



Unincorporated school councils and boards information sheet

Version 3

This document assists members of the school community to provide information on common topics about unincorporated councils and boards.

More information about school councils and boards is available on the [Department website](#).

The council or board's Terms of Reference specifies the size of membership, objectives and functions of the council or board, accountability requirements, role of the chair, and rules of operation.

Unincorporated school council or board members

An unincorporated school council or board can have 5 to 15 members.

Members are elected for a maximum 3-year term, but can be elected for as many terms as they wish to nominate for.

Parents, staff and students are elected. Business, industry and community members are appointed.

Other persons with particular expertise can be co-opted for a pre-determined purpose and period of time. Co-opted members do not have voting rights.

Student members

Students can be members on the council or board if they are over 15 years of age or will reach that age during that year.

Ex officio P&C members

The P&C is entitled to nominate a member as either a parent or community representative for the school council or

board. There is not an entitlement to be appointed to the council or board as an ex officio member. Nomination and election processes are outlined in the *School Education Act 1999* and the *School Education Regulations 2000*.

Relationship with the Parents and Citizens' Association (P&C)

The P&C is a valuable but separate entity to the council or board and should continue to function that way. Members of the school council or board and the P&C work together on different projects.

The P&C may be an incorporated body through WACSSO, and if so, their school can apply for grants or funding through the P&C.

Meeting schedule

The school council or board should meet at least once a term, although it may be beneficial to meet more frequently when getting established.

Once the council or board is running smoothly, meetings can be scheduled as required.

This should be reflected in the council or board's Terms of Reference.

Annual open public meeting

During the year, the school website, newsletter and meetings can be used to ensure that parents and school community members are kept informed about the operations of the council or board.

The council or board is required to hold at least one formal open public meeting each year. Fourteen days' notice must be given before the open public meeting, which can be combined with another event (for example, the end of year parent evening).

An annual report on the performance of the council or board's functions since the previous annual public meeting or inaugural meeting (as relevant), is submitted at this meeting.

Electing members

Elections are operated in the same way as any public election:

- the process is transparent
- there is a call for nominations
- time is allowed for candidates' statements to be circulated
- the election is run by the principal who may appoint a returning officer
- principals can use the School Survey tool to create an online election for eligible voters to vote for school council or board parent members
- the person with the most votes wins, but it is possible to have a preferential system, if this is written into the Terms of Reference
- results are publicly announced.

Voting in elections

All staff on the payroll of the school can vote for staff representatives.

Parents, guardians and carers whose name and addresses are registered at the school as being responsible for particular students, can vote for parent representatives.

Students enrolled at the school, who are 15 years or older, or who turn 15 in that year, can vote for student representatives.

Council or board members appoint community representatives.

Before any appointment is made to a council or board, the nominee undergoes criminal screening (as is applicable to the nominee's membership category).

Member voting rights

All members of the school council or board, other than co-opted members, have voting rights. This includes the principal and the chair.

Meeting decisions are only valid if carried by an absolute majority which is calculated on the number of positions that are available, whether vacant or not. For example, if there are 13 positions on the council or board, 7 members must vote yes to carry the motion, whether positions are vacant or not. A proxy vote is not a lawful vote.

Meeting quorum

The required quorum is written into the Terms of Reference.

A council or board meeting can be held if there are not enough people to make up a quorum, but decisions cannot be made at that meeting.

Non-members attendance at meetings

Meetings are generally open to the public.

Persons other than council or board members do not have speaking or voting rights, however the chair can ask for their input, if appropriate.

Input into the selection of a new principal

The chair, or an appropriate member of the council or board, may participate in the selection of the school principal.

Using school funds to purchase food and alcohol for council or board members

When incurring expenditure on food, alcohol and entertainment, consider whether:

- it is appropriate to the occasion
- the amount is excessive
- such expenditure can withstand public scrutiny.

Refer to the [Alcohol and Other Drugs in the Workplace Policy](#) and [Gifts, Benefits and Hospitality Policy](#).

School dress code

The school council or board and the principal work in collaboration to develop and regularly review, in consultation with the school community, the dress code.

The principal ensures the dress code adheres to the [Dress Codes for Students in Public Schools Policy](#).

Legislation

School council or board decision making takes place within a framework of legislation, industrial agreements and policies including, but not limited to:

- the [School Education Act 1999](#)
- the [School Education Regulations 2000](#)
- the council or board's Terms of Reference
- whole of government policies
- [Department policies](#).

Protection from liability

While any member of the public can be sued, school council or board members have protection against liability while acting in good faith.

While it cannot be guaranteed that a council or board member will not be sued, where members are performing council or board functions in good faith, they are assured that their risk of personal liability is minimal.

Personal liability insurance cover

Members of unincorporated school councils or boards have personal liability cover under the Department's general liability and professional indemnity insurance coverage with Government Insurance (formerly RiskCover)

Personal accident cover is also provided for members engaged on official school council or board business or activity. This also includes loss or damage to members' personal property (excluding money and jewellery) used in connection with council or board business (that is not otherwise insured).

As with all insurances, certain exclusions apply to the Department's insurance coverage. For example, council or board members are not covered if:

- they act with wilful recklessness
- intentionally engage in misconduct or criminal proceedings
- are prosecuted by the State or are disciplined by a statutory registration authority.

Criminal screening

All members undergo criminal screening, as is applicable to their membership category. For more information, refer to the [Nationally Coordinated Criminal History Check \(NCCHC\)](#).