



Kingsville Primary School



School Council Standing Orders

Purpose of School Council

The school council is the legally formed body that is given powers to set the key directions of the school. It is the governing body of the school that, within the legislative framework, determines the future directions for the school and maintains oversight (not management) of the school's operation. School council provides **governance**, which is distinct from **management**. Management being the responsibility of the principal and school staff.

Governance is about ends and outcomes - Management is about means and processes.

The legislative framework

The school council operates under a framework provided by –

- Ministerial Order 1280
- The Education and Training Reform Act 2006 (the Act)
- The Education and Training Regulations 2007 (the Regulations)
- Public Administration Act 2004
- Kingsville Primary School School Council's Constituting Order

Subject to the legislation and frameworks School Council may regulate its own proceedings

Functions of a school council:

The functions of a school council are specified in the Education and Training Reform Act 2006 and include:

- establishing the broad direction and vision of the school within the schools community
 - contributing to the development and monitoring of the School Strategic Plan
 - approving the annual budget and monitoring expenditure
 - developing, reviewing and updating school policies
 - raising funds for school-related purposes
 - maintain the school's grounds and buildings
 - entering into contracts, agreements or arrangements
 - regulating and facilitating the after hours use of the school premises and grounds
 - creating interest in the school within the community
 - be involved in principal selection as per government requirements
 - entering into sponsorship or partner agreements within DET guidelines
 - approving any overnight excursions and adventure activities for students.

The role of school councillors is to:

- work together in a respectful manner for the good of the whole school
- represent the best interest of the students rather than any particular personal interest or pressure from specific interest groups.
- be informed about and take into account the views of the school community

- enhance the educational opportunities for students as appropriate
- become familiar with the curriculum, support services, staffing structures, specialist programs, student demographics and physical facilities.

Powers

A school council has the power to:

- enter into contracts, agreements or arrangements
- establish trusts and act as a trustee of them
- charge fees to parents for goods, services or other resources provided by the school and in line with DET regulations.
- approve / oversee programs in or allow third parties to conduct programs in or, use school buildings or grounds for students, and / or the local community for educational, recreational, sporting or cultural activities (in line with DET regulations and school council policy)
- form sub-committees to assist the council
- delegate powers, duties or functions, except the power of delegation, to another person or body
- form committees to manage joint facilities

Limitations

What the school council does not do:

- manage the day to day running of the school - it does not employ teaching staff, decide which classes students will be assigned to, or sort out issues relating to individual teachers and students and/or parents.
- purchase or acquire for consideration any land or building.

Unless authorised by the minister the school council has no power to:

- licence or grant any interest in land
- enter into hire purchase agreements
- obtain loan or credit facilities
- form or become a member of a corporation
- provide education services outside Victoria
- purchase land, buildings, vehicles, boats or planes

Composition of council

The Constituting Order is an order of the Minister for Education, which specifies the membership size and configuration of the particular school council.

The Constituting Order of Kingsville Primary School states that the composition of the council is:

- **7 Parent members** elected by the parent community of Kingsville Primary School, who represent more than one third of school councillors
- **4 School Employee members** elected by the staff of Kingsville PS including the Principal
- **1 Community member** co-opted by School Council (not elected) community members have the same voting rights as elected members.

Terms of Office

School council members are elected (or co-opted in the case of community members) for a two year term. Half of the members retire annually on or before, the 31st March each year. The actual date of retirement will depend upon the outcome of the yearly election schedule and process. Retiring members may stand for re-election.

Casual Vacancies

A casual vacancy arises when a council member:

- dies
- becomes bankrupt
- becomes of unsound mind
- delivers a letter of resignation to the school office or President
- is sentenced for any indictable offence
- is a registrable offender within the meaning of the *Sex Offenders Registration Act 2004*
- ceases to be eligible for election or co-option to their membership category
- is absent from three consecutive school council meetings without prior special leave being granted by the school council and subject to a school council decision
- in the DET employee member category takes leave from employment with DET for more than six months
- in the Parent member category becomes a School employee during their term of office where that causes the school council to be in breach of its Constituting Order
- is found to have been ineligible for election or co-option to council

A casual vacancy is filled by the council co-opting a person from the appropriate category who then, completes the rest of the term of office of the retiring member.

If a student has completed the normal school year (applicable to their year level) and ceases to be enrolled at the school, the student's parent who has been elected to the parent member category may continue to be a member of the council until the next council election.

Office Bearers

The Regulations require that there be at least two office bearers – the President and the Executive Officer.

- The position of **Executive Officer** – is filled by the principal. The principal is a full member of council with the same voting rights as other councillors. The Principal is responsible for the implementation of school council policies and for informing council on educational, statutory, regulatory and government policy issues.
- The **President** is elected by all members of council and cannot be a DET employee. The office of President of the school council should not be open to the same person for more than four consecutive years.

Other office bearers elected on a yearly basis for KPS School Council

- The **Vice-President** is elected by council members as the Vice-President may need to chair a meeting in the absence of the President, it is required that this position be filled by a non-DET parent member or community member.
- The **Treasurer** is elected by council members and it is recommended by DET that this position if established be held by a non DET member. This position should not be filled by the Business Manager.
- The **Minute Secretary** may be either an elected member of council or, a person appointed to this role who is not a member of council and is therefore a silent observer with no voting rights who just carries out this specific role. At KPS the Business Manager will carry out this role.
- The **Correspondence Secretary** is elected by council.

Office bearers are elected at the *special first meeting* of the council each year which is held for the sole purpose and with the single agenda item of electing office bearers.

If the President is absent

In the absence of the President, the Vice-President must chair the council meeting. If neither the President nor Vice-President is present, councillors may elect a member to chair the meeting. This person should be a non-DET employee. **School Council Meetings Frequency**

It is a requirement that council must meet together:

- eight times per year
- at least once per school term
- one meeting must involve an Annual Public Meeting (AGRM)

If members are unable to attend a meeting, an apology should be submitted to the Executive Officer (the Principal) and it should be recorded in the minutes of the meeting.

Schedule and Length

The schedule for meetings including dates and days will be agreed upon by councillors at the beginning of each school council year. Unless otherwise decided, school council meetings will be held at Kingsville Primary School on set Mondays beginning at 6.30pm and finishing no later than 9.00pm.

If business has not been concluded by the scheduled closing time for the meeting, “the chair” (school council president) should ask councillors whether they wish to defer the rest of the business until the next meeting or, to extend the meeting by a specified period of time being 15 minutes. A motion is necessary if council wants to extend the meeting for that time.

An extraordinary meeting may be held at any time decided by council, provided all members are given prior notice of the date, time and purpose of the meeting. At least one week’s notice is preferable if an extraordinary meeting is to be held.

Forming a Quorum

A school council meeting must operate with a quorum. A quorum requires not less than one half of school council members currently holding office to be present at the meeting with a majority of members present who are not DET employees. Any parent members on school council who also work for the Department are counted as DET employees for the purpose of a quorum.

A member of the council may be present in person or by video conferencing or teleconferencing.

Annual General Public Reporting Meeting (AGRM)

Once a year a shorter council meeting is followed by the AGM. The AGM will:

- report the proceedings for the council for the period since the date of the previous AGM
- present the annual report published by the council
- present a copy of the audited accounts of the council (if the accounts have been audited)

Open and Closed Meetings

While all council meetings would normally be open to the school community, there may be times when the council meeting, or part of the meeting needs to be closed to protect confidentiality or privacy or for another valid reason. Should this occur, school council will need to approve a recommendation (called a “motion”) to go into a “closed” session. School council should then go back into open session once the topic under discussion has been concluded.

Visitors or observers can be present with agreement of the principal and a decision by school council, but they must direct all their comments through the Chairperson. Visitors have no voting rights.

Meeting Agendas

The agenda is prepared by the principal in consultation with the school council president. To be included on the agenda general business must be emailed to the principal at least 5 days prior to the next school council meeting with appropriate context information and, clarity about what outcome or decision is desired. This will ensure appropriate background information can be gained and will allow the chairperson adequate time to plan for discussion. General Business items not included on the agenda will only be added at the chairperson’s discretion.

The agenda, minutes from the previous meeting, correspondence schedule, Principal’s report, Sub-Committee reports, finance documents and any further documents for the meeting, will be distributed to all Councillors during the week prior to a school council meeting.

Minutes and Reports

All reports and minutes will be recorded on agreed Kingsville Primary School pro-formas. All decisions of council shall be recorded in the minutes along with any relevant details of any follow up action and who will carry out that action. Also included in the minutes will be the dates and times of the meeting, those present and apologies, and an overview of key discussions.

The principal will ensure a record of each school meeting is kept and draft minutes are prepared after each school council meeting and distributed to school council members prior to the next school council meeting. The principal may delegate this responsibility to another person.

The minutes will record the type of meeting (regular, extraordinary or public); date, time and venue of meeting; names of attendees and apologies received from members; name of presiding officer; a record of the business of the meeting including the decision on the minutes of the previous meeting; inward and outward correspondence and reports of any sub-committees tabled at the meeting; and decisions of the meeting including motions and any amendments, names of movers and seconders, whether the motion was carried or rejected and the number of votes for and against.

When school council minutes are submitted for confirmation at a school council meeting only questions regarding their accuracy as a record of the meeting are to be raised.

Once the minutes have been accepted as a true and accurate record of the meeting, they are to be signed by the school council president or the person who presided at the meeting.

Business arising from the minutes is dealt with after the minutes have been confirmed.

There is no right of public/non-school council member access to the minutes of a school council meeting under the Freedom of Information Act 2000. However, the school community should be kept informed of school council matters by formal means e.g. Newsletter or Website.

Action Items

An action, as it appears in the meeting minutes, is an agreement to complete a task. This may be gathering further information, investigating options or following up with a person or group.

Councillors with action items against their names are required to complete their actions (as possible) prior to the next meeting and report on the outcome unless there extenuating circumstances. To facilitate this, all action items documented in the meeting minutes will be included in the agenda for the following meeting, listed under the appropriate section.

Moving a Motion

The formal process for documenting a decision made by council is to move a motion. The motion must be a proposal to do something – such as **accept a report, endorse a recommendation or approve an action.**

Formally, a person “puts a motion” to council and it must be “seconded” to show that the motion is supported. The motion is then open for discussion and if there is clear agreement, the motion is carried. If disagreement is raised, then a formal vote must be carried out.

In practice, decisions are often discussed first, then moved and seconded. Even so, it is still an important process for maintaining a record of all decisions made.

School Council Decisions

Decisions of Kingsville Primary School council will be by a majority of those eligible to vote and who are present at the meeting, where the majority are non-DET members.

School council will try to reach decisions by consensus in the first instance but when that is not possible, a vote will be taken with the number for and against recorded in the minutes.

Voting will normally be by a show of hands, but a secret ballot may be used for particular issues as determined by the chairperson (school council president)

Tied Votes

When a vote is tied (i.e. an even number of people are for and against the decision), the Chairperson of the meeting (usually the President) has the casting or deciding vote. It is therefore important that when the President (or Chair) offers a personal opinion on an issue, this is clearly stated. Councillors need to be able to clearly distinguish between the President’s (or Chair’s) personal views and when a ruling is made as President of school council.

Proxies and Voting Procedures

Eligible members of council must be present at a meeting to be a part of the decision making process. There is no provision in either the Act or the Regulations for proxies. Therefore, if someone is unable to attend a meeting, another person cannot attend and vote on their behalf.

Council Sub-committees

Subject to the *Education and Training Reform Act 2006* and any reforms made under that Act a school council **may** form a subcommittee or sub committees. A committee must consist of at least one member of the council and any other 'persons' to assist the council as deemed necessary by the council. To be deemed a subcommittee there must be at least 3 members with 1 being a council member.

There are no requirements to have any sub committees or any set type or, number of sub committees however it is recommended by DET that school councils have a **Finance Subcommittee**.

At the beginning of each school year the council determines whether there is a need to form any sub committees. If it is agreed to form specific sub committees, councils need to adhere to the legislation relating to their form and function. In addition, if subcommittees are formed each school council member is required to take up membership of at least one subcommittee.

It is acknowledged that some negotiation may be necessary to achieve general balance of size and representation.

Each committee -

- shall elect a convenor,
- will note the DET expectation that the convenor is expected to be a school council member
- membership may be extended to include school community members with expertise or interest in the area of the subcommittee.
- will in consultation with the full school council determine their meeting frequency for any one year
- should not be confused with any **working party** formed at any time during the school council year which, would be operational in its focus and thus, may need to meet frequently during a set period of time (e.g. a committee organising an event)
- will demonstrate understanding that subcommittees are **advisory bodies to council** and as such assist with the work that needs to be undertaken but, **do not** make decisions
- is expected to submit a report to the next council meeting following any sub-committee meeting held

Council has final responsibility for all decisions made and the decision-making responsibilities of council must not be compromised by any subcommittee. Council cannot delegate its decision making powers to sub committees; for example, approval of the school's budget is the responsibility of school council.

Subcommittees formed over the last 5 years by KPS School Council have been –

- Finance
- Friends of KPS - Fundraising
- Buildings & Grounds
- Out of Hours School Care

Working parties formed have included –

- School Centenary

School Council Principles

The school council will operate according to the following principles:

- Respectful** partnerships
- Clear and **honest** two-way communication
- Transparent** processes
- Democratic**, informed decision-making
- Personal and professional **integrity**

In the conduct of meetings, the following etiquette will be observed by members:

- only one person talks at a time
- all requests to speak are directed to the presiding member
- all speakers are listened to in respectful silence
- no 'side conversations' are held
- members shall listen to the discussion carefully in order to avoid making points that have already been made or asking questions which have already been answered
- when the presiding member indicates that the topic of discussion is closed, no further comments are made
- members shall not use jargon
- members will ensure that all electronic devices (such as mobile phones) are silenced and no calls are taken during the meeting
- members shall stay calm regardless of how difficult or challenging the topic

The primary considerations in making decision are the school's values and what is in the best interests of students.

School council is accountable to and must report to, both its local school community and the Department of Education Training.

School councillors will abide by all legal requirements, regulations DET policies and guidelines.

Conflict between School Council members needs to be dealt with respectfully and fairly and in a manner that both reflects this and is seen to reflect this. That is, in accordance with the principles of natural justice.

Code of Conduct

School councils in Victoria are public entities as defined by the *Public Administration Act 2004*. School councillors must abide by the 'Directors' Code of Conduct' issued by the Public Sector Standards Commissioner.

In line with this code Kingsville Primary School school councillors must:

- act with honesty and integrity (be truthful, open and clear about their motives and declare any conflict of interest should it arise)
- act in good faith in the best interests of the school (work cooperatively with other councillors and the school community, be reasonable and make all decisions with the best interests of students foremost in their minds)
- act fairly and impartially (consider all sides of an issue before making a decision, seek to have a balanced view, never give special treatments to a person or group and never act from self interest)
- use information appropriately (respect confidentiality and use information for the purpose for which it was made available)
- use their position appropriately (not use this position as a councillor to gain any advantage)
- act in a financially responsible manner (observe all the above principles when making financial decisions)

- exercise due care, diligence and skill (accept responsibility for decisions and do what is best for the school)
- comply with the appropriate legislation (know what legislation is relevant for which decisions and obey the law)
- demonstrate leadership and stewardship (set a good example, exercise care and responsibility to keep the school strong and sustainable)

If the principal or school council president has reason to believe that the Code of Conduct has been breached or is in danger of being breached by any member of the council or the council as a total 'entity' then they are within their rights and have a responsibility to take appropriate action. This may include bringing the matter to the attention of the council or an individual or providing further training or professional development or taking other appropriate action in line with legislation. All actions will be focused on improvement of practice, adherence to legislation and greater understanding of school council members responsibility.

Conflict of Interest

If a school councilor has a direct financial interest in a matter being considered before council, that councilor:

- must declare the conflict of interest.
- must not be present during the discussion unless invited to do so by the President.
- must not be present when a vote is taken on the matter.
- may be included in the quorum for that meeting.

Confidentiality

Councillors should respect the need for confidentiality and privacy with regard to sensitive matters that might arise at school council meetings especially when they are matters of a personal matter relating to staff, students or parents.

School council is not an appropriate forum for the discussion of individual school staff, students, parents, or other individual members of the school community.

A councillor who is approached by a parent with a concern relating to an individual is in a privileged position and must treat such discussion with discretion, protecting the confidentiality and privacy of the people involved.

If the issue relates to an operational matter of the school, the parent should be encouraged to speak with the principal or the classroom teacher. However, if the issue relates to a school policy or procedure, it should be put on the agenda for discussion at the next school council meeting in line with the requirements set down in these orders, where it will be dealt with in a generic sense to protect the privacy of individuals involved.

In addition, it is not appropriate to name the contribution of any individual to a discussion. Sometimes it is necessary to share such information at a meeting if it impacts on a decision or it may appear in correspondence. But these disclosures should be treated with absolute confidentiality.

It should also be understood that any decisions made by council that need to be communicated to the school community are done so through official channels such as the school newsletter.

Councillors should observe the need for orderly council meetings and that council needs to "speak as one voice" in the public arena once a decision has been made.

Who Does What: School Council or Principal?

Understanding the functional split between school council activities and principal activities is critical for the effective functioning of council.

Functions	School Council activities	Principal activities
Strategic Planning	<ul style="list-style-type: none"> participates in the development of the school strategic plan approves the strategic plan which is then signed by the president monitors the progress of the school strategic plan against the goals 	<ul style="list-style-type: none"> leads the development of the strategic plan, consulting with the staff and the school community. signs the strategic plan, acknowledging responsibility for its implementation implements and monitors the school strategic plan
Finances/Budget	<ul style="list-style-type: none"> approves the annual budget ensures appropriate internal controls are in place monitors school expenditure approves requests to parents for voluntary school contributions approves and monitors investments 	<ul style="list-style-type: none"> leads the development of the annual budget manages the day to day financial running of the school ensures, with convener of the finance committee, appropriate financial reports are presented to council
Curriculum	<ul style="list-style-type: none"> develops the broad direction and vision for the school using guidelines provided by DET 	<ul style="list-style-type: none"> leads curriculum development and implementation determines teacher, subject and time allocations, timetable, class sizes and structures
Policies	<ul style="list-style-type: none"> develops, monitors, reviews and update policies 	<ul style="list-style-type: none"> implements policies endorsed by school council
Student Management	<ul style="list-style-type: none"> develops Student Engagement Policy and Student Dress Code consults with the school community before adopting changes to these policies 	<ul style="list-style-type: none"> implements these policies considers and, where appropriate, grants exemptions to dress code manages all matters of student wellbeing, discipline, academic progress
Staff Employment	<ul style="list-style-type: none"> recommends to the Secretary the appointment of a Principal 	<ul style="list-style-type: none"> all staffing decisions responsible (as delegate of the Secretary) for the employment of persons in the Teaching Service (including non-teaching staff). develops/maintain Work Force Plan

Functions	School Council activities	Principal activities
Staff Management (day to day basis)	<ul style="list-style-type: none"> • no role 	<ul style="list-style-type: none"> • responsible for all aspects of staff management such as: allocation of work, leave approval, performance, management, etc.
Buildings and Grounds	<ul style="list-style-type: none"> • allocates contract for school cleaning • enters contracts for building and grounds improvements (major works) 	<ul style="list-style-type: none"> • oversees maintenance on all facilities • monitors implementation of cleaning contract
School-community Relationships	<ul style="list-style-type: none"> • promotes the school to the wider community • works with school community to stimulate interest in the school 	<ul style="list-style-type: none"> • represents DET to the wider community • engages the school community and develops links with broader community

Role of the Principal

The principal has the overall responsibility for the education provided to the students and for the management of the school within Department guidelines and government policies. The principal leads the development of the broad direction, vision and strategic plan of the school. The school council is actively involved in this process. The principal has a leadership role and a clear set of accountabilities in relation to the operation of the school.

As Executive Officer of school council, the principal is responsible for:

- providing the school council with timely advice about educational and other matters
- reporting annually to the school council on the school's performance against its strategic plan
- making sure that decisions of school council are acted upon
- providing adequate support and resources for the conduct of council meetings
- communicating with the school council president about council business
- being an ex-officio member of all school council committees established by school council.

Role of School Council President

The role of the school council president is to:

- chair school council meetings
- ensure that at meetings everyone has a say and decisions are properly understood and well recorded
- be a signatory to accounts, contracts and the school strategic plan
- ensure council stays focused on improving student learning outcomes
- encourage participation in the work of the council and its sub-committees
- ensure that new council members receive appropriate induction
- act with the principal as the council's spokesperson and official representative on public occasions.

The school council president may also participate as an ex-officio member of all sub-committees established by school council.

Tips for effective school council meetings

What are the required meeting protocols?

- all members need to be listened to – you do not have to agree with all that is said but you do need to hear it and try to understand it
- keep to the issue under discussion
- keep the focus on improving learning outcomes for students
- all discussions should focus on the school council issues, not on individual people or their personalities
- one conversation at a time and give your full attention to the speaker
- council members need to make every effort to present information, opinions and feelings clearly and succinctly
- no question is too trivial. Ask questions to ensure you understand what is being said
- the opinions of all council members should be respected
- avoid using language that is not easily understood by everyone – this might include educational or Department jargon
- councillors represent the entire school community, not individuals or sections of the school community
- start and finish meetings on time.

How will we know if the meeting has been effective?

You will know that a council meeting has been effective when all councillors feel that:

- the meeting had a purpose
- they have a sense of accomplishment
- they contributed to the discussion
- they were valued by others
- creative ideas, alternatives, or solutions were generated
- they were able to share different points of view
- they are committed to the decisions made and the actions taken
- they look forward to working together again
- that decisions were focused on improved learning outcomes for students.

The Legislative Framework

School councils are governed by:

- Ministerial Order 1280
- Education and Training Reform Act 2006 (the Act)
- Education and Training Regulations Act 2007 (the Regulations)
- Public Administration Act 2004
- Kingsville Primary School School Council's Constituting Order and Standing Orders

Indemnity for School Council Members

School councillors are indemnified against any liability in respect of any loss or damage suffered by the council or any other person in respect of anything necessarily or reasonably done, or omitted to be done by the councillor in good faith in:

- the exercise of a power or the performance of a member's function
- the reasonable belief that the act or omission was in the exercise of the member's function or power.

Provided a school council member acts in accordance with the above paragraph and has not engaged in behaviour that would implicate the member in a criminal offence:

- the member will not be liable for the debts and liabilities of the school council
- the Department will assume responsibility, on the member's behalf, for the payment of all costs, including damages arising from any legal proceedings.

On the other hand, a school council is a corporate body, legally distinct from its members. It is liable for debts, actions, and decisions unless the Minister for Education or Secretary of the Department has agreed to accept liability on its behalf.

Resources and advice

The Department's School Council website provides a range of information on school councils, including roles and responsibilities, elections, operations and strategic planning and policy. Visit: www.education.vic.gov.au/management/governance/schoolcouncils

Schools can also access a range of services and advice through these school council organisations: Association of School Councils in Victoria (ASCIV) www.asciv.org.au and (03) 9808-2499 Victorian Council of School Organisations (VICCSO) www.viccsso.org.au and www.edu.org.au and (03) 9429-5900.

The State Services Authority (SSA) provides information on governance for public sector organisations. Visit: www.ssa.vic.gov.au

Policy Evaluation:

Review of Standing orders will be conducted every two years (or earlier as determined by the council) by the principal and the school council president in consultation with school council members and appropriate authorities.

The following information has been sourced from the DET website:

<http://www.education.vic.gov.au/management/governance/schoolcouncils/>

Along with "Making the Partnership Work". All Councillors are encouraged to read the complete documents at:

<http://www.education.vic.gov.au/Documents/school/principals/management/inductionph.pdf>

<http://www.education.vic.gov.au/Documents/school/principals/management/strategicpph.pdf>

<http://www.education.vic.gov.au/Documents/school/principals/management/financepartich.pdf>

<http://www.education.vic.gov.au/Documents/school/principals/management/policypartich.pdf>