

Schools Fit and Proper Person declaration

Who should complete this declaration?

In a non-government school, every responsible person must be a Fit and Proper Person.

This Fit and Proper Person declaration must be completed by all responsible persons. Responsible person is defined in the Education and Training Reform Regulations 2017 as:

- if the proprietor is an individual, that person; or
- if the proprietor is a body, that body and any person who is concerned in, or takes part in, the management of the body; or
- each person with responsibility in the school governance structure for managing the school or its finances, including each member of the governing body of the school; or
- the principal of the school; or
- any other person who by the person's conduct assumes a position of authority over the governance or management of the school.

Privacy statement

All information collected in this declaration is required by State or Commonwealth legislation and associated regulatory frameworks.

The VRQA will only use this information in relation to its powers and functions under the *Education and Training Reform Act 2006* (the Act). To read the VRQA's full privacy statement, see:

- [Privacy statement](#)

You are able to request access to the personal information that we hold about you and request that it be corrected.

Statutory Declaration

I, _____ (full name)
 _____ (occupation)
 of _____ (address)

do solemnly and sincerely declare that:

Category of responsible person	<input type="checkbox"/> individual proprietor <input type="checkbox"/> a person who is concerned in, or takes part in, the management of the proprietor body <input type="checkbox"/> a person with responsibility in the school governance structure for managing the school or its finances <input type="checkbox"/> member of the governing body of the school <input type="checkbox"/> the principal <input type="checkbox"/> another person who by the person's conduct assumes a position of authority over the governance or management of the school	
1.	Are you able to carry out your responsibilities in relation to the operation of the school in compliance with the laws of Victoria, the Commonwealth, another State or a Territory relating to the provision of school education?	<input type="checkbox"/> No <input type="checkbox"/> Yes
2.	Have you been found guilty of an offence which is, or which would if committed in Victoria be, an indictable offence?	<input type="checkbox"/> No <input type="checkbox"/> Yes
3.	Have you, as an individual, ever been insolvent under administration? ¹	<input type="checkbox"/> No <input type="checkbox"/> Yes
4.	Have you, in the case of a body corporate, ever been externally administered?	<input type="checkbox"/> No <input type="checkbox"/> Yes
5.	Are you a represented person? ²	<input type="checkbox"/> No <input type="checkbox"/> Yes
6.	Have you ever been in breach of any requirements of the <i>Working with Children Act 2005</i> or the <i>Worker Screening Act 2020</i> if required to obtain an assessment notice to carry out any responsibilities in relation to a school?	<input type="checkbox"/> No <input type="checkbox"/> Yes

¹ This includes being declared bankrupt and/or having taken the benefit of any law for the relief of bankrupt debtors, or compounding with your creditors, or making an assignment of your property for your benefit.

² Defined to have the same meaning as it has in the *Guardianship and Administration Act 2019*.

7.	<p>Have you been the subject of or associated with an adverse finding or the subject of action taken by a court, tribunal, commission of inquiry, professional discipline body or regulatory authority (in Victoria or elsewhere) where the adverse finding or the action relates to:</p> <ul style="list-style-type: none"> • dishonest, misleading or deceptive conduct • non-compliance with a legal obligation relating to the provision of education • a breach of duty (including a duty of disclosure). 	<input type="checkbox"/> No <input type="checkbox"/> Yes
----	---	--

If you answered 'yes' to any of the questions from 2–7, provide an explanation for each question on a separate document and include as part of your Statutory Declaration.

I acknowledge this declaration is true and correct and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury.

Declared at _____ (location of signing)

in the State of
Victoria, this / / 20

X _____ (signature of person making this declaration – to be signed in front of an authorised witness)

Authorised witness*

Before me

_____ (witness name)

_____ (title)

_____ (address)

X _____ (signature)

* The authorised witness must write, type or stamp their name, the capacity in which they have authority to witness a statutory declaration and their address under section 30 of the *Oaths and Affirmations Act 2018* (as of 1 March 2019). For a list of authorised persons who may witness statutory declarations under section 30 of the *Oaths and Affirmations Act 2018* see:

- www.justice.vic.gov.au/statdecs