



Terms of Reference

NAME

1. The name of the Council is the West Leederville Primary School Board.

DEFINITIONS

2. In these Terms of Reference:
 - **"Act"** means the School Education Act 1999 as amended from time to time.
 - **"Board"** means Council as defined in the Act.
 - **"Director General"** means the chief executive officer of the Department of Education and Training as defined in section 229 of the Act.
 - **"Educational Programme"** means an organized set of learning activities designed to enable a student to develop knowledge, understanding, skills and attitudes relevant to the student's individual needs as defined in section 4 of the Act.
 - **"Member"** means an individual elected or appointed to the Board in accordance with these Terms of Reference.
 - **"Minister"** means the Minister responsible for administering the Act.
 - **"Parent"** means parent as defined in section 4 of the Act who is named in the school register as a parent of a student.
 - **"Regulations"** means the School Education Regulations 2000 as amended from time to time.
 - **"School"** means West Leederville Primary School.
 - **"School Fund"** means the West Leederville Primary School General Purposes Fund and any fund referred to in section 110 of the Act.
 - **"Student"** means a student enrolled at the school.

PURPOSE

3. The Board is formed with the fundamental purpose of enabling Parents and members of the community to engage in activities that are in the best interests of Students and will enhance the education provided by the School.

FUNCTIONS AND POWERS OF THE BOARD

4. The Board has the following powers and duties:
 - (a) to take part in:
 - establishing and reviewing from time to time, the School's objectives, priorities and general policy directions;
 - an annual review of the School Business Plan and endorsement of each new business plan;



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- the planning of financial arrangements necessary to fund those objectives, priorities and directions;
- evaluating the School's performance in achieving them; and
- formulating codes of conduct for students at the School.

The code of conduct describes the School's expectations of Student behaviour and management procedures to implement the code. The school Board assists with the formulation of the code of conduct including specific behavioural consequences and serious breaches of discipline that adversely affect or threaten safety.

- (b) to determine in consultation with Students, Parents and Staff a dress code for Students when they are attending or representing the School;
- (c) to promote the School in the community;
- (d) to review and approve before the end of November each year:
 - charges and contributions for the provision of certain materials, services and facilities under section 99(4) of the Act;
 - extra cost optional components of educational programmes, under section 100(3) of the Act;
 - items to be supplied by a Student for use in an educational programme, under section 108(2) of the Act; and
 - any agreements or arrangements for advertising or sponsorship in relation to the School under section 216(5) of the Act;
- (e) to provide advice to the Principal of the School on:
 - a general policy concerning the use in school activities of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education; and
 - the implementation of special religious education under section 69(2) of the Act;
- (f) with the approval of the Minister or the Director General, as the Minister's delegate, to take part in the selection of, but not the appointment of, the School Principal or any other member of the teaching staff under section 129(2) of the Act;
- (g) The Board cannot:
 - intervene in the control or management of the School;
 - intervene in the educational instruction of Students;
 - exercise authority over teaching staff or other persons employed at the School; or
 - intervene in the management or operation of the School Fund.



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MEMBERSHIP OF THE BOARD

- 5.1 The Act provides for the following categories of membership:
- Parents;
 - Members of the general community; and
 - staff of the School.
- 5.2 The Board is to determine its composition:
- having regard to the nature of the Student population of the School and the social, cultural, lingual, economic or geographic factors that may be relevant to the School;
 - having regard to the functions of the Board and any changes in those functions;
 - with a view to including members of the general community and staff of the School, and allocating a membership position to a member of an association referred to in section 149 of the Act; and
 - at the time that any vacancy exists shall determine the category from which the vacancy shall be filled.
- 5.3 The number of Members of the Board shall be at least six but not more than 15, but shall otherwise be determined by the Board.
- 5.4 The Chair of the Board is to be elected by and from its Members for a term of no more than one year and may be appointed more than once.
- 5.5 The Principal is automatically a Member of the Board.
- 5.6 The Parents and Citizens' Association may nominate one of its members to be a member of the Board in the parent or community membership category as is relevant to the nominee.
- 5.7 Parents and members of the general community must form the majority of the Members of the Board.
- 5.8 There must be at least one Parent Member of the Board.
- 5.9 The Board may co-opt an individual from the local community to assist the Board for such period, or in relation to such matters, as determined by the Board where that person's experience, skills or qualifications would enable him or her to make a contribution to the Board's functions.

APPOINTMENT AND ELECTION OF MEMBERS

- 6.1 The Principal of the School will invite nominations as determined by the Board from suitably qualified persons to fill vacancies occurring in the categories referred to in rule 5.1 and, except in the case of the general community membership category, will conduct elections where the number of nominees is greater than the vacancies available.
- 6.2 Eligible to vote in the category of parent membership positions is each Parent whose name and address has been provided to the school under section



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- 16(1)(b)(ii)(I) of the Act, or if neither parent's name and address has been so provided, each person who is responsible for the student.
- 6.3 Eligible to vote in the category of staff membership positions is each person to whom section 235(1) of the Act applies and whose usual place of work is at the School.
- 6.4 A person may not vote in respect of more than one category referred to in rules 6.2 and 6.3.
- 6.5 In the category of general community membership positions, the Board may appoint suitably qualified Members of the general community from the list of nominees.
- 6.6 The Director General may, from time to time, specify standards or requirements in relation to the conduct of elections.
- 6.7 The Director General may inquire into any matter affecting an election or appointment of a Member of the Board and if any irregularity has occurred may declare the results of an election or appointment invalid, or order an election or appointment or a new election or appointment to be conducted.
- 6.8 A Member of the Board (other than the Principal) shall hold office for a term not exceeding three years, as determined by the Board, and may be re-elected. A Board Member's three year term finishes at the meeting prior to the date of their third year anniversary.
- 6.9 As determined by the Board, and with the intention that the Board not declare vacant more than two thirds of the positions of the Board each year, there shall be a target of one third of all positions being declared vacant.
- 6.10 Any Member appointed or elected to a casual vacancy in the Board shall hold office for the balance of the term of the Member of the Board whose seat on the Board has become vacant.

CESSATION OR TERMINATION OF MEMBERSHIP

- 7.1 The office of a Member of the Board becomes vacant if the Member:
- (a) becomes ineligible to hold office as a Member;
 - (b) resigns by written notice delivered to the Board; or
 - (c) is removed from office by the Director General or his delegate.
- 7.2 The Director General or Executive Directors as delegates of the Director General, may remove a person as a Member of the Board on the grounds that the continuation of the person as a Member would be detrimental to the interests of the Board.
- 7.3 The Board may remove a person as a Member of the Board on the grounds that the person:
- (a) has neglected his or her duty as a Member;
 - (b) has misbehaved or is incompetent;



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- (c) is suffering from mental or physical incapacity, other than temporary illness, impairing the performance of his or her function as a Member; or
 - (d) has been absent, without leave or reasonable excuse, from three consecutive meetings of which the Member has had notice in accordance with rule 8.2.
- 7.4 The Board must not remove a person as a Member unless the person has been given a reasonable opportunity to show that he or she should not be removed from office.
- 7.5 A decision of the Board to remove a person from office is to be made by resolution of a majority comprising enough of the Members for their number to be at least two thirds of the number of offices, whether vacant or not.

MEETINGS AND PROCEEDINGS OF THE BOARD

- 8.1 The Board will determine the number of meetings for each year, with at least one meeting per School term.
- 8.2 The Chair shall convene Board meetings in accordance with the directions of the Board by giving at least 14 days notice of the venue and time of meeting, unless otherwise agreed by a majority of Board Members.
- 8.3 Meetings of the Board are generally to be open to the public.
- 8.4 The Board is to hold each calendar year at least one meeting that is open to the public, 14 days notice of which has been given to Members and Parents and staff and in which a report is presented on the performance of the Board's functions.
- 8.5 Minutes of the preceding meeting shall be circulated to Members within 21 days after a Board meeting and be tabled at the commencement of the next meeting.
- 8.6 Notice of business to be discussed and supporting documentation shall be circulated to Members at least seven days before a Board meeting.
- 8.7 All Board Members shall have access to the books, documents, records and registers of the Board at all times having provided reasonable notice.
- 8.8 The Board may decide to close to members of the public a meeting or part of the meeting on the grounds set out in Regulation 116(1) unless the meeting is the annual public meeting or a special meeting called under Regulation 118 of the Regulations.
- 8.9 The Board may decide to close to members of the public a meeting or part of the meeting if it deals with any of the following:
- (a) a matter affecting a person who is employed at the School;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the Board and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the Board which relates to a matter to be discussed at the meeting;



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- (e) a matter that if disclosed, would reveal:
- information that has a commercial value to a person and that is held by, or is about, a person other than the Board; or
 - information about the business, professional, commercial or financial affairs of a person and that is held by, or is about, a person other than the Board; or
- (f) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971.

- 8.10 A decision to close a meeting or part of the meeting and the reason for the decision are to be recorded in the minutes of the meeting.
- 8.11 The Chair is to convene a special meeting of the Board if the meeting is called for in a notice to the Chair setting out the purposes of the proposed meeting, that is provided by at least 20 families of students at the School or at least half the number of families of students at the School, whichever is the lesser number of families.
- 8.12 The Chair is not to convene a meeting under rule 8.11 if the purposes of the proposed meeting are not relevant to the Board's functions.
- 8.13 A meeting convened under rule 8.11 is to deal only with matters relevant to the purposes set out in the notice received by the Chair.
- 8.14 Each Board Member, including the Chair, is entitled to one vote only.
- 8.15 A decision of the Board does not have effect unless it has been made by an absolute majority.
- 8.16 An absolute majority means a majority comprising enough of the Members of the Board for their number to be more than 50% of the number of offices whether vacant or not.
- 8.17 Subject to these rules, the procedure and order of business to be followed at a meeting shall be determined by the Board.
- 8.18 A quorum for Board meetings is not less than 50% of the Board membership.

FAILURE TO ACT PROPERLY

- 9.1 In the event that the Board breaches the Act, or the conduct of the Board is incompetent, inadequate or improper, the Minister may give written notice to the Board requiring that the situation be remedied.
- 9.2 If the Minister is of the opinion that a Board has not complied with such a notice, the Minister may dismiss the Board.

COMMITTEES OF THE BOARD

- 10.1 The Board may appoint such committees as it deems necessary.
- 10.2 Membership of committees is not confined to Members of the Board, but at least one Board Member is required to serve on each committee.



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- 10.3 The duties of any committee shall be clearly defined and stated in writing by the Chair.
- 10.4 Where appropriate, a specific date shall be set for the completion of tasks assigned to the committee.
- 10.5 In all cases a committee will provide its relevant recommendations and reports to the Board.

DUTIES TO BE ALLOCATED

- 11.1 The Board is to allocate to a Member or Members the following duties:

(a)	Taking of Minutes for all meetings	Minute Taker
(b)	Coordination of incoming correspondence	Chair & Principal
(c)	Coordination of outgoing correspondence	Chair
(d)	Ensuring that a full & correct minutes of the meetings are taken and kept	Chair
(e)	Safe and secure custody of all books, documents, records and registers of the Board. Annual updates of Board documents backed up onto school server.	Principal & Chair

REVIEW

- 12.1 The following documents are to be reviewed annually by the Board:
- (a) Terms of Reference;
 - (b) Code of Conduct;
 - (c) School Business Plan;
 - (d) Induction documents;
 - (e) Booklists;
 - (f) School Annual Report; and
 - (g) Contributions and charges.
- 12.2 A schedule for the annual review of the above documents and other Board activities is attached to these Terms of Reference.
- 12.3 In addition to the above, every second year, the parent, teacher and student surveys are to be reviewed by the Board.



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ANNUAL REVIEW SCHEDULE

13.1 The following table summarises the suggested schedule for the review of the School and Board documents and other Board related activities.

Meeting	Action Item
T1M1	(a) Elect Board Chair for the coming year; (b) Confirm date for open Board meeting.
T1M2	(a) Review Board Terms of Reference; (b) Review & endorse School Annual Report.
T2M1	Open Board meeting.
T2M2	Review Board Code of Conduct.
T3M1	Review School Business Plan
T3M2	Review and approve booklists for the following year.
T4M1	(a) Review and approve contributions and charges; (b) Review NAPLAN results.
T4M2	Review Board induction documents.