - (i) approved application forms for the registration of schools and boarding school premises, as well as amendments to registration, by 31 March each year;
  - (ii) access to an electronic copy of the Guidelines against which applications will be assessed in that year;
  - (iii) briefings by the VRQA for CECV officers or contracted services, school principals and school or school boarding premises governing bodies as agreed by the Parties;
  - (iv) written advice of change of fees.
- (o) If the VRQA wishes to undertake a school or school boarding premises visit to inform its assessment of an application, the VRQA will agree upon protocols and procedures on school visits with the CECV.

### **3. Agreed Timelines**

- (a) The VRQA and the CECV agree on the following timelines to ensure timely registration:
  - (i) VRQA to email acknowledgement of receipt of an application to CECV within 7 calendar days;
  - (ii) VRQA to send invoice to the CECV within 14 calendar days;
  - (iii) CECV to pay the invoice within 30 calendar days;

- (iv) VRQA to send a written rectification report (for new schools) to the CECV within 50 business days (10 weeks);
- (v) VRQA to send a written rectification report (for amendments to registration excepting change of proprietor applications) within 40 business days (8 weeks);
- (vi) CECV to send rectifications for new schools to the VRQA within 28 calendar days (4 weeks);
- (vii) CECV to send rectifications for amendments to registration within 28 calendar days (4 weeks);
- (viii) VRQA to finalise Registration following provision of rectifications within 28 calendar days (4 weeks);
- (ix) Where required, the CECV and VRQA will agree on alternative timelines for the finalisation of registration applications.

[note: VRQA finalisation of registration will be dependent on VCAA authorisation of some senior secondary or foundation secondary applications and may be delayed awaiting VCAA confirmation]

#### 4. Key Performance indicators - Registrations

The CECV's performance as a review body under this schedule will be measured against the Key Performance Indicators in the table below.

KPI	Measure
1. The percentage of initial applications moderated and submitted by the CECV that do not require further evidence or rectification, not including clauses 6, 7, 14, 15, 16 and 17 in Schedule 4 of the ETR Regulations	75%
2. The percentage of rectification submissions moderated and submitted by the CECV that do not require further evidence or rectification.	95%

## **Schedule 1A: Seeking exemptions re Catholic schools**

### **1. Process for seeking and granting exemptions annually**

The CECV will, in relation to a Catholic School, each year on or before **30 April**, write to the VRQA to apply for an:

- (a) exemption from the curriculum minimum standard for a school;
- (b) approval for an enrolment number that is less than the minimum enrolment number required under the student enrolment numbers set out in clause 7 of Schedule 4 of the ETR Regulations, where the CECV is of the view that such an exemption or approval is necessary in relation to that school.

If the VRQA grants an exemption or approval, it is in force for a period of 12 months.

A written response will be provided by the VRQA within 20 business days to complete applications made under this Schedule for exemptions

The VRQA and the CECV acknowledge that:

- (a) Under Regulation 61 of the ETR Regulations, the VRQA may exempt a school from the part of the curriculum Minimum Standard set out in clause 6(b) of Schedule 4 of the ETR Regulations, *inter alia*, if the school is registered or to be registered for a specific purpose or if the school is a specialist school;
- (b) Specialist and specific purpose schools have an ongoing exemption from the part of the curriculum Minimum Standard set out in clause 6(b) of Schedule 4 of the ETR Regulations and do not need to apply for an exemption once the initial exemption has been granted.

### **2. Seeking and granting exemptions outside of the annual process**

If the CECV becomes aware that any school requires an exemption outside of the annual process outlined in clause 1 above, the CECV will apply to the VRQA for those exemptions in one process once per term.



## **Schedule 2: Assessing and Reporting on the Compliance of Catholic Schools and Catholic School Boarding Premises with the minimum standards for registration**

### **1. Purpose**

The purpose of this Schedule is to:

- a) give effect to the obligations of the Parties under the ETR Act to allow them to determine whether Catholic Schools and Catholic School Boarding Premises comply with the Minimum Standards;
- b) give effect to the obligations of the Parties under the ETR Act to allow them to report on the compliance of Catholic Schools and Catholic School Boarding Premises;
- c) establish procedures for reporting on the compliance of Catholic Schools and Catholic School Boarding Premises; and
- d) set KPIs for the CECV's obligations to review and assure the compliance of Catholic Schools and Catholic School Boarding Premises.

### **2. Authorisation of the CECV to report on compliance by Catholic Schools and Catholic School Boarding Premises with the Minimum Standards**

- a) Pursuant to the ETR Act, the VRQA is responsible for, among other things, registering Catholic Schools and Catholic School Boarding Premises and ensuring they continue to comply with the Minimum Standards.
- b) Under sections 4.3.2(c) and 4.3.8F(c) of the ETR Act, the VRQA has approved the CECV as the body responsible for the review of Catholic School and Catholic School Boarding Premises' compliance with the Minimum Standards.
- c) It is the responsibility of the CECV to ensure that any required delegations are in place to give effect to its role as a Review Body and to advise the VRQA of any delegation arrangements.
- d) The CECV is required to notify the VRQA prior to making any change to existing delegation arrangements.
- e) As a Review Body, the CECV will carry out the responsibilities outlined in clause 9.1(c) of this MoU.
- f) In relation to cyclical reviews and in addition to its responsibilities outlined in clause 9.1(c), the CECV will:
  - (i) develop and implement a system for moderation and quality assurance of assessment reports using a risk-based approach and random sampling methodologies;
  - (ii) where non-compliances are identified through a review or assessment, ensure that clear action plans with timelines for achieving compliance are provided to Catholic Schools and Catholic School Boarding Premises and monitor the progress of addressing the non-compliances identified; and

- (iii) provide support and guidance to Catholic Schools and Catholic School Boarding Premises identified as non-compliant to ensure they meet the Minimum Standards within a maximum of 3 months from receipt of an rectification plan.

### **3. Annual Reports to the School and School Boarding Premises Community**

Annual Reports to the School Community (ARSCs) and Annual Reports to the School Boarding Premises Community will be:

- (a) provided in Microsoft Word and PDF format or as otherwise agreed between the VRQA and the CECV;
- (b) submitted to the VRQA for publication on the VRQA State Register by **30 June** of each year during the Term of the MoU.

### **4. VRQA's Approval of the CECV to provide reports**

For the purposes of sections 4.3.2(c) and 4.3.8F(c) of the ETR Act, the VRQA approves the CECV as a Review Body to provide reports to the VRQA regarding compliance and non-compliance by Catholic Schools and Catholic School Boarding Premises with the Minimum Standards.

#### **The CECV**

The CECV must:

- (a) require all Catholic Schools to include in their Annual Report to the School Community an attestation by the principal that their school is compliant with the Minimum Standards and all requirements for school registration including Ministerial Order 1359.
- (b) ensure that the CECV's Annual Compliance Report is consistent with Annexure A and is completed and forwarded to the VRQA on or by **31 July** of each year for the preceding school year.
- (c) ensure that the CECV reports annually to the VRQA specifically on Catholic School and Catholic School Boarding Premises compliance with Ministerial Order 1359 on or by **15 July** of each year for the preceding financial year. This report will enable the VRQA to meet its reporting obligations to the CCYP. This report is to be completed in a form approved by the VRQA.

#### **The VRQA**

The VRQA will

- (a) provide an initial response to the CECV's Annual Compliance Report including feedback for discussion and notification of issues arising within 28 working days after the receipt of the report by the VRQA.
- (b) advise the CECV of any compliance issues relating to Catholic School provision of CRICOS courses, VET programs and Student Exchange programs or in relation to school boarding premises.

The VRQA may during the term of this MoU, seek to validate the Annual Compliance Report provided by the CECV. In doing so, the VRQA would negotiate an acceptable methodology, scope and timing through consultation with the CECV.

## 5. Improving compliance

In the Annual Compliance Report, the CECV will identify those Minimum Standards with higher levels of non-compliance, and advise the VRQA on actions the CECV will take to address these areas.

## 6. Key Performance Indicators – Reviews

The CECV's performance as a review body under this schedule will be measured against the Key Performance Indicators in the table below.

KPI	Measure
1. Percentage of assessments submitted and validated by the VRQA that do not require further evidence or rectification	75%
2. Percentage of all completed assessment reports for cyclical reviews moderated by the CECV	From term 3, 2023, the CECV will: <ul style="list-style-type: none"> <li>• moderate 40% of all assessment reports completed by externally contracted reviewers; and</li> <li>• moderate 100% of all assessment reports completed in-house in relation to all of the minimum standards.</li> </ul>
3. Percentage of annual reports provided to the CECV by 30 June each year	95%

## **Schedule 3: Complaints, specific reviews and general reviews**

### **1. Purpose**

The purpose of this Schedule is to:

- a) establish a process for triaging and referring complaints received by the VRQA about Catholic Schools and Catholic School Boarding Premises to the Responsible Officer;
- b) explain the process for the VRQA to request that the CECV, as a Review Body, undertake a general review or a specific review of a particular Catholic school or Catholic School Boarding Premises;
- c) confirm that the Annual Compliance Report will contain data on complaints received by the relevant areas of the CECV that relate to the Minimum Standards in relation to categories/topics to be agreed between the VRQA and the CECV.

### **2. Complaints and specific reviews**

- a) Under sections 4.2.2(1)(nd)(i) and (iii) of the ETR Act, the VRQA has a function to investigate complaints against schools and school boarding premises, which, if proven, would be a breach of the Minimum Standards.
- b) Where the VRQA receives a complaint about a Catholic School or Catholic School Boarding Premises, it may refer the complaint to the CECV.
- c) Under section 4.3.3 of the ETR Act, the VRQA can undertake either a 'general review' or a 'specific review' of a school. Similarly, under sections 4.3.8G and 4.3.8H of the ETR Act, the VRQA can undertake a general or specific review of a school boarding premises. A general review involves a review of a school or school boarding premises' compliance with all of the Minimum Standards. A specific review may focus on particular Minimum Standards and is opened on the grounds identified in section 4.3.3(2A) and 4.3.8H(2) of the ETR Act.
- d) The VRQA can request that the CECV (as the Review Body) undertake either a general review or a specific review, investigation or assessment of compliance with the Minimum Standards.
- e) The CECV will respond within the timelines set by the VRQA to report on the outcome of the general review or specific review, including to provide any information that has been requested. Where timelines cannot be met, the CECV will seek an extension of time by agreement with the VRQA.
- f) In relation to referrals of complaints or concerns to the CECV, in addition to its responsibilities under clause 9.1(c) of this MoU, the CECV will:
  - i) commence a review, assessment or investigation (as appropriate) within 14 days (excluding where the referral is received during the school holidays) of receipt of the referral;
  - ii) provide updates at monthly meetings or other process by agreement on the progress of a complaint investigation or referral;

- iii) provide copies of any assessment, review or investigation report to the VRQA together with any evidence relied upon in assessing compliance with the Minimum Standards;
- iv) where the complaint or concern relates to the care, safety and welfare of students, including Ministerial Order No. 1359, notify the VRQA as soon as possible and at most, within 7 days of any supports and actions taken or proposed to be taken to ensure the ongoing safety of children at the Catholic School and/or Catholic School Boarding Premises;
- v) where a review or assessment is conducted, comply with the requirements in Schedule 2, clause 2(f)(ii) and (f)(iii) above; and
- vi) in relation to complaints, conduct an investigation in accordance with CECV policies and procedures applicable to the nature of the allegations and notify the VRQA of the outcome of that investigation insofar as it relates to the Minimum Standards, including providing a copy of any report of the investigation as appropriate.
- vii) in relation to referrals of complaints or concerns to the CECV, the VRQA will respond to the CECV with its validation of the report and evidence submitted and relied upon by the CECV in relation to compliance with the Minimum Standards within 30 days.

### **3. Reporting on Complaints**

The CECV will report annually to the VRQA on the number of complaints received by the relevant areas of the CECV that are relevant to the Minimum Standards, in accordance with clause 14.3(b)(iii) of this MoU, through the Annual Compliance Report.

## **ANNEXURE A – Criteria for reporting on Catholic Schools and Catholic School Boarding Premises compliance with the Minimum Standards**

Reporting to the VRQA is pursuant to section 4.3.2(c) and 4.3.8F(c) of the ETR Act on whether Registered Catholic Schools and Catholic School Boarding Premises comply with the Minimum Standards

- The criteria that has been applied in assessing whether Catholic Schools and Catholic School Boarding Premises comply with the Minimum Standards is outlined in the:
  - *VRQA Guidelines to the Minimum Standards and Other Requirements for School Registration* as published on the VRQA website.
  - *VRQA Guidelines to the Minimum Standards and Requirements for School Boarding Premises Registration* as published on the VRQA website

These documents may be updated at times to reflect legislative and policy changes.

The VRQA will notify the CECV of the format for reporting on the following matters no later than 30 December in the year preceding the due date for inclusion of these matters in the Annual Compliance Report:

- compliance of Catholic Schools and Catholic School Boarding Premises against the Minimum Standards, with data reported to identify the compliance of the Catholic Schools in each Diocese
- areas of non-compliance of Catholic Schools and Catholic School Boarding Premises unable to be resolved by the CECV and previously reported to the VRQA
- promotion of the Minimum Standards
- Catholic Schools and Catholic School Boarding Premises reviewed
- Catholic Schools and Catholic School Boarding Premises: new or amended registration applications.

## ANNEXURE B - MoU Key Dates

Date	Activity
30 April	Applications for exemptions from Minimum Standards for curriculum and/or minimum enrolment numbers
30 June	Applications due for schools seeking senior secondary registration to provide an accredited senior secondary course
30 June	Annual Reports to the School and School Boarding Premises Community under Schedule 2 due to the VRQA
15 July	Report on Compliance of Catholic Schools and Catholic School Boarding Premises with the Child Safe Standards under Ministerial Order 1359 in a form approved by the VRQA to enable the VRQA to meet its reporting obligations to CCYP.
31 July	CECV Annual Compliance Report to the VRQA
31 August	Applications due for new Registered Catholic Schools and Registered Catholic School Boarding Premises
31 August	Applications due for amendments to school (excluding addition of senior registration) or school boarding premises registration
1 November	Schedule of schools and school boarding premises to be reviewed by the CECV in the coming year