



Education
Standards
Board



Freedom of Information Statement

(last updated 24 June 2024)

This information is published in accordance with section 9 of the [Freedom of Information Act 1991](#) (SA) and section 8 of the [Freedom of Information Act 1982](#) (Cth).

The Education Standards Board proposes to publish this Statement for the purposes of the relevant legislation relating to FOI to the public on its website.

Structure and functions of the Education Standards Board

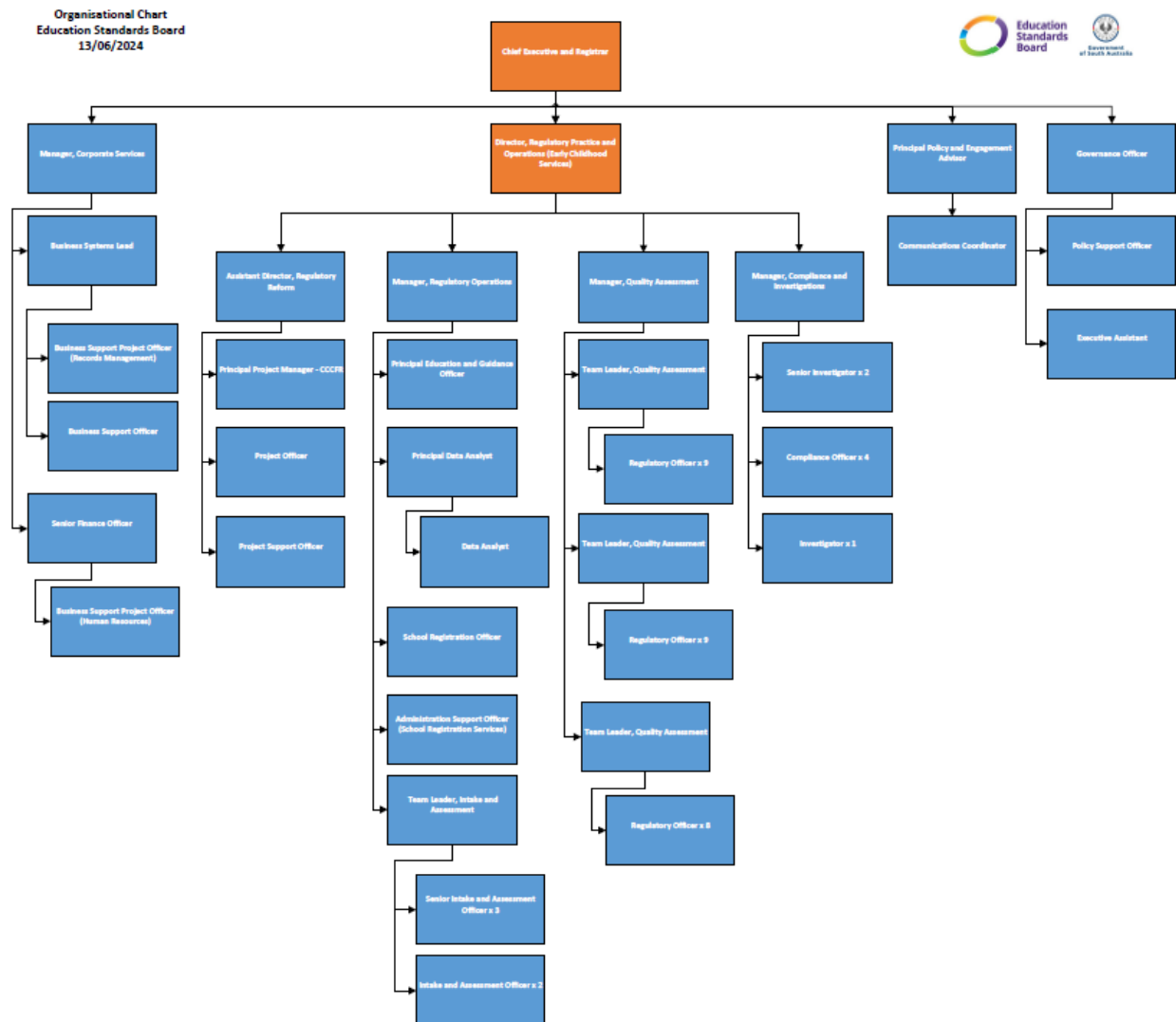
The Education and Early Childhood Services (Registration and Standards) Board, known as the Education Standards Board, was established in 2012 under the [Education and Early Childhood Services \(Registration and Standards\) Act 2011](#) (State Act). The agency which supports the Education Standards Board is commonly referred to as the ESB.

Responsible to the Minister for Education, Training and Skills, the Education Standards Board is an independent statutory authority responsible for the registration and regulation of early childhood services, and registration of schools for domestic and overseas students. This work is carried out to ensure high-quality education services and high standards of competence and conduct by providers.

The Education Standards Board's functions are set out under section 29 of the State Act and, as the state regulatory authority for early childhood education and care, the Education Standards Board has specific functions under section 260 of the [Education and Care Services National Law Act 2010](#) (National Law) which is applied under Schedule 1 of the State Act.

For a full description of the structure and functions of the Education Standards Board, please refer to the Education Standards Board's Annual Report https://www.esb.sa.gov.au/about-us/governance-and-reporting#annual_report

Organisational Chart



Functions of the Education Standards Board that affect the public

Early childhood education and care

The Education Standards Board regulates early childhood education and care services under the [National Quality Framework](#) (NQF), including long day care, family day care, preschools and outside school hours care (OSHC).

The NQF includes the:

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- [National Quality Standard](#) (NQS)
- [Assessment and rating process](#)
- [Approved learning frameworks](#)

Under the NQF, the Education Standards Board assesses provider and service applications, waiver applications, assesses and rates services against the NQS and proactively monitors regulated parties' compliance with the NQF.

Early childhood services that do not fall within the scope of the NQF are known as [residual services](#) and are also subject to regulation under Schedule 2 of the State Act. These include in-home care, mobile care and occasional services. The Education Standards Board regulates residual services through a modified use of the National Law and through service-specific regulations and standards.

Further information about the Education Standards Board's functions in relation to early childhood is available on the website <https://www.esb.sa.gov.au/early-childhood>

Schools

The Education Standards Board regulates all government and non-government schools providing primary and secondary education, under the State Act, including state government, Catholic and independent schools.

The Education Standards Board determines provider applications, maintains the schools register under the State Act and reviews registration against the [Standards for Registration and Review of Registration of Schools in South Australia](#) (the Standards).

International education

As the designated state authority, the Education Standards Board endorses schools to provide education services to overseas students for registration on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) under the [Education Services for Overseas Students Act 2000](#).

The Education Standards Board registers student exchange organisations in South Australia under the [Education and Children's Services Act 2019](#).

Public participation in agency policy development

The Education Standards Board engages with stakeholders and regulated parties when:

- designing regulatory policy
- reviewing and implementing regulatory strategy
- identifying risks and setting requirements.

Consultation is conducted through regular reference groups, surveys, requests for feedback on proposed policy and other forum-based methods. A member of the public may provide feedback to the agency at any time, by completing our online Complaints and Feedback Form or emailing esb.feedback@sa.gov.au

Members of the public may contact the Education Standards Board on any matter related to its functions at <https://www.esb.sa.gov.au/about-us/contact-us>

Documents held by the Education Standards Board

The documents held by the Education Standards Board broadly include:

- Corporate files containing correspondence, briefings, reports, and technical information on its operations.
- Policies, procedures and guidelines to support the delivery of its operations.
- Personnel files relating to its employees and board members.
- Annual reports and strategic planning documents.
- Administrative, accounting, and financial records.
- Minutes of meetings and terms of reference for the Board and its committees.
- Records obtained through conducting regulatory activities.

The listing of these documents does not necessarily mean all documents are accessible under the *Freedom of Information Act 1991*.

Documents available for purchase

Certain documents may be purchased from the Education Standards Board and the current charge for these documents is included in the:

- [Education and Early Childhood Services \(Registration and Standards\) Regulations 2011](#)
- [Education and Care Services National Regulations 2011](#)

Documents available free of charge

The Education Standards Board website provides detailed information on all aspects of the Education Standards Board's functions to support the public and regulated parties, including publications, policies and guidance materials at <https://www.esb.sa.gov.au/>

The Education Standards Board may publish information in accordance with the information publication provisions in the State Act and National Law.

You can inspect our:

- [Strategic Plan](#)
- [Annual Report](#)
- [Schools Register](#)
- [Compliance actions against early childhood services](#)
- [Register of student exchange organisations](#)
- [Register of early childhood services](#)

Documents available for inspection

Policy documents are available for inspection by contacting the Accredited FOI Officer.

The Education Standards Board's internal policies and procedures broadly relate to:

- Corporate services
- Finance
- Human resources management
- Information management
- Communications
- Regulation.

Freedom of Information applications

Applications to access ESB documents or to amend records relating to an applicant's personal affairs which are considered incomplete, incorrect, out-of-date or misleading, must be made under the relevant FOI Act. The application for access must be accompanied by either the prescribed application fee, or proof of financial hardship where applicable. The application must be made in writing, addressed to the Accredited FOI Officer.

Applications for documents held by the Education Standards Board can be made under the:

- *Freedom of Information Act 1991 (South Australia)*
- *Freedom of Information Act 1982 (Commonwealth)*

For details of which application type is suitable based on the information required, please visit the Education Standards Board website [here](#).

An application can be made online [here](#) or with the [State Records of South Australia](#).

Information disclosure is also available to the public on request where appropriate.

Contact Details

FOI or Information Disclosure applications and enquiries for access to documents in the possession of the ESB, and applications for amendments to personal records under the *Freedom of Information Act 1991*, can be addressed to the Freedom of Information Officer via:

- email: ESB.FOI@sa.gov.au
- phone: (08) 8429 4798
- post: GPO Box 1811, ADELAIDE SA 5001