



Minimbah Preschool, Primary School Aboriginal Corporation.
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30 March 2021

Dear Ms Fry,

We, the Board of Minimbah Primary School, would like to reply to the concerns that were raised during the inspection held on Tuesday, 23rd March 2021.

As you are aware, we are a newly elected board. The AGM was held on 25th February 2021 and we were elected by the members of the corporation at this time.

Minimbah is an incorporated organization which is also governed by the Office of the Registrar of Indigenous Corporations (ORIC) as well as by the governance regulations of NESA.

We are aware of historical issues that have been raised at previous inspections and are committed to rectifying these in a timely manner.

Our plan to address the issues is as follows:

1. Responsible Persons being Fit and Proper.

At the time of the inspection there were 2 board members (Lisa Cook & Catherine Faulkner) who had not signed the *Fit and Proper Declaration* and other documents. This occurred as one person had a car accident after the AGM and the other member was with her mother who has been gravely ill in Moree hospital. These 2 board members have been notified that they need to complete all required paperwork as soon as possible. We have set a date for a board meeting on the 6th April to complete this process.

2. Responsibilities regarding previous refusal or cancellation of registration.

At the time of the inspection 3 board members (Lisa Cook, Catherine Faulkner & Kenneth Froome) had not signed the *Declaration for the Purposes of the Education Act 1990 (NSW) for 2021*. Kenneth Froome and Lisa Cook had signed in 2020. This will be rectified at the meeting on the 6th April.

3. Policies and Procedures for proper governance.

The school has the following policies (please see attached):

- a) Annual Reporting Policy

- b) Code of Conduct for Responsible Persons
- c) Confidentiality Undertaking
- d) Conflict of Interest
- e) Declaration for the Purposes of the Education Act – Refusal of Registration Policy & Procedures
- f) Delegation Schedule
- g) Financial Viability Policy & Procedures
- h) Legal Compliance Framework
- i) Maintenance of Governance Records Policy & Procedures
- j) Management of Records Policy & Procedures
- k) Professional Learning Policy
- l) Providing Data to the Minister Policy & procedure
- m) Register of Interests
- n) Register of Professional Learning for Responsible Persons
- o) Related Parties Register
- p) Responsible Persons Induction Checklist
- q) Responsible Persons Charter & Code of Conduct (NESA Specific Requirements & Evidence of Compliance
- r) Responsible Persons Notification to NESA
- s) Responsible Persons Policy (including Fit & Proper Declaration)
- t) Risk Management Framework
- u) Risk management Framework and Analysis

The above policies will be reviewed and revised (if necessary) by the new board, starting on the 6th April and continuing until completed.

4. Conflict of Interest

Conflict of interest Declarations will be signed by board members who have not already done so, on 6th April and forwarded to NESA. A register of these documents is stored on the school server and will be updated by the principal as necessary.

A Register of Interests will be completed at each board meeting and stored on the school server.

5. Related Party Transactions Register

A register of Related Party Transactions is kept on the school server. This will be updated by the board secretary after each meeting.

A register was not kept prior to 2015 at which time Jenny Brown became principal. From 2018 to 2020 there were no Related Party Transactions. (Please see attached)

6. Professional Learning for Responsible Persons

Three board members completed the Governance Training which was provided by Chris Duncan from the Association of Independent Schools on

19/03/2021. The other 4 board members commit to completing 4 hours of the online training that is provided by the AIS next school term. Chris Duncan from the AIS has indicated that he may be available to provide more training for the board members in May this year.

7. Induction of new responsible persons

The induction process will be provided by Hilton Naden and Kenneth Froome for new board members on 6th April 2021. Documents will then be forwarded to NESA.

8. External independent attestation audit of annual financial statements

External independent attestation audit of annual financial statements for 2014 to 2019 were provided to the inspectors. The 2020 audit is not yet complete, but the preliminary work has been done by the auditors. The audit is generally completed before the end of May each year as this is usually when the AGM is held for the school. The 2020 audit will be provided to NESA as soon as it is completed. All audit documents are stored on the school server.

We have a policy and procedure in place to notify NESA if the contract or arrangement with the school’s external auditor is terminated. Please see the Financial Viability Policy & Procedures attached.

9. Financial Viability

The principal sent a request to the Association of Independent Schools on 15th February 2021 to complete a Financial Viability assessment for Minimbah Primary School. This will be provided to NESA as soon as it is completed. All relevant financial documents are available upon request.

TIMELINE

NESA CONCERNS	ACTION	BY WHOM	EXPECTED COMPLETION DATE
1.Responsible persons being Fit & Proper	All board members will complete required paperwork at the next board meeting	Lisa Cook Catherine Faulkner	6/04/2021
2.Responsibilities regarding previous refusal or cancellation of registration	Board members will sign the <i>Declaration for the Purposes of the Education Act 1990 (NSW)</i>	Lisa Cook, Catherine Faulkner & Kenneth Froome	6/04/2021
3.Policies & Procedures for proper governance	All policies & procedures will be reviewed and if	Kenneth Froome Hilton Naden	25/06/2021

	necessary, revised	Veronica Walford Hazel Vale Vicki Duncan Lisa Cook Catherine Faulkner	
4. Conflict of Interest	Conflict of interest Declarations will be signed.	Lisa Cook, Catherine Faulkner & Kenneth Froome	6/04/2021
5. Related Party Transactions Register	Any Related Party Transactions will be declared at each board meeting and updated by the board secretary after each meeting.	Elected board secretary	Ongoing
6. Professional Learning for Responsible Persons	All board members to completing 4 hours of the NESA accredited online training provided by the AIS	Catherine Faulkner	28/05/2021
7. Induction of new responsible persons	New board members will be inducted	Kenneth Froome & Hilton Naden	6/04/2021
8. External independent attestation audit of annual financial statements	The 2020 audit will be provided to NESA as soon as it is completed. NESA if the contract or arrangement with the school's external auditor is terminated.	Jennifer Brown (principal)	When provided by auditors Ongoing
9. Financial Viability	Financial Viability Certification from the AIS will be provided to NESA as soon as it is completed.	Jennifer Brown (principal)	When completed by the AIS

The newly elected board is committed to improving the governance standards at

Minimbah Primary School. As stated above, we will be reviewing and revising policies and procedures as necessary and in a timely manner.

The board will ensure that policies and procedures are implemented and records are kept. All board records will be kept in both hard copy and on the school server. At the next board meeting on 6th April 2021, we will be electing office bearers and discussing their roles and responsibilities. This is expected to clearly define responsibilities regarding record keeping and other roles within the organisation.

We look forward to working with NESAs to maintain the efficient running of our school.

Minimbah Board of Directors