



Information statement

This information statement is published according to s9 *Freedom of Information Act 1991* (SA). It outlines the types of documents held by the agency and how you can access information. You may also apply to access or amend certain documents under state or commonwealth freedom of information law.

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Functions of the Education Standards Board

The Education and Early Childhood Services (Registration and Standards) Board, now known as the Education Standards Board (the Board), was established in 2012 in accordance with the [Education and Early Childhood Services \(Registration and Standards\) Act 2011](#) (the Act).

The 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 Board approves, registers and regulates early childhood providers and services as well as schools, according to:

- [Education and Early Childhood Services \(Registration and Standards\) Act 2011 \(SA\), incorporating the Education and Care Services National Law \(South Australia\)](#)
- [Education and Care Services National Regulations 2011](#)
- [Education and Early Childhood Services \(Registration and Standards\) Regulations 2011 \(SA\)](#)

The Board assesses and recommends schools for registration on CRICOS (Commonwealth Register of Institutions and Courses for Overseas Students) under:

- [Education Services for Overseas Students Act 2000](#)
- [Education Services for Overseas Students Regulations 2019](#)

The Board is responsible for registration and regulation of student exchange programs as determined by:

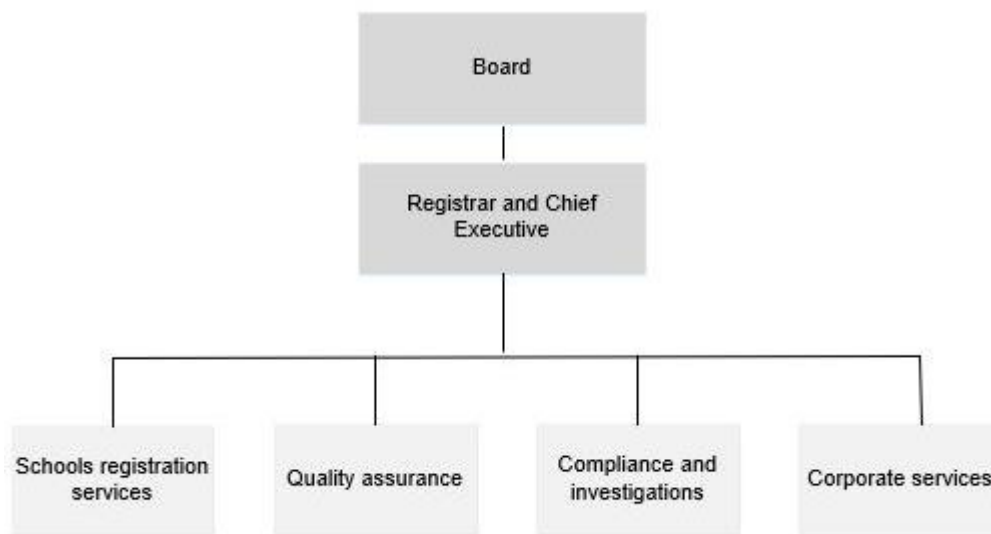


- [Education and Children's Services Act 2019 \(SA\) s85,88 and 89](#)
- *Education and Children's Services (Fees) Notice 2020 s4*

Our priority is to minimise any risks to the safety, health and wellbeing of children. We respond with regulatory action that is responsive and proportionate to the risks and harms being addressed.

Our Regulatory Practice Statement outlines our approach to fulfilling our legislative obligations as listed above.

Structure of the Education Standards Board



Board members

In accordance with s22 of the Act, the Board consists of 13 members appointed by the Governor in Executive Council on the nomination of the Minister for Education, Training and Skills. Of those members:

- one (who will be the presiding member) must be a person who has, in the opinion of the Minister, extensive knowledge and expertise in the education and care of children; and
- two must be from the Department for Education; and
- two must be from the Association of Independent Schools of South Australia (AISSA); and
- two must be from the South Australian Commission for Catholic Schools Incorporated (CESA); and
- two must be from a prescribed childcare body; and
- 1 must be a legal practitioner.



Expressions of interest are called for the remaining member positions.

Consultation with the public and our regulated entities

We engage with our stakeholders and regulated parties when:

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

Consultation is through reference groups, surveys, requests for feedback on proposed policy and other 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 e: esb.feedback@sa.gov.au.

Information you can access without a request

Our commitment to transparency means that our policies, regulatory priorities, regulatory practice statement, strategic plan and public registers are available on [our website](#).

You can view:

[Register of schools \(SA\)](#)

[Annual report](#)

[Register of early childhood services](#)
(National Law)

[Register of student exchange organisations](#)

[Compliance action](#)

You will also find various resources for providers, services and schools to guide compliance with regulatory obligations at esb.gov.au.

Information available on request for a prescribed fee

Under the [Education and Early Childhood Services \(Registration and Standards\) Act 2011](#) (SA), you may request certain documents for a fee prescribed by the [Regulations](#).

Documents relating to school registration (s41(6)):

- \$65 for an electronic copy of the school register
- \$5 per page for a hard copy of the school register.

Documents relating to prohibition orders (s65(6)):

- \$65 for an electronic copy of the register of prohibition orders
- \$5 per page for a hard copy of the register of prohibition orders.



Documents created under, or for the purpose of, our regulatory functions

We hold information relating to early childhood services to fulfil our regulatory functions of:

- **Provider and service application approvals:** assessing and determining applications to ensure providers are fit and proper to operate a service and that services operate in a way that is compliant with relevant legislation.
- **Monitoring:** proactively and reactively assessing compliance with relevant legislation to ensure providers comply with their regulatory obligations and continuously improve quality of education and care at their services.
- **Assessment and rating:** the process of assessing and rating a service approved under the NQF against NQS to provide an overall quality rating.

We hold information relating to schools to fulfil our regulatory functions of:

- **Provider applications:** assessing and determining applications for new government and non-government school registration and changes to school registration under the Act.
- **Schools register:** Maintaining a register of government and non-government schools under the Act.
- **Registration review:** reviewing registration against the *Standards for Registration and Review of Registration of Schools in South Australia* (the Standards).

We also hold information relating to endorsement of schools to provide education services to overseas students and the registration and monitoring of student exchange organisations:

- **Registering providers:** endorsing school providers for registration on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) under the *Education Services for Overseas Students Act 2000*.
- **Registering student exchange organisations (SEOs):** assessing registration applications under the *Education and Children's Services Act 2019*.
- **Monitoring:** monitoring ongoing compliance of by SEOs.

The information listed above may be subject to privacy laws.

Requesting access to, or amendment of, information held by the regulator

An applicant may request to access or amend information containing their personal details and affairs by making a [freedom of information request](#). More information about making a request can be found on our website at [Freedom of information | Education Standards Board SA \(esb.sa.gov.au\)](#)

Applications can be made online:

[For schools and residual early childhood services](#)



[For early childhood services](#)

[For school providers registered on CRICOS](#)

If you need help making a freedom of information request or have any questions about the request, contact our freedom of information officer by emailing e: esb.foi@sa.gov.au.

Related policy and procedure

[Complaints and feedback management policy](#)

[Service delivery standards](#)

[Making appropriate disclosure of public interest information](#)

[Receiving and dealing with an appropriate disclosure of public interest information](#)