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Australian Government
Department of Education

Our Ref: AGEID 80030

Director, Compliance and Reviews
[REDACTED]

[REDACTED]

Approved Authority Representative
Young Muslim Association Incorporated

[REDACTED]

[REDACTED]

By email: [REDACTED]

Copy to: [REDACTED] and [REDACTED]

Dear [REDACTED]

Request for information under section 39A of the *Australian Education Regulations 2023*

I am writing to you as the contact officer and authorised representative for Young Muslim Association Incorporated, in its capacity as the approved authority for New Madinah College (the College) under the *Australian Education Act 2013* (the Act).

I refer to the article in The Daily Telegraph published on 14 January 2025 (*Principal posts 'glorify terror'*) that raised matters in relation to governance and fit and proper person concerns at the College.

The Department of Education (the department) is responsible for the administration and payments to approved authorities under the Act and the *Australian Education Regulations 2023* (the Regulations).

The Act sets out the basic and ongoing requirements for approved authorities to meet to receive Commonwealth funding. These requirements include:

- Being a body corporate (section 75(2) of the Act)
- Not operating for-profit (section 75(3) of the Act)
- Financial viability (section 75(4) of the Act)
- Fit and proper person (people, governance, and financial management) (section 75(5) of the Act)

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- Meeting ongoing policy and funding requirements (sections 77 and 78 of the Act).

Section 28 of the Regulations sets out the main requirements for fit and proper person.

Under section 39A of the Regulations, an approved authority must provide the Minister or an authorised person with any information or records requested by the Minister or an authorised person that relate to:

- The approved authority's compliance with the Act and the Regulations
- The financial administration of the approved authority
- The financial administration of the school.

Based on current delegations from the Minister for Education under the Regulations, I am authorised to request information under section 39A of the Regulations.

Request for information

Given the matters raised in The Daily Telegraph are of a serious nature, and considering the significant amount of Commonwealth recurrent funding provided to the College, I request a written response from Young Muslim Association Incorporated. Please respond to the questions below.

Board and key individuals

1. What processes were undertaken by the College to appoint Sheik Abdulghani Albat as Principal at the College. What was the selection criteria and job description for the role? Who was the decision-maker in appointing Sheik Albat as the Principal of the College?
 - a. Please provide any documentation to support your response.
2. Please provide details of current board members and key individuals at Young Muslim Association Incorporated and the College (such as Chief Financial Officer, Chief Executive Officer, Principal, Deputy Principal, Business Manager and others), including copies of each person's Curriculum Vitae and length of tenure.
3. Please provide a copy of Young Muslim Association Incorporated's current constitution.

Policies and procedures

4. What are Young Muslim Association Incorporated's policies and procedures in relation to:
 - a. Appointing board members and key individuals (including the Principal) with relevant experience and expertise in administering a school and providing education at a school.
 - b. Reviewing board members and key individuals' continued suitability in meeting fit and proper person requirements.
 - c. Managing incidences where board members and key individuals express views that may be considered as inappropriate.
 - d. Investigating complaints or allegations of misconduct at the College. Who are complaints or allegations of misconduct reported to?

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- e. Supports in place for students and staff who may be aware of, or directly exposed to, the views expressed by board members and key individuals (including the Principal).
5. Board minutes or information in relation to:
- a. Previous reviews by the Board or discussions with Sheikh Albaf about his comments or views and whether those views.
 - b. Previous allegations of misconduct raised against board members and key individuals. How were these handled by Young Muslim Association Incorporated or the College?

Please be advised the department will write to you separately regarding specific matters of concern identified in the 2023 Audited Financial Statement for Young Muslim Association Incorporated.

The requested information is to be provided in writing to the department by **COB 14 February 2025** via email to schoolsassurancecases@education.gov.au.

If you have any questions, please contact the Compliance and Reviews Team at schoolsassurancecases@education.gov.au.

Yours sincerely



14 January 2025

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Department of Education

Our Ref: AGEID 22174

Acting Director, Compliance and Reviews
[REDACTED]

[REDACTED]
Approved Authority Representative
Al Sadiq College Ltd

By email: [REDACTED]

Copy to: [REDACTED]; [REDACTED]

Dear [REDACTED]

Request for information under section 39A of the Australian Education Regulations 2023

I am writing to you as the contact officer and authorised representative for Al Sadiq College Ltd, in its capacity as the approved authority for Al Sadiq College (the School) under the *Australian Education Act 2013* (the Act).

I refer to the article in The Sydney Morning Herald published on 2 October 2024 (*Sydney school board member stands down after Hezbollah speeches*) that raised matters in relation to governance and fit and proper person concerns at Al Sadiq College Ltd.

The Department of Education (the department) is responsible for the administration and payments to approved authorities under the Act and the Australian Education Regulations 2023 (the Regulations).

The Act sets out the basic and ongoing requirements for approved authorities to meet as a condition to receive funding. These requirements include:

- Being a body corporate (section 75(2) of the Act)
- Not operating for-profit (section 75(3) of the Act)
- Financial viability (section 75(4) of the Act)
- Fit and proper person (people, governance, and financial management) (section 75(5) of the Act)

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- Meeting ongoing policy and funding requirements (sections 77 and 78 of the Act).

Section 28 of the Regulations sets out the main requirements for fit and proper person.

Section 39A of the Regulations

Under section 39A of the Regulations, an approved authority must provide the Minister or an authorised person with any information or records requested by the Minister or an authorised person that relate to:

- The authority's compliance with the Act and the Regulations;
- The financial administration of the approved authority; and
- The financial administration of the school.

Based on current delegations from the Minister for Education under the Regulations, I am authorised to request information under section 39A of the Regulations.

Request for information

Given the matters raised in The Sydney Morning Herald are of a serious nature and considering the significant amount of Commonwealth recurrent funding provided to Al Sadiq College Ltd, I request a written response from Al Sadiq College Ltd on these matters. Please respond to the questions below.

Board and key individuals

1. Please provide details of current board members and key individuals at the approved authority and the School (such as Chief Financial Officer, Chief Executive Officer, Principal, Deputy Principal, Business Manager and others), including copies of each person's Curriculum Vitae (CV).
2. Details of the replacement board member and their CV (if not currently known, please provide details as soon as available).

Policies and procedures

3. What are Al Sadiq College Ltd.'s policies and procedures in relation to:
 - a. Appointing board members and key individuals with relevant experience and expertise in administering a school and providing education at a school.
 - b. Reviewing board members and key individuals' continued suitability in meeting fit and proper person requirements.
 - c. Managing matters where board members and key individuals express views not aligned with the views held by the approved authority or School.
 - d. Supports in place for students and staff who may be aware of, or directly exposed to, the views expressed by board members and key individuals not aligned with the views held by the approved authority or School.
 - e. Approval of events held on School premises or the use of School materials at events by board members and key individuals.
4. Board Minutes or information in relation to:

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- a. Previous review by the Board or discussions with Sheikh Ahmad Jundi as Board member about his comments or views not being aligned with the views held by the approved authority or School.

Please note that I will write to you separately regarding the audit of Al Sadiq College Ltd that was undertaken earlier this year by the department.

Please respond in writing by email to schoolsassurancases@education.gov.au in relation to the questions above by **COB 25 October 2024**.

Yours sincerely



4 October 2024

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Australian Government
Department of Education

Our Ref: 4372

Acting Director, Compliance and Reviews

Mr Steve Watson
Deputy Director General Schools
Department of Education WA
151 Royal Street,
East Perth WA 6004

By email to: steve.watson@education.wa.edu.au

Dear Mr Watson,

I refer to articles published in The West Australian newspaper, including from 19 February 2025 to 22 February 2025, most recently *John Curtin College of the Arts parents to meet education officials after teacher praised Hamas*.

The Department of Education (the department) is responsible for the administration and payments of Commonwealth funding under *the Australian Education Act 2013* (the Act) and the Australian Education Regulations 2023 (the Regulations). The Act sets out the basic and ongoing requirements for Approved Authorities (AA) to meet to receive Commonwealth funding.

These requirements include:

- Being a body corporate (section 75(2) of the Act)
- Not operating for-profit (section 75(3) of the Act)
- Financial viability (section 75(4) of the Act)
- Fit and proper person (people, governance, and financial management) (section 75(5) of the Act)

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Section 28 of the Regulations sets out the main requirements for fit and proper person. These include:

- the experience and expertise of the AA and key individuals at the school in administering the school and providing school education (reference to section 28(1)(a) of the Regulations); and
- the governance arrangements including the arrangements for managing and supervising the provision of education at the school section (reference to section 28(1)(b)(i) of the Regulations).

I understand that the Department of Education WA has commenced a review on this matter. We are seeking a meeting with you to discuss the matter, including information on your review, its scope and potential actions your department may consider. Please provide the contact details and availability of the key people from your department to discuss this matter with us in the coming days.

Please respond directly via email to schoolsassurancases@education.gov.au

Yours sincerely



25 February 2025

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Department of Education

Acting Director, Compliance and Reviews Team
[REDACTED]

Ms Deb Summerhayes
Deputy Secretary Schools
NSW Department of Education

By email to: Deborah.Summerhayes@det.nsw.edu.au

Dear Ms Summerhayes

I refer to the article published by ABC News on 16 February 2025 "*Students protest decision to bar Sheikh Wesam Charkawi from working at school*".

The Department of Education (the department) is responsible for the administration and payments of Commonwealth funding under *the Australian Education Act 2013* (the Act) and the Australian Education Regulations 2023 (the Regulations). The Act sets out the basic and ongoing requirements for Approved Authorities (AA) to meet to receive Commonwealth funding.

These requirements include:

- Being a body corporate (section 75(2) of the Act)
- Not operating for-profit (section 75(3) of the Act)
- Financial viability (section 75(4) of the Act)
- Fit and proper person (people, governance, and financial management) (section 75(5) of the Act)

Section 28 of the Regulations sets out the main requirements for fit and proper person. These include:

- the experience and expertise of the AA and key individuals at the school in administering the school and providing school education (reference to section 28(1)(a) of the Regulations); and

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- the governance arrangements including the arrangements for managing and supervising the provision of education at the school (reference to section 28(1)(b)(i) of the Regulations).

I understand that the NSW Department of Education has taken action in relation to this matter, consistent with community expectations and requirements of the public sector. We are seeking a meeting with you to discuss the matter, including the scope of your review and actions taken. Please provide the contact details and availability of the key people from your department to discuss this matter with us in the coming days.

Please respond directly to schoolsassurancases@education.gov.au

Yours sincerely



27 February 2025