Community use of state school facilities procedure

Version: 2.1 | **Version effective**: 26/08/2024

Audience

All state schools

Purpose

This procedure sets out the assessment and approval process for community use of state school facilities.

Overview

Principals have the delegated authority to approve and sign hire agreements for the use of school facilities within the scope of the Community use of state school facilities policy. This procedure provides the process to assist principals to undertake assessments and approvals of applications made by community users to use school facilities and the ongoing management of these agreements.

This procedure is to be read in conjunction with the department's Community use of state school facilities policy, Notes for principals and school staff for completing hire agreements for community use and the relevant Hire Agreement.

For after hours school care, please refer to the Hosting outside school hours care services on state school sites procedure.

Responsibilities

All staff

When dealing with any community group or organisation, all staff must act in an ethical manner. This includes:

- complying with the Code of Conduct for the Queensland Public Service, the department's Purchasing and Procurement Procedure, Queensland Government Land Transaction Policy (QGLTP) and Standard of Practice.

- dealing only with reputable organisations

- acting fairly and consistently, being impartial in any assessment of applications

- declaring any conflict of interest that staff, their relatives or close associates may have with potential community users

- ensuring any commercial information provided by the community user is kept in confidence

- ensuring all monies received from community use are declared and treated in accordance with departmental policies, including the [Revenue Policy](#) and the [Finance Management resources](#) (DoE employees only)

School staff

- Provide administrative support to principals in relation to community use of school facilities.

- Support the Principal to conduct risk assessments to assess the adequacy of the facilities and the suitability of the community user.

- Support principals to monitor ongoing compliance with the agreed terms of the hire agreement.

Principal

- Manage community use of school facilities to the mutual benefit of the school and the community.

- Conduct risk assessment to assess the adequacy of the facilities and the suitability of the community user.

- Ensure the proposed use is appropriate (and not prohibited) and risk and child protection issues are communicated and complied with as part of the community use application.

- Ensure measures are in place to protect the privacy and personal information of students and staff held at the school.

- Approve and sign the appropriate hire agreement for use of school facilities within the scope of the [Community use of state school facilities policy](#).

- Comply with departmental policies, procedures and processes when determining fees and charges for community use.

- Monitor compliance by approved community users of school facilities within the terms of the hire agreement and relevant government policies and procedures.

- Confirm if the school is located on freehold tenure or reserve land.

Regional Infrastructure Manager

- Support and advise principals about applications for community use, including seeking other specialist advice as required.

Regional Directors

- Ensure staff through training and guidance are familiar with and adhere to the [Community use of state school facilities policy](#) and this procedure.

- Support principals in dispute resolution arising from Hire Agreement disputes. Includes seeking corporate, mediation or other specialist advice as required.

Property Services

- Support and advise school and regional staff on community use applicability, including seeking legal or other specialist advice as required.

Process

1. Providing advice to community users about the application process and documents

School staff must:

- Upon a request being received by the school ensure the proposed community user is aware of the requirements as set out in this procedure, the Community use of State school facilities policy and Community user guideline for hiring school facilities before the relevant hire agreement is submitted.

- Advise community users that applications cannot exceed 12 months or for the hire of school swimming pool, cannot exceed three years.

- The department requires the school principal to undertake a tender process before hiring out the swimming pool. For advice on the swimming pool tendering process the school principal should contact Procurement, Infrastructure Operations, Email: procurement.facilities@qed.qld.gov.au.

- Advise community users they are responsible for ensuring the proposed community use is permitted by local council, including applying for any required development approvals or application for material change of use.

- Advise community users they are responsible for ensuring the proposed community use strictly complies with all applicable legislation including the *Work Health and Safety Act 2011* and Regulations, *Public Health Act 2005* or as applicable to the activity being undertaken at the school facilities.

- Ensure community users seeking to hire facilities are provided with the appropriate application form to complete being a facilities hire agreement, a swimming pool hire agreement or a public cyclone shelter hire agreement.

- Provide a copy of the school's risk management information relating to school facilities and request the community user complete the Community user risk assessment.

- Any conflicts of interest identified by staff must be declared and managed as soon as practicable in accordance with the department's Conflict of interest procedure.

2. Assessing the community user's application.

Principal must:

- Refer to the: Notes for principals and school staff for completing hire agreements for community use.

- Determine whether the application is within the scope and principles of the Community use of state school facilities policy for an appropriate community use.

- Determine whether consultation should occur with the school's Parents and Citizens' Association (P&C) and nearby neighbours who may be impacted by the proposed activity.

- Where the proposed community use involves children or young people, inform the community user of their mandatory obligations to comply with the *Working with Children (Risk Management and Screening) Act 2000* and requirements to provide appropriate evidence of compliance by their employees, contractors and volunteers. Refer the community user to Blue Card Services for advice on whether a blue card is required. Schools are to use the Blue Card Services Organisation Portal to track card expiry and disqualification for community users. Schools are to ensure that all persons required to hold a blue card (or exemption card):

- o are verified and validated via the Blue Card Services online validation tool
- o are linked by their blue card (or exemption card) to the school or departmental worksite, upon commencement, for Blue Card Services notifications
- o are immediately removed from working with children in regulated employment in circumstances where their blue card (or exemption card) is no longer valid (e.g. expired, suspended or cancelled)
- o where a blue card is not required, visitors should sign on through a centralised school visitor register
- o refer to the Working with children authority procedure and Working with children authority guideline for further information.

- Consider the community user's risk assessment and complete a Principal's checklist and risk assessment to determine if the activity is appropriate and whether adequate measures are in place for the activity to be conducted safely. This must be undertaken before approving each request by a community user to hire school facilities.

- If the community user is seeking to have the amount of public liability insurance reduced or waived (except where it involves the hire of a swimming pool or a public cyclone shelter), the principal must document the risk assessment prior to waiving or reducing the amount.

3. Notify the community user of the outcome of the application.

Principal must:

- Advise the community user of the outcome of the application as soon as possible. If the application has not been approved, the outcome must be provided in writing.

- Make the community user aware of the safety and security responsibilities in using and accessing the school facilities in line with the department's School security procedure.

4. Signing the hire agreement.

- Ensure the community user:
  - o has signed the hire agreement in duplicate and initials each page and all amendments or additions
  - o pays the hire fee and provides the security bond (if required).
- The principal must:
  - o sign the hire agreement and initial each page and any amendments or additions
  - o provide the community user with one complete copy of the signed original hire agreement (including a plan of the school and premises with hire facilities and access routes clearly marked).

5. Monitoring the hire agreement.

- Principal must ensure the community user complies with the terms of the hire agreement throughout the hire period.

- Non-compliance by the community user should be addressed as soon as possible at the local school level, in accordance with the terms of the hire agreement.

- If corrective action is required, a notice is to be sent from the principal with specific details of the action and the timeframe to remedy should be clearly communicated to the community user.

- If the community user fails to comply with any terms of the hire agreement and does not remedy the non-compliance within 14 days after the notice from the principal, the hire agreement may be terminated and the community user should vacate the school site.

- If a dispute cannot be resolved at the school level, then the principal should seek advice from the regional infrastructure manager, who can then escalate to Property Services who may seek legal advice if required.

- All Workplace Health and Safety related incidents, including notifiable and non-notifiable incidents, must be referred to the Principal or recorded on an incident report. (DoE Employees only)

6. Record keeping

- Records relating to the use of school facilities and property including booking arrangements and terms and conditions must be managed in accordance with the Education and Training Sector retention and disposal schedule (see Usage - school facilities and property).

- In line with the Information security classification (DoE employees only), agreements are to be classified as Sensitive where access to information is restricted to authorised persons on a 'need to know' basis. See section 4.5 in the Records Management Manual for further information on where to store records.

Definitions

Term	Definition
Community user	A community user may be a P&C Association, community group, organisation or individual.
Hire agreement	Agreements assessed, negotiated and signed by school principals with third party users for facilities located on freehold land. The document used to apply for a community use of school facilities which also contains the terms and conditions for use. There are three types of hire agreement forms: • Hire agreement • Hire agreement – Swimming pool • Hire agreement – Public cyclone shelter
School facilities	School facilities including ovals, grounds, halls, public cyclone shelters, swimming pools, classrooms and school equipment.

Legislation

- *Education (General Provisions) Act 2006* (Qld) Chapter 2 Part 6 Section 47

- Education (General Provisions) Regulation 2017 (Qld) Part 3 Section 13

- *Tobacco and Other Smoking Products Act 1998* (Qld)

- *Working with Children (Risk Management and Screening) Act 2000* (Qld)

- *Liquor Act 1992* (Qld)

- *Work Health and Safety Act 2011* (Qld)

- Work Health and Safety Regulation 2011 (Qld)

- *Public Health Act 2005* (Qld)

Delegations/Authorisations

- Minister's Delegations under the *Education (General Provisions) Act 2006* (Qld)

Policies and procedures in this group

- Community use of state school facilities policy

Supporting information for this procedure

- Community use of state school facilities - Flowchart

- Community user guideline for hiring school facilities

- Community user risk assessment

- Hire agreement

- Hire agreement - Cyclone shelter

- Hire agreement - Swimming pool

- Notes for principals and school staff for completing hire agreements for community use

- Principals checklist and risk assessment

Other resources

- Community use of state school facilities OnePortal page (DoE employees only)

- Queensland Government Land Transaction Policy

- Conflict of interest procedure

- CCTV use in schools procedure

- Revenue policy

- Enterprise risk management procedure

- Purchasing and procurement procedure

- School security procedure

- Working with children authority procedure

- Blue card services

- Cardio pulmonary resuscitation

- Inclusive Education

- [Managing health and safety](#)

- [Finance Management resources](#) (DoE employees only)

- [Standard of Practice](#)

- [Code of Conduct for the Queensland Public Service](#)

- [RLSSA Guidelines and Australian Standards for Safe Pool Operations](#)

Contact

Community users interested in using state school facilities should contact the school directly. School details can be found on the [Department of Education Schools Directory](#).

For schools seeking information or assistance with community use of state school facilities, please contact:
[Regional Infrastructure Managers](#) (DoE employees only)

For procedural advice, please contact Property Services:
Email: [ISD_PropertyServices@qed.qld.gov.au](#)

For procurement advice, DoE employees please contact:
Procurement – Infrastructure Operations
Email: [procurement.facilities@qed.qld.gov.au](#)

Review date

5/10/2024

Superseded versions

Previous seven years shown. Minor version updates not included.

2.0 Community use of state school facilities

1.0 Community use of school facilities

Creative Commons licence

Attribution CC BY

Refer to the [Creative Commons Australia](#) site for further information