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# TUTOR CONTRACTS AND LEGALS

BY BRON HARRISON

## CONTRACTS AND LEGALS

Now, I'm not a lawyer, so anything in this document DOES NOT constitute legal advice, but, I have signed dozens of contracts with schools as well as invested in some solid legal advice. Herein, you will find legal resources and must have's in your contracts with tutors.

## WHAT TO INCLUDE IN A CONTRACT

Contracts don't need to be long and confusing, but we reckon they should include at least the following:

- DEFINITIONS AND INTERPRETATION**
- ENGAGEMENT**
- DURATION**
- PROVISION OF SERVICES BY THE CONTRACTOR**
- REMUNERATION OF CONTRACTOR**
- GST and ABN**
- OBLIGATIONS OF CONTRACTOR**
- NO PARTNERSHIP OR EMPLOYMENT RELATIONSHIP BETWEEN PRINCIPAL AND CONTRACTOR**
- CONFLICTS OF INTEREST**
- CONFIDENTIALITY**
- TERMINATION OF AGREEMENT**
- POST TERMINATION OBLIGATIONS**
- WORKING WITH CHILDREN CHECK**
- WORK HEALTH & SAFETY**
- DRUGS AND ALCOHOL**
- POLICIES AND PROCEDURES**
- SET OFF**
- NOTICES**
- NO WAIVER**
- VARIATION**
- ENTIRE AGREEMENT**
- COUNTERPARTS**
- ACKNOWLEDGEMENT**
- WARRANTIES**
- GOVERNING LAW**

Without a contract, you leave yourself open to legal risk. It is a great way to set expectations from the start. As well as this, below you can find a stack of excellent resources.

## RESOURCES

**Arts Law Centre of Australia:** <https://www.artslaw.com.au/>

These legends have templates and a legal team to help creatives with contracts. A super fantastic resource for both schools and tutors.

**Australasian Legal Information Institute:** <http://www.austlii.edu.au/>

AustLII is Australia's most popular online free-access resource for Australian legal information, serving the needs of a multitude of users with over 700,000 hits daily. AustLII is a joint facility of the UTS and UNSW Faculties of Law.

**Fair Work** <https://www.fairwork.gov.au/>

Fair Work is the home to many resources like knowing the difference between an employee and a contractor, for example.

**A lawyer** <https://www.lawsociety.com.au/>

Some schools have their own legal department. The Department of Education has access to limited resources. I believe investing in a good lawyer from the start prevents issues down the track. The law society can point you in the right direction.

**Musicians Union of Australia** <https://musiciansunion.com.au/>

If you get your tutors to perform, it is good to have in mind that they may be backed by the MUOA.

**NSW Department of Education:** <https://education.nsw.gov.au/>

I have had some “know all” administration ladies and parent committee members tell me some strange “legal” “facts” over the years. A quick check with the Department of Education can usually outline policies that help iron out “facts” from “furfies”.

**BRON IS AN ASSET TO  
ANY SCHOOL WISHING  
TO RUN A BAND  
PROGRAM. SHE IS  
EXCEPTIONALLY GOOD  
AT WHAT SHE DOES.**

~ HELEN  
BAND PARENT

