

MAKING *the* PARTNERSHIP WORK

ROLES and
RESPONSIBILITIES



Department of
Education,
Employment and Training

MAKING
the
PARTNERSHIP
WORK

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RESPONSIBILITIES

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Foreword

I am pleased to provide school councillors with copies of *Making the Partnership Work: Roles and responsibilities*.

This booklet has undergone an extensive revision in consultation with the key stakeholder organisations. I would like to thank these organisations and personnel for their input.

I would like to congratulate all school councillors on their election or appointment to school council.

You, as school councillors, play a key role in the life of government schools in Victoria. You have a wide range of roles and responsibilities that includes:

- determining the general educational policy of the school
- developing the school charter
- reporting annually to the school community
- approving and monitoring the school budget
- developing the student code of conduct, and
- generally stimulating interest in the school.

School council is therefore the body that sets the vision, determines priorities, and ensures that the school is responsive to the needs of the local community.

The principal, as the executive officer of council, and other school staff are available to provide advice and assistance to you to carry out your roles.

2001 is the International Year of Volunteers. School councillors give of their expertise and time and the contributions of many volunteers, such as school councillors, is being acknowledged this year. I would like to thank all school councillors for your willingness to take on this role and the support you provide to public education in Victoria.

Sources of further information to assist school councillors are included throughout this booklet. In addition, information about school councils is available on SOFWeb, the Department's internet site at, <http://www.sofweb.vic.edu.au/scsb>

Michael White

Director of School Education



Contents

	Page
1. Introduction	7
2. Legal framework	8
3. Legal liability	10
4. An effective council—partnerships	11
Partnerships between members of school council	12
Partnerships between president and principal	13
Partnerships between school council and the wider community	13
Partnerships between school council and the Department of Education, Employment and Training	14
5. Contractual powers	15
Hiring equipment	16
Joint ventures in facilities	16
Standard contracts	17
Purchasing and tender requirements	17
Canteens	18
6. Roles and responsibilities	19
Educational policy	20
School charter, annual report and triennial review	21
School budget/finance	23
Principal appointment	24
Workforce planning	25
Student code of conduct	26
Student dress code	26
Excursions	27
7. Parent clubs and welfare clubs	28
8. Contacts	29
Department of Education, Employment and Training	29
Local networks	29
Associations	29

Appendices	30
Appendix 1. School council duties and contractual powers	30
Appendix 2. Roles in a partnership	34
Appendix 3. Principal's role and accountabilities	37
Role	37
Accountabilities	37
Education programs	38
Student support	38
School council	39
Planning, review and accountability	39
Parents	39
School organisation	40
Department of Education, Employment and Training representative	40
Personnel	40
Finance	41
Facilities	42
School community and the wider community	42
Appendix 4. School council proceedings	43
The first meeting	43
Election of office bearers	43
Quorum requirements	44
Decisions of council	44
Pecuniary interests	45
Number of meetings	45
Role of the principal	45
Presiding at meetings	45
Extraordinary meetings	45
Public reporting meeting	46
Appendix 5. Regional offices of the Department of Education, Employment and Training	47

1. Introduction

Making the Partnership Work: Roles and responsibilities has been prepared by the Department of Education, Employment and Training (the Department) to provide school councillors with an overview of their roles and responsibilities and the operations of school councils. In addition, cross-references to more detailed information are provided.

The main references are to the:

- *Education Act 1958* (the Act)
- Education Regulations 2000 (the Regulations)
- the consolidated constituting Order for school councils (upon which, in the vast majority of cases, an individual school council's constituting Order is based)
- *Principals' Guide to School Council Elections*, 2001, Department of Education, Employment and Training
- *Schools of the Future Reference Guide*, 1996, Department of Education (while this remains a major reference some of the information is now out of date).

2. Legal framework

All government schools in Victoria are governed by a school council. Each school council is a legal entity in its own right, a body corporate constituted under section 13 of the *Education Act 1958*.

A school council is, in the vast majority of cases, composed of three possible categories of membership:

- a mandated elected parent category
- a mandated elected Department of Education, Employment and Training (DEET) employee category (the principal of the school is automatically one of these members), and
- an optional community member category whose members are coopted by a decision of council because of their special skills, interests or experiences (a parent club representative and/or a student representative may be coopted to council in this category). DEET employees are not eligible for membership of this category.

A school council is regulated by the Education Act, in particular Part 1, Divisions 3 and 3a; the Education Regulations 2000 (Part 7 School Councils), and the individual school's constituting Order.

An example of a consolidated constituting Order can be found on SOFWeb, the Department's Internet site, at address:
<http://www.sofweb.vic.edu.au/scsb>

The constituting Order, which is an Order of the Governor-in-Council or the Minister for Education, specifies the school council membership size and configuration of the particular school council, and the rules that govern school council elections and membership. Part C of the constituting Order of all school councils contains additional powers granted to school councils and covers such areas as student dress code, child care programs, fund raising, and the hire and use of equipment.

Section 14a of the *Education Act 1958* states that the Minister may give directions or issue guidelines to a school council on the performance, discharge or exercise by it of its function, duties or powers, and that a council must comply with those directions or guidelines.

Except for the management of school plantations and the use of school grounds or buildings by an outside body, a school council may not delegate its powers or duties (for example, to a subcommittee) without the approval of the Minister (Education Regulations 2000, regulation 32 (1)).

It is intended that all school council decision making take place within a framework of legislated powers and Department policy and guidelines.

See also section 4 *An effective council—partnerships* (page 11).

3. *Legal liability*

The Crown must indemnify a school council member (or former member) 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 member in good faith:

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

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, and
- the Department will assume responsibility, on the member's behalf, for the payment of all costs, including damages arising from any legal proceedings.

Provisions of the Corporations Law do not apply to school councils and, consequently, the laws that in certain situations hold directors liable for the debts of companies do not apply to hold school council members liable for the debts of school councils.

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

See the *Victorian School News*, 31 March 1994, for guidelines issued to councils in April 1994, and the *Schools of the Future Reference Guide*, section 2.1.1.

The *Schools of the Future Reference Guide*, section 2.1.1 provides guidelines concerning the respective legal responsibilities of the state and individual school councils. These guidelines detail the various circumstances where a council can defend or initiate legal proceedings, and clearly stipulate the instances where the written consent of the Secretary is required before a school council may do so.

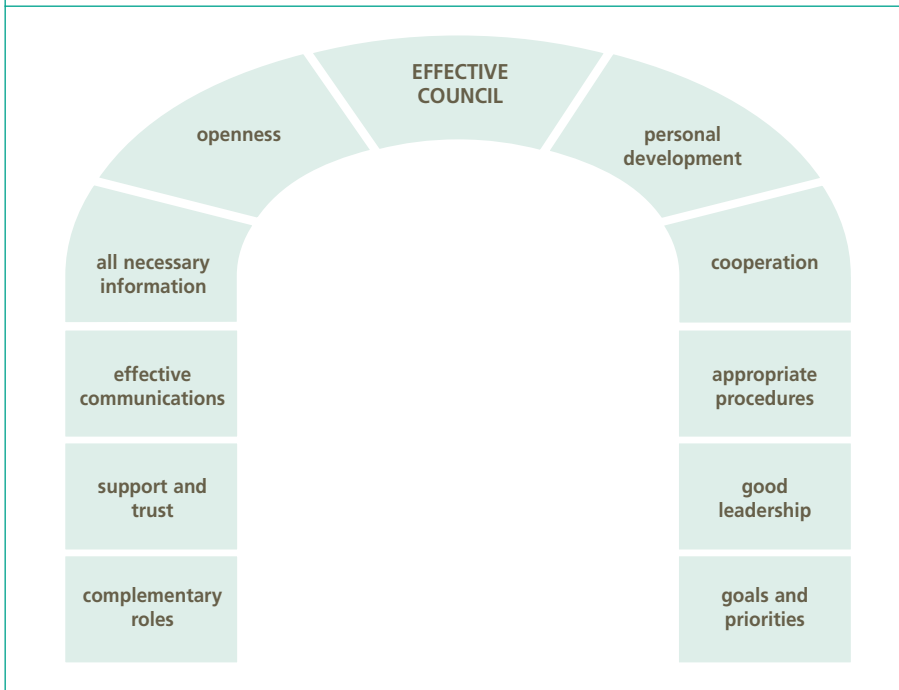
4. An effective council — partnerships

A council can be compared to an arch (see Figure 1). An effective council is held up by a series of building blocks based on the **goals and priorities** of the charter and the **complementary roles** of the councillors.

Other building blocks are **good leadership** from the principal and president and **appropriate procedures**, with a balance between formal meeting procedures and a friendly atmosphere of **cooperation**. Promoting the skills and knowledge of members through **personal development** is an investment that has good returns. On the other side is the **support and trust** that must exist between members, supported by **effective communications** with the provision of **all necessary information** creating an **open atmosphere**.

Figure 1. An effective school council

(adapted from UK periodical *Managing Schools Today*)



There are a number of crucial partnerships involving school council members. For any council to function effectively and efficiently there must be a good working relationship between the principal, the council president and all members of the school council based on mutual respect and trust and a shared vision for their school. Similarly, there are partnerships between the school council and the wider community, and between the school council and the Department.

One of council's significant roles is the development of policy. The principal is responsible for the implementation of policy, reporting back to council on the implementation of policy, and the daily operations of the school.

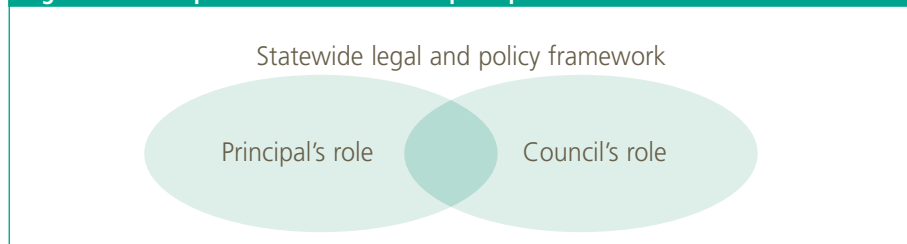
A policy should provide guidelines for achieving a clearly stated purpose. These guidelines, while not prescribing methods for achieving the end result, provide positive directions for administrators and teachers.

The policy should be sufficiently flexible to allow administrators and teachers to make interpretations in such a way as to adjust for changing conditions without making any basic change in policy.

Adapted from *The Self-Managing School*, Brian J Caldwell and Jim M Spinks, The Falmer Press, London, 1988, page 105.

Figure 2 shows that, in relation to the statewide legal and policy framework, there is an overlap between the roles of the principal and the school council. This overlap often centres on what is 'policy' and what is 'operations'. The best partnerships are not overly concerned with this demarcation. Instead, they concentrate on a positive relationship through open communication.

Figure 2. Overlap of school council and principal's role



A detailed explanation of council roles and responsibilities is provided later in this booklet in section 6 Roles and responsibilities (pages 19 to 27), and also in Appendix 2. Roles in a partnership (pages 34 to 36).

Partnership between members of school council

School councillors are part of a **team**. Their roles and responsibilities relate to the good of the **whole school** not just one section of it. The school council by law is a unit, a body corporate, thus decisions of the council must be of the group rather than of an individual.

Working as a team means:

- bringing more than one perspective to a discussion
- applying a range of skills and knowledge to a task
- the generation of more energy
- the increased motivation of individuals
- more ideas to work with
- more people to share the workload
- moderation of extreme views
- sharing of responsibility
- an occasional willingness to take risks.

Adapted from UK periodical *Managing Schools Today*.

Factions within a council will only harm the effectiveness of the council. All members must be acknowledged for the perspectives they bring to council, for example the Department members for their educational expertise, and parent members for their special skills in finance, human relations and, most importantly, their knowledge of students and the local community.

Partnership between president and principal

The president and principal must also be team players and have important leadership roles in ensuring that the school provides the best educational opportunities for its students. They must work together cooperatively and, where necessary, be prepared to acknowledge any personal differences to work in partnership for this common goal.

Partnership between school council and the wider community

On some matters council is required to seek community opinion, eg dress code and the school charter (see the *Schools of the Future Reference Guide*, section 4.8).

While the elected members of the school council are elected by separate electorates (parents elect parent members, DEET employees elect DEET employee members) they are nevertheless responsible to the total school community. Members therefore have a moral obligation, apart from any legal obligation, to consult with the school community and occasionally beyond the school community to the local community. This of course does not mean that council goes to the community about every decision, but that it needs to be aware of the school community's views.

Partnership between school council and the Department of Education, Employment and Training

Major Government directions and policy are in the main included in the *Education Act 1958*, *Education Regulations 2000*, and specific or general Orders of the Governor-in-Council or the Minister, and Ministerial guidelines and directions.

All government schools are bound by government legislation, policy, directions and guidelines. The directions given to schools are kept to a minimum with the preference being to issue guidelines for schools enabling them to make informed decisions. Nevertheless, there are some directions with which schools and school councils must comply.

For example, it is the responsibility of the school council to develop a student code of conduct consistent with Ministerial Order No. 2 and the *Education Regulations*. The council could not include the administration of corporal punishment as a sanction, as this is specifically excluded under Part 5 (regulation 23) of the *Regulations*.

The partnership between the school council and the Department is documented in the school charter.

See details in section 6. Roles and responsibilities (pages 19 to 27) and also in the *Schools of the Future Reference Guide*, section 5.2.

5. Contractual powers

When entering contracts, councils must at all times be conscious of the competition code.

See Executive Memorandum No. 96/019, dated 7 June 1996. For standard contract terms and conditions see the *Schools of the Future Reference Guide*, section 7.8.

Contractual powers are specified under the *Education Act 1958* and Governor-in-Council and Ministerial Orders. The powers are summarised below to give councillors an idea of their scope:

- grounds and buildings maintenance
- cleaning
- conduct certain activities for the local community
- allow others to use school premises
- provide meals and refreshments for staff or students of the school
- employ certain staff
- employ persons on behalf of a number of schools
- carry out building and other improvements
- conduct programs for students outside school hours
- purchase goods, equipment or materials for the purposes of the school
- hire equipment
- operate child care programs
- enter into agreements with the Transport Accident Commission
- enter into a contract for the supply of school uniforms
- establish trust funds
- supply services to other government schools
- operate preschools.

More details are provided in Appendix 1 (pages 30 to 33).

Hiring equipment

School council may only hire equipment if the terms of the contract to hire the equipment or a licence to use the equipment are consistent with an 'equipment agreement' as defined in the global constituting Order.

Note: 'Equipment agreement' means a contract to hire equipment or a licence to use equipment under which:

- (a) the school council has the right to use the equipment; and
- (b) there is no option, right or obligation on the school council or any other person to buy the equipment; and
- (c) at the end of the contract or licence the school council has to return the equipment to the other party to the contract or licence.

Constituting Order—clause 27.4 Hire or use of Equipment

In entering into an equipment agreement or licence the following issues need to be considered:

- length of the agreement
- type of agreement
- rights to terminate
- damages for breach
- who signs the agreement or licence (principal and/or school council president, as decided by school council)
- indemnities.

Joint ventures in facilities

A joint use agreement should be preceded by a joint development agreement and not be signed until the facility to be covered by the joint use agreement is constructed. Standard contracts are available and the relevant regional office's Facilities Unit should be contacted for assistance.

In 1999 school councils were granted power to provide preschool programs at the school. Schools have been advised of specific arrangements with regard to preschools.

See SOFWeb at <http://www.sofweb.vic.edu.au/scsb> for further information about preschools.

Standard contracts

The Department provides a number of standard contracts for use by school councils. The Department's Legal Services Branch is updating these standard contracts, which will be available via EduLibrary, and will cover:

- Deed of confidentiality, for example for student photographs etc
- Agreement for the supply of services such as personnel, student services, financial and administrative services and curriculum services
- Agreement for the supply of services such as maintenance and gardening
- General Licence Agreement—third party use of school premises
- Contract for the supply of uniforms by a uniform supplier
- Canteen Licence
- Cleaning Contract.

A school council may require a contractor to name the individuals who are to perform the service(s) in an agreement and the contractor must ensure that only those individuals perform the service(s).

Schools will be advised when the updated contracts are available.

In entering contracts, school councils must comply with Treasury guidelines for goods and services, and the requirements of the *Project Development and Construction Management Act 1994* for building, works and related services.

Purchasing and tendering requirements

See the *Victorian School News*, No. 19, 1997, page 19.

The following requirements apply to purchases of items with a total cost of:

- less than \$1,000: one verbal quote
- between \$1,000 and \$5,000: two verbal or written quotes
- between \$5,000 and \$15,000: two written quotes

- between \$15,000 and \$100,000: three written quotes
- exceeds \$100,000: public tender.

For contracts to undertake **building, construction and maintenance works** the following applies:

- \$15,000 or less: at least one written tender which is consistent with current market prices
- between \$15,000 and \$100,000: at least three written tenders
- in excess of \$100,000: by public tender or from at least three pre-qualified contractors.

For the supply of **related consultancy services** the following applies:

- \$15,000 or less: at least one written proposal which is consistent with current market prices
- in excess of \$15,000: by public advertisement or from at least three pre-qualified consultants.

The council should implement internal controls to ensure that, in relation to purchases/dealings involving members of the council, school staff and their immediate families, there is no conflict of interest. Pecuniary interest is dealt with in Appendix 4. School council proceedings (page 45).

Canteens

See also the *Schools of the Future Reference Guide*, section 7.14.

Where a canteen operates in a Victorian government school it is the responsibility of the school council. The council may either run the canteen itself or may permit a food service to be offered, under licence, by an outside body. Irrespective of which system is adopted, the school council should develop appropriate policies.

Circular 58/2000 Impact of the GST on school canteens, incorporates an attachment, GST Bulletin No. 4, which deals comprehensively with the different options available in school canteen operations after the implementation of the GST.

6. Roles and responsibilities

School councils have a number of roles and responsibilities arising out of their designated powers (see section 5, pages 15 to 18). In summary these roles and responsibilities are:

- determining the general educational policy, goals and priorities of the school within the framework of the school charter and statewide guidelines
- developing the school charter
- monitoring and evaluating the performance of the school in relation to the goals and priorities in the school charter, including participation in triennial review processes
- reporting annually to the school community and to the Department
- approving and monitoring the school budget (including school-generated funds) which needs to be consistent with the school charter
- ensuring that all monies coming into the hands of the council are expended for proper purposes
- making recommendations to the Secretary on the appointment of the school principal
- entering contracts for purposes consistent with the school charter
- developing the student code of conduct, which may include a student dress code
- employing non-teaching staff and any casual relief teachers or contracting for the provision of those services
- exercising a general oversight of the buildings and grounds and ensuring that they are kept in good order and condition
- providing for necessary cleaning and sanitation services
- generally stimulating interest in the school.

On the following pages, school council roles and responsibilities are considered in more detail. Some specific examples are included in Appendix 2 (pages 34 to 36).

Educational policy

In setting educational policy, school councils must work within Government legislation, policy and guidelines.

Schedule 2 of the *Education Act 1958* (amended in 1993) designates eight key learning areas as the basis for student instruction. They are: The Arts; English; Health and Physical Education (including Sport); Languages other than English (LOTE); Mathematics; Science; Studies of Society and Environment (SOSE); and Technology.

The Curriculum and Standards Framework II (CSFII), published in February 2000, together with the Victorian Certificate of Education (VCE) study designs, form statewide guidelines within which a school council develops its own curriculum policies.

Further guidelines are included in the Achievement Improvement Monitor (AIM) which consists of five major components: classroom assessment, homework guidelines, comprehensive reporting, learning improvement, and statewide testing. AIM is designed to provide parents, teachers and the school with information and improvement strategies in relation to student progress against the CSFII.

For further details see the Department publication, *CSF: Information for School Councils* (1999) and SOFweb at <http://www.sofweb.vic.edu.au/parents/csfinfo.htm>

School charter, annual report and triennial review

See the *Schools of the Future Reference Guide*, section 5.2, and the following Department publications that have been produced by the Accountability and Development Division:

- *Developing a School Charter*
- *How Good is our School?: School performance for school councillors*
- *School Annual Report Guidelines* (or where appropriate *Guidelines for Small School Annual Report*)
- *Guidelines for School Self Assessment*
- *Guidelines for Independent Verification of School Self Assessment.*

Copies of these publications may be downloaded from SOFWeb at <http://www.sofweb.vic.edu.au/a&d/index.htm>

School council has a significant role to play in ensuring that the requirements of the Department's Accountability Framework are met by the school. This role requires involvement at key points in the cycle, including the approval of the annual report, participation in the triennial review, and the approval and signing of the school charter, as well as the regular monitoring and evaluation of the performance of the school.

The school charter, the school annual reports and the triennial review are the tools that schools use to focus on improving their performance.

The charter is an understanding between the school council and the Secretary of the Department setting out the school's purpose and its educational goals. It is the key planning document for the school, guiding its operations over three years, and it establishes the way in which the school will evaluate its performance.

It is therefore essential that the council is fully involved in the development of the charter leading up to the passing of a school council resolution of approval and subsequent signing of the charter by the school council president.

The annual report outlines progress towards the attainment of the goals defined in the charter and is used as a basis for reporting to the Department and the school community. The compiling of the annual report is an opportunity for the council to review the school's work over the past year and to assess progress against the charter goals and priorities.

The triennial review is an evaluation of the performance of the school over the three years of the school charter.

The first stage in the triennial review is the preparation by the school of a self-assessment, which is an examination of key school performance data from the past three years in relation to the goals and priorities of the school. The most important set of data to be examined is student achievement but other essential data include student attendance, parent opinion about the school, staff opinion of school management practices, and retention and destination data in secondary schools. The school council should be involved in the analysis of this data and in formulating conclusions and recommendations for future action.

The second stage is verification, in which an independent verifier examines the self-assessment with a school team, which typically consists of the principal, assistant principal and/or curriculum coordinator and the school council president. Other interested staff and councillors may be involved. The outcome of this stage is a report containing recommendations on goals and priorities, which provide the basis for the new school charter.

As part of its role in monitoring and evaluating school performance, the council should receive regular reports on key performance data. These will assist councillors in developing an understanding of the increasingly important role that performance data is playing at both a school level and across the school system, and in ensuring that achieving successful outcomes for students continues to be the primary focus of school operations. However, where performance data enables the identification of individual school students, school councillors must regard such information as confidential.

The Department publication: [How Good is our School?: School performance for school councillors should assist councillors in the performance of this role.](#)

School budget/finance

School councils must ensure that:

- proper accounts and records of financial operations and the financial position and operation of the council are kept, and
- an adequate internal control system is maintained to promote operational efficiency and ensure adherence to statewide requirements.

Each year the school council should ensure that an annual budget statement is prepared, and that a statement of receipts and expenditure for the calendar year is audited. At each council meeting a report should be presented that summarises and seeks endorsement for receipts, payments and financial commitments made in relation to school accounts. A report should also be provided on progress against the school's budget plan.

Section 14(1)(e) of the *Education Act 1958* states that council must “ensure that all monies coming into the hands of the council are used for proper purposes.”

All cheques and negotiable instruments drawn on any account kept under the control of a school council must be signed by the principal and also by the president or a nominated signatory who is a member of school council nominated by council for the purpose.

Furthermore, all withdrawals or transfers out of any account kept under the control of the council, which are made by means other than a cheque or negotiable instrument (whether electronic or otherwise) must be authorised in writing by the principal and also by the president or a nominated signatory who is a member of school council nominated by the council for the purpose.

It is not appropriate for a business manager, registrar or bursar to be a signatory to school accounts, even if that person is a council member.

See also the *Schools of the Future Reference Guide*, sections 7.4 to 7.6.

School councils commonly receive the following financial reports:

- Official bank account, summary of all receipts and payments (CASES report Receipts and Payments Statement, number 166)
- Investment bank account balance (CASES report Trial Balance—level 1, number 165)
- Comparison between budget and actual receipts and actual payments (CASES report Annual Revenue Budget Summary and Annual Expenditure Budget Summary, numbers 181 and 182)
- List of payments to be ratified (CASES report Cash Payments Journal, number 164)
- List of accounts to be passed for payment (CASES report Outstanding Invoices, number 472)
- School global budget management report.

Principal appointment

The school council has responsibilities in relation to the selection of the principal.

In accordance with the *Teaching Service Act 1981* and Teaching Service Order No. 174, the school council is responsible, when a vacancy exists, for recommending to the Secretary a person as principal of the school.

The major tasks of the council are to:

- develop local selection criteria, based on statewide guidelines and the school charter
- establish a selection panel comprising:
 - the school council president or his or her nominee
 - a parent member of school council (or where no parent member is available, a community member)
 - a nominee of the Secretary, and
 - a teacher member of the school council (or where there is no available teacher member of the school council, a teacher employed at the school and selected by the teaching staff of the school), and

- consider the selection panel's report and then:
 - accept the selection panel ranking and refer the recommendation to the Secretary, or
 - refer the selection panel ranking back to the panel for further consideration, or
 - refer the matter to the Secretary in instances where:
 - the selection panel has reported to the council that there was no applicant suitable for appointment
 - the selection panel was unable to reach a majority decision, or
 - the council disagrees with the selection panel ranking.

See *Principal Selection Guidelines*, March 2000, Department of Education, Employment and Training for more detailed information.

Regional officers provide training for selection panel members.

Note: Council does not have the authority to recommend someone who was not recommended by the selection panel.

Workforce planning

For further details see the Department publication, *School Staffing Handbook* (2001).

While the principal is primarily responsible for the school's workforce management, the school council should be informed of staffing changes that will impact on the school global budget.

The school council is more directly involved with the employment of school services officers (SSOs) where it is directly the employer of some staff and the Secretary's delegate in respect of other staff.

Student code of conduct

See *Guidelines for Developing the Student Code of Conduct, 1994*, and the *Schools of the Future Reference Guide, section 4.7*.

School council is responsible for the development of the student code of conduct in accordance with the *Guidelines for Developing the Student Code of Conduct, 1994*, and for monitoring its implementation, evaluating its success and reporting to the school community and the Department.

The principal has responsibility for the implementation and enforcement of the code of conduct.

The code should be developed through a process of school community consultation conducted by the school council.

Student dress code

See the *Schools of the Future Reference Guide, section 4.8*.

School council has authority, arising from a Governor-in-Council Order, to develop and implement a student dress code, which may include any requirements or option for a uniform.

A dress code is a detailed written statement of the requirements that a school council holds regarding student appearance.

The development of, or amendment to, a dress code is the responsibility of school council in close consultation with its school community.

Excursions

General guidelines for the approval of excursions are found in the *Schools of the Future Reference Guide*, section 4.4.

Detailed Department policy and guidelines for specific adventure activities can be found in the *Safety in Outdoor Adventure Activities Series* booklets. These booklets include:

- *Safety Guidelines: Swimming Based Activities*, 2001
- *Safety Guidelines: Camping and Bush Activities*, 1998

These Safety Guidelines publications are available from the Camping Association of Victoria Inc (telephone 9457 5434), and the Australian Council for Health, Physical Education and Recreation (ACHPER) (telephone 9686 4611).

The school council is responsible for the approval of:

- overnight excursions
- camps
- interstate/overseas visits
- excursions requiring sea or air travel
- excursions involving weekends or vacations
- adventure activities.

It is Department policy that government schools that use camp sites within Victoria, whether school owned or otherwise, are expected to use only those sites accredited through the Australian Campsite Accreditation Program, *Camping with Confidence*.

Further information is available from the Camping Association of Victoria Inc (telephone 9457 5434).

7. Parent clubs and welfare clubs

Parent clubs have traditionally enhanced the participation of parents in the life of the school. A positive partnership between the school council and the parent club should be encouraged for the valuable contribution it can make to social and academic outcomes for students.

The Education Regulations 2000 cover the formation of a club, financial arrangements, fund raising and dissolution procedures. In addition, the *Schools of the Future Reference Guide* provides general guidelines for school community associations. In 1998 a model constitution was forwarded to schools.

References

Education Regulations 2000, Parts 8 and 9

Schools of the Future Reference Guide, section 2.7

Executive Memorandum No. 98/028, and

SOFWeb at <http://www.sofweb.vic.edu.au/scsb/index.htm>

When a parent club draws up a new constitution or updates an existing one, a draft constitution must be forwarded to the Government Schools Operations Division for Ministerial endorsement. Telephone 9637 2349 for further information about parent club constitutions.

Parent clubs are required to have their finances recorded on the CASES system. There are two options:

- as part of the school council's official account, or
- as separate accounts.

Parent clubs should make their decision following consultation with the school principal.

Advice and assistance for parent clubs is also available from:

Parents Victoria
112 Trennery Crescent
PO Box 380
Abbotsford Vic 3067
Telephone 9417 4140
Internet: www.parentsvictoria.asn.au

8. Contacts

Department of Education, Employment and Training

Central office

The Government Schools Operations Division is the central division with primary responsibility for school council policy. The division is located at:

33 St Andrews Place

East Melbourne

GPO Box 4367

Melbourne Vic 3001

Telephone 9637 2351

Fax 9637 2180

Internet:

<http://www.sofweb.vic.edu.au/scsb>

Regional offices

Each of the nine education regions has a senior officer with responsibility for school councils. A list of the regions is included at Appendix 5 (pages 47 and 48).

Local networks

Local school council networks are an invaluable source of information, training and support for school

councillors, particularly presidents.

Although not all areas have active networks, information about their location and activities can be obtained from the relevant regional office.

Associations

There are two organisations that provide valuable support targeted to school councillors. Both are independent of the Department. The organisations are:

Association of School Councils in Victoria (ASCIV)

PO Box 725

Richmond Vic 3121

Telephone 9427 0155

Fax 9427 0151

E-mail: asciv@gsat.edu.au

Internet: www.gsat.edu.au/~asciv

Victorian Council of School Organisations (VICCSO)

PO Box 550

Richmond Vic 3121

Telephone 9429 5900

Fax 9428 3306

E-mail: viccso@vicnet.net.au

Internet: www.vicnet.net.au/~viccso

Appendix 1.

School council duties and contractual powers

Duties of school council under the Education Act 1958

1. Determine the general educational policy of the school within the guidelines issued by the Minister, s14(1)(a).
2. Exercise a general oversight of the buildings and grounds and ensure that they are kept in good order and condition, s14(1)(b).
3. Make recommendations for the replacement, extension or alteration of any buildings or improvements to the buildings and grounds, s14(1)(c).
4. Provide for the necessary cleaning and sanitary services, s14(1)(d).
5. Ensure that all moneys coming into the hands of council are expended for proper purposes, s14(1)(e).
6. Endeavour to arrange suitable accommodation for teachers at the school, s14(1)(f).
7. Carry out any other prescribed duties, s14(1)(g).
8. Stimulate interest in the school, s14(1)(h).

Powers of school council under the *Education Act 1958*

9. Grounds and building maintenance, s14(1)(b).

Standard School Council Service Agreement for the supply of gardening, painting and maintenance services etc.

10. Cleaning and sanitary services, s14(1)(d).

Standard School Council cleaning contract.

11. Conduct educational, recreational or cultural activities for the local community, s15.

12. Allow others to use school premises, s15AA.

Standard School Council Licence Agreement.

13. Provide meals and refreshments to staff or students, s15A.

Standard School Council Canteen Licence Agreement.

14. Employ categories of staff, s15B.

15. Employ persons on behalf of a number of schools, s15B(2).

16. With Minister's approval carry out building and other improvements to the school, s15C (Minister has approved council works up to \$30,000).

Standard Department joint development/use agreements (for use also with s15AA).

17. A school council of a designated school may, subject to Ministerial Order No. 7, enter into contracts for provision of services to the school, s15N.

Ministerial Orders authorise school councils (except Sydney Road Community School) to enter contracts under s15N for the following services:

- personnel
- financial and administrative
- curriculum
- student.

Guidelines were issued in the *Victorian School News*, 18 July 1996.

See also the *Schools of the Future Reference Guide*, section 7.8.

Standard School Council Service Agreement for the supply of personnel, financial, administrative, curriculum and student services.

Powers under the constituting Order of a school council

18. Conduct any educational, recreational or cultural activity for students of the school outside school hours (cl 27.1).
19. Raise funds for school purposes by conducting local efforts or amusements (cl 27.2).
20. Accept gifts including real estate. (If a gift is encumbered or conditional, consent must be obtained from the Secretary, DEET, before acceptance.)
21. Purchase or maintain goods, equipment and material for the carrying out of its powers, duties or functions (requires Secretary's approval to purchase a vehicle (cl 27.3(1)(b)).
22. Hire (but not hire purchase) goods and products for use by the school (cl 27.4).
23. Subject to compliance with directions issued by the Secretary, purchase goods, equipment or material for the purposes of the school (cl 25).

24. Operate child care programs (cl 26).

Direction issued by the Secretary in the *Victorian School News*, 18 July 1996 and contains standard conditions of contract.

25. Enter agreements with the Transport Accident Commission (cl 28).
26. Determine a student dress code and enter into a contract with any person for the supply of school uniforms for students of the school (cl 24 (3)).

Standard uniform supplier agreement, sent to schools in May 1995.

27. Establish trust funds and act as trustees, (cl 32).

Standard Department trust kits for:

- new buildings
- building maintenance
- library.

Contact the Legal Services Branch (telephone 9637 3146) for a copy.

28. Supply or provide goods, services or facilities to other state schools or other educational institutions subject to compliance with any directions issued by the Secretary (cl 29).

Direction issued by the Secretary in the *Victorian School News*, 18 July 1996, and standard conditions of contract.

Appendix 2.

Roles in a partnership

The following table summarises the role of the council and the role of the principal in a number of areas.

All council members need to keep in mind that if demarcation becomes an issue, then it is time to think again about the nature of the partnership that exists on school council. Is there trust, mutual support and open communication between all members?

Responsibility	Council	Principal
Charter	Responsible for charter development. The president signs the charter following a resolution by the school council.	Plays a leadership role in charter development, consulting with staff and the school community. Signs charter, acknowledging responsibility for its implementation.
Curriculum	Decides on the broad curriculum policy of the school within Department policy and guidelines.	Develops the detail and oversees the implementation of the school's curriculum policy. Determines teacher subject and time allocations, timetable, class sizes and class structures.
Finances/ budget	Approves the budget ensuring that it reflects charter goals and priorities. Ensures that appropriate internal controls are in place. Monitors receipts and expenditure against the budget. As part of the overall budget, approves requests to parents for voluntary school contributions. Endorses the school's investment policy and reviews periodic investment reports.	Oversees the preparation of the budget (usually in conjunction with the council's finance committee). Authorises expenditure within the council approved budget. In conjunction with the treasurer, ensures appropriate financial reports are presented to council.

Responsibility	Council	Principal
Principal selection	<p>Develops key selection criteria within Department guidelines.</p> <p>Prepares descriptive material about the school for prospective applicants.</p> <p>Appoints two of the four members of the selection panel. (The third and fourth members are: a nominee of the Secretary; and a teacher member of school council or, where there is no available teacher member of school council, a teacher employed at the school and selected by the teaching staff of the school.)</p> <p>Makes a recommendation to the Secretary.</p>	No role
Principal contract renewal	<p>The council president, upon request from the Regional Director (RD), provides written advice to the RD on any factors that should be taken into account during contract renewal discussions between the RD and the principal.</p> <p>The council president tables any such advice at the next scheduled school council meeting after the advice has been provided.</p>	Engages in discussions with the Regional Director.
Assistant principal selection	<p>No formal role although the president or the president's nominee may be invited by the principal to be on the selection panel.</p>	<p>Identifies the vacancy, prepares role description and selection criteria.</p> <p>Ensures the selection is carried out in accordance with legislative and policy requirements.</p>
Teacher employment other than casual relief teachers (CRTs) employed for up to thirty days	<p>No prescribed role, although the president or the president's nominee may be invited by the principal to be on the selection panel.</p>	<p>Identifies the vacancy, prepares role description and selection criteria.</p> <p>Ensures the selection is carried out in accordance with legislative and policy requirements.</p>

Responsibility	Council	Principal
CRTs employed for up to thirty days	Approves budget allocation.	Identifies the vacancy. Ensures the selection is carried out in accordance with legislative and policy requirements.
Non-teaching staff employment	Approves position statement and, on recommendation of principal, approves the appointment of the person to fill the vacancy. Authorises the termination of a person's employment.	Identifies the vacancy and prepares role description and selection criteria for council's approval. Manages setting up of selection panel and ensures selection process proceeds in accordance with legislative and policy requirements. Makes a recommendation to council.
Teacher performance	No role If teacher performance is raised at a council meeting, or with a councillor, the matter should immediately be referred to the principal.	Ensures appropriate procedures are carried out for both the review and the complaints processes.
Student code of conduct and dress code	Develops both the student code of conduct and dress code within statewide policy and guidelines. Consults with the school community before adopting changes.	Implements these policies. Considers and, where appropriate, grants exemptions to dress code.
Buildings and grounds	Allocates contract for school cleaning. Enters contracts for building and grounds improvements.	Oversees maintenance on all facilities. Monitors implementation of cleaning contract. Oversees the process of hiring out of buildings and grounds (this task can be delegated to a school council subcommittee).

Appendix 3.

Principal's role and accountabilities

Role

The principal is accountable for the overall management and development of the school within statewide guidelines and Government policies.

At the same time, the principal, as executive officer of the school council, must ensure that adequate and appropriate advice is provided to the council on educational and other matters, that the decisions of the council are implemented and that adequate support and resources are provided for the conduct of council meetings.

The role of the principal is to lead and manage the planning, delivery, evaluation and improvement of the education of all students in a community through the deployment of resources provided by the Department of Education, Employment and Training and the school community.

Principals have a clear set of accountabilities in relation to the operation of the school.

The core accountabilities of all principals are to:

1. Ensure the delivery of a comprehensive education program to all students.
2. Be executive officer of the school council.
3. Establish and manage financial systems in accordance with the Department and school council requirements.
4. Represent the Director of Schools in the school and the local community.
5. Implement decisions of the school council.
6. Contribute to system-wide activities, including policy and strategic planning and development.
7. Manage and integrate the resources available to the school.
8. Appropriately involve staff, students and the community in the development, implementation and review of school policies, programs and operations.

9. Report to the Director of Schools, school community, parents and students on the achievements of the school and of individual students as appropriate.

Accountabilities

The following accountabilities describe the major educational and managerial functions for which the principal is directly accountable. It is understood that all the functions will not necessarily be carried out directly by the principal.

Education programs

- Develop a school curriculum plan that ensures all students have access to a high quality, comprehensive education appropriate to their individual needs.
- Manage the implementation and evaluation of the school's curriculum program.
- Ensure the regular review of the school's approaches to teaching and learning to incorporate current best practice and their appropriateness to the learning needs of all students.
- Develop, implement and regularly review school policy on assessment and reporting to provide students and parents with regular and comprehensive information on their children's learning achievements.
- Provide advice to students and parents on matters related to the education of students.

Student support

- Develop a school code of conduct for approval by the school council and ensure its effective implementation within the school.
- Plan, implement and monitor arrangements to ensure the safety, security and general wellbeing of all students in attendance at the school.
- Arrange for the provision of school-based and external student support services to meet the particular educational, social and physical needs of students.
- Create a learning environment that is challenging rewarding, pursues excellence, addresses the needs of students, and encourages students to take responsibility for their own learning.

School council

- Be the executive officer of the school council.
- Provide timely and professional advice to the school council on all educational issues, Department of Education, Employment and Training policy and guidelines, the operation of the school and council responsibilities.
- Develop appropriate policies for approval by the school council and manage their implementation within the school.
- Report annually to the school council on the school's performance against its charter.
- Ensure appropriate representation on all school council subcommittees.

Planning, review and accountability

- Lead and manage the development of the school charter, ensuring that it meets school community expectations, and negotiate its agreement and implementation with the Department of Education, Employment and Training.
- Ensure that appropriate systems and processes are in place to meet the accountability requirements of the Department of Education, Employment and Training.
- Manage a periodic cycle of review and evaluation of school performance and outcomes and establish relevant support planning processes.

Parents

- Ensure that parents are regularly provided with comprehensive information related to the operation of the school and associated matters related to the educational development of their children.
- Promote structures and processes designed to encourage a cooperative school–parent relationship and to facilitate the participation of parents in groups, school activities and consultation related to the education of their children.
- Ensure that all parents are aware of their rights and responsibilities in relation to the education of their children, and that those rights and responsibilities are reflected in the policies and practices of the school operation.

School organisation

- Develop structures and consultative processes to enable the appropriate involvement of staff, school council and parents in planning, policy and program development and review and school operations.
- Manage the establishment of administrative structures and procedures to ensure the efficient operation of the school on a day-to-day basis.
- Develop and implement a structure for the grouping and organisation of students to achieve appropriate learning outcomes for students.
- Arrange the school's timetable to achieve an optimal balance between teaching and learning methodologies, face-to-face contact hours, class sizes and available resources.

Department of Education, Employment and Training representative

- As the senior representative of the Department of Education, Employment and Training in the school community, represent the policies of the Department to the school council and community and interpret and implement these policies in a manner appropriate to the school.
- Provide advice to the Department of Education, Employment and Training on the views of school community members in relation to matters of Department policy and operation.
- Participate in the planning and management of education at district, regional and statewide levels as appropriate.

Personnel

- Select all staff in a manner which complies with merit and equity provisions and other Department of Education, Employment and Training guidelines.
- Manage the employment and working arrangements of all staff.
- Manage the overall deployment of a school's human resources, including decisions on staffing levels and mix, excess staff, and the allocation of responsibilities to staff.
- Determine the number and classification of promotional positions and select staff to fill these positions.

- Establish and maintain accurate staff records at the school.
- Ensure that all procedures comply with relevant Awards, Orders, Agreements and legislation.
- Plan and implement the school's staff appraisal and review program, in accordance with Department of Education, Employment and Training guidelines.
- Manage the development, implementation and monitoring of the school's professional development plan to increase the professional skills and knowledge of staff members and the achievement of the school's goals and objectives.
- Initiate appropriate processes in relation to staff whose work performance or actions are not of an appropriate standard.
- Ensure the provision of an appropriate induction program for new staff.
- Provide professional advice to staff on matters related to their individual role and responsibilities in the school, career development and employee rights and responsibilities.
- Manage the grievance review process and the resolution of complaints about staff of the school.
- Provide for school-based experience for trainee teachers with appropriate support structures.

Finance

- Manage the school's financial resources in a manner which ensures the achievement of the school's goals and that expenditure is within the school's approved budget.
- Develop and prepare budget submissions for approval by the school council.
- Provide a report on the performance of the school expenditure against budget to each meeting of the school council.
- Ensure that an audited financial statement is prepared and submitted annually to the Department of Education, Employment and Training and presented at the school council's annual reporting meeting to parents.

- Ensure the school operates to a balanced budget on a cash operating basis and that all liabilities and financial commitments are brought to account in the relevant year.

Facilities

- Ensure all facilities and equipment under the control of the school are appropriately maintained.
- Develop, implement and manage a plan for the development and general maintenance of school buildings and grounds.
- Arrange for the completion of minor works and routine maintenance of all school furniture, equipment, grounds, buildings and other resources.
- Maintain an assets register of all school furniture, equipment, buildings and other resources for audit and insurance purposes.
- Participate in the development of major capital works proposals to meet the school's future operational requirements.

School community and the wider community

- Represent the school in the local community on matters related to the school.
- Support the school council and parent groups in fund raising activities within the school and the wider community to provide resources which meet the expectations of the school community.

Appendix 4.

School council proceedings

The following procedures are required by the Education Regulations 2000, Part 7, Division 1, Proceedings.

The first meeting

Where the school's constituting Order provides for community members to be appointed to the council:

- (a) The principal must, as soon as practicable after the declaration of the poll for an election, call and preside at the first council meeting for the sole purpose of appointing the community members, and must thereafter call and preside at a second meeting of the elected and appointed members at which the election of office bearers shall take place.
- (b) The first council meeting may be adjourned to a date decided by the meeting if the purpose of appointing community members cannot be achieved. If upon resumption of the meeting the appointment of community members cannot be resolved, the council may proceed to the election of office bearers.

Where the constituting Order does not provide for community members to be appointed to the council, the principal must call and preside at the first council meeting at which the election of office bearers shall take place.

Election of office bearers

For the election of office bearers for the council:

- (a) the president may not be a Department employee;
- (b) if the votes in an election for an office bearer are tied, a new election must take place; and
- (c) if a further tie in the votes occurs, the election may be decided by the drawing of lots.

By resolution of the council, an office bearer may be removed from office (but not from membership of the council) provided that all members are notified of the motion to remove the office bearer not less than seven days prior to the meeting of the council at which the motion is to be put.

Quorum requirements

For the vast majority of schools, the quorum for a council meeting is constituted if:

- (a) not less than one half of the total members of the council are present (the term 'total members' means the maximum number of members that could be appointed to the council under its constituting order); and
- (b) a majority of the members present are not employees of the Department.

This quorum requirement does not apply to the first council meeting, called for the sole purpose of appointing the community members. At this meeting a quorum may comprise not less than one half of the members who are, at the time of the meeting, appointed to the council.

In a small number of special settings, where the school council's total membership need not comprise a majority of persons who are not employees of the Department, the quorum for a school council meeting is constituted if not less than one half of the maximum number of members that could be appointed to the school council are present.

Decisions of council

It should be noted that the number and category of council members who need to be present for council to make a decision are now exactly the same as those required to achieve a quorum. A decision of the majority of those members eligible to vote and present at any meeting of the council is the decision of the council.

The principal is a voting member of the school council. If votes are tied, the presiding member has a second or casting vote.

Members of school council must be physically present at a school council meeting in order to be counted in the quorum and take part in the meeting.

Pecuniary interests

If a member of the council or a member of his or her immediate family has any direct pecuniary interest in a matter under discussion at a council meeting, that member must not be present during discussions unless invited to attend by the council, nor be present when a vote is taken on the matter, but may be included in the quorum for that meeting.

Number of meetings

A council must meet at least twice in each school term unless authorised by the Minister to meet at least once each school term. The latter would only apply in exceptional circumstances.

Role of the principal

The principal is a voting member of the council and its executive officer. The principal must ensure that:

- (a) adequate advice is given to the council on educational and other matters;
- (b) the decisions of the council are implemented; and
- (c) adequate support and resources are provided for the conduct of council meetings.

Presiding at meetings

If the president is unable to preside at a council meeting, a member of the council, other than an employee of the Department, elected by the council must preside.

Extraordinary meetings

An extraordinary meeting of the council may be held:

- (a) at any time decided by the council, provided that all members are given reasonable notice of the time, date, place and object of the meeting; or
- (b) upon a request in writing by three members being given to the president of the council or deputy, who must thereupon convene a meeting by sending a notice giving members reasonable notice of the time, date, place and object of the meeting to all council members.

The business of any extraordinary meeting must be confined to the object for which it is convened.

Public reporting meeting

The council must call a public meeting at least once in every year and at that meeting must:

- (a) report the proceedings of the council for the period since the date of the previous public meeting; and
- (b) present a copy of the audited statement of receipts and expenditure of the council during the year ended on 31 December previous; and
- (c) present an up-to-date statement of the receipts and expenditure of the council.

In exceptional circumstances where an audited statement is not available, an unaudited statement of receipts and expenditure of the council must be presented.

Upon receipt of the audited statement by the council, the council must present a copy of the audited statement at the following public meeting.

Appendix 5.

Regional offices of the Department of Education, Employment and Training

Barwon–South Western Region

Vines Road
North Geelong
PO Box 420
North Geelong Vic 3215
Telephone 5272 8300
Fax 5277 9926

Goulburn–North Eastern Region

Arundel Street
Benalla
PO Box 403
Benalla Vic 3672
Telephone 5761 2100
Fax 5762 5039

Central Highlands–Wimmera Region

Level 1, 1220 Sturt Street
Ballarat Vic 3350
Telephone 5337 8444
Fax 5333 2135

Loddon Campaspe–Mallee Region

37–43 Havlin Street East
Bendigo
PO Box 442
Bendigo Vic 3550
Telephone 5440 3111
Fax 5442 5321

Eastern Metropolitan Region

Second Floor
29 Lakeside Drive
Burwood East Vic 3151
Telephone 9881 0200
Fax 9881 0243

Northern Metropolitan Region

582 Heidelberg Road
Fairfield
Locked Bag 88
Fairfield Vic 3078
Telephone 9488 9488 or 9488 9414
Fax 9488 9400

Gippsland Region

Cnr Kirk and Haigh Streets
Moe
PO Box 381
Moe Vic 3825
Telephone 5127 0400
Fax 5126 1933

Southern Metropolitan Region

VACC Building
Level 1, 33 Princess Highway
Dandenong
PO Box 5
Dandenong Vic 3175
Telephone 9794 3555
Fax 9794 3500

Western Metropolitan Region

407 Royal Parade
Parkville
PO Box 57
Carlton South Vic 3053
Telephone 9291 6500
Fax 9291 6555

Making the Partnership Work: Roles and Responsibilities

School council is the body that sets the vision, determines priorities, and ensures that the school is responsive to the local community.

This book provides school councillors with an overview of their roles and responsibilities and the operations of school councils.

For further information

www.sofweb.vic.edu.au/scsb