

5 February 2024

**THREE16 Shoalhaven: Submission to Productivity Commission
A response to Future Foundations for Giving – Draft Report
Hearing held in Sydney 13 February 2024**

THREE16 Shoalhaven, also trading as Shoalhaven Employers of Christian Education Teachers Inc. was established 1 January 1992.

It is listed in the ACNC register as a registered charity with programs of Christian Education.

Our Vision: ‘to provide well-trained educationalists to help students to explore and engage with the Bible and engage its message for valuable social and life skills’.

Our Mission: ‘to see all students engage with the Bible as a primary text that has shaped civilization and their own culture as words of life for hope’.

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INTRODUCTION

The Australian Government commissioned the Productivity Commission to prepare a report on philanthropic giving in Australia. Its draft findings and recommendations have been published stating that the Report relates to motivations for philanthropic giving in Australia and opportunities to grow it further.

Philanthropy - By definition “exhibiting a love of (hu)mankind, especially as manifested in deeds of practical beneficence”¹. The Commission’s mandate is driven by concern for the wellbeing of the community as a whole² Such practical beneficence has been recognized by the Commission and include but not limited to ‘the giving of money, time, skills and assets’³

¹ Macquarie Dictionary

² p.ii Introduction to Draft Report

³ p.3 Overview to Draft

Historically philanthropy has had a religious basis with people putting the teachings of their various religions about the value of human beings into practice in these deeds of practical beneficence towards their fellow citizens. While the Report recommends expansions for giving, it proposes the exclusion from Deductible Gift Recipient (DGR) status charities with a sub-type of 'Religion' (Refer Table 6.1 on page 187 of the Draft Report – reproduced on pages 5 of this document).

This submission comprises paragraphs extracted from the two Productivity Commission reports, namely:

- Future foundations for giving – Draft report – Overview – November 2023 (57 pages)
- Future foundations for giving – Draft report – November 2023 (398 pages)

The most contentious section of the report is Chapter 6 – 'Reforming the deductible gift recipient system'. This section contains recommendations that 'advancement of religion' be excluded from deductible gift recipient status.

NOTES from Specific Statements in the Report

Page2: The Productivity Commission's draft recommendations would establish firm foundations for the future of philanthropy, so that the benefits of giving can continue to be realised across Australia. The proposals would enable greater donor choice and ensure that regulation continues to support trust and confidence in charities:

Response – greater donor choice is inconsistent with the removal of DGR status for religious activities.

Page 2: The Commission's proposed reforms aim to make the deductible gift recipient (DGR) system simpler, fairer and more consistent.

Response – 'Fairer' is not exercised by eliminating religious initiatives from DGR status.

Page 2: The Australian Government should create more value for the public from the data collected about charities by improving the ACNC charity register, and collecting and publishing additional data on ancillary funds, corporate giving, volunteering and charitable bequests.

Response – agree, accountability and transparency is key.

Page 3: It is stated that the Australian Government's goal is doubling giving (philanthropy) by 2030 and that the policy settings reforms will enhance donors, charities, taxpayers and the community as a whole.

Response – if this is a goal to benefit the community as a whole, statistics show that religious people (many different religions) make up a significant proportion of the community.

Page 5 Figure 2: The report recognises that people and organisations can have complex and multifaceted reasons for giving or not giving – and these reasons can change over time (figure 2). Some motivations for giving are highly personal, such as those associated with an individual or family experiences, or connection to faith or culture. Other motivations are broader, such as wanting to make a difference.

Response – such reasons are not separate. Many reasons will overlap and form a response worthy of a thinking engaged, generous and complicated donor. Religious practice does not exclude the desire to influence the future (legacy), can be expressed by the outworking of one’s values, and does not exclude cultural heritage and identity and certainly does not exclude someone who can be more generous in a beneficial tax system

Page 6: Small charities in Australia are heavily reliant on donations (as opposed to grants or selling goods and services) and volunteers – charities with revenue under \$250,000 receive 40% of their total revenue from donations on average. However, donations are concentrated in a small number of large charities. In 2016, the largest 10% of charities (by annual revenue) received 94% of all donations and the 25 largest charities received almost 20% of total donations. More than half of all charities operate without paid staff.

Response – THREE16 Shoalhaven is one such organisation which relies on the wise use of donations and often sacrificial offerings from its supporters and does not have paid staff other than the SRE teachers delivering the educational service. There are no other paid staff. It is important that the Government recognises the contribution that small charities make in the community.

Page 9: The statement that most charity revenue comes from Government grants and contracts.

Response – THREE16 Shoalhaven does not derive its revenue from Government grants or contracts (other than Jobkeeper payments received during the COVID lockdowns). It is through donations and the wise use of prioritising such donations that the educational aims ⁴ are realised. How many SRE Boards have a government funded revenue stream?

Page 9: ‘...If government provides financial support to encourage philanthropy, this means that less funding is available for other purposes (there is an opportunity cost). Donations that attract a tax deduction result in less revenue collected by the Australian Government through income tax, which could otherwise be used to fund core government services, such as health care and education, or fund charities directly through grants.’

Response – THREE16 Shoalhaven provides SRE teachers who are embedded into schools’ timetables. The school benefits from such an arrangement and does not fund those times when SRE teachers teach. A saving by the NSW Department of Education over the last 31 years more than offsets the Tax deductibility of the donations. The reduction in the DGR status of donations indicates an intention to change tax deduction (marginal rate) to fixed rate which, in effect becomes a tax on donations when considering the difference between assessable income and taxable income.

Page 10: This inquiry assessed the policy settings that support philanthropy in Australia and the Commission’s draft recommendations provide practical ways governments can improve outcomes for donors, charities and the community.

Response – the objectives of this increased philanthropy goal should not be met by eliminating one class of charity.

Page 11: All Australian taxpayers co-invest in charities through the DGR system. Reforms are needed so the DGR system is fairer, simpler and more transparent. The DGR system should focus on where funds are

⁴ ACNC entry ‘Educational programs’

needed most and direct donations toward charitable activities that are likely to provide the greatest net benefits to the final beneficiaries of the goods and services and the community as a whole.

Response – THREE16 Shoalhaven challenges the assumption that religious charities such as SRE do not provide benefit to the community as a whole. There is a valuable pastoral care role that is evident in schools which have SRE. Our teachers have formed good relations with the Wellbeing faculties. This pastoral care role is exercised not just in individual cases but to the school as a whole - e.g. when one school asked the SRE teacher to participate in commemorative school assemblies following the death of a student. SRE also contributes positively to the culture and ethos of a school and the civic formation of young Australians for citizenship.

Page 17: In practice, making assessments about which classes of charitable activities should be within the scope of the DGR system is challenging, subjective and contestable.

Response – at least there is recognition that DGR classification is subjective and contestable.

Page 17: While simplicity, efficiency and fairness are the primary goals of the Commission's proposed reforms, one of the expected effects would be to make the set of charities with DGR status more diverse.

Response -the report's proposal to eliminate recognition for religious charities reduces diversity.

Page 17: The reforms would expand access to DGR status for animal welfare charities, charities focused on injury prevention and public interest journalism. Charities undertaking advocacy activities related to most charitable purposes would also become eligible for DGR status.

Response- Expansion of DGR eligibility is partly to be funded by exclusion of religious charities.

Page 18: Religious organisations play an important role in many people's lives and communities across Australia. However, the Commission does not see a case for additional government support for the practice of religion through the DGR system, based on the first principle above.

Response – 'practice of religion' requires a definition.

Page 18: The Commission's view is that converting a tax-deductible donation into a private benefit is, in principle, a substantial risk for primary and secondary education, religious education, and other forms of informal education, including school building funds. The potential for a donor to be able to convert a tax-deductible donation into a private benefit is especially apparent for primary and secondary education, particularly where students are charged fees.

Response – with provision of SRE in public schools in NSW, the perceived risk of converting a tax-deductible donation into a private benefit is not applicable.

Page 19: '...gifts...For example, charities (such as religious organisations) that undertake excluded activities (advancing religion) would still be eligible for DGR status for any non-excluded charitable activities they undertake (for example, advancing social and public welfare services) using gift fund arrangements.'

Response – 'Advancing religion' requires definition and the stance of excluding it requires justification. THREE16 Shoalhaven employs teachers to teach and not to proselytise as required by Department of Education policies (see NSW legislation and policy directives in Appendices 1 and 2 below). For SRE in NSW, advancing religion must be put in the context of the Department of Education policies and procedures. These policy directives provide that students' participation in SRE in the religion of choice of their parents means that restricting SRE has the effect of restricting parents' rights, instead privileging secular religions and families who chose to follow them.

Page 20: If the Commission’s proposed approach to the DGR system is adopted, donors would have greater choice when supporting charities through the tax system and a broader range of charitable activities would receive government subsidised donations.

Response – yet the report does not acknowledge a reduction in choice for religious charities.

Page 39: The report recommends to expressly exclude the following classes of charitable activities or subtypes: – primary, secondary, religious and other informal education activities, with an exception for activities that have a specific equity objective (such as activities undertaken by a public benevolent institution)

- the activities of childcare and aged care in the social welfare subtype (other than activities undertaken by a public benevolent institution)
- all activities in the subtype of advancing religion

Response – Is there equity when SRE in NSW is constrained by the NSW Department of Education in extent of ‘advancing religion’. Does this apply to SEE?

Page 71: Inquiry participants suggested that one of the primary functions of philanthropy is that it seeks to – and in fact does – fill gaps in government provision (Philanthropy Australia, sub. 162, p. ii; Royal Flying Doctor Service, sub. 126, p. 6).

Response – it is interesting to note that the Royal Flying Doctor Service is used as an example in this report and that the origin of the RFDS was a faith-based response to the isolation and inequity as celebrated on the AU\$20 note. The Curriculum used by THREE16 Shoalhaven educates students to the history of the RFDS and that of Lifeline, also originating to a faith-based belief that all people are valuable and need care without discrimination for a community-wide benefit.

Page 165 Table
Charity subtypea

What the subtype covers and how it aligns with existing DGR endorsement categories

Religion

Includes religious congregations, religious education and maintaining religious buildings.

Little alignment with DGR endorsement categories, although some religious education activities may qualify (such as religious instruction in government schools and some school building funds).

Response – the report states (underlined) that some religious educational activities may qualify (such as Religious instruction in government schools..)

Page 187 – Table 6.1

Table 6.1 – Activities to be excluded from the DGR system by charity subtype Charity subtype

Proposed exclusions

Health	No exclusions
Culture	No exclusions
Reconciliation	No exclusions
Human rights	No exclusions
Security	No exclusions
Animals	No exclusions
Environment	No exclusions

Health promotion charity	No exclusions
Public benevolent institution	No exclusions
Education	Exclusions for the activities of primary, secondary, religious and other forms of informal education, except for activities where charities have an explicit equity objective (for example, where charities are registered as public benevolent institutions (PBIs), or for scholarships or education programs for specific cohorts of students)
Social welfare	The activities of childcare and aged care are excluded (unless the charity is registered as a PBI)
Religion	All activities within this subtype are excluded
Other analogous purposes	Excluded if the charity has a purpose of promoting industry or a purpose analogous to an exclusion in another subtype
Law	Advocacy must be in relation to an activity that is not excluded under another subtype
Charity with no registered subtype	Excluded

Response – the statements in this table contradict the information on p.165 in the categories of education and religion.

Page 188: The potential for a donor to be able to convert a tax-deductible donation into a private benefit is especially apparent for primary and secondary education activities, particularly where students are charged fees.

Response – School fees are not charged for SRE in Government schools.

Page 192:

Charities that have a sole charity subtype of advancing religion comprise about 25% of ACNC registered charities. A further 3% of registered charities combine the subtype of advancing religion along with one or more other charity subtypes. Currently, activities that advance religion are largely excluded from the DGR system except, in some cases, for school building funds and providing religious instruction in schools.

Response – THREE16 Shoalhaven is in the 3% category – advancing education.

Page 192: Some participants have proposed the removal of advancement of religion as a charitable purpose within the Charities Act (Humanists Victoria, sub. 220; Rationalist Society, sub. 219).

Response – This is most interesting that advancing religion has been used for DGR status of these philosophies. Are they religions...but without a god?

CONCLUSION

Our Vision: ‘to provide well-trained educationalists to help students to explore and engage with the Bible and engage its message for valuable social and life skills’.

Our Mission: ‘to see all students engage with the Bible as a primary text that has shaped civilization and their own culture as words of life for hope’.

THREE16 Shoalhaven was formed by a group of interested community members representing over 30 churches in the Shoalhaven 31 years ago. It was formed with the view of service and education to the wider community. It began with SRE classes in 1 High School and has expanded at its largest to 4 High schools. A change in SRE enrolment procedures and a COVID pandemic have negatively affected enrolment numbers of students but numbers are stabilising. The DGR status began with its formation.

THREE16 Shoalhaven is the first Associate member of ICCOREIS – the Inter Church Commission On Religious Education in Schools, and as such benefits from the close association with the Department of Education in

NSW. It adheres closely to the Policies and Procedures that flow from the mandated Special Religious Education status within the public School system. It is grateful for the bi-partisan support from the NSW Parliament. Approved Providers and Authorised Curricula ensure rigour and reliability of teaching content.

THREE16 Shoalhaven teachers are qualified educationally and theologically, are reviewed regularly and have regular professional development, require WWC checks, Safe Church training and authorisation from their Approved Provider. All staff, Committee members and Church Representatives are updated on Code of Conduct and Child Safe Standards.

THREE16 Shoalhaven also acknowledges that the existence of Authorised Curricula in the Christian faith and also in Faiths Other than Christian, which help to ensure that learning about religion in schools normalises content and avoids the threat of radicalisation which could occur, for example, online.

THREE16 Shoalhaven urges the Government to preserve its DGR status.

The donors who support THREE16 Shoalhaven do so on the understanding that we teach and do not proselytise. As stated in the Vision statement – the aim is to explore and engage with the lessons. There are no binding answers. Students are expected to listen, respect other class participants and to offer their opinions. Explore and engage allows students to relate together in a safe and respectful place.

The donors are generous in their giving, and often this is most sacrificial giving.

There are no paid support staff. The Management Committee gives unpaid voluntary work.

The use of professionally produced Curriculum materials when purchased should be covered by the DGR system.

Another outcome of such an interdenominational support group is a definite benefit to the community.

It appears that this Report already comes prepared with a foregone decision to remove the DGR status of those Societies/Associations/Boards. The report is mostly negative and, at best, vague in certain areas. It needs to define 'advancing religion' and 'religious practice' better. It makes contradictory statements as noted in these comments.

THREE16 Shoalhaven recommends that the Government DOES NOT WITHDRAW the DGR status for this Association which teaches SRE in the local High Schools and similarly for other SRE Boards.

THREE16 Shoalhaven would encourage the Commission to recognise the incredible volunteer 'labour force' particularly with the provisioning of SRE teachers in primary schools who are not paid. They have shown dedication, reliability and cross-generational awareness and compassion for generations of students. The provision of materials and Curricula for these volunteers should be encouraged and we request the Government to maintain or increase support for this and not to reduce it.

Finally, THREE16 Shoalhaven encourages the Government to recognise that faith communities, their initiatives and their volunteers, continue to be valued and recognised not only for the leading roles that were recognised at least by NSW state Government during and after the COVID pandemic, but that their value and positive contributions be recognised within the DGR system. Faith communities bring SRE to their own communities, allow cohesion and community-wide benefits within this vast multi-cultural place we call home.

Religious Education

This policy outlines requirements and responsibilities for matters relating to general religious education and special religious education.

1. Policy statement

1. Schools are to allow for religious education of two distinct types: general religious education and special religious education.
2. Schools are to provide meaningful activities for students whose parents have withdrawn them from special religious education. Where it is reasonably practicable and requested by a parent/caregiver, this may include the option of special education in ethics.
3. Curriculum for general religious education is provided as part of the New South Wales Education Standards Authority syllabuses. Curriculum for special religious education is developed and implemented by approved providers.

2. Audience and applicability

1. This policy applies to all schools, department officers and providers of special religious education.

3. Context

1. Education Act 1990, Sections 26, 30, 31, 32 and 33 and 33A.
2. Rawlinson Committee Report Religion in Education in NSW Government Schools (1980) recommendations 36-72 that were adopted by the government of the day as an agreement between the churches and the government for the provision of special religious education.
3. Inquiry into Education Amendment (Ethics Classes Repeal) Bill 2012 Final Report.

4. Responsibilities and delegations

1. Principals:

1. allowing for general religious education and special religious education in schools.

2. Directors, Educational Leadership:

1. monitoring of the implementation of general religious education and special religious education in schools
2. resolution of implementation issues between the school, its community and providers of special religious education as outlined in this policy and its implementation procedures.

3. NSW Department of Education Consultative Committee for Special Religious Education and Special Education in Ethics:

1. provision of advice on the policy and its implementation through the Director, Curriculum Early Years and Primary Learners

2. consideration of new developments and approaches to special religious education.

4. Director, Curriculum Early Years and Primary Learners:

1. provision of curriculum support for general religious education
2. provision of executive support for the NSW Department of Education Consultative Committee for Special Religious Education and Special Education in Ethics, and acting as Chairperson
3. provision of advice to the department on the policy and its implementation
4. provision of administrative support for special religious education, including:
 - receiving and processing submissions for the approval of a religious persuasion to teach special religious education
 - maintaining of the list of approved providers
 - procuring annual assurances from approved providers regarding the screening of special religious education teachers.

5. Policy contact person (section 6):

1. provision of advice on the interpretation and implementation of the policy
2. acting as Executive Officer for the NSW Department of Education Consultative Committee for Special Religious Education and Special Education in Ethics
3. liaison with local department officers on matters relating to religious education.

5. **Monitoring and review**

1. The Director, Curriculum Early Years and Primary Learners will monitor the implementation of this policy and will report as required to the Public Schools Executive Group.

6. **Contact**

Special Religious Education and Special Education in Ethics Officer

srecontact@det.nsw.edu.au

02 7814 2353

SPECIAL RELIGIOUS EDUCATION PROCEDURES

Implementation document for the Religious Education policy



NSW GOVERNMENT SRE PROCEDURES

SPECIAL RELIGIOUS EDUCATION PROCEDURES

Implementation document for the Religious Education policy

Policy document number: PD-2002-0074-01-V01.1.0

Implementation date: 20 December 2017

Applicable from: 25 July 2022

Contact: Special Religious Education and Special Education in Ethics Officer

Phone: 02 7814 2353

Email: srecontact@det.nsw.edu.au

Appendix 3 NSW SRE Background information

Highlights are particularly relevant

1. Introduction

Special religious education (SRE) is the beliefs and practices of an approved religious persuasion delivered by authorised representatives of that persuasion. It is the distinctive religious tenets and beliefs of the home and family, provided by the churches and other religious groups for children of parents expressing the desire that they receive such teaching.

Special education in ethics (SEE) is education in ethical decision making, action and reflection within a secular framework, based on a branch of philosophy. The [Special Education in Ethics policy](#) and Procedures are available on the [religion and ethics website](#).

General religious education is education about the world's major religions, what people believe and how that belief affects their lives. It is taught through the school curriculum. Further information is available on the [NSW Education Standards Authority \(NESAS\) website](#).

Voluntary student activities of a religious nature in schools (VSA) is not part of SRE and is not part of the school or SRE curriculum. Information on VSA is available on the [voluntary activities](#) page of the [religion and ethics website](#).

2. Context

[Section 32](#) of the Education Act 1990 requires that 'in every government school, time is to be allowed for the religious education of children of any religious persuasion'. **The provision of SRE is not government funded.**

The procedure for SRE in public schools consider the:

- Religion in Education in NSW Government Schools (1980) report recommendations 36-72 that were adopted by the government of the day as the basis of an agreement with the churches about the implementation of SRE
- option of SEE for parents/caregivers who do not wish their children to attend SRE ([s33A](#) of the Education Act 1990)
- Final Report from the Inquiry into Education Amendment (Ethics Classes Repeal) Bill 2011 recommendations
- 2015 Review of Special Religious Education and Special Education in Ethics in NSW government schools recommendations.

These procedures should be read in conjunction with the [Religious Education policy](#) and [Special Education in Ethics policy](#) and Procedures, to which they are related.

3. Responsibilities of schools

3.1 Communication about SRE

Parents/caregivers have the right to know how SRE will be organised each school year and which religious organisations will be available to deliver it.

An [implementation flowchart](#) assists principals with decisions associated with student participation in SRE. [Support documents for schools](#), including the [SRE and SEE participation letter](#), can be found on the [religion and ethics website](#).

Parents/caregivers can choose to enrol their child into SRE from the school's available approved provider(s) or to withdraw their child from SRE. Students withdrawn from SRE engage in alternative meaningful activities or SEE where available.

A parent/caregiver may at any time notify the school in writing that they do not wish their child to attend SRE or to change their SRE nomination. Students are to continue in the same arrangement as the previous year, unless a parent/caregiver has requested a change.

3.2 Provision of SRE

Principals must allow time for SRE where authorised representatives of [approved providers](#) are available. SRE is an integral part of school activities, taking place during school hours and under the jurisdiction of the school.

Principals must ensure that no academic instruction or formal school activities occur during time set aside for SRE.

SRE is organised by negotiation and agreement between the principal and the approved providers. Principals need to be sensitive to the fact that SRE teachers are volunteers and that they may have other commitments.

On average, not less than 30 minutes and not more than one hour of meaningful teaching time per week should be allocated for SRE. The lessons or period length for SRE should be consistent with the age and attention span of the students.

A flexible time schedule may be used depending on the length of the school's standard period. For example, schools may hold SRE fortnightly for a minimum of one hour or schools may hold an assembly once per month for a minimum of two hours. These variations can be made if the principal and the approved providers agree and provided that the time allocated does not exceed an average of one hour per school week. Arrangements are reviewed regularly by the principal.

Principals must ensure that adequate learning facilities are provided for the delivery of SRE/SEE, including adequate accommodation and access to classrooms. If available, the principal may consider providing access for the use of school technology for the purposes of delivery of SRE. Providers should negotiate this with the principal of individual schools.

Principals are required to notify representatives of approved providers and their teachers of any changes to school routines that may impact on the scheduled time of SRE classes. This advice should be provided well in advance if known.

Schools must adhere to [privacy legislation](#) and make sure that confidential information, in any form, cannot be accessed by unauthorised persons. This includes details about students and SRE teachers.

Schools are responsible for:

- [cross-referencing SRE teachers](#) on the department's Not to be Employed (NTBE) database in Electronic Casual Pay Claims (eCPC) each term or when a new SRE teacher commences
- checking that religious groups and their teachers are an [approved provider](#) to deliver SRE
- providing access to current information about approved providers working in their school, including links to the approved providers' authorised curriculum scope and sequence(s) and information on alternative meaningful activities. This information needs to be provided at enrolment, on the school's website, and in the school newsletter
- student behaviour management and retain duty of care, including for student supervision, health, safety and wellbeing, during SRE. Schools intervene in cases where it is necessary to maintain good order and conduct. It is the responsibility of the principal to manage such cases with the representative of the approved provider.

Class teachers are not required to attend classes in SRE, but may, with the agreement of the teacher of SRE or at the request of the principal, remain in the classroom to assist with and monitor student behaviour. This is at the discretion of the principal and should be negotiated with the SRE provider.

[In line with the department's Code of Conduct, employees of the department are not to teach SRE whilst on duty.](#)

A combined arrangement as outlined in [section 4.4](#), should be reviewed periodically by the school and the approved providers involved.

3.3 Students not attending SRE

In the allocated time/s set aside for SRE, students not attending are to be provided with supervised alternative meaningful activities. This could include reading, private study or completing homework. They must be in a separate physical space from SRE classes and be supervised by a member of the school staff.

Supervision of students is to be consistent with the department's duty of care requirements outlined in the [Code of Conduct](#). Students are not to be participating in lessons in the school curriculum or other extra-curricular activities during this time.

SEE is an option for students not attending SRE, where it is available and requested by the parents/caregivers. The [Special Education in Ethics Procedures](#) provide further information about SEE.

3.4 School SRE coordinator

Where appropriate, a member of staff may be appointed as the school's SRE coordinator. Duties of the coordinator include:

- arranging meetings early in term 4 of each year between the school and representatives of the approved providers to discuss SRE organisation for the following year, including estimated numbers
- liaising with SRE teachers to:
 - provide a site induction and familiarise them with the procedures and operations of the school
 - advise of any variations of school routine affecting SRE
 - provide a class list and any special information, such as disability or special needs, which might affect the health, behaviour or performance of particular students

- maintaining SRE records, including:
 - an up-to-date list of the authorised SRE teachers from the approved religious providers
 - a list of the names of students in each class for SRE.
- advising parents/caregivers of arrangements for SRE classes for the next year and ongoing information about any changes as they occur.

3.5 School managed complaints

Principals determine whether complaints are to be managed by the school or [by the provider](#). Principals make clear to complainants what issues are the responsibility of the school to resolve and what are the responsibility of the provider to resolve. For example, alleged teaching inefficiency or inappropriate lesson content are managed by the provider. School managed complaints follow the department's [Complaints Handling policy](#). If a principal receives allegations of improper behaviour or other complaints of a serious nature, it must be managed in accordance with the department's policies and procedures. Any allegations of a child protection nature must be referred to the department's [Professional and Ethical Standards \(PES\) directorate](#), which will determine how the matter should proceed.

4. Responsibilities of providers

4.1 Approval to deliver SRE

Religious persuasions **must have the approval of the Minister for Education to deliver SRE. Only persons authorised by an approved religious persuasion are permitted to teach SRE.**

Religious persuasions wishing to obtain approval to deliver SRE should review the [application process](#).

To maintain approval to deliver SRE every approved provider must return to the department, the annual assurance which includes but is not limited to having procedures in place to ensure compliance with the requirements of the [Child Protection \(Working with Children\) Act 2012](#) including verification of the [Working with Children Check](#) (WWCC) clearance.

The department's SRE and SEE Officer will send to approved providers the annual assurance via email in term 4. This must be returned before the start of term 1 of the following school year.

Approved providers will lose their approved provider status if the responsibilities outlined in the annual assurance are not addressed.

4.2 Recruitment, training and support

It is the **responsibility of an approved provider to recruit, train and authorise sufficient teachers of SRE,** and to inform the school of the names, contact details and date of birth of SRE teachers. The approved provider should inform the principal when there are insufficient authorised teachers available.

Approved providers must ensure that all personnel over the age of 18 years have had a [Working with Children Check](#) (WWCC) clearance. A volunteer under the age of 18 is exempt from needing a WWCC and is required to complete the approved provider's volunteer authorisation form which has been signed by the volunteer's parent, the volunteer's school and an authorised representative of the approved provider or the department's [Declaration for child related workers](#). A volunteer under 18 is to be supervised by an SRE teacher on a school site.

The provider must ensure that all SRE teachers are provided with a name badge that must always be worn on a school site. The badge must include the name of the approved provider.

Approved providers are required to have in place a system of authorised initial training, regular ongoing training and support, including mentoring for their SRE teachers. The training is to include child protection, classroom management, and how to implement the approved provider's authorised curriculum sensitively and in an age-appropriate manner. This information is to be published on the approved provider's website.

Approved providers should conduct regular reviews of SRE teaching and use of approved curriculum. Approved providers are required to report the results of the review through the annual assurance process including efforts to address any identified issues.

4.3 Lesson content

It is the responsibility of an approved provider to:

- authorise the materials and pedagogy used by SRE teachers, have a process in place to manage other materials, including internet resources, identified by the SRE teacher and return the annual assurance to the department as outlined in [section 4.1](#)
- make their curriculum scope and sequence(s) accessible on their website in sufficient detail for parents/caregivers and schools to be able to understand what is covered in SRE lessons
- provide the link to their website to the school so it can be placed on the school's website to be easily accessible to parents/caregivers
- provide information about the content of lessons when requested by parents/caregivers/principals
- organise any excursion with the consent of the principal and in accordance with the department's [Excursions policy](#).

4.4 Provider managed complaints

Approved providers must make publicly available on their website their complaints procedures. Complaints must be resolved within a reasonable timeframe.

Where combined arrangements exist, the approved providers must clearly identify to the school which approved provider is responsible for handling complaints.

4.5 Combined arrangements

Combined arrangements occur in some schools in the delivery of SRE. Religious persuasions may decide to provide a combined arrangement for several reasons, including human resource management. No religious persuasion should be compelled to participate in this form of organisation.

In combined arrangements, each religious persuasion must be an approved provider. The curriculum and the SRE teacher, must be authorised by at least one of the approved providers.

The approved providers must clearly identify to the school which approved provider is responsible for authorising the curriculum and the appropriate website link.

In a combined arrangement, only those students whose parents/caregivers have nominated one of the participating religious persuasions are to be included. A combined arrangement should be reviewed periodically by the school and the approved providers involved.

Legislation referred to in Religious Education Policy

26 Certificate of exemption from attending particular classes

(1) The parent of a child enrolled at a government school may give the Secretary written notice that the parent conscientiously objects on religious grounds to the child being taught a particular part of a course of study.

(2) The Secretary may accept any such objection and grant a certificate exempting the child from attending classes relating to the part of the course concerned if satisfied that the objection is conscientiously held on religious grounds.

(3) A certificate of exemption under this section may be given subject to conditions.

(4) A certificate of exemption under this section may be cancelled by the Secretary.

30 Secular instruction

In government schools, the education is to consist of strictly non-sectarian and secular instruction. The words **secular instruction** are to be taken to include general religious education as distinct from dogmatic or polemical theology.

31 Instruction to be free

(1) The instruction provided in government schools is to be free of charge.

(2) This section does not apply in relation to overseas students.

32 Special religious education

(1) In every government school, time is to be allowed for the religious education of children of any religious persuasion, but the total number of hours so allowed in a year is not to exceed, for each child, the number of school weeks in the year.

(2) The religious education to be given to children of any religious persuasion is to be given by a member of the clergy or other religious teacher of that persuasion authorised by the religious body to which the member of the clergy or other religious teacher belongs.

(3) The religious education to be given is in every case to be the religious education authorised by the religious body to which the member of the clergy or other religious teacher belongs.

(4) The times at which religious education is to be given to children of a particular religious persuasion are to be fixed by agreement between the principal of the school and the local member of the clergy or other religious teacher of that persuasion.

(5) Children attending a religious education class are to be separated from other children at the school while the class is held.

(6) If the relevant member of the clergy or other religious teacher fails to attend the school at the appointed time, the children are to be appropriately cared for at the school during the period set aside for religious education.

33 Objection to religious education

No child at a government school is to be required to receive any general religious education or special religious education if the parent of the child objects to the child's receiving that education.

33A Special education in ethics as secular alternative to special religious education

- (1) Special education in ethics is allowed as a secular alternative to special religious education at government schools.
- (2) If the parent of a child objects to the child receiving special religious education, the child is entitled to receive special education in ethics, but only if—
 - (a) it is reasonably practicable for special education in ethics to be made available to the child at the government school, and
 - (b) the parent requests that the child receive special education in ethics.
- (3) A government school cannot be directed (by the Minister or otherwise) not to make special education in ethics available at the school.