



## **FETES & FAIRS POLICY**

### **Rationale**

- Fetes to raise funds for school purposes can be organised by:
  - School Councils, or
  - Parent Associations or Clubs organised under Part 4 Division 2 of the Education and Training Reform Regulations 2007.
- It is generally preferable for fetes to be organised by the School Council, as they are a legal entity and Parent Associations or Clubs are not.
- School Councils are incorporated bodies with specific powers to enter into contracts. The *Education and Training Reform Act 2006* provides a comprehensive statutory indemnity for members of Councils. Please see: [Legal Framework](#)
- If Parent Clubs and Associations are not legal entities then they cannot enter contracts in their own right as technically contracts with commercial operators for the fete would have to be entered with the individual members of the Club.  
**Note:** Members of the Parents Club would be indemnified by the government against any legal liability as volunteers, as long as the activity was for the school's welfare and requested by the Principal or School Council.
- Volunteer workers are protected against personal legal actions on similar terms as teachers when working:
  - for the welfare of the school
  - at the request of the Principal or School Council
- Volunteer workers entitled to compensation (as if they were state employees when injured in their course of employment) if they suffer personal injury from:
  - engaging in school work
  - travelling to or from the place where school work is occurring.

Please see: [Personal Liability of School Employees](#) and [Volunteer Workers](#)

### **Purpose**

- To ensure fete organisers consider safety issues and legal liabilities.
- To ensure amusement rides and structures used by the school are safe.
- To ensure Footscray North Primary School complies with DET policy and guidelines in relation to fetes and fairs.

### **Implementation**

- When planning a fete or fair, the school will consider the liability of School Council, the Parents Club, staff and volunteers as described above.
- If considering using commercial operators e.g. a jumping castle, the school will ensure fete organisers:
  - negotiate a written contract with commercial operators
  - ensure public liability insurance covers any activities undertaken.
- There must be a written agreement with the commercial contractor setting out the terms upon which the School Council will permit the operator to come onto the school premises and set up their equipment including complying with indemnity and insurance requirements for particular service to be provided. The agreement will specify the location for the operator to set up and the financial arrangements
- The school will use DET's standard indemnity and insurance wording so the School Council and the state will not be liable for injuries sustained. Please see: [School Councils and Contractors](#)
- Acceptable equipment includes amusement rides and structures that are regulated by legislation administered by the Victorian WorkCover Authority. Further information may be obtained from the Team Leader, Field Operations, Victorian WorkCover Authority, telephone (03) 9641-1555.

Please see: [Amusement Rides and Structures](#)

- When hiring amusement rides and structures the school will obtain the following from the supplier:
  - any information about the safe use of the item that the supplier can provide
  - the class and the plant registration number of the structure
 

**Note:** Only Class 2 structures must have registration.
  - the hazard identification, risk assessment and control of risks that have been carried out in relation to the design and manufacture of the plant within the control of the supplier.
 

**Note:** If it is not practicable for the supplier to provide this information, then the supplier must be able to ensure the risk arising from use is eliminated or reduced so far as is practicable.
  - evidence that inspections and maintenance have occurred on the item between hirings and leasings, and the records of inspections and maintenance
  - evidence prior to the supply of Public Liability Insurance in an amount of not less than \$10 million for any one event.
 

**Note:** The insurance must be current, cover the ride or activity supplied and note the Department.
- The school will first seek advice from Consumer Affairs Victoria before undertaking any activities involving the consumption or sale of alcohol. Please see: [Alcohol](#)
- All tickets, whether raffle tickets, entrance tickets, drink tickets or any other type must be numbered and reconciled to cash received. Each cash collection point must have at least two specified persons appointed for collection, recording and safe-keeping of cash. While adequate change must be on hand, frequent collections of cash and issue of a control receipt, is recommended. Cash collected must be handed to a nominated person at the end of the activity, banked or lodged in a security safe.
- For further information, please refer to the policies above and the website below.
- Please refer also to the school's *Accident Recording & Reporting Policy*, *Fraud & Corruption Policy*, the *Fund Raising Policy*, *School Council Legal Liability Policy*, the *Smoking Ban Policy*, *Volunteer Workers Policy* and the *Cash Handling Policy*.

### **Evaluation**

- This policy will be reviewed as part of the school's review cycle or if guidelines change (latest DET update mid-August 2017).

This policy was ratified by School Council 25/3/2019

Reference:

[www.education.vic.gov.au/school/principals/spag/management/pages/fetes.aspx](http://www.education.vic.gov.au/school/principals/spag/management/pages/fetes.aspx)