



Australian Government  
Department of Education

# Non-Government Reform Support Fund

2023 (revised 5 May 2023)

NOTE: On 5 May 2023, a delegate of the Minister issued a direction that Non-Government Representative Bodies must spend or commit to spend funding received in 2023 by 31 December 2024. These Guidelines have been amended in light of that direction.



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The document must be attributed as the Non-Government Reform Support Fund – 2023 Guidelines

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## Preamble

The Australian Government announced the Non-Government Reform Support Fund (NGRSF) as part of the Quality Schools package to provide \$200 million over five years from 1 January 2018 to 31 December 2022. The NGRSF provides funding to Non-Government Representative Bodies (NGRBs) to support non-government schools in the implementation of national, state and territory school reform policy initiatives. These initiatives are reflected in the national and bilateral agreements between the Commonwealth and the states and territories.

NGRBs are bodies approved by the Minister under section 91 of the *Australian Education Act 2013* (the Act).

In the 2022-23 Budget, the Australian Government extended the NGRSF for an additional 12 months to 31 December 2023.

A written direction under section 31 (1) (e) of the *Australian Education Regulation 2013* (the Regulation) issued on 5 May 2023 requires NGRBs to fully spend or commit to spend the 2023 allocated funding no later than 31 December 2024. This provides flexibility for NGRBs to support non-government schools into 2024 to deliver national, state and territory reform initiatives and educational priorities.

Section 31 the Regulation states that financial assistance payable to an NGRB under Division 4 of Part 5 of the Act (funding for NGRBs) must be used by NGRBs for the purposes of supporting school education and in accordance with these Guidelines. These Guidelines take effect from the date of approval by the Minister and apply to the remaining activity under the NGRSF. They set out the Australian Government's requirements in relation to the administration, use and reporting of the NGRSF. These Guidelines only apply to funding received from the NGRSF.

The Department of Education (the department) may review and update the Guidelines as required. The department will consult with NGRBs and states and territories prior to making any amendments.

The current version of the Guidelines is published on the department's website.

In accordance with the principles outlined in the [Schools Funding Assurance Framework](#), the department may take measures to ensure Australian Government schools' funding is expended in accordance with the Guidelines, the Act and Regulations, and that the Minister's priorities are being met.

In 2021, the department undertook an evaluation to determine the effectiveness and efficiency of the NGRSF in supporting the implementation of existing and new national policy initiatives and state-specific reforms in non-government schools. The evaluation contained several opportunities for improvement and the 2022 Guidelines were first revised to incorporate these changes. These changes have remained in these updated 2023 Guidelines.

A reference to the Minister in the Guidelines includes a reference to a delegate of the Minister under the Act.

## Objective

- 1 The objective of the NGRSF is to provide support for NGRBs to assist the non-government schools they represent to implement agreed national, state and territory-based reform initiatives. These agreed initiatives will generally be the national policy initiatives set out in the National School Reform Agreement (NSRA), the state and territory reform actions set out in each state and territory bilateral reform agreement with the Commonwealth, and include the national priorities identified in paragraph 6 below.
- 2 This objective aligns with section 77(2A) of the Act, which sets out an ongoing policy requirement for non-government schools to cooperate with relevant states and territories to implement national and state policy initiatives and they are therefore required to consult and contribute accordingly.
- 3 NGRBs are expected to support the implementation of national, state and territory policy initiatives in the schools they represent. Accordingly, in the context of development of the national policy initiatives in the NSRA, NGRBs may be asked to facilitate consultation with schools or prepare for implementation of these initiatives.
- 4 Each NGRB will work with their relevant state or territory education department to ensure the objectives and outcomes of the NSRA are achieved. NGRBs will:
  - a support the implementation of the eight national policy initiatives set out at clause 44 of the NSRA
  - b continue to track and monitor the education outcomes of students in the schools they represent consistent with clause 37 of the NSRA. This includes tracking and monitoring student improvement in the:
    - i National Assessment Program – Literacy and Numeracy (NAPLAN) Literacy and Numeracy outcomes for Years 3, 5, 7 and 9
    - ii Organisation for Economic Cooperation and Development’s (OECD) Programme for International Student Assessment (PISA) testing in reading, mathematics and science.
- 5 NGRBs are expected to work with their state or territory education department to continue to implement the state and territory-based reform actions in the relevant bilateral reform agreement.
- 6 The priorities for funding under the NGRSF are:
  - a NGRBs continue strengthening the three national priorities and supporting the schools they represent as follows:

- i improve the quality of information on the Nationally Consistent Collection of Data on School Students with Disability and to improve the efficiency and integrity of the data collection
  - ii strengthening NAPLAN, including through bringing the test window forward to term 1 from 2023 and offering schools the opportunity to opt-in to assessment of students' ability in Science, Digital Literacy and Civics and Citizenship
  - iii improve governance and financial management practices in non-government schools to strengthen financial viability, improve business decision making and build resilience to mitigate unforeseen circumstances.
- b state and territory-based initiatives as agreed in the relevant bilateral agreement
  - c local priorities broadly aligned with the Quality Schools agenda (provided NGRBs have funding remaining after meeting their obligations under (a) and (b))
  - d other priorities identified by the Minister from time to time.
- 7 NGRBs should ensure that, where its workplan projects are also supported through funding from the Choice and Affordability Fund (CAF) (and spending on the reform priorities is in accordance with the CAF Guidelines), the support is separately identified in NGRSF workplans and annual reports.

## Strategic plan

- 8 In 2019, each NGRB provided the Minister a strategic plan for the years 2019 to 2022. The strategic plans were provided in the template approved by the Minister.
- 9 The strategic plans focus on reform activities to support state efforts under the national and bilateral agreements.
- 10 Each NGRB will need to work collaboratively with the relevant state or territory government to support local priorities and cross-sectoral reforms.
- 11 The approved strategic plans form an attachment to, and are part of, these Guidelines, and are published on the Department of Education website.
- 12 The strategic plan of each NGRB is required to be published on the NGRB's website.
- 13 Due to the extension of the NGRSF to 31 December 2023, each NGRB must review and, where required, update its strategic plan to ensure the reform activities and direction outlined in the NGRBs strategic plan is still relevant for the NGRB in 2023, and aligns with the activities proposed to be undertaken in 2023. This must be completed and submitted to the department no later than 25 January 2023 unless the Minister approves an alternative date.

- 14 NGRBs are required to outline progress against the objectives outlined in the strategic plan in their annual report.
- 15 Any substantive variation to an approved strategic plan must be agreed by both the Minister and relevant NGRB in writing. Updates such as changes to dates which are administrative in nature are not considered to be substantive.

## Workplan

- 16 A workplan for a calendar year must be provided in the template approved by the Minister and submitted to [reformsupportfund@education.gov.au](mailto:reformsupportfund@education.gov.au) in Microsoft Word and PDF formats.
  - a For 2023, the workplan must be submitted no later than 25 January 2023, unless the Minister approves an alternative date.
  - b Where projects will extend into 2024, a revised workplan must be submitted to the department no later than 30 October 2023, unless the Minister approves an alternative date.
- 17 The workplan for 2023 funding must:
  - a be developed in consultation with the relevant state or territory government
  - b include the activities the NGRB will undertake for the year to support the implementation of school education reforms, detailed in the agreements referenced in subsection 22(2) of the Act, the three national priorities outlined in paragraph 6 above or as notified to the NGRB in writing by the Minister, in relation to the non-government school sector
  - c for each activity include a feedback mechanism for the purpose of obtaining information and evidence from stakeholders on the impacts, benefits, or outcomes of each activity. This could include (but is not limited to) surveys or interviews of participants or course evaluation reports
  - d include a breakdown of funding for each activity. All funding sources are to be included along with the expected amount of funding from each source. For example, funding provided through the CAF, by the state or territory or other organisations, or where participants covered their own travel and/or accommodation costs to attend workshops.
- 18 The department will assess the workplan against the requirements in these Guidelines within 30 days of receiving a compliant document.
- 19 The approved workplans form an attachment to, and are part of, these Guidelines, and are published on the department's website. NGRBs are also required to publish the approved workplans on their website.

20 The NGRB must undertake its activities in accordance with the workplan. Any variation to an approved workplan that results in a significant redirection of resources (greater than 5 per cent at priority level) or a significant impact on intended outcomes must be agreed by both the Minister and relevant NGRB in writing before undertaking these activities.

## Annual report

21 NGRBs must provide the Minister with a report in relation to its activities for the previous calendar year (Annual Report). Annual Reports must be submitted to [reformsupportfund@education.gov.au](mailto:reformsupportfund@education.gov.au) in Microsoft Word and PDF formats and in the form (template) approved by the Minister.

22 The Annual Report for 2023 funding must:

- a reflect the approved strategic plan and workplan from the year to which it relates and include an account of actual activities undertaken
- b include an assessment of the impacts, benefits or outcomes of each activity
- c include a summary of evidence demonstrating the success of the activity. If requested by the department, the NGRB must provide the evidence supporting the reported achievements and outcomes
- d be submitted to the department no later than:
  - i 30 June 2024 where funding is fully spent or committed to be spent in 2023 **OR**
  - ii 30 June 2025 where funding is fully spent or committed to be spent in 2024 unless the Minister approves an alternative date.

23 The department will assess the Annual Report against the requirements in these Guidelines within 30 days of receiving a compliant document.

24 Approved Annual Reports form an attachment to, and are part of, these Guidelines, and are published on the department's website. NGRBs are also required to publish the approved Annual Report on their website.

## Audited financial, statements, acquittals and reporting

25 Each NGRB must comply with the Regulation sections 34, 36 and 38 that specify the requirements for audited financial statements, acquittals and reporting.

## Amount of funding and payment schedule

26 The amount of funding allocated annually for an NGRB is notionally based on enrolment share of students at non-government schools the NGRB represents. For the purposes of determining state



allocation of Reform Support funding to NGRBs, the Minister may have regard to the recommendations of Independent Schools Australia and National Catholic Education Commission on their preferred distribution to NGRBs.

27 In 2023, the annual allocation for each NGRB will be paid as follows:

- a 70 per cent will be paid following approval by the Minister of the 2023 Workplan.
- b 30 per cent will be paid following approval by the Minister of the 2022 Annual Report.

28 Unless otherwise agreed in writing by the Minister, NGRBs will submit documentation according to the following schedule:

**Table 1: Reporting schedule for the Non-Government Reform Support Fund 2023**

Report	Due date – no later than
<b>2023 Workplan and updated Strategic Plan</b>	25 January 2023
<b>2022 Annual Report</b>	30 June 2023
<b>Revised 2023 Workplan (only if funding is to be spent or committed to be spent in 2024)</b>	30 October 2023
<b>2023 Annual Report</b> <ul style="list-style-type: none"> <li>• If funding is fully spent, or committed to be spent by 31 December 2023</li> <li><u>OR</u></li> <li>• If funding is fully spent, or committed to be spent by 31 December 2024</li> </ul>	30 June 2024  30 June 2025

## Use of funding

29 An NGRB must only spend, or commit to spend, funding provided under the Act for a calendar year for the purposes of:

- a implementing the activities specified in the NGRB’s approved workplan for the calendar year
- b administration and operational costs of the NGRB directly associated with compliance with the Act and the Regulation, including these Guidelines.

- 30 An NGRB must spend, or commit, all funding provided under the Act in the same calendar year that the funding was paid, unless the Minister directs otherwise in writing under section 31(1)(e) of the Regulation.
- 31 Where an NGRB is unable to spend, or commit to spend, all funding provided under the Act in the same calendar year or another date directed by the Minister, an NGRB must, in writing, request approval from the Minister to carry over any unspent funds to the following calendar year and must provide any supporting information required by the Minister. The request and supporting information must be provided to the department no later than 30 October 2023 to allow sufficient time for the Minister’s consideration.
- 32 For funding provided in 2023 under the NGRSF, the funding must be spent, or committed to be spent, by 31 December 2024 in accordance with the written direction issued on 5 May 2023.
- 33 No further extensions outside of the 2024 calendar year will be granted.
- 34 Notwithstanding paragraph 29, an NGRB must not spend, or commit, funding provided under the Act for:
- a study tours
  - b international travel of any kind
  - c capital expenditure of any kind (capital expenditure is defined in the Act)
  - d security for any form of loan, credit, payment or other interest
  - e the preparation of, or in the course of, any litigation, except litigation by a state to recover a debt from the NGRB arising under the operation of the Act
  - f administration and operational costs of the NGRB not otherwise covered by paragraph 29.

## Other requirements

### Identifying Commonwealth funding

- 35 When an NGRB undertakes an activity specified in its approved workplan, the Australian Government requires the NGRB to acknowledge, in all publicly available materials, Commonwealth funding through the NGRSF as having provided partial or complete funding for the activity with the following words: *‘This project is funded/partially funded by the Australian Government through the Non-Government Reform Support Fund’*.

### Record keeping

- 36 Each NGRB must keep records for seven years, as specified in section 37 of the Regulation, including but not limited to records:

- a identifying all expenditure of funding provided under the Act
- b demonstrating the NGRB is meeting its obligations under the Act, the Regulation and these Guidelines
- c demonstrating an NGRB's financial administration and governance of activities and funding provided under the Act.

### Access to premises and records, and the provision of information and records

Each NGRB must provide an authorised person access to premises and records of the NGRB in accordance with section 39 of the Regulation. For example, from time to time, the department may undertake an audit of the financial and administrative procedures of an NGRB. Such audits may be undertaken by an authorised person within the department or who is an independent auditor engaged by the department. Matters to be audited will be determined by the department, but without limitation, may include:

- a compliance by the NGRB with the Act and the Regulation, including these Guidelines
- b the financial administration of the NGRB.

37 Each NGRB must provide the Minister, or an authorised person, information and records in accordance with section 39A of the Regulation.

### Keeping the Minister informed

38 Each NGRB must keep the Minister informed of changes to its operations as specified in section 40 of the Regulation, including but not limited to any change in the key individuals (as defined in Part 1, Division 1, section 4 of the Regulation) of the NGRB.

39 If an NGRB needs to vary its approval to add or remove a non-government school from its list, then the NGRB must apply to do so. This is a requirement of section 95(1) of the Act. The Minister may only vary the NGRB's approval if the Minister is satisfied the NGRB meets and will continue to meet the basic and ongoing requirements for approval contained in section 92 and section 93 of the Act.

### Information to the public about financial assistance

40 As set out in sections 62(1)(b), (c) and (d) of the Regulation, an NGRB must, each year, publish information about the financial assistance it receives from the Commonwealth, including this fund. The information that must be published includes how a school applies for assistance and how decisions of the NGRB to allocate funding are reviewed.

41 Each NGRB must ensure that it makes its strategic plan, approved workplan, and annual reports publicly available on its website and provide a hard copy upon request.

### Other applicable legislation

42 NGRBs will comply with any relevant statutes, regulations, by-laws and requirements of any Commonwealth, state, territory or local authority, including, where applicable, relevant anti-discrimination laws and the:

- a *Fair Work Act 2009* (Cth)
- b *Privacy Act 1988* (Cth)
- c *Criminal Code Act 1995* (Cth)

### Criminal Code

43 NGRBs should note that in providing any information to the department, giving false or misleading information is a serious offence under section 137.1 of the *Criminal Code Act 1995* (Cth).

### Consequences for not complying with the Act, the Regulation or these Guidelines

44 If an NGRB does not comply with any of its requirements in the Act, the Regulation or these Guidelines, for example, by spending funding other than for the purposes set out in section 31 of the Regulation, the Minister may consider taking one or more compliance actions against that NGRB.

45 These include imposing conditions on the approval of the NGRB under the Act (section 96 of the Act). Further, under section 110 of the Act, the Minister may take compliance actions.

### Information management

46 Information created or provided for the purposes of the Act, including information, plans, and reports provided by NGRBs in accordance with the Regulation and these Guidelines, is 'school education information' under the Act. It can therefore be used, disclosed, and published in accordance with section 125 of the Act and section 65 of the Regulation.

47 The department is subject to the *Freedom of Information Act 1982* (Cth) and any information held by the department, including information, plans, and reports provided by NGRBs in accordance with the Regulation and these Guidelines, may be subject to freedom of information applications.

## Department contact information

Contact details for the department are as follows:

School Assurance Branch  
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GPO Box 9880  
CANBERRA ACT 2601

Email: [reformsupportfund@education.gov.au](mailto:reformsupportfund@education.gov.au)