



8 September 2023

Anne Dunstan
Chief Executive
The Association of Independent Schools of South Australia
Sent via email: dunstana@ais.sa.edu.au

Dear Anne Dunstan



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2022/237

An election has recently been completed by the Australian Electoral Commission (AEC) for the Association of Independent Schools of South Australia and a post-election report has been issued by the AEC.

This letter explains the next steps you must take, including what information you need to give to members and what information you need to lodge with the Fair Work Commission (the Commission).

What you must do right now

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to the Commission at regorgs@fwc.gov.au

This letter explains these steps and the tools available to help you.

STEP 1: Notify members

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (regulation 141). The notice must be on your website for at least three months.



Can we put more information on our website?

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than three months. You can always do more than the regulatory minimum.

The Commission will also publish your declaration of results on our [website](#).

STEP 2: Financial training

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete approved financial training (section 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face-to-face and online [financial training packages on the Commission website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR receive an [exemption by the Commission](#) **within six months** of beginning to hold office.



Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast](#), such as [episode 17 - conflicts of interest](#).

STEP 3: Notifications of change



A notification of change must be lodged with the Commission within **35 days** of the change occurring.

We have a [template](#) to help you with this, which you can send to regorgs@fwc.gov.au. An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

Note: One election may result in many notifications of change.



Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

Real-life example of penalties in Court An organisation failed to make a series of notifications of change on time.

The Full Court said ‘The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.’

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).



Why do I need to tell you the results of the election when you’ve already received them?

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

What if the officer has already done training?

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn’t required.

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@fwc.gov.au.

Yours sincerely

Fair Work Commission



The Commission has an interim [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

8 September 2023

Post-election report

The Association of Independent Schools
of South Australia
Scheduled election
E2022/237

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Election(s) Covered in this Report

Organisation: The Association of Independent Schools of South Australia
Election: Scheduled
Election Decision No/s: E2022/237

Rules

Rules used for the election: 008S: Incorporates alterations of 4 November 2020 in matter R2020/103

Rules difficult to apply/interpret: No

Model Rule reference (if any): **N/A**

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

Returning Officer actions required (Section 193): No

Signed

Benjamin Murray
Returning Officer
Australian Electoral Commission
E: IEEvents@aec.gov.au
P: 03 9285 7111
8 September 2023

Attachments

- A. Declaration of results for Uncontested Offices – Stage 1
- B. Declaration of Results for Contested Offices – Stage 1
- C. Declaration of Results for Contested Offices – Stage 2

The Association of Independent Schools of South Australia

DECLARATION OF RESULTS - E2022/237 - Stage 1

Uncontested Offices

Scheduled Election

The results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

The Association of Independent Schools of South Australia

Board Member - Governor (1)

Candidates

No Nominations Received

Board Member - Principal from a primary only school (1)

Candidates

FINLAY Helen

Bursars, Business Managers, Administrators of the Association of Independent Schools of South Australia

Board Member - Bursar, Business Manager or Administrator (1)

Candidates

No Nominations Received

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
29/05/2023



The Association of Independent Schools of South Australia

DECLARATION OF RESULTS - E2022/237 - Stage 2

Contested Offices

Scheduled Election

The results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

Board

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	11
Number of voters issued with voting material	11
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	11
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	8
Number of declaration envelopes rejected at preliminary scrutiny (minus)	1
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	7
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	0
Voting material packs not returned by voters by closing date of the ballot	4
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	63%

Chair (1)

<u>Candidates</u>	<u>Final Votes</u>
HOPPS, Dominic	6
WEINERT, Paul	1

Total ballot papers admitted for this office	7
Formal Ballot papers	7
Informal Ballot papers	0

I declare the following elected:

- HOPPS, Dominic

Deputy Chair (1)

<u>Candidates</u>	<u>Final Votes</u>
FINLAY, Helen	0
ST CLAIR, Peta	2
WARREN, Shannon	4
WEINERT, Paul	1

Total ballot papers admitted for this office	7
Formal Ballot papers	7
Informal Ballot papers	0

I declare the following elected:

- WARREN, Shannon

Benjamin Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEEvents@aec.gov.au
07/09/2023





5 July 2023

Anne Dunstan
Chief Executive
The Association of Independent Schools of South Australia
Sent via email: dunstana@ais.sa.edu.au

Dear Anne Dunstan



IMMEDIATE ACTION REQUIRED:

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What you must do right now

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STEP 1: Notify members

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Can I put more information on our website?

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than three months. You can always do more than the regulatory minimum.

The Commission will also publish your declaration of results on our [website](#).

STEP 2: Financial training

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete financial training (section 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

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Note: One election may result in many notifications of change.



Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

ROC v CEPU

The organisation failed to make a series of notifications of change on time.

The Full Court said ‘The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.’

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).

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Yours sincerely

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The Association of Independent Schools of South Australia
DECLARATION OF RESULTS - E2022/237 - Stage 1
Contested Offices

Scheduled Election

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The Association of Independent Schools of South Australia

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	102
Number of voters issued with voting material	102
Total number of voters issued with replacement voting material	0
Total number of voting material packs issued	102
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	42
Number of declaration envelopes rejected at preliminary scrutiny (minus)	3
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	39
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	5
Voting material packs not returned by voters by closing date of the ballot	55
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	41 %

Board Member - Principal from any member school (1)

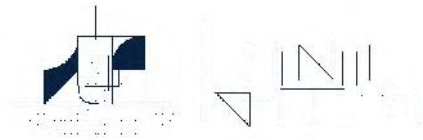
<u>Candidates</u>	<u>Final Votes</u>
ABUL KHAIR, Hani	3
HOPPS, Dominic	20
SKEWES, Cherylyn	15

Total ballot papers admitted for this office	39
Formal Ballot papers	38
Informal Ballot papers	1

I declare the following elected:

- HOPPS, Dominic

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
04/07/2023



31 May 2023

Anne Dunstan
Chief Executive
The Association of Independent Schools of South Australia
Sent via email: dunstana@ais.sa.edu.au

cc:

Dear Anne Dunstan



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Board Member - Governor (1)

Candidates

No Nominations Received

Board Member - Principal from a primary only school (1)

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FINLAY Helen

Bursars, Business Managers, Administrators of the Association of Independent Schools of South Australia

Board Member - Bursar, Business Manager or Administrator (1)

Candidates

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As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Ben Murray
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
29/05/2023





DECISION

Fair Work (Registered Organisations) Act 2009
s.189—Arrangement for conduct of an election

The Association of Independent Schools of South Australia (E2022/237)

MR STEENSON

SYDNEY, 23 FEBRUARY 2023

Arrangement for conduct of election.

[1] On 2 February 2023 the Association of Independent Schools of South Australia (**the organisation**) lodged with the Registered Organisations Commission prescribed information for an election to fill the following offices for a new term of office:

Board Members

Bursar, Business Manager or Administrator	(1)
Governor	(1)
Principal from any Member School	(1)
Principal from a Primary only School	(1)

Office Bearers

Chair	(1)
Deputy Chair	(1)

[2] Board members of the organisation are elected on a rotating basis. The Board members listed above are those described as ‘Group 3’ in the rules of the organisation. Rule 12 of the organisation’s rules provides that elections for this group occur in 2020 and every three years thereafter. The Chair and Deputy Chair are elected annually.

[3] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE COMMISSIONER

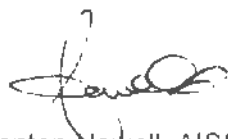
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PR352425

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

I, Brenton Howell, being the Board Chair of the Association of Independent Schools of South Australia (AISSA) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the AISSA.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed:



Brenton Howell, AISSA Board Chair

Dated.

2/2/2023

NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System <i>Direct voting system;</i> <i>Collegiate electoral system</i>	Reason for Election <i>Scheduled;</i> <i>Casual vacancy;</i> <i>New office created;</i> <i>Insufficient nominations</i>	Electorate
N/A	Board Member (person who is employed by a Member as a Bursar, Business Manager or Administrator) (Rule 9.1.3.)	1	Direct Voting System	Scheduled	Persons employed as Bursars, Business Managers or Administrators of each Member (Rule 13.5.)
N/A	Board Member (Governor) (Rule 9.1.2.)	1	Direct Voting System	Scheduled	All AISSA Members (Rule 13.1.)
N/A	Board Member (Principal from any Member School) (Rule 9.1.1.(c))	1	Direct Voting System	Scheduled	All AISSA Members (Rule 13.1.)
N/A	Board Member (Principal from a Primary only School) (Rule 9.1.1.(a))	1	Direct Voting System	Scheduled	All AISSA Members (Rule 13.1.)
N/A	Office Bearer (Chair) (Rule 10.1.2.)	1	Collegiate electoral system	Scheduled	By and from the Board (Rule 10.1.1.)
N/A	Office Bearer (Deputy Chair) (Rule 10.1.2.)	1	Collegiate electoral system	Scheduled	By and from the Board (Rule 10.1.1.)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	At least six (6) weeks before 20 June 2023 (ie by no later than 9 May 2023) (Rule 14.4.)	22 June 2023 (Rule 13.4.(a))
Nominations CLOSE	To be determined by the Returning Officer	To be determined by the Returning Officer
Roll of Voters cut off date	Seven (7) days prior to nominations opening (Rule 14.10.)	Seven (7) days prior to nominations opening (Rule 14.10.)