



## UNINCORPORATED COUNCILS INFORMATION PACKAGE

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## 1. ROLES AND RESPONSIBILITIES OF COUNCILS

The functions of Councils are prescribed by the *School Education Act 1999* and the *School Education Regulations 2000* as follows:

### Take part in:

- establishing and reviewing from time to time, the school's objectives, priorities and general policy directions;<sup>1</sup>
- planning financial arrangements necessary to fund those objectives, priorities and directions;<sup>2</sup>
- evaluating the school's performance in achieving those objectives, priorities and directions;<sup>3</sup> and
- formulating codes of conduct for students at the school.<sup>4</sup>
- take part in the selection of, but not the appointment of, the school principal or any other member of the teaching staff if prior approval is given by the Regional Executive Director.<sup>5</sup>

### Approve of:

- a charge or contribution determined by the principal for the provision of materials, services and facilities;<sup>6</sup>
- the costs determined by the principal to be paid for participation in an extra cost optional component of the school's educational program;<sup>7</sup>
- the items determined by the principal to be supplied by a student for the student's personal use in the school's educational program;<sup>8</sup> and
- an agreement or arrangement for advertising or sponsorship in relation to a government school.<sup>9</sup>

<sup>1</sup> Section 128(a)(i) of the *School Education Act 1999*

<sup>2</sup> Including endorsing and reviewing the school's annual budget (the budget summarises the income received annually from the Department of Education and other sources; it also lists planned expenditure, including salaries). Budget is under section 5.1.4 of the Department of Education's *Financial Management in Schools Finance and Accounting* policy. Planning financial arrangements is section 128(a)(ii) of the *School Education Act 1999*

<sup>3</sup> Section 128(a)(iii) of the *School Education Act 1999*

<sup>4</sup> Section 128(c) of the *School Education Act 1999*

<sup>5</sup> Participation in selection processes by a representative of the Council is restricted to positions determined through local selection and will not include vacancies filled through the central transfer or placement process or the redeployment process regulated by the *Public Sector Management (Redeployment and Redundancy) Regulations 1994*. Section 129(2) of the *School Education Act 1999*

<sup>6</sup> Section 99(4) of the *School Education Act 1999*

<sup>7</sup> Section 100(3) of the *School Education Act 1999*

<sup>8</sup> Section 108(2) of the *School Education Act 1999*

<sup>9</sup> Section 216(5) of the *School Education Act 1999*



**Determine:**

- in consultation with students, their parents and staff of the school, a dress code for students when they are attending or representing the school.<sup>10</sup>

**Provide advice to the principal of the school:**

- on a general policy concerning the use in school activities of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education;<sup>11</sup> and
- on allowing time for the special religious education of students in the school, up to a total of 40 hours in a year.<sup>12</sup>

**Promote:**

- the school in the community.<sup>13</sup>

**The responsibilities of a Council are to:**

- comply with the Council's terms of reference, the Department of Education's *School Councils* policy, the *School Education Act 1999* and the *School Education Regulations 2000*;
- liaise with other committees within the school e.g. the Parents and Citizens' Association;
- hold an annual public meeting once in every calendar year that is open to the public. An annual report will be presented at the meeting to advise the school community of the performance of the Council in the last year; and
- hold meetings that are generally open to the public.

**A Council does not:**

- manage the day to day running of the school (for example, staff management, and student assignment to classes);
- discuss individual issues relating to teachers, staff or parents;
- represent specific interest groups, or permit special interests to dominate the agenda of the Council;
- intervene in the educational instruction of students;
- borrow money or obtain funds;
- purchase property; or
- performance manage the principal or any other Department of Education employee.

**Role of Council members**

- Parent members of Councils bring their experience as parents at the school, and the views and context of the wider school community.
- Community members may bring expertise such as business, or accounting skills that the Council is looking for at that time.
- Department of Education employees bring their educational expertise.

**References**

*School Education Act (1999)*

*School Education Regulations (2000)*

Department of Education (2004) *School Councils* policy

<sup>10</sup> Section 128(d) of the *School Education Act 1999*

<sup>11</sup> Section 70 of the *School Education Act 1999*

<sup>12</sup> Section 69(2) of the *School Education Act 1999*

<sup>13</sup> Section 128(b) of the *School Education Act 1999*



## 2. LEGAL FRAMEWORK OF COUNCILS

All public school Councils in Western Australia are regulated by the *School Education Act 1999*, *School Education Regulations 2000* and the individual Council's terms of reference.

The Act provides for membership:

- mandated parent representation (except where the majority of students are 18 years of age or over);
- mandated staff representation (the principal is automatically included);
- mandated general community representation;
- optional co-opted community and industry representation;
- student representation (15+ years for an unincorporated Council);
- where the school has a Parents and Citizens' Association (P&C), the association may nominate a representative to be considered for the parent or general community category of membership; and
- allocation of a member of another association in relation to the school or group of schools to which the school belongs.

The Act provides the means by which a Council is established and operates, including how members are elected or appointed and outlines the structure of a Council.

### NOTE:

- *Parents and members of the community must make up the majority of a Council's membership in schools where the majority of students at the school are under the age of 18.*
- *Students and members of the community must make up the majority of a Council's membership where the majority of students at the school are over the age of 18.*
- *A person who is a staff member of the school, and a parent or community member, may only be a member of the Council in his or her capacity as a staff member.*

An unincorporated Council may find it useful to develop a terms of reference that describes the purpose, the functions and limits to functions, the membership, the roles of office bearers, the elections, the meetings and proceedings, management of finances and contracts, disputes and mediation, cessation and termination of membership, and alteration of the terms of reference.

A standard terms of reference that may simplify the process for unincorporated Councils is attached to the Department of Education's [School Councils](#) policy on the *Policies* website.



## Legal liability

Section 137 of the *School Education Act 1999* provides protection against liability for members of unincorporated Councils where they have acted in good faith.

Unincorporated Councils:

- are covered for personal liability under the Department of Education's General Liability and Professional Liability insurance coverage with RiskCover, the Department's "insurer"<sup>14</sup>; and
- may be provided with legal advice by the Department of Education or the State Solicitors' Office.

## Further information

School Policy branch is available to provide policy advice on Councils, phone 9264 4680.

Department of Education – *School Councils* policy

<http://www.det.wa.edu.au/policies/detcms/policy-planning-and-accountability/policies-framework/policies/school-councils.en?oid=au.edu.wa.det.cms.contenttypes.Policy-id-6319749>

*School Education Act 1999*

[http://www.slp.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_878\\_homepage.html](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_878_homepage.html)

*School Education Regulations 2000*

[http://www.slp.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_2033\\_homepage.html](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_2033_homepage.html)

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<sup>14</sup> A Council member of an unincorporated Council would be covered, for example, for an injury that occurred while attending a Council meeting.



### 3. ESTABLISHING A COUNCIL

Public schools in Western Australia are required to have a Council.

Schools establishing a Council may wish to refer to:

- Roles and responsibilities of Councils
- Legal framework of Councils
- Public sector functions for unincorporated Councils
- Role of the chair of an unincorporated Council
- Role of the principal of an unincorporated Council
- Role of the secretary of an unincorporated Council
- New member induction
- Code of conduct for Council members
- Sample minutes template
- Sample agenda template
- Sample survey of Council effectiveness
- PowerPoint Effective Councils
- PowerPoint Roles and Responsibilities of an unincorporated Council

#### *Suggestions for establishing Councils*

##### *Step 1: Parent and school community information session*

Invite interested people in the school community to attend a parent and community information session. At the information session:

- Provide information on the roles and responsibilities of Councils. A PowerPoint presentation has been developed for this purpose that can be obtained by phoning the School Policy Branch on 9264 4680.
- Circulate nomination forms for membership of the Council.
- Discuss how membership of the Council will represent the best interests of the students and the school community.

##### *Step 2: Preparing a draft terms of reference*

It is useful for a Council to develop a terms of reference which specifies the size of the membership (and configuration), objectives and functions of the Council, accountability requirements, role of the chair and rules of operation.

Councils need to comply with the relevant provisions of the *School Education Act 1999* and the *School Education Regulations 2000* and a terms of reference can make this easier for members to understand.

The Model Terms of Reference provided by the Department of Education meets the requirements of the legislation and can be found in the Department of Education's [School Councils](#) policy on the *Policies* website.



*Step 3: School Policy branch will provide advice on the draft terms of reference.*

School Policy branch will provide advice on whether the draft terms of reference complies with the legislation.

*Step 4: Appointment or election of members to the Council*

The principal seeks nominations for membership of the Council.

The principal may appoint parents, students, staff and community members to the appropriate category of membership of the Council if there is only one nominee for each position.

Where nominations for Council membership exceed the number of positions, the principal conducts an election.

For more details on the categories of membership, see the Membership information sheet.

*Step 5: The first Council meeting*

At the first meeting the Council will:

- consider the model terms of reference and any provisional decisions if necessary;
- seek agreement on the terms of reference from the Council;
- provide an induction pack for the new members and background information on their new roles;
- appoint a chairperson and secretary to manage the affairs of the Council; and
- set the agenda for the upcoming issues the Council needs to consider.

*Step 6: Additions or alterations to the terms of reference*

If the Council proposes to add to or alter the terms of reference, School Policy branch will provide advice on complying with the legislation.

For enquiries about establishing a Council:

School Policy branch  
Department of Education  
Phone 9264 4680



## 4. MEMBERSHIP OF COUNCILS

Section 127 of the *School Education Act 1999* specifies the membership categories as:

- parents / adult students;
- members of the general community;
- staff of the school (in addition to the principal who is automatically a member); and
- students 15 years and over.

A Council seeks to be representative of the school community. In determining the composition (or the balance between categories), regard should be given to the nature of the student population of the school and the social, cultural, lingual, economic or geographic factors that may be relevant to the school.

Parents (or where relevant students) and community members must form the majority of the Council.

The number of members of the Council must be at least 5 and not more than 15.

The principal of the school will invite nominations from all persons in each membership category to fill vacancies in the Council membership. (See the Nominations and Elections information sheet.)

### *Parent / Student Category of Membership*

- Primary school Councils have parent members to represent the students and families enrolled at the school.
- Secondary school Councils may have both parents and students aged 15 years and over, or who will reach 15 years during the calendar year.
- Where the school has a majority of students who are adults (such as senior colleges) membership is drawn from students at the school, but no student under 18 years of age can be a member of an incorporated Council.
- There must always be at least one parent / student member.

People who are eligible to nominate for a category are also eligible to vote for that category. That is, only parents vote for the parent members, only students vote for the student members.

### *Community Category of Membership*

Any member of the community considered to have suitable qualifications or experience is eligible to be placed on the list of nominees for the community category of membership.

There will not be an election to appoint community members. The Council may appoint suitably qualified persons from the list of nominees by vote in a meeting.

### *Staff Category of Membership*

The principal is automatically a member of the Council.

Staff\* employed at the school are eligible to be staff members on the Council.

All staff employed at the school are eligible to vote for staff members.

Staff who are also parents or community members may only serve on the Council in their capacity as Department of Education employees.





\*a person listed on the school's staffing list. NB: A relief teacher who occasionally works at the school on a casual basis (paid hourly) will not appear on the school's staffing list.

If a person who has a child enrolled at the school, who is also a relief teacher for the school, wishes to nominate for a parent position on the council they should discuss their individual situation with the Principal prior to nominating. Some issues that could be considered include whether the person works regularly at the school/is likely to act in a position, any potential for conflict of interest and the effect on the current composition of the council, given that parents and community members must form a majority of members.

Both the parent/teacher and the Principal should be satisfied that there are no issues that are likely to impact on the person's ability to represent the parent perspective before proceeding with a nomination.

### *Co-opted Members*

The Council may co-opt a member of the local community to be a member of the Council for a specified time period, or in relation to such matters, as determined by the Council where that person's experience, skills or qualifications would enable him or her to make a contribution to the Council's functions.

There will not be an election to appoint co-opted members. The Council may appoint suitably qualified persons from the list of nominees by vote in a meeting.

A co-opted member is not entitled to a vote, and is not a full member of the Council.

A co-opted member is appointed to the Council for a specific purpose or project. The term of the co-opted member is determined by the length of the project.



## 5. PUBLIC SECTOR FUNCTIONS FOR UNINCORPORATED COUNCILS

The functions and governance of Councils are mandated in the *School Education Act 1999*, and the *School Education Regulations 2000*. Public sector functions are provided below.

### DIRECTOR GENERAL

The Director General has delegated certain duties in relation to the governance of Councils to the Deputy Director General, Schools and Regional Executive Directors (for non-IPS schools).

#### *Staff Selection*

The Council may apply to the Director General or delegate\* to take part in the selection of, but not the appointment of, the school principal or any other member of the teaching staff.<sup>15</sup>

#### *Directions may be given to the Council*

The Council may be given directions in writing by the Director General or delegate\* with respect to the performance of its functions, either generally or in relation to a particular matter.<sup>16</sup>

#### *Elections*

The principal may be given directions by the Director General in relation to the conduct of elections.<sup>17</sup>

The Director General may inquire into any matter affecting an election or appointment of the Council.

If an irregularity has occurred the Director General may:

- declare the results of an election or appointment invalid; or
- order an election or appointment; or
- order a new election or appointment to be conducted.<sup>18</sup>

#### *Joint Councils*

A Council may operate for two or more schools jointly.<sup>19</sup>

The Deputy Director General, Schools will determine:

- the number of members of a joint Council;<sup>20</sup> and
- the composition of a joint Council.<sup>21</sup>

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\* Where the school is not an independent public school, the Director General's delegate is the Regional Executive Director

<sup>15</sup> Section 129(2) of the *School Education Act 1999*

<sup>16</sup> Section 135(1)(2) of the *School Education Act 1999*

<sup>17</sup> Regulation 108(3) of the *School Education Regulations 2000*

<sup>18</sup> Regulation 108(4) of the *School Education Regulations 2000*

<sup>19</sup> Section 125(2) of the *School Education Act 1999*

<sup>20</sup> Regulation 106(1)(c) of the *School Education Regulations 2000*

<sup>21</sup> Regulation 107(4) of the *School Education Regulations 2000*



### *Termination of Membership*

The Director General may remove a member of the Council if continuation would be detrimental to the interests of the Council.<sup>22</sup>

### *School Policy branch*

School Policy branch will provide advice to the Council on its' terms of reference. A Council's terms of reference needs to comply with the provisions of the *School Education Act 1999*, and the *School Education Regulations 2000*. The *Model Terms of Reference* provided within the [School Councils](#) policy complies with these provisions.

## MINISTER FOR EDUCATION

The Minister for Education may dismiss an unincorporated Council that is not performing its legislatively required functions.

### *Dismissal of Councils*

A Council may be dismissed if its conduct is:

- in breach of the *School Education Act 1999*; or
- incompetent, inadequate, or improper.<sup>23</sup>

The Minister will advise the Council by written notice, stating:

- the particulars of the allegations against it; and
- requiring that the situation be remedied within the time specified in the notice.<sup>24</sup>

If the Minister is not satisfied the Council has complied with the notice, the Minister may, by order of the *Government Gazette*, dismiss the Council.<sup>25</sup>

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<sup>22</sup> Regulation 111(2) of the *School Education Regulations 2000*

<sup>23</sup> Section 138(2) of the *School Education Act 1999*

<sup>24</sup> Section 138(2) of the *School Education Act 1999*

<sup>25</sup> Section 138(3) of the *School Education Act 1999*



## **6. ROLE OF THE CHAIRPERSON OF AN UNINCORPORATED COUNCIL**

The chairperson leads the Council.

The role of the chairperson is to:

- chair and convene Council meetings;<sup>26</sup>
- provide leadership to the Council;
- manage the business of the Council;
- declare the result of decisions and motions;
- uphold Council decisions;
- work in partnership with the Principal;
- ensure the Council stays focused on supporting the school to achieve the best outcomes for students;
- prepare and present an annual report to members and the school community at annual public meetings;<sup>27</sup>
- comply with any directions of the Council in relation to the venue and time of meeting and giving notice of the meeting;<sup>28</sup>
- resolve disputes as required;
- facilitate mediation meetings as required; and
- represent the school in the community and formal functions.

The Council chairperson may also participate as an ex officio member of all sub-committees established by the Council.

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<sup>26</sup> Regulation 115(2) of the *School Education Regulations 2000*

<sup>27</sup> Regulation 117(c) of the *School Education Regulations 2000*

<sup>28</sup> Regulation 115(2) of the *School Education Regulations 2000*



## Chairing meetings

The Council chairperson effectively leads meetings. This entails:

- preparing the agenda and relevant papers with the principal;
- ensuring meetings are run efficiently and achieve their purpose;
- ensuring all members have the opportunity to be heard;
- ensuring the meeting focuses on whole of school outcomes rather than personal affairs;
- ensuring the minutes from the previous meeting are confirmed as accurate and signing and dating those minutes;
- starting and finishing meetings on time;
- notifying the Council of any apologies received;
- tabling all correspondence, in and out; and
- facilitating the resolution of any conflict.

## Who can be a chairperson?

The chairperson is elected by, and from, the Council's membership.<sup>29</sup>

### Reference

Department of Education and Early Childhood Development Victoria (2009) *Making the Partnership Work* (Used with permission).

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<sup>29</sup> Section 127(6) of the *School Education Act 1999*



## 7. ROLE OF THE PRINCIPAL OF AN UNINCORPORATED COUNCIL

The principal is automatically a member of the Council. The principal's role as school leader is to manage the administration of the school, the staff of the school and the educational instruction of students.

The role of the principal on the Council is to:

- provide advice and guidance to the Council in relation to legislative requirements and school policy;
- submit the school's annual budget to the Council for endorsement;<sup>30</sup>
- invite nominations to fill vacancies in the Council membership;<sup>31</sup>
- conduct elections;<sup>32</sup>
- assist in identifying appropriate general community representatives to be placed on the list of nominees;
- provide the Council with support services;<sup>33</sup> and
- represent the Department of Education.

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<sup>30</sup> Section 5.1.4 of the Department's *Financial Management in Schools Finance and Accounting* policy

<sup>31</sup> Regulation 108(1) of the *School Education Regulations 2000*

<sup>32</sup> Regulation 108(2)(a)(c)(d) of the *School Education Regulations 2000*

<sup>33</sup> Section 134 of the *School Education Act 1999*



## 8. ROLE OF THE SECRETARY OF AN UNINCORPORATED COUNCIL

Where there is such a position, the secretary manages the administration affairs of the Council.

The role of the secretary is to:

- co-ordinate the correspondence of the Council;
- ensure that full and correct minutes of the meetings and proceedings of the Council are kept in a minute book and are signed by the chairperson after every meeting;
- serve formal notice to Council members and the community, at the direction of the chairperson, in advance of:
  - ordinary, special and annual public meetings; and
  - motions;
- keep and maintain in an up to date condition a register of the members of the Council and their postal and residential addresses;\*
- keep a list of nominees of members of the general community that may be appointed to the Council in the category of general community membership;<sup>34</sup>
- keep and maintain the terms of reference (if applicable), and have copies of the terms of reference available to all members;
- ensure every member has access to inspect the records and documents of the Council;
- have custody of all books, documents, records and registers of the Council;\*\* and
- have custody of all other records held by the Council.

*Note:*

*\*Secretaries may also wish to keep a register of members of the Council with up to date names, residential addresses, phone numbers and email addresses. Please note that it is advisable to obtain consent first, as Councils may be in breach of the (Commonwealth) Privacy Act 1988 by keeping phone numbers on the register.*

*\*\*It may be useful to have two custodians of the records and documents of the Council, in the event that the first custodian is unavailable.*

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<sup>34</sup> Regulation 108(2)(b) of the *School Education Regulations 2000*



## 9. JOINT COUNCILS

Schools may apply to have one Council that operates jointly for two or more schools.

### Step 1

Submit application to form a joint Council to the Deputy Director General, Schools. The form is available in Appendix E of the [School Councils](#) policy.

A statement will need to be attached that outlines:

- how a joint Council will benefit the students and the schools concerned;
- the consultation that has occurred between the school communities; and
- the composition, number of members and their terms of office.

The principal and a Council member from each school will need to sign the application form.

One of the principals must be nominated on the application form for purposes relating to the filling of Council vacancies and the conduct of elections.

### Step 2

If the application request is approved by the Deputy Director General, Schools it will be forwarded to the Minister for Education. The *School Education Act 1999* states that the Minister for Education must give approval for joining Councils and once approved, publish notice of the joint Council in the *Government Gazette*.<sup>35</sup>

### Step 3

Once schools have been notified of approval, follow the process outlined in the Establishing Councils information sheet.

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<sup>35</sup> Section 126(1)(b) of the *School Education Act 1999*





## 10. NEW MEMBER INDUCTION

Induction ensures new Council members are suitably prepared to fulfil the role by providing information, familiarisation and socialisation.

A typical induction covers the following:

### Information about the school

- glossary of common terms and acronyms;
- the school plan;
- organisational structure;
- the role of key stakeholders;
- relevant school policies;
- reporting requirements; and
- compliance obligations.

### Information about the Department of Education

- relevant Department of Education policies (i.e. *School Councils* policy (<http://det.wa.edu.au/policies/detcms/policy-planning-and-accountability/policies-framework/policies/school-councils.en?oid=au.edu.wa.det.cms.contenttypes.Policy-id-6319749>));
- Department of Education's Strategic Plan (<http://www.det.wa.edu.au/policies/detcms/policy-planning-and-accountability/policies-framework/strategic-documents/strategic-plan-2007-2009.en?oid=com.arsdigita.cms.contenttypes.FileStorageItem-id-4079198>);
- recent trends and issues; and
- online resources and support available: (<http://www.det.wa.edu.au/independentpublicschools/detcms/navigation/information-for-parents-and-communities/school-boards/?oid=MultiPartArticle-id-10645576>).

### Information about the Council

- role of the Council (including the terms of reference, code of conduct and meeting protocols);
- legal obligations of a Council member;
- role of the principal;
- Council structure (including committees);
- Council procedures;
- minutes from recent Council meetings;
- procedures for managing conflicts of interests;
- Council annual calendar of activities; and
- register of members (contact information for other Council members).



It may be beneficial to:

- provide information in a written pack; or through a secure on-line facility;
- invite experienced Council members, including those from neighbouring schools to act as mentors;
- meet with the chairperson;
- conduct briefing sessions with individual Council members;
- provide access to the on-line information sheets produced by the Department of Education; and
- arrange formal meetings with staff and other Council members.



## 11. CODE OF CONDUCT FOR COUNCIL MEMBERS

*The following suggestions are a guide only for schools developing a Council Code of Conduct or Council Protocols.*

- The primary consideration is that the school's values are in the best interests of students.
- A Council abides by all the relevant legislation and industrial agreements.
- A Council is accountable to both its local school community and the Director General or delegate<sup>36</sup>.
- A Council encourages members to behave in a civil and respectful manner, avoiding discrimination, harassment and bullying.
- The underlying principles of a Council's code of conduct include the promotion of:
  - **respectful** partnerships;
  - clear and **honest** two-way communication;
  - **transparent** processes;
  - **democratic**, informed decision making; and
  - personal and professional **integrity**.
- Conflict between Council members is dealt with respectfully and fairly and in a manner that reflects the principles of natural justice.
- Council members declare any conflicts of interest when they arise. Council members who have declared a conflict of interest are not entitled to vote on that issue.
- Council members are expected to represent the school community. Members do not represent one viewpoint or the view of an individual. Council members therefore regularly seek the views and opinions of the whole school community, especially when policies are being developed.
- Council members respect the need for confidentiality and privacy with regard to sensitive matters that might arise at council meetings, especially where there are matters of a personal nature relating to staff, students or parents.
- The Council is not an appropriate forum for the discussion of individual school staff, students, parents or other members of the school community.
- A Council member who is approached by a parent with a concern relating to an individual is in a privileged position and is expected to 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 classroom teacher. If the issue

<sup>36</sup> Where the school is not an independent public school, the Director General's delegate is the Regional Executive Director



relates to a school policy or procedure, it is put on the agenda and approached in a generic sense to protect the privacy of individuals involved.

- The Council “speaks as one voice” in the public arena once a decision has been made.
- Council members actively participate in sub-committees and meetings as the need arises.
- If members are unable to attend a meeting, they are requested to submit an apology before the meeting.

**Reference**

Department of Education and Early Childhood Development Victoria (2009) *Making the Partnership Work* (Used with permission).



## 12. NOMINATIONS AND ELECTIONS

### Nominations

When a vacancy arises in the council the principal is to call for nominations from the whole school population for the relevant category of membership. For example, if there is a vacancy for a parent member, all parents are to be given the opportunity to nominate.

A person may nominate themselves.

Nominations use the school's prescribed nomination form and should include a short candidate profile.

### Eligibility of Voters and Nominees

If the number of nominations exceeds the number of positions then an election is to be held.

The membership categories that require an election if there are more than one nomination are:

- parents / adult students;
- staff of the school; and
- students 15 years and over.

People who are eligible to nominate for a category are also eligible to vote for that category. That is, only parents vote for the parent members, only students vote for the student members and only staff vote for the staff members.

Parents and Citizens Association (P&C) can nominate one of their members for either a parent or community member position. If the P&C nominates a parent member, that nomination is treated the same as any other parent nomination and is required to face an election (with all parents voting and all parent candidates considered, not just P&C members) if there are more nominations than positions.

### Casual Vacancies

The same process is to be undertaken for a casual vacancy as for any other vacancy however the person nominated / elected will only hold office for the remainder of the term of office which applied to the original office holder.

## PROCESS

The following process is a guideline only for a formal nomination and election process that would minimise the potential for disputes.

### Commencement Date and Close Date of Ballot

The principal determines the date of commencement of issuing ballot papers and the time and the close of the ballot with regard to:

- Time required to circulate to the school community and return ballot papers
- Time required to finalise the election.



### **Election Package**

The Election Package distributed to eligible voters contains:

- A ballot paper
- An envelope marked 'Ballot Paper'
- Any voting instructions
- Candidate profiles if available

### **The Ballot Paper**

The order of names of nominees for election that appear on the ballot paper is drawn by lot by the principal as soon as practicable following the close of nominations.

When the First Past the Post counting method is used, ballot papers are marked as follows:

- If only one office is to be filled at the election, an elector is to mark the ballot paper by placing a cross or tick in the box opposite the name of the nominee whom the elector wishes to elect.
- If two or more offices are to be filled at the election, an elector is to mark the ballot paper by placing a cross or tick in the box opposite the name of each candidate whom the elector wishes to elect, but is not to place ticks in more boxes than the number of offices to be filled.

### **Ballot Boxes**

The principal provides such ballot boxes as are necessary for the election at convenient places for use by voters (staff, students and/or parents as is relevant). Before a ballot box is used the principal ensures that it is empty and secure in such a way as to prevent anything being removed from the box.

### **The Count**

Votes are to be counted by the First Past the Post method as soon as practicable after the time of the close of the ballot and in the presence of at least one scrutineer. The scrutineer is appointed by the principal. If the principal is aware that the vote may be contentious, nominees may be permitted to also appoint scrutineers.

### **Declaration of the Result**

The result should be declared by the principal to the whole school population as soon as practicable after the votes have been counted.

**Nomination Form – Student Representative**

[Name of school]

### Nomination of a candidate for Student Representative on the School Council

We nominate the following student as a candidate for election as a Student Representative on the School Council.

*(Tick one box only)*

☐ year 10    ☐ year 11    ☐ year 12

Full name of the candidate:

**Candidate Profile:**

Name of nominator (a student)	Signature of nominator (a student)
1.	/ /

I/We agree to allow

to be a candidate in this election.

*(full name of candidate)*

Name of nominee's parent/s	Signature of parent/s
	/ /
	/ /

**Agreement of candidate**

I agree to be nominated as a candidate and if elected will accept the responsibility of being a student representative.

Signature of candidate:



***Nomination Form – Parent Representative***

[Name of school]

**Nomination of a candidate for  
Parent Representative on the School Council**

I wish to nominate myself as a candidate for election to the School Council.

Full name:

**Candidate Profile**

--

**Declaration of candidate**

I nominate myself as a candidate and if elected will accept the responsibility of being a parent representative.

Signature of candidate:

--

Date:    /    /



*Sample Ballot Paper*

(insert name) School Council

Election of Parent member

(insert name of school)  
School Council Elections 20XX  
**Parent Member of School Council**

Please cross or tick [*insert number*] box(es) to indicate your vote.

A  <input type="checkbox"/> Jane Smith	B  <input type="checkbox"/> Sarah Brown	C  <input type="checkbox"/> Andrew Smith	D  <input type="checkbox"/> Michael Brown
----------------------------------------------	-----------------------------------------------	------------------------------------------------	-------------------------------------------------



### 13. SAMPLE MINUTES TEMPLATE

<i>Minutes of meeting [insert date]</i>		
<b>ATTENDEES:</b> [Insert list of names and position title]		
1.0	Welcome and apologies	ACTIONS
1.1	Opening and welcome. <ul style="list-style-type: none"> <li>The meeting was opened by <i>[insert name of chair]</i> at <i>[insert time]</i>.</li> </ul>	
1.2	Apologies: <i>[List names and titles of apologies and absentees]</i>	
1.3	Confirmation of agenda. Insert decision/outcome. <i>[e.g. 'The Council confirmed the agenda'. Note any additions to the agenda.]</i>	
2.0	Disclosure of interest	
2.1	It is not anticipated that there would be many occasions when the agenda contains an item that would be subject to a conflict of interest. A general statement, <i>e.g.: 'The Council noted that there were no real, perceived or potential conflicts of interest experienced by any member in relation to the items on the Meeting No. xx agenda.'</i> If a conflict of interest is identified it should be recorded in a register of standing conflicts of interest, along with the actions taken to manage it. If the action involves a member leaving the meeting, a record of when they left and rejoined the meeting should be included in the minutes.	Note any further actions identified, including by whom, and by when. Update the register of standing conflicts of interest if new ongoing conflicts of interest were disclosed.
3.0	Minutes of previous meeting	
3.1	Review minutes of previous meeting. <i>[Insert name of chair]</i> presented to the Council the minutes of the <i>[insert date of previous Council meeting]</i> meeting for approval.  Insert decision/outcome. <i>[e.g. 'The Council endorsed the minutes of the previous meeting as complete and accurate'.]</i>	
3.2	Actions arising from the previous meeting  Insert decision/outcome. <i>[e.g. 'The Council noted the current status of the actions arising from the previous meeting, as presented in attachment xxx of the agenda'.]</i>	
4.0	Priority item A	
4.1	<i>Insert item description e.g. Dress Requirements for Students policy.</i> <ul style="list-style-type: none"> <li>Summarise the key considerations discussed in reaching a decision regarding this item, including any additional information presented at the meeting.</li> <li>Note any dissenting views.</li> </ul> Insert decision/outcome, <i>[e.g. 'The Council decided by consensus on option A for the Dress Requirements for Students policy'.]</i>	Note any actions identified, including by whom, and by when.
5.0	Priority item B	
5.1	<i>Insert item description e.g. Decision to close a meeting to the public.</i> <ul style="list-style-type: none"> <li>Summarise the key considerations discussed in reaching a decision regarding this item, including any additional information presented at the meeting.</li> <li>Note any dissenting views.</li> </ul> Insert decision/outcome, <i>[e.g. 'The Council decided by consensus to</i>	Note the reason the meeting is to be closed to the public.



	<i>close the next meeting to the public as the issues discussed will refer to a contract which may be entered into and relates to a matter to be discussed at the meeting']</i>	
<b>6.0</b>	<b>Priority item C</b>	
6.1	<p><i>[Insert item description e.g. Update on school plan]</i></p> <ul style="list-style-type: none"> <li>Summarise the key considerations discussed in reaching a decision regarding this item, including any additional information presented at the meeting.</li> <li>Note any dissenting views.</li> </ul> <p><i>Insert decision/outcome. [e.g.: 'The Council decided by voting five in favour, two against, to approve changes proposed as meeting the strategic initiatives of the school'.]</i></p>	Note any actions identified, including by whom, and by when.
6.2	<p><i>[Insert item description e.g. Budget considerations].</i></p> <ul style="list-style-type: none"> <li>Summarise the key considerations discussed in reaching a decision regarding this item, including any additional information presented at the meeting.</li> </ul> <p>Note any dissenting views.</p>	Note any actions identified, including by whom, and by when.
<b>7.0</b>	<b>Reports and operational matters</b>	
7.1	<p><i>[Insert report or item name e.g. Principal's Report, Report from Finance Committee, Report on Building Progress].</i></p> <ul style="list-style-type: none"> <li>Summarise the issues to be considered.</li> <li>Summarise the ensuing discussion by Council members, including questions raised.</li> </ul> <p><i>[Insert decision/outcome, for example: 'The Council noted the Finance report provided in attachment xxx.']</i></p>	Note any actions identified, including by whom, and by when.
<b>8.0</b>	<b>Other business</b>	
	<ul style="list-style-type: none"> <li>Record any items raised and decisions made, noted or endorsed.</li> <li>Summarise the key considerations discussed in reaching a decision regarding each item, including any additional information presented at the meeting.</li> <li>Note any dissenting views.</li> <li>Record the decision/outcome.</li> </ul>	Note any actions identified, including by whom, and by when.
<b>9.0</b>	<b>Next meeting</b>	
	The next meeting is scheduled for <i>[insert time, date and location]</i> .	Note any actions identified, including by whom, and by when.
<b>10.0</b>	<b>Roundtable evaluation of the meeting</b>	
	<ul style="list-style-type: none"> <li>Summarise comments.</li> </ul>	Note any actions identified, including by whom, and by when.
<b>11.0</b>	<b>Meeting close/adjournment/next meeting</b>	
	<p>The meeting was closed by <i>[insert name of chair]</i> at <i>[insert time]</i>.</p> <p>The next meeting will be at <i>[insert date, time and venue]</i>.</p>	

Signed (Chair)

Date:

For further information:

<http://www.publicsector.wa.gov.au/boardsandcommittees/Pages/Default.aspx>

**14. SAMPLE AGENDA TEMPLATE**

AGENDA FOR MEETING (insert date)				
TIME		Meeting location Meeting time and date	<b>Council to:</b> <i>Identify whether Council is to note, confirm or decide in relation to the item.</i>	<b>Who:</b> <i>Identify person to lead discussion on that item.</i>
<b>3.00pm</b>	<b>1.0</b>	<b>Welcome and apologies</b>		
	1.1	Opening and welcome		Chair
	1.2	Apologies/absentees <i>[Insert names and titles]</i>		Chair
	1.3	Confirmation of agenda		Chair
<b>3.05pm</b>	<b>2.0</b>	<b>Disclosure of interests</b>		
	2.1	Identify real, perceived or potential conflicts of interest experienced by any member in relation to the items on the agenda. These should be raised with the chair before the meeting to determine the appropriate way to manage the conflict.	[Note/ Decide]	Chair
<b>3.10pm</b>	<b>3.0</b>	<b>Minutes of previous meeting</b>		
	3.1	Review of previous meeting minutes <i>Refer to attachment xxx, Minutes of Meeting No. [Insert number].</i>	[Confirm]	Chair
	3.2	Actions arising <i>Refer to Meeting No. [insert number] Action List.</i> Review progress on actions arising from the previous meeting, including identifying any outstanding actions, date to be completed and who is responsible for ensuring completion.	[Note]	Chair
<b>3:20pm</b>	<b>4.0</b>	<b>Priority item A</b>		
	4.1	Item description  These items are likely to be of strategic significance. E.g. Council evaluation, policy endorsement or response to an emerging issue.  Recommendation: <i>[e.g. 'That the Council decides on a preferred option (A or B) for changes to the Dress Requirements for Students policy.']</i>	[Decide]	Chair



<b>3:50pm</b>	<b>5.0</b>	<b>Priority item B</b>		
	5.1	<p>Item description [Refer to attachment No xxx]</p> <p>Priority items may be key activities the Council is required to undertake to meet its legislative obligations or terms of reference such as providing advice on the school plan, project approvals or policy development.</p> <p>Recommendation: [e.g. 'That the Council approves the changes to the school plan as presented to the meeting'.]</p>	[Decide]	Chair
	5.2	<p>Item description [Refer to attachment No xxx...]</p> <p>Recommendation: [e.g. 'That the Council endorses the changes to the budget as a result of application Y as meeting the strategic initiatives of the school.']</p>	[Decide]	
<b>4:20pm</b>	<b>6.0</b>	<b>Reports and operational matters</b>		
	6.1	<p>Item description [Refer to attachment xxx e.g. Finance Report.] May include the Principal's Report, Finance Report or reports from any sub-committees or advisory committees.</p> <p>These items tend to be routine for information only, and discussion may be limited to questions arising from reports circulated with the agenda paper or a short verbal report provided at the meeting. Tabling written reports at meetings should be avoided.</p> <p>If a number of operational matters routinely appear on the agenda, it may be helpful to present and note/confirm these matters together as one item to save time.</p> <p>Recommendation: [e.g. 'That the Council notes the financial report.']</p>	[Note]	Principal, report author or Chair
<b>4:45pm</b>	<b>7.0</b>	<b>Other business</b>		
		Items not on the agenda can be raised for discussion (with the chair's permission).		Chair
<b>4:50pm</b>	<b>8.0</b>	<b>Next meeting</b>		
		Next meeting [insert date, time, location]	[Note]	Chair
<b>4:55pm</b>	<b>9.0</b>	<b>Roundtable evaluation</b>		
		It may be helpful to finish with the chair requesting a Council member to reflect briefly on how the meeting went or to summarise the decisions and actions resulting from the meeting.	[Note]	Chair
<b>5:00pm</b>	<b>10.0</b>	<b>Meeting close/adjournment/next meeting</b>		
				Chair



## 15. SAMPLE SURVEY OF COUNCIL EFFECTIVENESS

Council members are asked to complete this evaluation as one means of monitoring the effectiveness of the Council. Please place a circle around the number which best describes how you feel about each statement.

Statement	Ratings (please circle) 0 = Don't know 1 = Strongly disagree 5 = Strongly agree	Comments
The induction procedure adequately prepares new Council members for the role.	0 1 2 3 4 5	
Minutes/agendas/reports are received in time to thoroughly prepare for meetings.	0 1 2 3 4 5	
Minutes accurately reflect meeting outcomes.	0 1 2 3 4 5	
Meetings begin on time.	0 1 2 3 4 5	
Meetings end on time.	0 1 2 3 4 5	
Time is used effectively at Council meetings.	0 1 2 3 4 5	
Council meetings focus on important issues.	0 1 2 3 4 5	
The Council follows good decision making processes.	0 1 2 3 4 5	
The Council is actively involved in school planning and approvals.	0 1 2 3 4 5	
The Council monitors achievement against the school plan.	0 1 2 3 4 5	
All Council members are encouraged to participate in meetings.	0 1 2 3 4 5	
Council members support Council decisions outside the meeting.	0 1 2 3 4 5	
I understand the roles and responsibilities of the Council.	0 1 2 3 4 5	
I understand the data presented about the school's performance.	0 1 2 3 4 5	
Council members are able to express their opinions freely at meetings.	0 1 2 3 4 5	
There are no individual Council members who dominate discussions.	0 1 2 3 4 5	
The Council endorses the annual budget.	0 1 2 3 4 5	
My contribution to the work of the Council is valued.	0 1 2 3 4 5	
The chair and the principal have a respectful working relationship.	0 1 2 3 4 5	
We regularly discuss policies.	0 1 2 3 4 5	
I know enough about issues to participate effectively in discussions.	0 1 2 3 4 5	

### Reference

Department of Education and Early Childhood Development Victoria (2009) *Making the Partnership Work* (Used with permission)