

Fact sheet No 3. Information for parents of children seeking election to school council

What is a school council and what does it do?

All government schools in Victoria have a school council. School councils are legal entities that are given powers to set the broad directions of a school in accordance with their constituting Orders and the *Education and Training Reform Act 2006*. In doing this, a school council is able to directly influence the quality of education that the school provides for its students.

Who is on the school council?

For all schools with a student cohort of year 7 and above, there are four possible categories of school council membership:

- **A mandated elected Parent member category** – more than one-third of the total members must be from this category. Parents and Guardians of children attending the school are eligible for membership in this category.
- **A mandated elected DET employee member category** – members of this category may make up no more than one-third of the total membership of school council. The principal of the school is automatically a member of this category.
- **A mandated elected Student member category (2 positions)** – members of this category are enrolled at the school and in year 7 or above.
- **An optional Community member category** – members are co-opted by a decision of the council because of their special skills, interests or expertise. DET employees are not eligible to be a Community member.

How long is the term of office?

Generally, the term of office for all members is two years. The term of office of half the members expires each year, creating vacancies for the annual school council elections.

Why is Student membership so important?

Students have a unique perspective on learning, teaching and schooling. Electing Student members onto school council allows all students to have a say in the future direction of their school and ensures student input into decision making.

Mandating student representation onto school councils will assist in the development of students' skills, including leadership skills, and communication skills.

Does my child need special experience to be on school council?

Each member brings their own valuable skills and knowledge to the role. However, councillors may need to develop skills and acquire knowledge in areas that are unfamiliar to them in order to perform their duties as a councillor.

Student members are encouraged to attend the Department's free face-to-face Improving School Governance school council training to support them to undertake their role. Training is also available online.

What does my child need to do to stand for election?

The principal will issue a Notice of Election and Call for Nominations following the start of Term 1 each year.

If your child decides to stand for election, they can arrange for a student in Year 7 or above to nominate them as a candidate or they can nominate themselves for the Student member category.

Once the nomination form is completed, it should be returned to the principal within the time stated on the Notice of Election. A Nomination Form Receipt will be issued following the receipt of the completed nomination.

Unlike the Parent or DET employee member categories, if two Student member positions are available and in the first call for nominations only one nomination is received, the student is not automatically declared elected. The principal will immediately post, in a prominent place in the school, a notice calling for further nominations. These nominations are to be received within three school days from the closing of the first call for nominations.

If after the second call for nominations one other nomination is received, then both students are appointed to council.

If there are more nominations received than there are vacancies on council, a ballot will be conducted during the two weeks after the call for nominations has closed.

The principal will distribute ballot papers and will provide clear instructions to the voters and candidates. Voters may only vote once in a ballot. The two candidates with the highest number of votes will be elected to council.

School council meetings

School councils must meet at least eight times a year and at least once per school term. The president chairs all meetings and all members of the council are expected to attend.

Councillors can attend meetings in person or by videoconferencing or teleconferencing.

Following the school council elections, council members will determine an appropriate time and location to hold meetings throughout the year. For example, council may agree that meetings will take place on the first Wednesday of each month in the school library.

For most school councils, meetings are located at the school and are held in the evening to ensure the majority of members can attend. Meetings typically last for around 2.5 hours.

You will need to discuss and arrange transport options to and from the meeting with your child. The school council does not provide transport.

The principal (in consultation with the school council president) will ensure an agenda is prepared for each regular meeting and distribute the agenda, draft minutes from the previous meeting and meeting papers such as sub-committee reports, principal's and president's report to school council members no less than five days before the meeting. All members, including Student members are expected to read all documents and prepare in advance of each meeting.

Conflict of Interest

If your child, as a member of council, or their immediate family has a direct conflict of interest (including a pecuniary* interest) in a matter under discussion at a school council meeting, that member must declare the conflict of interest and must not be present during the discussion unless invited to do so by the person presiding at the meeting.

*For this purpose, pecuniary is defined as: relating to or consisting of money.

Can I attend council meetings with my child?

School council meetings are normally open to the school community. Visitors or observers can be present at a council meeting with prior agreement of the principal and a decision of council. A request to attend must be forwarded either to the principal or president.

There may be times when, for the purpose of confidentiality or other reasons, a council meeting needs to be closed and only the appointed members can attend.

I am a parent member of the council. Can I be a member of the same council as my child(ren)?

Yes, relatives are allowed to be members of the same council.

What if my child cannot attend a council meeting?

If a member is unable to attend a meeting, an apology should be submitted to the principal prior to the meeting.

A member of the school council may apply in writing to the president for extended leave of up to three consecutive meetings.

What if my child decides they no longer want to be a member of council?

The Department strongly encourages students to consider the time commitment of being on council prior to running for election.

Your child should discuss resigning from council with the principal or school council president.

A school councillor is required to formally submit their resignation from council in order to no longer be considered a member.

Code of conduct for school councillors

School councils in Victoria are public entities as defined by the *Public Administration Act 2004*. School councillors must abide by the Code of Conduct issued by the Victorian Public Sector Commission. The Code of Conduct is based on the Victorian public sector values and requires councillors to:

- **act with honesty and integrity** (be truthful, open and clear about their motives and declare any real, potential or perceived conflict of interest and duty)
- **act in good faith** in the best interests of the school (work cooperatively with other councillors and the school community, be reasonable, and make all decisions with the best interests of students foremost in their minds)
- **act fairly and impartially** (consider all relevant facts of an issue before making a decision, seek to have a balanced view, never give special treatment to a person or group and never act from self-interest)
- **use information appropriately** (respect confidentiality and use information for the purpose for which it was made available)
- **use the position appropriately** (not use the position as a councillor to gain an advantage)
- **act in a financially responsible manner** (observe all the above principles when making financial decisions)
- **exercise due care, diligence and skill** (accept responsibility for decisions and do what is best for the school)
- **comply with relevant legislation and policies** (know what legislation and policies are relevant for which decisions and obey the law)

- **demonstrate leadership and stewardship** (set a good example, encourage a culture of accountability, manage risks effectively, exercise care and responsibility to keep the school strong and sustainable).

Indemnity for school council members

School councillors are indemnified 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 councillor in good faith in:

- c) the exercise of a power or the performance of a function of a councillor, or
- d) the reasonable belief that the act or omission was in the exercise of a power or the performance of a function of a council.

In other words, school councillors are not legally liable for any loss or damage suffered by council or others as a result of reasonable actions taken in good faith.

For further information please contact the school principal.