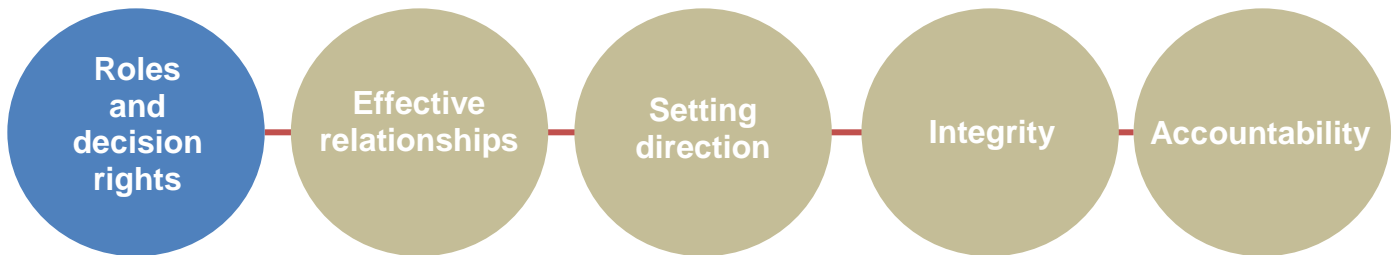


Module 1: Roles, responsibilities and decision making



In this module, you will learn about:

- legislation and policy that apply to the school council/board
- council/board roles and responsibilities
- how the council/board operates including meeting protocols and administrative arrangements.

Introduction to governance

Governance in the context of school councils/boards refers to:

- An **integrated system of decision-making** that has student success and school effectiveness as its over-arching purpose.
- A **variety of people and groups of people** that fulfil different but related roles and functions across the school.
- The school council/board being **one** of these groups.

Governance includes both compliance and performance activities. Compliance activities are things the council/board must do for regulatory or other reasons; and performance activities refer to those activities that aim to drive school performance.

Why is good governance important?

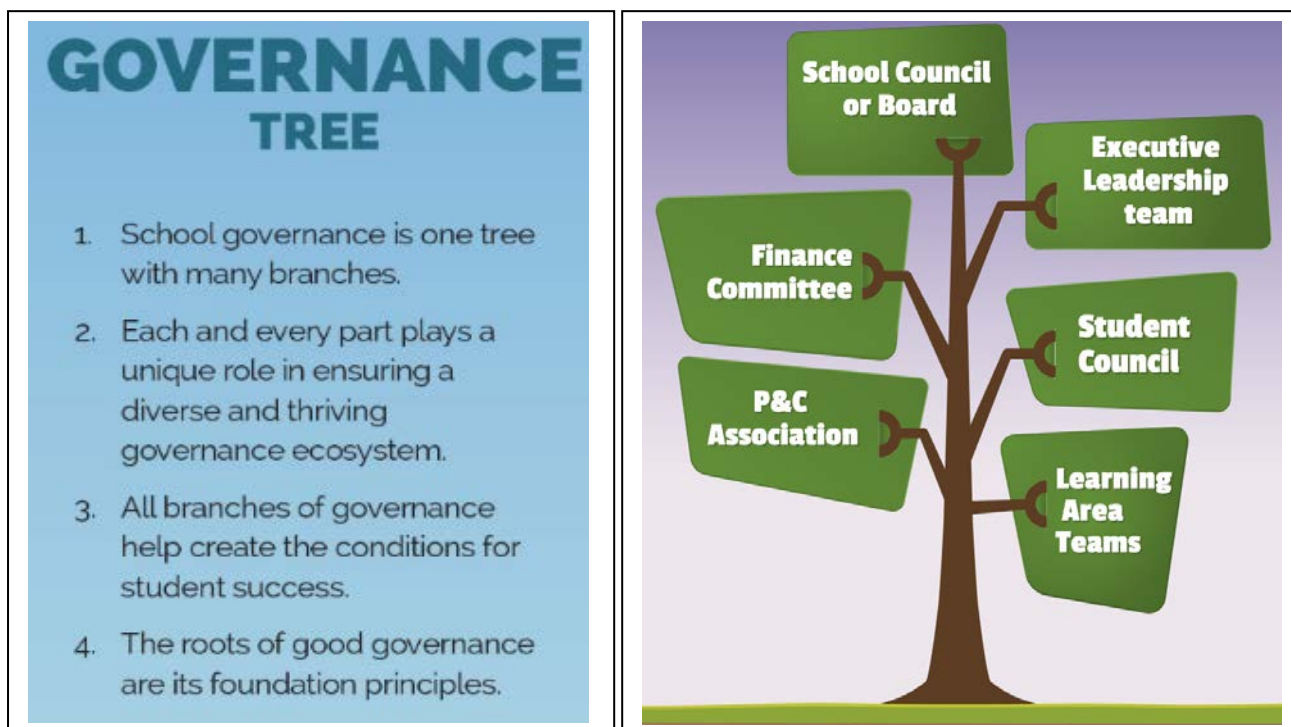
Good governance helps to ensure that:

- school resources, including money and time, are used efficiently
- the rules and policies created, for example dress code for students and code of conduct are relevant to the context and situation of the school
- the school's priorities reflect the needs of the students, are about achieving great outcomes for them, and steps are taken to bring these priorities about through effective relationships with parents and external groups, including local businesses and organisations.

Ultimately, good school governance helps the school deliver positive outcomes for students. Councils/boards contribute to good governance, working together with other groups of the school. For example, the leadership team, and Parents and Citizens' Association.

The 'Governance Tree'

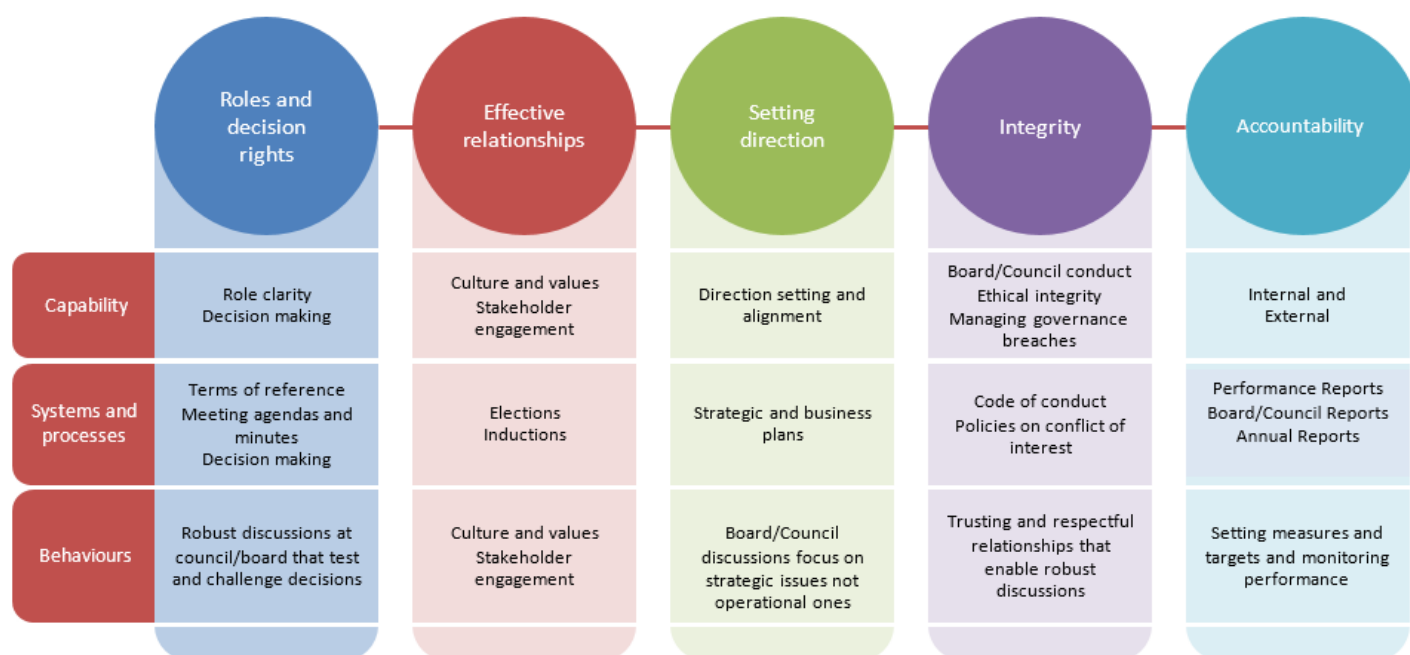
A simple analogy that may assist council/board members to understand the concept of governance in the school setting is the 'Governance Tree'. The Governance Tree is made up of many branches. The branches represent the different groups of a school which work together. The groups, or branches of the tree, can be different depending on the school. For example, groups or branches can include the leadership team, and Parents and Citizens' Association, the Finance Committee, the Student Council, and others.



What does good governance look like?

A useful way of achieving good governance is to apply what is described as the five foundations framework (diagram below). Each of these foundations is important in effective governance and one should not be emphasised over the others. Relative emphasis on any one area, at a point in time, depends on the school context. This model forms the foundation for the learning outcomes in these training modules. More information on the foundations of good governance is provided throughout the modules.

Five foundations of good school governance



Legal environment

Every public school is to have a council/board, unless exempted by the Minister for Education. The role and functions of the council/board are determined by the:

- [School Education Act 1999](#)
- [School Education Regulations 2000](#)
- [Delivery and Performance Agreement \(for school boards\)](#)
- [Associations Incorporation Act 2015 and Associations Incorporation Regulations 2016 \(only for incorporated school council/boards\)](#).

Council/board members should familiarise themselves with the roles of councils/boards in public schools. Additional information can be found in Module 2. The Department also provides information about unincorporated and incorporated school council/boards on its website, which includes advice on induction of new members.

What is the [School Education Act 1999](#)?

The objectives of the Act are to:

- recognise the right of every child to receive a school education
- allow for education to be given in a public school, private school or at home
- provide for public schools to meet the educational needs of all children
- provide for education, training and employment alternatives at the senior secondary level
- acknowledge the importance of the involvement and participation of parents.

Key features of the [School Education Act 1999](#)



Key features of the School Education Act 1999



The Act covers the:

- establishment and operation of public (government) schools including parent and community involvement in school affairs
- registration and funding of private (non-government) schools
- registration of community kindergartens
- administrative responsibilities for school education and the use of property that is vested in the Minister for Education.

The Act specifically provides for parent and community involvement in schools through a school council/board, and sets out its functions and operational arrangements. The Act refers to this group as a school council – Part 3, Division 8, Subdivision 1 – School Councils. Each school must have a council unless exempted by the Minister for Education.

For those schools which are Independent Public Schools, their council is known as a board. Independent Public Schools must have a board.

Key features of the Act relating to councils/boards



In relation to council/boards, the Act covers:

- membership
- functions of councils
- property acquired by incorporated councils
- matters that councils cannot intervene in
- powers
- support by principals
- Minister's directions
- procedures
- protection from personal liability
- dismissal of unincorporated councils
- winding up incorporated councils
- regulations.

What are the School Education Regulations 2000?

The Regulations dictate how provisions of the Act are to be applied.

Key features of the School Education Regulations 2000



Key features of the School Education Regulations 2000



The Regulations cover:

- enrolment and attendance
- management of public schools
- financial provisions for public schools
- management and control of public school premises
- public school councils
- Parents and Citizens' Associations of public schools
- staff employed in the Department of Education
- private (non-government) schools
- community kindergartens
- scholarships
- visas
- matters to be taken into account in the registration of private (non-government) schools.

Various operational details about councils/boards are provided in the Regulations under Part 6 – Government School Councils.

Key features of the Regulations relating to councils/boards



In relation to councils/boards, the Regulations cover:

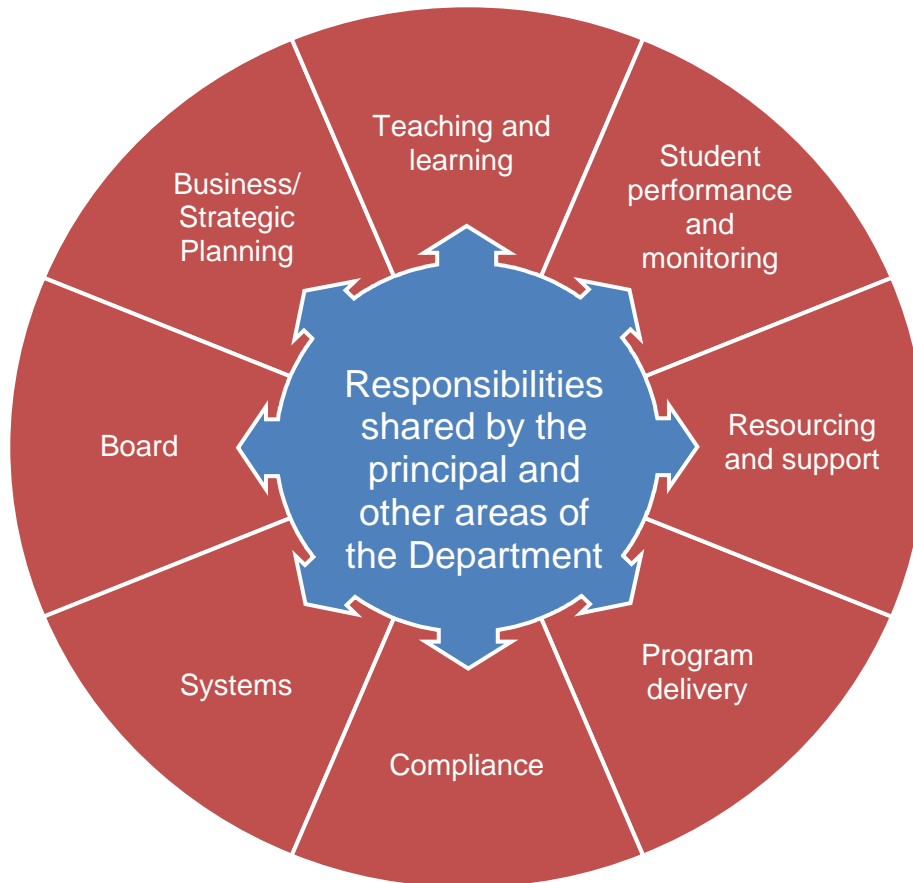
- establishment
- membership
- composition
- appointment and election of members
- eligibility to vote
- term of office
- cessation or termination of membership
- co-opting members
- functions that the Minister may approve for incorporated boards/council
- councils/boards operating for two or more schools
- meetings
- grounds for closing meetings
- annual public meetings
- special meetings
- voting.

What is the Delivery and Performance Agreement?

The Delivery and Performance Agreement is only applicable to Independent Public Schools. Schools which are not Independent Public Schools do not have a Delivery and Performance Agreement.

The Delivery and Performance Agreement is signed by the Director General, board chair and Principal and details Department, school (through the Principal) and board responsibilities as well as reporting and other requirements.

Components of the Delivery and Performance Agreement



Note: Schools which are not Independent Public Schools do not have a Delivery and Performance Agreement.

Role of the council/board

The council/board has distinct functions provided under the legislation. Parents and the community can be involved in school decision making and giving advice through their council/board. The Act prohibits the council/board from being involved in the day-to-day running of the school.

The table below explains different legislated roles of council/boards.

Role	Approval role	Advisory role	Do not participate
What does it mean?	<ul style="list-style-type: none"> • Council/board contributes to decision making. The Principal consults the council/board on issues and takes on their advice prior to making decisions. • Council/board is directly and deeply involved. • Decisions are documented in council/board meeting minutes. 	<ul style="list-style-type: none"> • Council/board is consulted and helps to brainstorm and resolve issues. • Discussions are documented in the council/board meeting minutes. 	<ul style="list-style-type: none"> • Council/board and their members cannot intervene in the control or management of a school; or intervene in the educational instruction of students; or exercise authority over teaching staff or other persons employed by the school; or intervene in the management or operation of a school fund;
Examples of council/board involvement	<p>Council/board approves:</p> <ul style="list-style-type: none"> • voluntary school contributions (charges) payable by parents/guardians for materials, services and facilities; • fees for optional programs such as excursions and incursions; • book list (or equivalent) items that school requests students to have for personal use; • sponsorship and advertising agreements; and • the dress code for students in consultation with students, staff, parents/guardians. 	<p>Council/board:</p> <ul style="list-style-type: none"> • advises principal about the local community context; • reviews allocation of resources to meet school plan targets; • reviews and monitors school objectives, priorities and policy directions; • takes part in the reviewing of the Annual Report; • takes part in developing school code of conduct for students; • advises principal about religious practices in school (for example, use of prayers); • advises on selection but not appointment of principal and other staff (where approval is given); • takes part in development of and monitoring of the school plan; • takes part in review of the DPA; and • takes part in reviewing the financial arrangements of the school. 	<p>Council/board does not:</p> <ul style="list-style-type: none"> • manage day-to-day running of school, for example staff performance and student assessment; • discuss individual cases relating to teachers, staff and parents/guardians; • represent special interest groups or allow special interests to dominate council/board discussions; • intervene in education instruction; • borrow money; • purchase property; • exercise authority over teaching staff or other persons employed at the school; and • manage complaints processes.

All council/board members are obliged to act in the best interests of the school and its students. Council/board members are not on the council/board to represent the interests of any subgroups of the school community. Those wishing to raise issues that are not related to the legislated role/functions of the council/board should do this through the school's complaints management processes.

Understanding, informing and making decisions

The following framework is a useful guide for councils/boards to use when understanding, informing or making decisions.

Understanding decisions

Council/board members have the right to understand decisions made by the principal and others (except where they involve confidential information about people or families).

Informing decisions

Council/board members have the right to inform decisions made by the principal and others (except where they are of a confidential or professional nature.)

Make decisions

Council/board members have the right to make decisions with the principal and others (in accordance with legislated functions and Department policy).

Making decisions

All council/board decisions must be agreed to by an absolute majority of council/board members – that is, more than half of all members must vote in favour of the decision. This includes members who are not present at the meeting and vacant positions.

For example, if there are 12 or 13 members on the council/board, seven members must vote ‘yes’ for a motion to be passed. If only seven members are at the meeting, then everyone must vote ‘yes’ for the motion to be passed. If it is difficult for a council/board to achieve the required absolute majority, then the council/board is experiencing a serious governance issue.

All council/board members (including the principal and chair) are entitled to one vote.

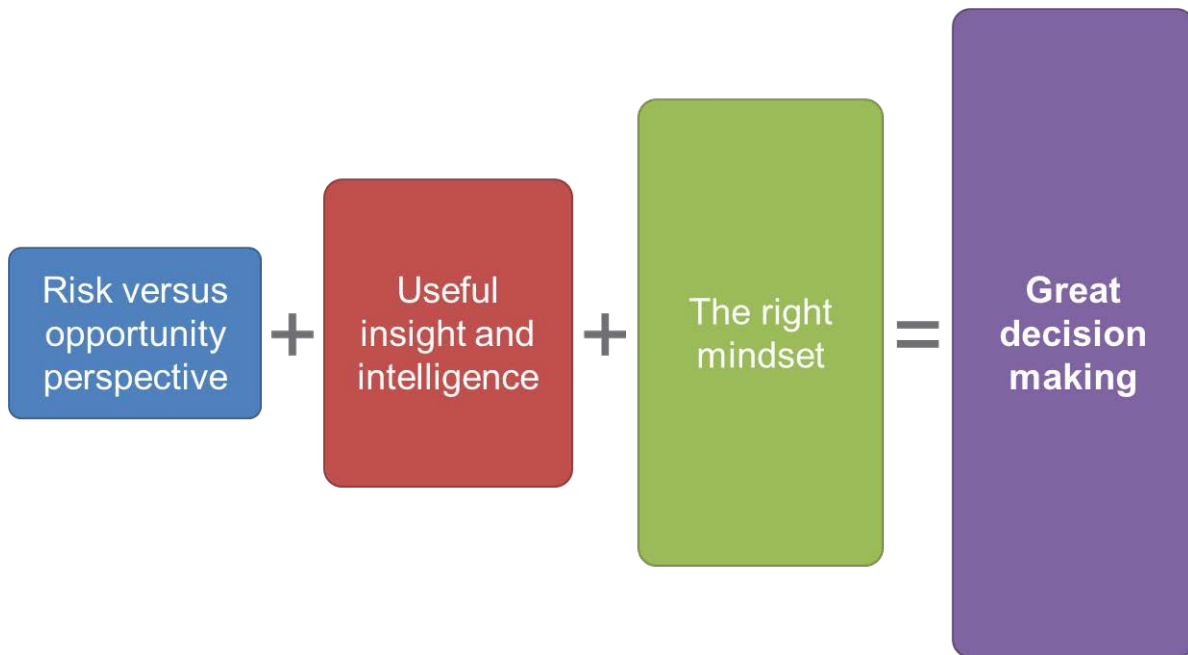
It is important that council/board members make themselves available for meetings where important matters are being discussed and decided. A proxy vote is not lawful under the legislation. Council/board members may, however, use out of session processes (for example, an email to the chair) to have their votes recorded.

Making good decisions

Informed, fair, sound and consistent decision making are important to the operation of the council/board. Skills in this area can be improved by taking account of:

- opportunities to be gained or lost as a result of the decision
- reliable and relevant information
- a mindset that balances the above.

Great decision making combines a range of factors



Decision making checklist



Questions to ask yourself to assess your board/council's decision making capability:

- Is the decision likely to achieve the desired outcome?
- Is the decision timely?
- Is the decision making process transparent?
- Have conflicts of interest been identified and managed?
- Have decision makers acted responsibly?
- Is the decision likely to be acceptable to key stakeholders?
- Has authority been used appropriately?
- Is it a good decision when long-term and short-term outcomes are considered simultaneously?
- Has the process been sufficiently rigorous?
- Does the decision take into account what we have learned from making similar decisions in the past?
- Does the decision suit the context we are in?

More information about making good decisions is part of the face to face Module 6: Adding value to the governance conversation.

Role of the chair

It is good practice for the council/board to review on an annual basis, for example, at the first meeting of the year, who will undertake the role of the chair.

The chair of the council/board is often called the 'first among equals'. The chair facilitates council/board meetings and uses their influence so the council/board operates effectively. With the support of the principal and other school staff, the chair has some specific responsibilities as detailed below.

Before council/board meetings

- Schedule (or call) council/board meetings.
- Agree on the agenda and relevant papers with the principal.

During council/board meetings

- Start and finish meetings on time.
- Manage any conflicts of interest.
- Note the apologies received.
- Seek confirmation the minutes from the previous meeting are accurate. Sign and date the minutes for filing.
- Table incoming and outgoing correspondence.
- Oversee the business of the council/board and facilitate constructive discussions.
- Declare the results of decisions and motions.

Between council/board meetings

- Uphold council/board decisions.
- Prepare and present an annual report to members of the school community.
- Participate as a member of sub-committees established by the council/board (optional).

Special skills required by the chair

The chair requires strong team building, negotiation and facilitation skills to:

- lead the council/board
- focus the council/board on assisting the school to achieve the best outcomes for students
- make sure meetings focus on achieving good outcomes for the school
- establish efficient and productive meeting procedures
- ensure all members have the opportunity to be heard
- assist to resolve any conflicts
- facilitate mediation meetings as required
- represent the school in the community and at formal functions.

Role of the principal

The principal, in collaboration with other school staff, supports the council/board through a range of administrative, reporting and other functions and services. The extent of this support is a matter for discretion at each school.

The principal:

- is a member of the council/board
- advises and guides the council/board in relation to the legislative requirements and Department of Education policies
- assists in identifying appropriate people for membership
- calls for nominations to fill membership vacancies
- conducts council/board elections
- is the Department of Education's representative on the council/board.

The [Information Package](#) located on the Department of Education Boards and Councils website has additional information.

The principal provides the council/board with the following:

- annual school budget
- monthly financial reports
- results of school audits and reviews
- advice on school performance and student improvement targets as per the business/strategic plan
- the school review report.

Council/board meetings

Council/board meetings are a key part of council/board life. During meetings, the council/board receives updates on school progress and performance, gives advice and makes decisions.

The council/board must adhere to ethical and transparent processes around holding and documenting meetings. Guidance on expected behaviour is included in the council/board's code of conduct.

How often should councils/boards meet?

The meeting schedule depends on the council/board's responsibilities and the school context. It is good practice to meet at least four times a year, which may be once each term.

The council/board must hold at least one open (public) meeting each year at which a report is presented on the performance of the council/board's functions since the previous annual public meeting or the council/board's inaugural meeting (as relevant).

How are meetings scheduled?

The council/board should publish a calendar of meetings and activities for each term or year (or both). A calendar helps ensure the council/board is aware of, and meets all its obligations. A calendar also helps the principal to prepare for council/board meetings by preparing reports and presentations. The calendar should be available to the council/board and the school community (for example, on the school website).

It is helpful for council/board meetings to follow a pattern throughout the school year, for example, meetings take place on the first Tuesday night of every even-numbered month (February, April, etc.) during the school term. This type of routine means members can plan for their engagement with the council/board.

Some council/board meetings may relate to school deadlines, such as the need to approve the school fees, charges and contributions before being communicated to parents.

Schedule of meetings example

Suggestions for agenda items the council/board could discuss at different times of the year.

Agenda items	Term 1 council/board activity
Setting the scene	Annual goals/focus areas for the council/board for the coming year (policies to review, strategic focus for the year)
Code of conduct	Review code of conduct
Delivery and Performance Agreement (for boards only)	Review DPA (for boards only)
Subcommittees	Set goals for subcommittees for the year
Review of council/board structure	Council/board membership, induction, succession planning, community membership, terms of reference, review position of chair
School plan	Review strategic directions
Financial report	Review budget in relation to strategic directions of the school plan
Annual report	Final input/review
Workforce planning	Workforce plan updates
Council/board self-reflection	Summary of previous year's activity, successes and reflection
Council/board and community	Discuss updates on communications, opportunities to promote the school

Agenda items	Term 2 council/board activity
Financial report	Updates on budget attached to the school plan
School plan	Overview on progress towards targets
Surveying the community	Analysis of surveys – student, staff, parent satisfaction
Council/board and community Branding/ partnerships/communications	Discuss/develop opportunities for council/board activities in promoting the school. Discuss communications and events attended
Curriculum focus	Input/educative sessions for the council/board on curriculum delivery and access
Notice of annual public meeting	Provide community with at least 14 days' notice. Prepare annual report

Agenda items	Term 3 council/board activity
Student performance data	Overview and analysis of relevant student performance data
Data analysis	Triangulating data against targets/milestones of the school plan
Board and community	Discuss/develop opportunities for council/board activities in promoting the school. Discuss communications, and events attended
Financial report	Updates on budget attached to the school plan
Preliminary budget	Projected school numbers, implications for planning, workforce

Agenda items	Term 4 council/board activity
Council/board self-review	Survey of council/board effectiveness
School self-assessment schedule	Updates on school self-assessment processes, data analysis
Review of school plan	Review of year and recommendations for following year
Annual report	Draft report for consideration and input
Financial approvals	Approving fees, charges and voluntary contributions; items of personal use (book lists) and approving extra cost optional components of programs
Financial report	Financial reports, updates on financial position against strategic directions of the school plan
Sub-committee input	Input from sub-committees on areas of activity
Delivery and Performance Agreement (for boards only)	Review the DPA (for boards only)
Budget planning	Updates on projected student numbers and implications for planning and workforce
Council/board chair report	Summary of the council/board's achievements and decisions made throughout the year

Who can attend council/board meetings?

Meetings are generally open to the public unless the council/board decides to close a meeting. Meetings can be closed for a number of reasons such as to discuss information related to a contractual matter. A full list of acceptable reasons for closing a meeting is in [Regulation 116](#). If a meeting is closed, the reasons for this must be included in the meeting minutes.

Special meetings

From time to time, the school community may wish to call a special council/board meeting. This may be due to community members' concerns about council/board performance or because of a significant event in the community that requires council/board attention.

To call a special meeting, at least 20 families of students must call for the special meeting or at least half of the number of families of students at the school, whichever is the lesser number. This may be through a petition or an equivalent document such as an open letter which states the purpose for which the special meeting is called and be signed by the families.

All council/board meetings, including special meetings, must be relevant to the role of the council/board as outlined in the legislation.

Setting a clear meeting agenda

An agenda is a powerful tool to foster productive conversations. A clear agenda, published in advance, allows council/board members to prepare for meetings, the school community to consider what is being discussed and whether they would like to attend. Matters requiring discussion and matters requiring decision need to be itemised to allow sufficient time for consideration.

What should be on the agenda?

Meeting agendas focus on high level strategic matters related to the legislated functions of the council/board. The content of the school plan (see Module 3: School planning) is a good guide for what should be discussed in council/board meetings.

Councils/boards should avoid catch-all agenda items such as 'general business'. Items to be discussed should be included on the agenda before the meeting. Issues that arise during the meeting can be added to the agenda for the next meeting.

Who prepares the agenda?

The chair usually works with the principal to draft the agenda, considers the time for each item, helps prepare papers, and identifies whether items are for decision, information or discussion.

The chair also manages the meetings to ensure the council/board stays on topic and time is spent on agenda items that contribute to school success.

Executive officer/secretary

Some schools provide an executive officer/secretary, for example the manager corporate services or school officer to assist with the preparation and circulation of agendas, minute taking and record keeping. This person attends meetings however undertaking this role does not mean they are a member of the council/board.

Sample agenda

Subject:	School council/board meeting
Time:	2.00pm – 4.00pm
Date:	10 October 2017
Location:	Primary school staffroom
Chair:	Monica Ah Kit
Apologies:	Jason Maher, Vinay Gunasekera

	Item	Documents	Purpose	Led by	Recommendations
2.00pm	Welcome <i>Includes introductions, apologies and noting of minutes of last meeting. Correspondence in and out, conflicts of interest</i>		For approval (minutes)	Chair	Minutes of the xx meeting are endorsed.
2.10pm	Presentation of 2017 NAPLAN results		For noting	Principal	Council/board notes the presentation of the 2017 NAPLAN results and strategies to be implemented in 2018.
2.40pm	Update on independent review process	School Review Documentation	For noting	Principal	Principal recommends a planning meeting with the Chair.
2.50pm	Changes in the school environment <i>Discussion of changing enrolment patterns based on changing demographics. Review of school plan to ensure it continues to meet the needs of current and future students.</i>	SIS Student	For discussion	Chair	Principal recommends: 1. ongoing monitoring of student enrolments; and 2. review of school plan is included on the next meeting agenda.
3.05pm	Fees and charges <i>Presentation of proposed fees and charges for 2018 for approval.</i>	2018 fees and charges	For decision	Principal	Increase to voluntary contributions from \$30 to \$40. Approval of 2018 fees and charges.
3.20pm	Mini-workshop on annual report <i>Principal to facilitate a short workshop to help determine the structure and contents of the annual report.</i>		For discussion	Principal	Council/board develops a structure for the development of the school annual report.
3.55pm	Financial report <i>Principal to provide a report on financial position against strategic directions of the school plan.</i>	Financial report	For noting	Principal	Council/board notes the presentation of the financial report.
4.05pm	Summary of meeting and council/board reflection		For discussion	Chair	
4.15pm	Close				

Records of council/board meetings

Two critical aspects of the work of the council/board are transparency and accountability. One way councils/boards can be accountable and transparent is to publish meeting minutes. Minutes record items discussed at council/board meetings including key decisions made. The minutes should document general themes and the decisions of the meeting, rather than be a verbatim transcript.

Council/board minutes must be retained for audit purposes and as a true record of the activities of the council/board.

Documents should be released if requested unless there is an expectation of confidentiality. Some items may be redacted if appropriate for confidentiality purposes. It is good practice to make council/board meeting minutes available on the school website.

Sample meeting minutes

Subject:	School council/board meeting
Time:	2.00pm – 4.00pm
Date:	10 October 2017
Location:	Primary school staff room
chair:	Monica Ah Kit
Apologies:	Jason Maher, Vinay Gunasekera
Attendees:	Susan Lee, Trevor Naylor, Shakaya Egan, Casey Wilson, Mei Ling, Ed Al Khoury, Sienna White, Chris Toome, Mary Cheng, Sean McAfferty

Time	Item	Recommendations	Summary of discussion	Actions
2.00pm	Welcome	Minutes of the xx meeting are endorsed.	Meeting was opened at 2.00pm. See list of attendees and apologies above. Minutes of the xx meeting were endorsed.	N/A
2.10pm	Presentation of 2017 NAPLAN results	Council/board notes the presentation of the 2017 NAPLAN results and strategies to be implemented in 2018.	Susan Lee, Principal, presented a summary of the school's 2017 NAPLAN results. Presentation slides are attached to these minutes. In Year 9, performance was close to the State average across all test areas. In Year 7, maths performance was 15% poorer than in 2015 and 20% lower than the State average.	Susan Lee to present an overview of the strategies to be implemented in 2018 to address the shortfall in performance at the next meeting.
3.00 pm	Update on school review process	Principal recommends a planning meeting with the Chair.	Susan Lee, Principal, provided an update on the school review process. All materials are in order for the review.	Susan Lee to schedule school review meeting with Monica Ah Kit, Chair, for 2 November.
3.10 pm	Changes in the school environment	Principal recommends: <ol style="list-style-type: none"> ongoing monitoring of student enrolments; and review of school plan is included on the next meeting agenda. 	Monica Ah Kit, Chair, gave an overview of changing demographics in the school local intake area and the impact on enrolments. Susan Lee, Principal, discussed the potential impact of these changes on the school plan and steps being taken to address these issues.	No action required at this stage; however the council/board will continue to monitor the issue should changes in the school plan be required.

Time	Item	Recommendations	Summary of discussion	Actions
3.25 pm	Contributions, fees and charges	Increase to voluntary contributions from \$30 to \$40. Approval of 2018 fees and charges.	The proposed contributions, fees and charges for 2018 were discussed and the increase in voluntary contributions and charges approved by an absolute majority of council/board members.	Susan Lee, Principal to send letter to parents indicating fees and charges for 2018.
3.35 pm	Mini-workshop on annual report		Susan Lee, Principal, facilitated a short workshop on the annual report. The council/board developed a proposed structure for the report (attached to these minutes). The council/board agreed the report is to be released in the first week of 2018.	Susan Lee, Principal to draft annual report and circulate first draft by 30 November.
3.55pm	Financial report	Note the information provided.	The council/board considered the financial position against strategic directions of the school plan.	Susan Lee, Principal to include as a standing item on future meeting agendas.
4.05 pm	Summary of meeting and council/board reflection		The council/board noted the additional time spent on the NAPLAN results and therefore less time was able to be spent on the annual report. The council/board agreed the next meeting agenda is to include a discussion of the draft annual report.	Monica Ah Kit, Chair to include time in the next meeting to discuss the annual report. Monica Ah Kit and Susan Lee to ensure sufficient time is allowed in future council/board meetings for thorough discussion of school performance results.
4.15 pm	Next meeting		The next meeting of the council/board will be on 30 November 2017.	