

## HIRE OF FACILITIES POLICY

### Rationale

- School Councils are authorised to hire and licence school facilities where these are not required for ordinary school purposes and are to be used for recreational, sporting or cultural activities. Schools can join with local government, community and business organisations in combining their resources to share facilities.
- The Minister's approval is required for all licence agreements which are established for purposes other than recreational, sporting or cultural. A licence agreement does not grant exclusive use to the licensee. Revenue from licences is directed to the school concerned.
- School Councils are not authorised to independently enter into lease agreements to augment their own school sites or facilities. A lease provides exclusive use for the holder of the lease. Ministerial approval is required for a grant of leasehold to construct a childcare facility on a school site.
- School Councils must use the department's agreement templates for hire, licensing, and construction and joint use agreements with third parties.

### Purpose

- To ensure Tarneit West Primary School (Interim Name) complies with the Department of Education and Training (DET) policies and legal agreements for hiring, licensing and shared use of school facilities.
- To ensure that at all times the needs of the students take precedence over use by outside agencies.
- To ensure that any use of equipment does not interfere, disturb or otherwise interrupt student use.

### Definitions

**Hire** is used when the community uses a facility on a one-off basis, such as a youth group hiring a school hall for its annual presentation night.

**Licence** is used when the community uses a school facility on a regular basis such as a local drama group hiring out the school performing arts centre every Wednesday evening or local football club hiring the school oval for the season.

**Community Joint Use** is a more detailed agreement which applies when a school and/or a third party contribute to the construction of a new building or upgrade of an existing facility such as the construction of a new sports stadium at a school, funded by both the school and local council, to be used by the school and local community sporting groups.

Schools wanting to enter into this agreement must first inform the Department's Infrastructure Division through a Notification of Intention see: [Department resources](#)

### Implementation

- School Council has the responsibility to establish the terms and conditions of use and reserves the right to determine the fees (if any) to be charged.
- All use of Tarneit West Primary School (Interim Name)'s equipment and resources must be lawful.
- All DET policies and guidelines, including OHS policies and protocols, are to be adhered to at all times.
- No alteration or damage shall be done to the premises, equipment or resources.
- All groups expressing interest in the use of the school facilities will be required to meet with the appropriate school personnel to discuss the facilities available and the terms and conditions of use. Generally this will be the principal or assistant principal.
- The School Council will allow the hiring of facilities to external groups under the following conditions:
  - That the individuals or organisation hiring the facilities have taken out public liability insurance and can provide documentation to that effect.

- That the appropriate written hiring agreement is signed by both the School Council President and the hirer, before use commences. The written hiring agreement will cover such items as:
  - the period of the agreement, specific times of use and areas to be used;
  - contact names and telephone numbers of all parties;
  - access and security arrangements, including arrangements with keys and locking up;
  - damage to property and arrangements to repair any damage;
  - cleaning and car parking arrangements; and
  - notification arrangements if the school requires the facility during the normal hire period.
- Prior to outside groups or bodies using the facilities, the principal/assistant principal will coordinate the provision of an `Existing Conditions` summary which itemises pre-existing damage and arrange for the review of the premises after the hire period to determine if any damage has occurred during the hire period.
- School Council reserves the right to revoke an agreement or change the fee schedule at any time.
- Technical problems, damage, abuse, security breaches, viruses or lost/damaged equipment must be reported immediately. The school will not be liable for loss of income due to equipment or resources failure including data lost.
- Tarneit West Primary School (Interim Name) Council:
  - Will respond to any concerns notified by the hirer regarding unsafe or dangerous equipment, buildings or facilities.
  - Reserves the right to refuse to hire facilities to groups and reserves the right to terminate the hiring agreement if the facilities are being used in any manner which contravenes this policy.
  - Will not charge a fee for the use of facilities by groups associated with the school (e.g. Fundraising Committee).
  - Will use the DET's School Council Hire Agreement templates available at <https://edugate.eduweb.vic.gov.au/Services/legal/Pages/School%20Council%20-%20Shared%20Use%20of%20Facilities.aspx>
- The Australian Electoral Commission and the Victorian Electoral Commission are empowered to use schools as polling places during an election. If there is a conflict of demand with respect to the use of school premises on election day, the facilities must be made available for use as a polling place.

### **Evaluation**

- This policy will be reviewed as part of the school's three-year review cycle or if guidelines change (latest DET update early July 2017).

<b><u>Ratification Date</u></b>	<b><u>Review Date</u></b>	<b><u>Policy Number</u></b>	<b><u>Version Number</u></b>	<b><u>Date Produced</u></b>
October 2017	2019	41	1	September 2017

Reference:

<http://www.education.vic.gov.au/school/teachers/management/infrastructure/Pages/propertyshare.aspx>

<http://www.education.vic.gov.au/school/principals/spag/infrastructure/Pages/sharedfacilities.aspx>

