



Standing Orders

Standing Orders are intended and designed to assist School Council to run their meetings in a productive and efficient manner. School Council may wish to develop local Standing Orders using this example as a template.

Purpose of School Council

1. School Council is the **legally** formed body that is given powers to set the key directions of a school
2. It is the major governing body of the school that, within DEECD guidelines, decides the future directions for the school and oversees the school's policies. Finances and strategic plan.

The legislative framework

School Council operate under a framework provided by the;

- *Education and Training Reform Act 2006 (the Act)*
- *Education and Training Regulations 2007 (the Regulations)*
- *Individual School's Constituting Order*
- *Subject to this framework, a School Council may regulate its own proceedings.*

School Council Membership

The Constituting Order of <school's name> states the composition of the Council is;

- <number> elected parent members, who represent more than one third of School Councillors
- <number> elected DEECD employee members. The Principal as the Executive Officer is included in this number.
- Up to <number> of community members. It should be noted that community membership is optional and that these positions are co-opted, not elected. DEECD employees are not eligible for co-option to this category. Co-opted members serve a two year term.
- Community members have the same voting rights as elected members
- If a member fails to attend three consecutive meetings without prior permission their position shall be deemed vacant and a replacement member found to fill this vacancy for the previous member's term of office.

Casual Vacancies

Should a casual vacancy occur on School Council/Board, this vacancy is filled by the School Council co-opting a person from the appropriate category who then completes the rest of the term of office of the retiring member.

Office Bearers

The Regulations requires there be at least two office bearers – the President and the Executive Officer

- The President is elected by all members of School Council and may not be a DEECD employee
- The position of Executive Officer is filled by the Principal
- The Vice President is elected by all members of School Council/Board. As the Vice President may need to Chair the meeting in the absence of the President, this position may not be filled by a DEECD parent member
- The Treasurer of the Finance Sub-Committee is appointed by School Council/Board. This position may not be held by a DEECD member and must not be filled by the office manager or bursar of the school
- SGAL recommends that the Minute Secretary is a person appointed to this role who

is not a member of School Council and is therefore a silent observer with no voting rights

Quorum

Two Quorums are required to hold a School Council meeting;

1. More than one half of School Councilmembers currently holding office must be present at the meeting
2. More than half the elected members present must not be DEECD employees

It is noted that any parent members on School Council who also work for the Department are counted as DEECD employees for the purpose of a quorum.

A member of the School Council may be present in person or by video conferencing or Teleconferencing with the prior approval of School Council. The councillor attending in such a way must be present for the whole meeting.

Voting

All School Councillors in attendance at the meeting must vote on every motion there is no option. No member may abstain from voting, if a member should refuse to vote they will be counted as a yes or affirmative vote.

The President has a deliberative and a casting vote if needed.

Tied Votes

When a vote is tied the President has the casting or deciding vote.

Proxies and Voting Procedures

Eligible members of School Council must be present at a meeting to be 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.

If the President is absent

In the absence of the President, the Vice President must Chair the School Council meeting. If neither the President nor Vice President is present, School Councillors must elect a member to Chair this meeting. This person must not be a DEECD employee.

School Council meetings

Unless otherwise decided, School Council meetings will be held twice a term on the *<number of the week>* – for example, third – *<day of the week>* – for example, Wednesday, from *<the outlined time>* - for example, 7 – 9pm.

If members are unable to attend a meeting, they are expected to send their apology prior to the meeting.

Annual Reporting Meeting

School Council must hold at least one public meeting each year to report to the school community on its activities and to present a statement of the school's income and expenditure for the previous calendar year.

Extraordinary Meetings

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

Open and closed meetings

While School Council meetings may be open to the school community, there may be times when the School Council meeting, or part thereof needs to be closed to protect Confidentiality, Privacy or for another valid reason. Should this occur, School Council will approve a motion to go into a "closed" session. School Council may then go back into

open session once the topic under discussion has been concluded.

Visitors and Observers

Visitors or observers may be present with the agreement of the School Council President, however, they must direct all their comments through the President. Visitors have no voting rights. The President will nominate a time period of approved time to speak to School Council.

Extensions of meeting times

If business has not been concluded by the scheduled closing time for the meeting, the President will seek from the School 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 (e.g. 30 minutes). A motion is necessary if School Council wants to extend the meeting for that evening.

Conflict of interest

If a School Councillors or a member of their family has a direct financial interest in a matter being considered before the School Council, that School Councillors:

1. Must declare the conflict of interest
2. Must not be present during the discussion
3. Must not be present when a vote is taken on the matter
4. May be included in the quorum for that meeting
5. All matters pertaining to the issue must be retained by School Council in confidence as required under the Privacy Act –
<http://www.privacy.vic.gov.au/privacy/web2.nsf/pages/information-privacy-principles>

Agenda and Minutes

The Agenda, Minutes from the previous meeting and any notes for the meeting, such as sub-committee minutes, President's Report, Principal's Report and Teacher's Report will be distributed to all School Councillors no less than one week before the meeting. Business arising from previous minutes and all sub-committee recommendations will be itemized in the agenda.

Minutes

Included in the minutes are the dates and times of the meeting, those present and apologies, and an overview of key discussions and decisions made. All decisions of School Council shall be recorded as motions including mover and seconder, whether carried or defeated with votes recorded.

When School Council minutes are submitted for confirmation, 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 chaired the meeting. Business arising from the minutes is dealt with under general business after the minutes have been confirmed.

A person does not have a right of access to the minutes of a School Council meeting or other documents or records of a School Council under the *Freedom of Information Act 2000*.

School Council Decisions

Decisions of <name> School Council will be by a majority of those eligible to vote and who are present at the meeting, where the majority are non DEECD members.

<Name> School Council will try to reach decisions by consensus but when that is not possible, a count will be taken with the number for and against recorded in the minutes. Voting will normally be by a show of hands, however, a Secret Ballot may be used if requested.

School Council Sub-Committees

Sub-committees assist School Council in all the work that needs to be done. They report regularly at School Council meetings, provide advice and make recommendations to School Council/Board, which has the final responsibility for decisions. Sub-committees cannot make decisions for School Council/Board.

All School Councillors are expected to play an active role in at least one sub-committee.

School Council Principles

The School Council and School Councillors will at all times behave in a civil and respectful manner and are determined as a Public Entity under *The Public Administration Act 2004*.

Confidentiality

All members must observe the required confidentiality of the role. Any indiscretion will forfeit the legal coverage provided by DEECD as not acting in 'good faith'. A statement will be issued to DEECD Legal Branch and the Secretary of DEECD should a breach be confirmed.

Public Administration Act - Director's Code of Conduct

As a Director and member of a Board of a Victorian Public Entity you must:

1. Act with **honesty and integrity**. Be open and transparent in your dealings; use power responsibly; do not place yourself in a position of conflict of interest; strive to earn and sustain public trust of a high level
2. Act in **good faith in the best interests of the public entity**. Demonstrate accountability for your actions; accept responsibility for your decisions; do not engage in activities that may bring you or the public entity into disrepute
3. Act **fairly and impartially**. Avoid bias, discrimination, caprice or self-interest; demonstrate respect for others by acting in a professional and courteous manner
4. **Use information appropriately**. Ensure information gained as a Director is only applied to proper purposes and is kept confidential
5. **Use your position appropriately**. Do not use your position as a Director to seek an undue advantage for yourself, family members or associates, or to cause detriment to the public entity; ensure that you decline gifts or favours that may cast doubt on your ability to apply independent judgement as a Director of the public entity
6. Act in a **financially responsible** manner. Understand financial reports, audit reports and other financial material that comes before the Board; actively inquire into this material.
7. Exercise **due care, diligence and skill**. Ascertain all relevant information; make reasonable enquiries; understand the financial, strategic and other implications of decisions
8. **Comply with the establishing legislation**, or its equivalent, for your public entity. Act within the powers and for the functions set out in your public entity's establishing legislation and/or ministerial charter
9. Demonstrate **leadership and stewardship**. Promote and support the application of the Victorian public sector values; act in accordance with the Directors' Code

Professional Advocacy

School Governance Australia is the oldest school organization in Australia, commencing its supporting role in April 1914. Should your School Council require any guidance, training or professional support please contact us.

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