

APPLECROSS PRIMARY SCHOOL

Community Use of School Facilities

POLICY

This policy is monitored regularly by school staff and reviewed annually. It is guided in its intent by the *Community Use of Public School Facilities Policy (Feb 2022)*. We apply this policy at Applecross Primary School. This document is the source for determining outcomes to procedural queries.

Policy Review Date: May 2023

RATIONALE

Applecross Primary School prides itself on being an integral part of the Applecross community. As such there are legitimate occasions where community groups will require a suitable venue in which to offer their services to members of the school community and also the wider Applecross community. It is reasonable to assume that the facilities of Applecross Primary School may suit the requirements of such groups and that it is incumbent on the leadership of the school to consider any requests for the use of specific facilities that suit their requirements.

** It is government policy that school facilities and resources are made available for community use. Applications must be approved by the principal and formalised by an agreement signed by the principal and a representative of the user group – Community Use of Public School Facilities Policy (Feb 2022)*

In the case of Applecross Primary School, the principal may choose to seek the advice of the School Board where an application could result in community concern. In these cases, the principal is not bound by the Board's advice but should take this into account when making a decision on an application for the use of school facilities.

POLICY RULES

Principals must:

- determine if the use is appropriate and existing facilities are available and suitable for use before granting permission and entering into an agreement;
- determine that the use of the facility does not adversely affect the safety or welfare of students and staff and does not interfere with the normal operations of the school;
- contact Asset Planning and Services if a third party requests the use of school facilities 'during school hours';
- undertake a risk management assessment of the third-party user by completing the Risk Assessment document;
- only use the Department's approved licence agreements and templates, and forward copies to Commercial Services for review before signing;
- confirm that all third-party users using school facilities during school hours have a Nationally Coordinated Criminal History Check that is processed through the Department's Screening Unit, and have a valid Screening Clearance Number before using school facilities;
- comply with the Working with Children Checks in Department of Education Sites Policy and Procedures;
- establish appropriate fees and charges for use of school facilities and at a minimum recover the costs associated with use by the third party;
- keep one signed original licence agreement and provide the second original licence agreement to the licensee, and submit an electronic copy of the licence to Commercial Services; and
- confirm that all fees received from the use of school facilities are credited into the appropriate mandatory revenue budget accounts of the school as stipulated in the 'School Chart of Accounts'.

PRINCIPLES

Collaborative relationships between schools and the community are to be encouraged.

The utilisation of school facilities by community groups and educational providers is a legitimate and reasonable use of publicly funded facilities, enabling schools to better meet community expectations.

Community use of school facilities and resources can provide a number of benefits to the school and the community, including:

- allow access to services to support families and communities
- enhance co-operation and goodwill with the community
- provide extracurricular learning and wellbeing activities
- allow for the effective use of a valuable government asset
- provide opportunities for the community to play a positive part in site security through use of the facilities out-of-school hours.
- better inform parents and the community about operations and activities.

It is important that the community perceives schools as being community buildings, and it is more likely that this will occur when schools make as many of their facilities and resources available as is feasible. *Community Use of Public School Facilities Policy (Feb 2022)*

Third-party use of a facility must not interfere with normal school operations or impact on the health or safety of students or staff. Refer to the [School Education Act 1999](#) for more information.

Assess the Hours of Operation

The period of access should include the time required to set up and tidy up.

Consider the cleaning and gardening requirements to make sure the school is properly prepared for the commencement of the school day.

Decide on a process to accommodate variations in routine of either party. Include adequate notice and emergency arrangements.

Use During School Hours

Consider the nature of the third party and impact of them being on the school site during school or college hours. Complete a documented risk assessment before determining if a third party can use the school during school or college hours.

Access the [Criminal History Screening for Department of Education Sites policy and procedures](#) for requirements during school or college hours.

For the purpose of this document the Applecross Primary School facilities that may be made available for use by the community through the application of this policy are;

- The Rosalie science lab
- Broomhall House (The old principal's house)
- The school oval *
- The Canteen

*subject to availability and out of school-hours care access

Interim Ban on Inflatable Amusement Structures

Principals are instructed there is an interim ban on the outdoor use of inflatable amusement structures, including bouncy castles, in public schools. Schools are also prohibited from using zorb balls.

The ban applies to situations where school facilities are made available for use by third parties. Refer to [CEO instruction - interim ban on the outdoor use of inflatable structures and zorb balls](#).

PRINCIPAL'S RESPONSIBILITIES

Applications for use of school facilities and resources must be approved by the principal and formalised through a written agreement signed by the school principal and a representative of the user group.

The principal must:

- make premises available for the conduct of Commonwealth, State and Local Government elections and the conduct of emergency welfare exercises;
- encourage consultation with the School Board to research to determine appropriate schedule of fees or charges to be applied for the hire or use of school facilities and resources (Refer to 6.3 Determining the Cost of Hire);
- keep a record of all licences, accidents, damage;
- deposit fees generated from the use of school facilities in the school bank account (refer to Financial Management in Schools: Finance and Accounting manual/school chart of accounts).
- undertake a risk management assessment of the user group;
- use professional judgement to ensure occupational health and safety needs are met for all users; and
- clearly specify the security responsibilities to the users of school resources and facilities.

Principals and managers must confirm that all Department employees, volunteers, visitors and external providers in child-related work have applied for or hold a **valid [Working with Children Check](#) in accordance with the Department's *Working with Children Checks in Department of Education Sites* policy.**

LICENCES

A Parents and Citizens' Association (P&C) or School Board does not have authority to enter into agreements with third parties for use of department property.

Application for use of school facilities and resources by the community must be formalised through the issuing of a Licence for Use by the school. In instances where the standard Licence for Use does not satisfactorily cover the requirements for a particular use, the Conditions of Use must be referred to Commercial Services Branch, CommercialServices.LicenceAgreements@education.wa.edu.au in central office. Copies of Licences for Use must be kept in the school to ensure that arrangements are continuous and available for the purposes of audit and data collection.

Principals are authorised to enter into licences with a two year maximum duration. Licences must be reviewed and/or renegotiated at the end of this time.

Licences over two years but up to five years must be signed by the Minister. The Minister has the option to renew the licence once or more than once and each not exceeding five years.

To enable users to make appropriate plans for the future, Principals must advise users, at least one month before the expiry date, whether the Licence for Use can be renegotiated.

School Suitable for Proper Use

A Principal must determine that the school can physically accommodate the Approved Purpose by the Licensee prior to entering into the Licence.

The Principal must determine that the use of the School Property is proper in all circumstances and does not interfere with the normal operations of the School or impact on the health or safety of students or staff.

The Principal must consider the appropriateness of use by a third party during school hours. If time during the school day applies, schools **must** contact Commercial Services before signing the Licence.

The Principal must be satisfied that:

- (a) the benefits arising from the Licence outweigh the obligations and resources required to comply with the Licence; and
- (b) there is no or little potential risk of legal liability, ethical and moral issues, or adverse consequences to the School arising from applying the Licence.

Discretion must be used in use of the termination clause contained in the License for Use. Conditions under which the termination clause may be invoked are:

- breach of conditions;
- unforeseen essential school need for exclusive use of the facilities and resources concerned; and
- situations where the activity engaged in by the user is detrimental to the school and its students.

CONTRACTUAL OBLIGATIONS FOR USERS

Users of school facilities and resources will:

- meet clearly specified security responsibilities for the school's resources and facilities;
- immediately report any damage or accidents occurring during use to the principal or other authorised person;
- be responsible for the costs of repair or replacement of equipment or damage to buildings or fixtures;
- make an appropriate record of any report of damage or accidents occurring during use of school facilities and resources; and
- provide report to the principal.

INSURANCE

An individual applicant must sign a licence as a representative of his/her group and be responsible for ensuring compliance with the conditions of hire.

Incorporated groups and commercial users must show evidence of insurance cover and where possible, users are to be incorporated bodies (see Appendix C).

High risk activities (eg. vigorous and challenging physical activities such as abseiling) must not be allowed without proof of insurance being provided (refer to *Risk Management within the Education and Training Portfolio: Policy, Procedures and Guidelines* policy).

RISK MANAGEMENT

Principal factors guiding the assessment of risk include:

- age of the participants;
- nature of the proposed activity; and
- facilities/equipment to be used.

In addition, the following factors are to be taken into account:

- whether the group is local;
- whether the group is known to the school;
- the ability of the group to provide evidence of satisfactory use of other facilities;
- whether the activity is one that should be permitted without insurance if the group has none;
- whether the activity involves consumption of alcohol; and
- the level of skill required to operate the equipment which it is proposed to use (refer to *RISK ASSESSMENT FOR A LICENCE FOR THIRD PARTY USE OF SCHOOL PROPERTY*).

DETERMINING THE COST OF HIRE

Cost components of the fees could include power consumption, water, cleaning, insurance, administration, additional wear and tear and the use of specific items of equipment. As a minimum requirement, fees should at least meet the additional recurrent operating costs incurred through use of the facilities and resources.

Further additional fees may be levied after the use of the facility. For example, a fee would apply where additional cleaning is necessary, or when security or other personnel are called out to secure the school buildings because the user has failed to lock up the premises or re-set an alarm system. When setting a fee, account should be taken of the following factors:

- value of the activity to the community and school;
- nature of the intended use, including degree of wear and tear on the facility and/or use of equipment and resources;
- access times required;
- set up and restoration time;
- opening and closing fees;
- size of the user group;
- capacity of user to pay;
- storage of special equipment;
- comparability of fees charged by other providers within the local community;
- any additional administrative staff time which may be necessary; and
- category of user, e.g. commercial or charitable

In addition, professional development to assist schools and community members in organising wider community use of facilities may be made available, and it is strongly advised that schools consider this cost in determining fees.

FEES AND USER CATEGORIES

In preparing advice to the School Board about recommendation for charge for use of facilities and services, schools may find it helpful to consider categories of users. Within each category, fees could be varied according to the type of use and other factors. The following categories of users could be considered when developing recommendations for charges for use:

- OTHER GOVERNMENT AGENCIES, INSTRUMENTALITIES AND DEPARTMENTS OR BRANCHES OF THE DEPARTMENT OF EDUCATION AND TRAINING

As a minimum, charges could cover direct costs and be based on unit area rental costs for office space in the locality. The Commonwealth Electoral Commission may pay a small fee for use but no charge can be levied for use by the State Electoral Commission.

- ORGANISATIONS WHICH PROVIDE A SERVICE OF DIRECT BENEFIT TO THE SCHOOL OR COMMUNITY

(e.g. Neighbourhood Watch, Safety House, the Parents and Citizens' Association and disaster management agencies). These organisations may be considered as fee exempt.

- NON-PROFIT OR CHARITABLE COMMUNITY SERVICE ORGANISATIONS

(e.g. Those which have a community support focus, like child support and various welfare groups, and are likely to rely largely on the financial support of others). Fees charged for use by these groups could be structured to cover essential costs such as electricity, gas and water. Schools may wish to waive fees for groups such as these or accept a donation of funds or service in lieu of fees.

- LOCAL GOVERNMENT

Fees may be negotiated through 'user pays' principles.

- NON-PROFIT ORGANISATIONS

(e.g. sporting and recreational bodies, cultural and hobby groups). This category is generally self-funded. The primary reason for their existence is to cater for the needs of members. Fees charged may be based on a user pays principle.

- COMMERCIAL USERS

(e.g. fitness classes and the staging of a sporting event). The fees charged to these users could be based on a user pays principle with limited concessions. It is advisable, if possible, to collect fees in advance.

BASELINE HIRE COSTS APPLECROSS PRIMARY SCHOOL FACILITIES

The baseline costs to hire facilities at Applecross Primary School that have been deemed suitable for hire are set out in the table below:

| Facility | Hire Cost/Day Inc GST | Hire Cost/Week Inc GST |
|-----------------------|-----------------------|------------------------|
| Rosalie Science Lab | \$316.00 | \$1,580.00 |
| Old Principal's House | \$316.00 | \$1,580.00 |
| Oval | \$100.00 | \$500.00 |
| Canteen | \$316.00 | \$1,580.00 |

Utility Costs as at 2021 ex GST

| | | Weekly | Daily |
|-----------------|--------------|-------------|-----------|
| Electricity | \$ 26,061.18 | | |
| Gas | \$ 600.00 | | |
| Water | \$ 37,789.11 | | |
| Rubbish Removal | \$ 4,496.51 | | |
| Total | \$ 68,946.80 | \$ 1,325.90 | \$ 265.18 |

Cleaning Costs as at 2021 ex GST

| | | | |
|-------------------------------------|-------------|-------------|-----------|
| Hand towel & Toilet tissue | \$ 5,254.81 | | |
| Cleaning Staff Day Rates as at 2022 | | | |
| Cleaner in Charge per day | \$ 250.82 | | |
| Cleaning Staff per day | \$ 235.17 | | |
| Total | \$ 5,740.80 | \$ 110.40 | |
| | | \$ 1,436.30 | \$ 287.26 |

CHECKLIST FOR SCHOOLS

The Deed of Licence sets down terms and conditions for use of school facilities but many schools will have their own particular requirements to be met by user groups. These should be made clear when arrangements for use are being made.

The following checklist has been devised as a ready reference guide for schools in the management of community use of school facilities. It provides reminders and prompts and is intended to act only as a guide.

- Is the proposed use in line with school policy?
- Does the user group meet school policy with regard to issues like supervision, are they known to the school, local group, past history of use, etc?
- Will the group be fee paying?
- Has a hire charge been set/agreed?
- Has a Licence for Use form been completed?
- Has the user group been informed about the rules governing use?
- Does the group have special furniture needs?
- Should the group be providing its own insurance?
- Have keys/security arrangements been negotiated?
- Have cleaning and rubbish removal requirements been negotiated?
- Have issues about bonds, fees payment and review of fees been negotiated?
- Have relevant school personnel been consulted about the proposed use?
- Have relevant school and community personnel been consulted in relation to policy and procedures on school security?
- Has the school appropriate lighting for access points, the playground and any other designated recreational area?
- Does the school have emergency lighting?
- Has use of toilet facilities been arranged?
- Have the facilities to be used been inspected and their condition agreed?
- Has the user group been advised to seek legal advice regarding police screening of supervisors to assist in the prevention of child sexual abuse?

CHECKLIST FOR USERS

Users of school facilities agree to abide by the terms and conditions set down for use when they sign the Licence for Use form. However, schools may find it useful to provide a set of rules or guidelines to users as a reminder about the agreed arrangements

When formulating rules, the following items could be considered for inclusion:

- Keys
- deposit
- contact person nominated
- times specified for return.
- insurance
- lights/heaters
- responsibility for turning on/off
- cleaning/rubbish removal
- particular requirements
- leaving areas as found
- movement of furniture from other areas
- care to be taken when moving furniture
- times of access
- rules about alcohol and tobacco
- rules about clothing/footwear for use of particular areas
- special rules for particular areas
- consumption of food or drinks
- care of floor surfaces, e.g. no cereals or liquids on gym floors
- storage
- availability
- need for user to provide their own
- use of telephones
- availability
- specified phone for emergency use
- emergency procedures
- evacuation procedures
- person to contact in case of emergency
- parking
- areas available
- areas in which parking is prohibited
- security
- alarm routines
- security lighting activation
- bond in case of call out
- photocopier/facsimile use
- availability/conditions for use
- supervision
- of children accompanying adults
- responsibility for activities of accompanying adults/children
- materials/equipment out of bounds.