



The Official Handbook of  
Federation of Parents and Citizens'  
Associations of NSW

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# Introduction

This chapter provides general information for P&C Associations.

## Preamble

P&C Federation is committed to a free public education system which is open to all people, irrespective of culture, gender, academic ability and socio-economic class and empowers students to control their own lives and be contributing members of society.

This commitment is based on the belief that:

- All students have the capacity to learn;
- The Government has prime responsibility to provide an education system open to all, which is free and secular; and
- Schools should be structured to meet the needs of individual students and should respect the knowledge those students bring to school and build on that knowledge to foster their understanding about the world.

Parents as partners in the education process, have a right and a responsibility to play an active role in the education of the children. P&C Federation and its representatives share a responsibility of ensuring representative decision making for the benefit of all students. P&C Federation's Annual Conference, attended by representatives of its 2200 affiliate associations, develops policy which is energetically promoted by P&C Federation's democratically elected Council.

## The Handbook User Guide

The 2013 Handbook for P&C Associations is designed to provide information to assist local Parent and Citizens' (P&C) Associations in their daily operation and to answer some of the commonly asked questions arising out of running a P&C Association. The handbook also contains useful contacts where further information and assistance may be obtained.

In addition the handbook contains the policy of the Federation of Parents and Citizens' Associations of New South Wales. This policy is determined by local P&C Associations and District Councils through their participation at P&C Federation's Annual Conference.

The handbook is issued annually following receipt of the Annual Conference minutes. Changes to policy, as determined at Annual Conference, are included in the revised document. The revision of the handbook also ensures that P&C Federation is providing the most up-to-date contact details useful to P&C Associations.

The handbook contains information relevant to most P&C Associations.

This includes:

- model constitutions and by-laws for the running of P&C Associations
- information relating to the recommended financial management of associations
- general information answering some of the most commonly asked questions
- extracts from the Public Education Act 1990 highlighting the legislative basis for the establishment and operation of P&C Associations.

Model Constitutions can be downloaded from P&C Federation website, in Microsoft Word format at [www.pandc.org.au](http://www.pandc.org.au) .

Information relevant to District P&C Associations.

Information relevant to the operation and function of P&C Federation and include the policy of P&C Federation. This policy guides the actions of P&C Federation in its dealings with governments, the DEC and committees where P&C Federation representation is provided. Furthermore, the policy dictates public comments issued by P&C Federation. P&C Associations affiliated with P&C Federation are actively encouraged to participate in the ongoing development and review of P&C Federation's policy through their attendance at Annual Conference.

Contact details of P&C Federation Councillors are provided as well as a list of all Life Members.

It should be also noted that P&C Federation produces a range of products providing further information for P&C Associations. These include:

- P&C Journal
- P&C website: [www.pandc.org.au](http://www.pandc.org.au)
- Insurance Guide
- P&C position badges and other selected merchandise items



# Why do P&Cs exist?

*(Extracts from the Education Act 1990)*

Any government school can form a Parents and Citizens' Association. The formation of a P&C Association is underpinned by state government legislation, specifically the Education Act 1990. In addition, the Education Act also allows the parent or caregiver the right to determine their child's involvement in religious instruction.

The specific parts of the Education Act that relate to these aspects of parental involvement and P&C operation are listed below.

## **PART 11**

### **Parents and Citizens' and Kindred Associations Definition of 'Parents and Citizens' Association'**

In this Part: 'Parents and Citizens' Association' means an association constituted under this Act and consisting of parents of children attending any Government school together with other residents of the district served by the school who are interested in the welfare of the school.

### **Constitution of Associations and District Councils**

- 115 (1) A Parents and Citizens' Association or a kindred association may be constituted in connection with any government school in accordance with the regulations.
- (2) The Minister may establish a District Council, constituted in accordance with the regulations, for any area prescribed by the regulations.

### **Objects and Functions**

- 116 (1) The objects of an Association are to:
- (a) promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation;
  - (b) assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students at the school; and
  - (c) encourage parent and community participation in curriculum and other education issues in schools where there is no School Council.
- (2) The functions of an Association are to:
- (a) report, when requested by the Minister, on the material requirements of the school and to advise on the subject of maintenance of the school, alterations and additions to school facilities, and the selection of new sites;
  - (b) assist and co-operate with the teaching staff in public functions associated with the school;
  - (c) be responsible for the election of parent representatives to any School Council constituted at the school in consultation with the Principal of the school to ensure consistency with any guidelines for elections issued by the Director-General of School Education; and
  - (d) assist in any other matters in which the Minister may seek the co-operation of the association and to exercise such other functions as may be prescribed by the regulations.
- (3) The object of a District Council is to advance the common interests of government schools within the area for which it is established, and for that purpose a District Council may:
- (a) advise the Minister on all matters (other than staff matters) relating to government schools within the area;
  - (b) assist in raising funds for establishing and maintaining scholarships for pupils attending government schools within the area;
  - (c) assist, when required, in the arrangement and supervision of contracts for the conveyance of children to government schools;

- (d) assist in the establishment and maintenance of libraries in connection with government schools within the area; and
- (e) exercise such other functions as may be prescribed by the regulations.

#### **Rules of Associations and Councils**

- 117 (1) Each Association and District Council may, subject to this Act and the regulations, make rules for the conduct of its business and affairs, but those rules shall not be operative unless (nor until such time as) they are approved by the Minister.
- (2) Any of a set of standard or model rules published by the Minister in the Education Gazette and adopted by an Association or District Council is to be taken to have been approved by the Minister for the purpose of subsection (1) and take effect on their adoption.

#### **Objection to Religious Instruction**

- 33 No child at a government school is to be required to receive any general religious education or special religious education if the parent of the child objects to the child receiving that education.

# P&C Associations

## General Information

It is of great benefit for each state government school to have a P&C Association. This enables parents and citizens to meet together to determine the needs and aspirations of the school community. The Education Act, 1990, ensures that a P&C Association may be established at any government school. Notification of intention to establish an association should be forwarded through the Principal to the Regional Director. Relevant sections of this legislation are set out on page 10-11 of this handbook.

The objects of these associations are to:

- promote the interests of the school by bringing parents, citizens, pupils and teaching staff into close co-operation
- assist in providing equipment required by the school
- report to the Minister the material requirements of the school
- assist the teaching staff in establishment of school policy and management in all facets of school activity.

Associations meet on a regular basis, generally at monthly intervals, and carry out activities in accordance with their resolutions.

### Forming a New P&C Association

Membership of P&C Associations is open to all parents of children attending the school; the school staff and other residents 18 years of age or older who are interested in the welfare of the school.

Each association has the right to formulate and amend its own by-laws, which it should attach to the constitution. Two constitutions are available — one for associations and one for incorporated associations.

P&C Federation is available to support the formation of new associations. The suggested steps in the formation of new P&C Associations are:

1. A public meeting of parents and community is called to form a provisional committee to draft by-laws to accompany either the standard or prescribed constitution as published in this handbook.
2. The constitution and the draft by-laws are circulated to interested parents and citizens.
3. A meeting is called for formal adoption of the constitution and establishment of the association.
4. Election of office-bearers as set out in the constitution should occur at this meeting.

P&C Associations, to operate most successfully, should endeavour to work in co-operation with the school staff who should be fully aware of all activities and events in the school community and should provide as much information on current educational matters for the association's members as possible. New associations will gain support and assistance from contact and involvement with P&C Federation.

Benefits for associations that affiliate with P&C Federation include:

- automatic public liability insurance to an indemnity of \$15million for P&C activities
- access to P&C Federation's other insurance policies including Student Injury cover
- copies of the P&C Journal
- up-to-date information on educational issues
- opportunity to contribute to decision-making and the adoption of P&C Federation Policy by attendance at Annual Conference
- support from P&C Federation's staff

## **District Councils of P&C Associations**

District Councils can be established across the state. District Councils, like school based P&C Associations, are autonomous bodies responsible to their members for their activities and decisions.

## **Conduct of P&C Meetings**

It is important that meetings be conducted in an orderly manner by consistently following a set of rules. It is not a difficult task. P&C Federation has adopted, as its rule for meetings, the Guide for Meetings and Organisations by N E Renton. P&C Federation encourages all associations to adopt this as their guide to meeting procedure. Chairpersons should familiarize themselves with accepted rules and procedures. The following suggested order of business is provided as a guide to associations.

## **Order of Business**

### **1. Opening**

- Call meeting to order, welcome current members and introduce new members.
- Record attendance and apologies, and introduce any visitors.

### **2. Minutes**

- Read and confirm minutes of the previous meeting.

### **3. Business Arising**

- Complete unfinished business from the previous meeting and any foreshadowed motions from the previous meeting.

### **4. Correspondence**

- Read and discuss correspondence, in and out.

### **5. Reports**

- Treasurer
- Canteen
- Representatives
- Fundraising committees
- Principal
- Others
- Items listed in the agenda for discussion.

### **6. General Business**

- Discuss suggestions, ideas referred to and from committees
- Provide talks and presentations on particular subjects. These should be recorded in the minutes
- Formulate recommendations for corrective action
- Deal with new business items. This may include new urgent matters, rule changes, guest speakers, long-term plans, etc. Guest speakers may have their time allocated to any part of the meeting, as decided by the meeting.

### **7. Closing**

- Arrange date of next meeting
- Close meeting, indicating the time.

## **Association Funds**

Money raised by a P&C Association must be used for the benefit of the school. If an association wishes to raise money by special effort for outside interests it may do so, provided that the purpose is approved and noted in the minutes of the meeting and specified in all publicity relating to the special effort.

Members of an association should decide, at a general meeting, how funds are to be disbursed. Funds must be kept in an account, or a number of accounts, which are held at a financial institution with full trustee status and which are managed by the Treasurer.

Where, by formal resolution of the association, an elected subcommittee operates a separate bank account. All monies received by the subcommittee must be deposited promptly in the bank account and all payments made by cheque. Only Officers of the P&C association proper may be signatories on any P&C operated account. The subcommittee should present and table a current financial statement to each association meeting and its accounts must be audited in conjunction with the audit of the P&C Associations' general accounts annually.

The DEC advises that "the move to school-based budgeting does not provide for the amalgamation of Parents and Citizens' Association funds with school funds. Parents and Citizens' Associations can continue to operate separate banking facilities as they have done in the past and continue to have control over the application of funds raised". School Councils have no jurisdiction over P&C Association accounts.

At times a majority of members may feel it appropriate to expend a limited amount of funds on gifts or occasional activities for certain individuals, as an expression of the association's esteem, recognition or condolences.

### **Surplus Funds**

Should an association accumulate funds surplus to immediate needs, members may resolve, at a general meeting, to allow the investment of such a surplus to generate a more attractive rate of interest. It is important to remember that any such investment must be placed with a financial institution with full trustee status. This can be in banks, building societies or similar bodies provided they have full trustee status and meet the operational needs of the P&C association.

### **Fundraising**

The authority to fundraise is automatic, provided the P&C Association is operating under a Constitution which has been approved by the Minister for Education and Training. The authority to fundraise does not automatically give the association the right to offer tax deductibility on contributions and donations to P&C Associations. (Refer to the next section on taxation matters.)

### **Tax Deductibility — Contributions to P&C**

The allowance of deductions for gifts is governed by the provisions of legislation. Under these provisions deductions may be allowed only for gifts to funds and institutions in Australia of the particular classes specified in the section. The main classes of funds and institutions so specified include public and private hospitals, public benevolent institutions, public funds for the relief of persons in necessitous circumstances, public funds to finance the acquisition, construction and maintenance of school buildings, public museums and art galleries.

As P&C Associations do not fall within any of the classes of funds and institutions mentioned, gifts to school parent bodies do not qualify as allowable deductions. Neither registration as a charity nor authority to fundraise confers the right to offer tax deductions on cash donations unless such donations are made to Australian Taxation Office approved building funds.

### **Financial Institutions Duty**

All associations are eligible for exemption from Financial Institutions Duty (State). The necessary forms can be obtained from the bank and associations should apply for this exemption.

### **Goods and Services Tax and Withholding Tax**

P&C Associations have responsibilities under the tax system.

P&C Associations are income-tax exempt, charities under the Tax Act and must hold an Australian Business Number (ABN) but are not required to register for Goods and Services Tax (GST) unless they have an annual turnover for activities of \$150,000 or more.

To calculate the turnover for GST:

- examine the income for the past 12 months, before any expenditure has been deducted
- calculate projected annual turnover by estimating the likely income for the year ahead

- DO NOT include income from the "input-taxed" canteen or other fundraising activities
- DO NOT include donations
- DO NOT include voluntary contributions
- DO NOT include total income from activities for which you receive a commission, eg, art shows, expos
- include income from all other sources such as membership fees, and any government operational grants for Out Of School Hours centres (OOSH) or other
- review your projections regularly
- If the current turnover for your projected turnover is \$150,000 or more, you MUST register for GST.

The ABN should be used for all financial activities undertaken by the association. The Treasurer should ensure that the canteen and other fundraising committees have a copy of the ABN for their use.

### **Lines of Communication**

In the event of any problem regarding the school, the association should arrange to discuss the matter with the proper person. The first approach must be to the Principal. If the matter needs to be referred further, the next approach must be to the Principal's direct Supervisor. Further approaches can then be pursued with the relevant person at State Office, then the Director-General and the Minister for Education and Communities.

Any approach made to a higher Officer will be referred back, so jumping steps is generally not time saving. If an association refers a problem concerning the school to its local member of parliament, for assistance in its resolution, it will be automatically referred back to the most suitable Department of Education and Communities Officer, usually the Principal. Notification to these Officers at the same time will generally expedite the consideration of the problem.

Each school P&C Association is autonomous and, as such, can make approaches independently of the school.

### **School Councils**

The most recent guidelines for the establishment of School Councils were issued by the DEC in November 1998. School Councils are operated in a small number of public school communities. In the few instances where School Councils operate the P&C associations shall have representatives elected to it.

### **P&C Associations as employers**

If the school canteen/uniform shop/OOSH is managed by the P&C Association, a subcommittee may be established as set out in the Model Subcommittee Rules or the P&C association Executive may choose to manage the employer obligations. This subcommittee is directly responsible to the P&C Association. DEC guidelines that could be referred to are the School Manual on Financial Management. Information is available from FairWork Ombudsman relating to employee conditions including pay rates. Links to this site are available at [www.pandc.org.au](http://www.pandc.org.au) under the Employer section.

### **Public Liability**

Associations or Executive members acting on behalf of an association may be under a legal liability should any person attending an association meeting or function meet with injury or suffer damage to property arising out of an accident where there was a claim for negligence or nuisance. A court of law will determine whether negligence is involved in each particular case. PUBLIC LIABILITY INSURANCE IS PROVIDED TO EVERY P&C ASSOCIATION AFFILIATED WITH P&C FEDERATION TO A MINIMUM INDEMNITY OF \$15 MILLION. An association may obtain additional cover (to \$50 million) for an increased premium.

### **Incorporation**

The Parents and Citizens' Associations Incorporation Act 1976 provides for the incorporation of P&C Associations. If an association wishes to become an incorporated body under this Act it should make inquiries with P&C Federation's office.

Incorporated associations are obliged to adopt the Prescribed Constitution for Incorporated P&C Associations. Once incorporated, an association cannot amend this constitution.

Incorporated associations set their own additional rules — see Suggested Rules or By-Laws — which can be amended and enforced by majority vote at any general or special meeting.

By-Laws shall not contradict or overrule any rule in the Constitution.

### **Party Politics**

All major political parties have an official policy on education. Contact your local state and federal Members of Parliament to obtain a copy for your association. As election time draws near, it can be valuable to question your candidates regarding their attitudes to education.

P&C Associations are political organisations in that they are free to engage and lobby political parties and organisations on a wide range of issues.

P&C Associations, however, are non-party political. They do not endorse political parties nor do they promote the wider objectives of political parties.

### **Donations**

All equipment purchased and donated to the school by a P&C Association becomes the property of the DEC. The Department accepts the responsibility of servicing and maintaining such equipment, and provides the relevant insurance cover.

### **Other Equipment**

Equipment and canteen/uniform stock or other property retained or owned by a P&C Association for fund-raising purposes is not covered under the school's insurance and can be insured under P&C Federation's insurance policies available to members.

### **Community Development Days**

School-based in-service training takes the form of development days. Parents are expected to participate, not only in the planning of these school development days, but also in the school-based activities arranged.

### **Local Contacts**

Associations should ensure that their Local, City or Shire Council is informed of their office-bearers each year. In this way the school will not be overlooked on civic occasions.

At all times the P&C Association should be seen as an active community organisation. It is desirable to establish links with local newspapers, so that they too will recognise the association as a vital force in community affairs, and will in return be an avenue for publicising the activities of the school.

### **Involvement in School Ceremonies**

As the official representative of the parents in the school, the P&C Association should be involved in all ceremonial and special occasions at the school.

These cover such things as the opening of new buildings, libraries, etc. in established schools, Education Week, sports days, centenaries, and community events in which the school is involved. On these occasions the association will, of course, act with the Principal in coordinating parental involvement.

## **Subcommittees**

An association may establish subcommittees, however styled, to carry out specific functions on its behalf. Any subcommittees that are established shall report regularly at meetings of the association and follow any direction received from the association. An association may dissolve a subcommittee at any time.

Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the P&C association. Any subcommittees that hold funds (eg, canteen, band/music, OOSH, uniform) shall produce financial statements for each P&C Association meeting and transfer funds as resolved to the P&C association. All bookkeeping records for the subcommittees, including P&C-run canteens, must be consolidated within the P&C annual audit.

## **Parents' Auxiliaries**

Parents' auxiliaries are subcommittees of constituted school-based parent bodies. Like all subcommittees, they must be elected from the floor of the parent body meeting, but should be able to co-opt volunteers as required.

As subcommittees, parents' auxiliaries are bound by the constitution of the parent body responsible for their establishment and are consequently unable to act independently of the parent body. Similarly, they must hand over all funds, after defrayment of day-to-day operating expenses, to the parent body, and must make regular financial reports to the parent body. Parents' auxiliaries are not free to expend funds raised. Such funds may only be spent in accordance with a resolution of the parent body to which an auxiliary reports.

The auxiliary's financial statements and account books must be audited annually, in conjunction with those of the parent body of which it is a subcommittee.



# Prescribed Constitution for Incorporated P&C Associations

Section 117 of the Education Reform Act 1990 requires that the prescribed constitution for P&C Associations incorporated under the Federation of Parents and Citizens' Associations of New South Wales Incorporation (Amendment) Act 1991, be published by the Minister in the Education Gazette.

This prescribed constitution is as follows:

## 1. Name

This body shall be known as the [school name] Parents and Citizens' Association, a body corporate under the Parents and Citizens' Associations Incorporation Act 1976.

## 2. Object and Functions

The objects and functions of this association shall be those set out in Section 116 of the Education Act 1990 which include:

- (i) The objects:
  - (a) to promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation; and
  - (b) to assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students at the school.
- (ii) The functions:
  - (a) to report, when requested by the Minister for Education and Training, on the material requirements of the school and to advise on the subject of maintenance of the school, alterations and additions to school facilities, and the selection of new sites;
  - (b) to assist and co-operate with the teaching staff in public functions associated with the school;
  - (c) to be responsible for the election of parent representatives to any School Council constituted at the school in consultation with the Principal of the school to ensure consistency with any guidelines for elections issued by the Director-General of Education and Training;
  - (d) to assist in any matters in which the Minister may seek the co-operation of the association and to exercise such other functions as may be prescribed by the regulations (under the Education Act 1990).

## 3. School Staff

The association shall not exercise any authority over the teaching staff or any matter relating to the control or management of the school. School staff may become members of the association. The Principal of the school, or the Principal's nominee, shall be a member, ex-officio, of the association and all its committees.

## 4. Membership

Membership will be open to all parents and guardians of pupils attending the school and to all citizens within the school community. The association shall maintain a register of members. A person whose name appears in the register and who has paid the annual subscription shall be a member of the association.

The register shall be updated after each general meeting by the Secretary or the Secretary's nominee. If the name of a person has been omitted from the register when that person is otherwise entitled to be a member and their name should have been recorded in the register, then that person shall be a member of the association.

**5. Office-Bearers**

- (a) The Executive Committee, which shall be constituted of the Officers of the association and up to six other members, shall carry out the decisions of the association. Members of the Executive Committee shall not receive any remuneration or other material benefit by reason of their position in the association. A member of the Executive Committee may be removed from office by resolution of the association carried at a properly convened general meeting or special meeting, providing at least seven days' notice has been given to members.
- (b) The Officers shall consist of President, two Vice-Presidents, Treasurer and Secretary, and shall be elected at the annual general meeting.
- (c) The President shall preside at all meetings except that, in the absence of the President one of the Vice-Presidents shall preside and, in the absence of the President and Vice-Presidents, the committee shall elect a Chairperson.
- (d) The Secretary shall attend meetings and keep a record of all business conducted. On relinquishing office the Secretary shall hand over records, minutes, account books, etc, to the incoming Secretary.
- (e) The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each General Meeting; present all records for auditing each year and shall hand over all records to the incoming Treasurer on relinquishing office. The requirements for handling money, keeping records, etc. in the School Manual on Financial Management shall be followed. Should it be necessary during the unavoidable absence of the Treasurer, another Officer of the association may receive any monies, issue receipts and either deposit the monies in an association account or hand the monies to the Treasurer within two business days, taking a receipt for same.

**6. Casual Vacancies**

Any casual vacancy on the Executive shall be filled by a ballot of the members of the association at any general meeting. A casual vacancy shall have arisen where a member of the Executive Committee:

- (a) dies;
- (b) resigns from the committee by notice in writing;
- (c) ceases to be a member of the association;
- (d) is removed under clause 5(a); or
- (e) has a continuing and long-term incapacity to fulfil the functions of the position.

**7. Annual General Meeting**

An annual general meeting shall be held once each calendar year at a date specified in the rules. At this meeting all Officer and other positions will become vacant and then be filled by nomination, and where necessary by ballot of members. All nominees shall be members of the association. The audited statement of income and expenditure and Annual Report will be presented. A copy of the audited statement of income and expenditure, certified by the auditor, is to be forwarded to the Federation of Parents and Citizens' Associations of New South Wales within one month of the annual general meeting at which it is adopted. An auditor for the ensuing year who is not an Office-Bearer of the association shall be appointed. The appointed auditor shall possess appropriate skills and experience in auditing and financial record management together with an appreciation of the issues of probity as they relate to the role of association auditor. In particular, the auditor must not have or appear to have any conflict of interest arising, for example, from a personal or business relationship with an Officer of the association.

**8. General Meetings**

A general meeting shall be held at least once during each school term.

## 9. Special Meetings

A special meeting shall be called by the Secretary at any time upon written request signed by at least 10 members or on the authority of the Executive Committee. The special meeting shall be held within one month of the date the Secretary receives the request or is given the authority. Members shall be given at least seven days' notice of the meeting which notice shall also state the business of the meeting.

## 10. Quorum

Where the association has a current membership of 50 or more, the quorum at all meetings of that association shall be 11 members. Where the association has a current membership of less than 50, the quorum shall be set according to the rules of that association but shall not be less than five.

## 11. Liability

- (a) A member or Officer of the association is not, by reason only of being such a member or Officer, liable to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the winding up of the association.
- (b) The association must effect and maintain approved public liability insurance, unless the association is covered by such insurance affected and maintained by the Federation of Parents and Citizens' Associations of New South Wales. In this section "approved public liability insurance" means public liability insurance which an association incorporated under the associations Incorporation Act 1984 is required by Part 6 of that Act to effect and maintain.

## 12. Subscriptions

The annual subscription shall be set by the rules but shall not be less than 50 cents.

## 13. Subcommittees

The association may establish subcommittees, however styled, to carry out specific functions on its behalf. Any subcommittees that are established shall report regularly at meetings of the association and follow any directions received from the association. The association may dissolve a subcommittee at any time.

Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the association.

## 14. Dissolution

- (a) The association may be dissolved in terms of a resolution carried at a general meeting or a special meeting of members, providing at least seven days' notice has been given to members and subject to the concurrence of the Minister for Education and Community, or otherwise at the Minister's discretion.
- (b) The association shall be dissolved if the number of members falls below the quorum or the school to which the association is attached is closed.
- (c) Where the association is dissolved minute books, audited accounts and other records, together with the residue of funds, shall be given to a kindred organisation having a taxation status accepted by the Australian Taxation Office as equivalent to that of the association. In particular, where the association maintains a deductible gift fund (such as a school building fund) on dissolution any remaining assets or funds must be transferred to another gift deductible fund with similar objects to the association. Any records given to a kindred organisation will be retained in accordance with taxation legislation requirements. The transmission shall occur within two months of the dissolution of the association, and only after the books of account have been audited as provided under Clause 16. If the association is registered for GST, dissolution shall not be finalized until all accounts have been paid, all revenue received and all GST transactions have been accounted for in the association's Business Activity Statement.

- (d) Where the association is dissolved, assets and funds on hand after payment of all expenses and liabilities shall not be paid to or distributed among the members.

#### **15. Rule-Making Power**

The association shall make such rules as are required to carry out its functions. The rules shall not contravene the terms of this constitution, the Education Act 1990, or the Parents and Citizens' Associations Incorporation Act 1976. The rules may be adopted, altered or withdrawn according to a simple majority vote at any meeting of the association for which a month's notice has been given. Such notice shall include details of the proposed changes. The rules shall provide for the procedure to be followed:

- (a) at meetings of the association;
- (b) to convene a substitute meeting when a quorum is not attained at a meeting; and
- (c) in making an application for membership.

#### **16. Accounts**

The funds of the association shall be banked in the name of the association with any institution holding trustee status within the meaning of the Trustee Act 1925, provided interest is allowed on the balance. The account shall be operated by two or more Officers of the association delegated in that behalf by the association. No commitment shall be entered into for the expenditure of association funds, except by resolution of a meeting of the association. The association must make such financial reports about its affairs (including annual reports of its auditors) as are required by its rules or by the Minister for Education and Community.

# Standard Constitution for Unincorporated P&C Associations

## 1. Name

This body shall be known as the [school name] Parents and Citizens' Association.

## 2. Objects and Functions

The objects and functions of this association shall be those set out in Section 116 of the Education Act 1990 which include:

- (i) The objects:
  - (a) to promote the interests of the school by bringing parents, citizens, students and teaching staff into close co-operation; and
  - (b) to assist in providing facilities and equipment for the school and in promoting the recreation and welfare of the students at the school.
- (ii) The functions:
  - (a) to report, when requested by the Minister for Education and Community, on the material requirements of the school and to advise on the subject of maintenance of the school, alterations and additions to school facilities, and the selection of new sites;
  - (b) to assist and co-operate with the teaching staff in public functions associated with the school;
  - (c) to be responsible for the election of parent representatives to any School Council constituted at the school in consultation with the Principal of the school to ensure consistency with any guidelines for elections issued by the Director-General of Education and Community;
  - (d) to assist in any matters in which the Minister may seek the co-operation of the association and to exercise such other functions as may be prescribed by the regulations (under the Education Act, 1990). The assets and income of the association shall be applied solely to further these objects and functions. No part of the assets and income shall be distributed directly or indirectly to the members of the association except as bona fide compensation for services rendered or expenses incurred on behalf of the association.

## 3. School Staff

The association shall not exercise any authority over the teaching staff or any matter relating to the control or management of the school. School staff may become members of the association. The Principal of the school, or the Principal's nominee, shall be a member, ex-officio, of the association and all its committees.

## 4. Membership

Membership will be open to all parents of pupils attending the school and to all citizens within the school community. The association shall maintain a register of members. A person whose name appears in the register and who has paid the annual subscription shall be a member of the association. The register shall be updated after each general meeting by the Secretary or the Secretary's nominee. If the name of a person has been omitted from the register when that person is otherwise entitled to be a member and their name should have been recorded in the register, then that person shall be a member of the association.

## 5. Office-Bearers

- (a) The Executive Committee, which shall be constituted of the Officers of the association and up to six other members, shall carry out the decisions of the association. Members of the Executive Committee shall not receive any remuneration or other material benefit by reason of their position in the association. A member of the Executive Committee may be removed from office by resolution of the association carried at a properly convened general meeting or special meeting, providing at least seven days' notice has been given to members.
- (b) The Officers shall consist of President, two Vice-Presidents, Treasurer and Secretary, and shall be elected at the annual general meeting.
- (c) The President shall preside at all meetings except that, in the absence of the President, one of the Vice-Presidents shall preside and, in the absence of the President and Vice Presidents, the Committee shall elect a Chairperson.
- (d) The Secretary shall attend meetings and keep a record of all business conducted. On relinquishing office the Secretary shall hand over records, minutes, account books, etc, to the incoming Secretary.
- (e) The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each general meeting, present all records for auditing each year and shall hand over all records to the incoming Treasurer on relinquishing office. The requirements for handling money, keeping records, etc. in the School Manual on Financial Management shall be followed. Should it be necessary during the unavoidable absence of the Treasurer, another Officer of the association may receive any monies, issue receipts and either deposit the monies in an association account or hand the monies to the Treasurer within two business days, taking a receipt for same.

#### **6. Casual Vacancies**

Any casual vacancy on the Executive shall be filled by a ballot of the members of the association at any general meeting. A casual vacancy shall have arisen where a member of the Executive Committee:

- (a) dies;
- (b) resigns from the committee by notice in writing;
- (c) ceases to be a member of the association;
- (d) is removed under clause 5(a); or
- (e) has a continuing and long-term incapacity to fulfil the functions of the position.

#### **7. Annual General Meeting**

An annual general meeting shall be held once each calendar year at a date specified in the rules. At this meeting all Officer and other positions will become vacant and then be filled by nomination and, where necessary, by ballot of members. All nominees shall be members of the association.

The audited balance sheet and annual report will be presented. An auditor for the ensuing year who is not an Officer of the association shall be appointed.

#### **8. General Meetings**

A general meeting shall be held at least once during each school term.

#### **9. Special Meetings**

A special meeting shall be called by the Secretary at any time upon written request signed by at least 10 members or on the authority of the Executive Committee. The special meeting shall be held within one month of the date the Secretary receives the request or is given the authority.

Members shall be given at least seven days' notice of the meeting which notice shall also state the business of the meeting.

#### **10. Quorum**

Where the association has a current membership of 50 or more, the quorum at all meetings of that association shall be 11 members. Where the association has a current membership of less than 50, the quorum shall be set according to the rules of the association but shall not be less than five.

#### **11. Subscriptions**

The annual subscription shall be set by the rules but shall not be less than 50 cents.

#### **12. Subcommittees**

The association may establish subcommittees, however styled, to carry out specific functions on its behalf. Any subcommittees that are established shall report regularly at meetings of the association and follow any directions received from the association. The association may dissolve a subcommittee at any time.

Any funds raised or handled by a subcommittee shall be, for all purposes, funds of the association.

#### **13. Dissolution**

- (a) The association may be dissolved in terms of a resolution carried at a General Meeting or a Special Meeting of members, providing at least seven days' notice has been given to members and subject to the concurrence of the Minister for Education and Community, or otherwise at the Minister's discretion.
- (b) The association shall be dissolved if the number of members falls below the quorum or the school to which the association is attached is closed.
- (c) Where the association is dissolved minute books, audited accounts and other records, together with the residue of funds, shall be given to a kindred organisation or the Department of Education as determined by a resolution of members. The transmission shall occur within two months of the dissolution and only after the books of account have been audited as provided under Clause 15.
- (d) Where the association is dissolved, assets and funds on hand after payment of all expenses and liabilities shall not be paid to or distributed among the members.

#### **14. Rule-Making Power**

The association shall make such rules as are required to carry out its functions. The rules shall not contravene the terms of this constitution or the Education Act, 1990. The rules may be adopted, altered or withdrawn according to a simple majority vote at any meeting of the association for which a month's notice has been given. Such notice shall include details of the proposed changes. The rules shall provide for the procedure to be followed:

- (a) at meetings of the association;
- (b) to convene a substitute meeting when a quorum is not attained at a meeting; and
- (c) in making an application for membership.

#### **15. Accounts**

The funds of the association shall be banked in the name of the association with any institution holding trustee status within the meaning of the Trustee Act, 1925, provided interest is allowed on the balance. The account shall be operated by two or more Officers of the association delegated in that behalf by the association. No commitment shall be entered into for the expenditure of association funds, except by resolution of a meeting of the association. The association must make such financial reports about its affairs (including reports of its auditors) as are required by its rules or by the Minister for Education and Community.

## Suggested Rules or By-Laws for P&C Associations

### To accompany the Prescribed or Standard Constitution

1. These rules are made under the constitution of [school name] Parents and Citizens' Association.
2. The association is formed for the benefit of the pupils of the school, which will:
  - (a) participate as much as possible in the activities of the school and communicate with all members of the school community;
  - (b) co-operate in the activities of the Federation of Parents and Citizens' Associations of New South Wales, and District and Regional Councils; and
  - (c) promote the interests of public education.
3. The financial year of the association will close on [31 December] each year.
4. The annual general meeting of the association will be held in [February] of each year, in conjunction with and preceding the ordinary general meeting for that month. The agenda of the annual general meeting shall include setting the membership fee of the association for the ensuing year.

*Note: P&C Federation has limits on eligibility to serve consecutive terms in the same position. Associations can decide whether such a rule is appropriate for their needs.*

5. No person will serve more than [three consecutive years] in the same position.
6. A general meeting of the association will be held [on the third Tuesday of each month during term time] at [8] pm.
7. Any person eligible for membership may become a member or renew membership by paying the required membership fee of \$[n.nn] to the Treasurer, or nominee of the Treasurer, after any general meeting. Membership will remain current until the close of the annual general meeting in the following year. The [Secretary/An Assistant Secretary] shall be responsible for maintaining an up-to-date register of membership.

*Note: The provisions of this rule are to do with membership. For insurance purposes the categories of "member" and "volunteer" are distinct. A list of members is a legal necessity. For insurance purposes each association is strongly advised to maintain a list of occasions on which there are volunteers working on its behalf. It is preferable that there be a list of names of volunteers, who need not be members, associated with each occasion.*

8. At a general meeting the quorum will be in accord with Rule 10 of the constitution. Where that rule does not specify a number the number will be [one plus one-tenth of the number of members].
9. If a meeting for which due notice has been given does not achieve a quorum [within 15 minutes of the advertised starting time] the Secretary will, or in the absence of a Secretary remaining members of the Executive will [call a further meeting] and failing that any five members of the Association may call a further meeting [with a lapse of not more than 28 days of term time] to carry on the business of the association.
10. In the absence of the Secretary the remaining members of the Executive or any five members of the association may call any meeting that is required, giving due notice of the business proposed for the meeting.
11. All meetings of the association will be conducted in accordance with the appropriate By-Laws of P&C Federation "Standing Orders for the Conduct of All Meetings".

*Note: The By-Laws of P&C Federation specifically provide for reference where necessary to N E Renton's Guide for Meetings and Organisations. Associations will find it convenient to keep P&C Federation Handbook and Renton's Guide for Meetings and Organisations*



available. The Standing Orders, forming part of the By-Laws of P&C Federation, provide for a particular order of business for some meetings. Associations may wish to adopt a standard rule about the order of business. A special provision may be necessary in a busy Association to ensure that any unfinished business of one meeting is taken up early in the next.

12. The order of business will follow that, for P&C Federation Council, Standing Order, Unfinished business on notice at the previous meeting shall be dealt as "Matters arising from the minutes".

*Note: Some associations have considered it necessary to have some protection against a meeting being "stacked". It is probably sufficient protection if a quorum of the membership has the power to require that any particular item of new business introduced without prior notice at a meeting be placed on notice for a further meeting.*

13. As well as the provisions of P&C Federation Standing Order "Notices of Motion", a group of members of the association equal to the quorum for the meeting may require that particular items of new business without notice be placed on notice for the next meeting.

*Note: Associations may appoint persons to represent them. There should then be provision for such representatives to report on these activities at meetings of the association.*

14. The association may elect representatives who will be responsible to the association in the same way that P&C Federation representatives are responsible to P&C Federation under P&C Federation Policy. The association may decide at the time of election what form of reporting is required.

*Note: P&C Federation provides that the seat of any Officer absent for three consecutive meetings without cause shall be declared vacant. If an association adopts such a rule it should be stated to create a "Casual Vacancy" to be dealt with under Rule 6 of the constitution.*

15. A general meeting of the association may declare any Officer who has been absent for three successive meetings, as set out in P&C Federation By-Law 6 (c), to have vacated their position and to have created a casual vacancy to be dealt with by means of Rule 6 of the constitution.

*Note: Associations must ensure that important and irregular financial decisions are brought to the attention of members and all expenditure, beyond normal running costs, receives majority support from members at a general or special meeting.*

16. Any motion to expend association monies must be placed on notice for the meeting at which it is to be considered. The provisions of such a sample rule should not hamper subcommittees from expending those monies necessary for normal running costs. In fact, a subcommittee's powers to expend monies should be defined by the association when the subcommittee is set up, eg. an auxiliary may need to buy materials for fundraising activities. Under the guidelines for incorporation, all funds belong to the association and expenditure must be authorised by the association. A subcommittee must not expend funds for any purpose outside those allowed by the association. There is nothing, however, to prevent an association setting up a subcommittee to raise funds for some particular goal, or a subcommittee recommending a particular use for the funds it has raised.

17. The association may confer the honour of Life Membership on a member who has made an outstanding contribution to the work of the association. Life Members may attend and speak at meetings but are not entitled to vote or to hold office unless they are also ordinary members.

## Summary and Extracts from School Manual on Financial Management

The school manual on Financial Management, in addition to outlining financial procedures for schools, could also be referred to for the financial management of P&C Associations. A number of relevant extracts are provided below.

### Canteens

The aims of a school canteen include functioning as an efficient business enterprise by offering regular, consistent and quality service to the school community and recognising that a healthy canteen can operate profitably for the benefit of the school, but its value as a source of profit is secondary to its value as an educational resource.

The approval of the DEC Supervisor is required before a canteen may be established on school property or before the method of operation may be varied. (9.224) There are three methods of operation:

- (a) By lease to a private contractor.
- (b) By a subcommittee of a parents organisation, with the Principal as an ex-officio member.
- (c) As a school-operated canteen.

The following summarises the financial objectives and arrangements for school operated canteens and those operated by parents' organisations.

Pricing decisions are to be taken realistically in the light of all circumstances so that these objectives may be met as fully as practicable:

- (a) The income should be sufficient to
  - (i) Meet the full costs caused by the existence and operation of the canteen, including provisions for depreciation and long service leave.
  - (ii) Provide an appropriate contribution to the school for educational purposes equivalent to:
    - net profit less any required increase in working capital; the costs of any services met by the school and, wherever practicable,
    - the costs of building repairs and maintenance
- (b) Canteens operated by parents' organisations meet these objectives by making contributions or by the purchase of equipment, materials or services to enhance the school's budgeted programs.

The remaining policies and procedures apply to school-operated canteens. However, it is considered that there would be overall advantages if similar procedures were adopted for canteens operated by parents' organisations.

The cash takings each day are to be counted by two people, wherever practicable and entered in a Daily Sales Book. Funds equalling the provision for depreciation and long service leave are to be invested in authorised investments.

Prices are to be adequate to provide an appropriate net profit after meeting the full cost of the canteen's operation, i.e., the purchase cost of items sold, the selling and administrative costs, and the contribution paid to the school for costs not met by the canteen.

A stock take is to be performed at least once a term and the stock on hand valued at replacement cost for the preparation of the Trading Statement each term.

## **Parents' Organisations**

### ***Introduction***

These notes supplement information about parent organisations contained in other manuals and in the respective written advice produced by the Federation of Parents and Citizens' Associations of NSW. Section 115 (1) of the Education Act 1990 provides that a parent organisation may be constituted in connection with any state school.

Each parent organisation is required to have its constitution, and subsequent amendments to that constitution, approved by the Minister for Education & Training.

Any organisation so constituted has legal standing under the Education Act 1990 irrespective of whether it is currently affiliated with the Federation of Parents and Citizens' Associations of NSW and is bound to observe the rules of its individual, Ministerially approved constitution.

Each school Principal is an ex-officio member of a parent organisation for the school but does not have any authority over that organisation in the manner in which it wishes to spend its funds other than the right to draw to the attention of a general meeting any expenditure which is considered to be unconstitutional, illegal or contrary to departmental policy and practices.

### **Fundraising Activities**

#### ***Budgets***

It is recommended that parent organisations use budgets of both income and expenditure as a means of monitoring and controlling financial activities. Comparison of budget to actual performance is a useful management tool.

Where particular fundraising events are planned the provision of a budget helps to guard against the possibility of an activity running at a loss. It is therefore recommended that a fairly simple budget be drawn up listing each activity and services to be provided. The budget is to indicate estimated receipts, payments and profit for each activity or service.

#### ***Receipting and Banking of Monies***

Funds raised by a parent organisation are the property of that parent body and must be deposited in an approved bank account. All monies collected should be receipted promptly by the Treasurer.

Receipts should bear the name of the parent organisation, the ABN of the parent organisation show the date, payee and form of remittance (i.e. cash or cheque) and be signed by the Treasurer (or delegated person). Collections should be banked promptly and in the form received (i.e. cheques should not be substituted for cash) by the Treasurer (or delegated person).

#### ***Payments of Accounts***

All cheques should be signed by two of the Officers of the association, namely, the President, Vice Presidents, Treasurer and Secretary. Two members of the same family should not, as a general rule, be cheque signing Officers.

Cheques should not be pre-signed (i.e. blank cheques should not be signed by signatories).

Cheque signatories should:

- (a) Sight all supporting documents (e.g. Minutes, invoices) before signing cheques.
- (b) Ensure that cheques are correctly drawn to the payee.
- (c) Ensure that the amount of the cheque agrees with the invoice etc.

***Method of Control for Monies Raised***

Funds raised by organisations are the property of that organisation and must be deposited in the bank account of that organisation and expended only on the authority of a general meeting of that organisation.

Where the school and the parents' organisation raise monies jointly such as from a 'joint fete', proceeds may be deposited in either the bank account of the organisation or the bank account of the school. Following the declaration of a profit, a cheque is to be drawn to transfer monies to the organisation or the school, according to mutual agreement between the Principal and resolution of a general meeting of the parents' organisations, prior to organising the joint fete.

***Expenditure***

In accordance with their constitution, parents' organisations can commit funds only on the resolution of a general meeting.

Funds raised are available, at the discretion of a general meeting, for use in purchasing equipment, materials or services to:

- (a) aid in the development of the school's educational program

Each school Principal is an ex-officio member of a parents' organisation for the school but does not have any authority over that organisation in the manner in which it wishes to spend its funds other than the right to draw the attention of a general meeting to any expenditure which is considered to be unconstitutional, illegal or contrary to department policy and practices.

Parents' organisations have the right to raise money and receive donations on behalf of the school. Obviously, it is in the best interests of all for appropriate consultation to take place between parents, organisations, the Principal and relevant members of staff prior to committing funds and/or purchasing equipment, etc., as this consultation should ensure that funds are put to the best use. Only the Principal has the authority to accept, on behalf of the school, a contribution, donation, etc. from a parents' organisation.

# Model Subcommittee Rules

## 1. Name

The committee shall be known as the [school name] School P&C Association Canteen Committee.

## 2. Aims

- (a) To provide a balanced and nutritious food service to children of the school at a reasonable cost.
- (b) To maintain standards of health care in relation to the preparation, supply and service of food at the canteen.
- (c) To provide a service to the school community.
- (d) To support the school in its health education program.

## 3. Membership of the Committee

The committee shall consist of nine members elected annually at the annual general meeting of the P&C Association. Membership will consist of: a Canteen Convenor, a Canteen Scribe/Minute Taker, a representative of the Treasurer (this can be the Treasurer him/herself) and four other members of the P&C Association. The Principal shall be an ex-officio member of the committee.

## 4. Duties of the Committee

- (a) The committee shall organise and control the full administration of the canteen. However, the committee shall be responsible in all its actions to the P&C Association which shall have the right to reorganise, disband or close the committee, such decisions to be supported by majority vote at a general or special meeting of the P&C Association called for that purpose. Notice of Motion for action to reorganise, disband or close must be given in writing to the Secretary of the P&C Association and must be signed by six financial members of the P&C Association. Further, such notice shall be circularised to all members at least seven days in advance of the general or special meeting.
- (b) The committee shall present a report to each general meeting of the P&C Association.
- (c) The Treasurer's representative must lodge with the association's Treasurer a current financial statement for presentation to each general meeting of the association.

## 5. Meeting of the Committee

- (a) The committee shall meet at least once a month during school term time.
- (b) The quorum for all meetings shall be five members.
- (c) A special meeting may be summoned by the Canteen Convenor on a written request signed by at least two members of the committee. Seven days' notice of any such meeting, stating the business of the meeting, shall be given to all members of the committee.

## 6. Funds

- (a) All money received by the committee shall be deposited in an account in the name of the committee or the Association Account.
- (b) All accounts are to be paid by cheque. Cheques are to be signed by any two of the Office bearers of the P&C Association.
- (c) All income received by the Canteen shall be given to:
  - (i) Canteen maintenance and replacement of stock or equipment.
  - (ii) The purchase of additional equipment for the efficient running of the Canteen.



# District P&Cs

## Standard District Council Constitution

### 1. Name and District

(a) This body shall be known as ..... District Council of Parents and Citizens' Associations, and its official address shall be the address of the Secretary.

(b) The district in connection with which the council is established shall include the following government schools and any other government school which may have a relationship with the district.

### 2. Objects and Functions

The objects and functions of this district council shall be to:

(a) Advance the common interests of government schools within the district as defined in Rule 1(b).

(b) Advise the Minister for Education and Training about matters relating to government schools within the district in accordance with the Education Act 1990. Promote the exchange of information regarding the activities of P&C associations within the district.

(c) Promote the exchange of information regarding the activities of P&C associations within the district

(d) Do all such other things as may promote the interests of education.

(e) Support the activities of the Federation of Parents & Citizens' Associations of New South Wales and its Regional Councils and all other district councils as appropriate.

(f) Assist in any matters in which the Minister may seek the co-operation of the district council and to exercise such other functions as may be prescribed by the regulations under the Education Act 1990.

### 3. Schools and Constituent Association

The district council shall not interfere in any way with the control or management of the schools within the district nor shall it exercise any authority over the constituent associations.

### 4. Membership

This district council shall consist of two delegates of each P&C Association constituted in respect to any government school in the district. Each association may also nominate alternative delegates to act if one of its accredited delegates is unable to be present at a meeting. Each association

Secretary shall notify the district council Secretary in writing of the names of the accredited delegates and alternates of the association.

### 5. Finance

(a) All funds of the district council shall be banked in the name of the district council with any institution holding trustee status within the meaning of the Trustee Act 1925. No monies shall be withdrawn from the account unless authorised by a general meeting. Cheques and other instruments shall require the signatures of any two officers.

(b) Funds may be raised by such means as the district council deems fit including donations, contributions, and/or affiliation fees from P&C associations within the district, and other organisations.

(c) Funds shall be spent solely to meet the objects and functions of the district council and no part of the funds shall be paid, directly or indirectly, as a dividend or bonus or payment that

would be deemed as profit to any person. Payment that is reimbursement to any officer or member of the district council may be made provided that such payment is authorised at a general meeting

#### **6. Office-Bearers**

(a) The office-bearers shall be a President, two Vice-Presidents, a Treasurer, and a Secretary, and shall be elected at the annual general meeting.

(b) An Executive Committee, which shall be constituted by the office-bearers and up to six other members, shall carry out the decisions of the district council. An officer and any member of the Executive Committee may be removed from the committee if a vote of no confidence in the member is carried at a properly convened general meeting or special meeting, provided at least seven days' notice has been given to members.

(c) The President shall preside at all meetings except that, in the absence of the President, one of the Vice-Presidents shall preside and, in the absence of the President and Vice-Presidents, a Chairperson shall be elected.

(d) The Secretary shall keep a record of all business conducted at meetings and shall hand over records and minutes etc to the incoming Secretary on relinquishing office.

(e) The Treasurer shall receive and deposit monies, maintain records, draw cheques and present accounts to each general meeting, present all records for auditing each year and hand over all records to the incoming Treasurer on relinquishing office. Should it be necessary during an unavoidable absence of the Treasurer, another officer of the district council may receive any monies, issue receipts and either deposit the monies in a district council account or hand the monies to the Treasurer within two business days, taking receipt for same.

#### **7. Election of Office-Bearers**

The office-bearers and other members of the executive committee shall be elected from the accredited delegates who are in attendance at the annual general meeting. Candidates for all positions shall be nominated and seconded, and where there is more than one nominee for a position, then the election shall be decided by ballot. The district council will appoint a Returning Officer before any election takes place.

#### **8. Re-Election**

The office-bearers and members of the executive committee shall remain in office until they resign or until their office is declared vacant in accordance with Rule 6 (b) or 10 or until their successors are elected.

#### **9. Absent Office-Bearer**

The position of any officer-bearer absent from three consecutive meetings without reasonable cause may be declared vacant.

#### **10. Casual Vacancies**

The district council shall fill any casual vacancy of an office-bearer or Executive position at any general meeting, following the procedure set out in Rule 7. A casual vacancy occurs where an office-bearer or executive member:

- (a) dies;
- (b) resigns;
- (c) is no longer a delegate to the district council;
- (d) is removed under 6(b);
- (e) has continuing and long term incapacity to fulfil the functions of the position.

#### **11. General Meeting**

The number of general meetings and the frequency of meetings shall be determined at each annual general meeting.



**12. Annual General Meeting**

An annual general meeting shall be held in April of each year, or as soon thereafter as practicable. The annual reports and balance sheet shall be presented at this meeting.

**13. Special Meeting**

A special meeting shall be called at any time on a requisition signed by... members or may be called on the authority of the Executive Committee. Members shall be given seven days' notice of such a meeting and the object of the meeting shall be stated in the notice.

**14. Quorum**

A quorum shall not be less than eight. No general or special meetings shall proceed unless a quorum of delegates is present.

**15. Business of Meetings**

All general meetings shall include the following items of business:

- (a) apologies;
- (b) confirmation of minutes of previous meeting;
- (c) business arising;
- (d) reports;
- (e) correspondence;
- (f) motions of which due notice has been given; and
- (g) general business.

**16. Auditors**

An auditor who is not an accredited delegate or alternate delegate to the Council shall be appointed at each annual general meeting for the ensuing year. The auditor shall examine all accounts, vouchers and receipts, audit the books and prepare a report which shall be submitted to the annual general meeting. Any casual vacancy occurring in the office of auditor shall be filled as soon as practicable by a general meeting.

**17. Discussions**

All discussions at general and executive committee meetings shall be governed by the usual rules of debate. No party-political or sectarian discussion shall be allowed at any meeting.

**18. Dissolution**

(a) The district council may be dissolved in terms of a resolution carried at a general meeting or a special meeting of members, providing at least seven days' notice has been given to members and subject to the concurrence of the Minister for Education and Training, or otherwise at the Minister's discretion.

(b) The district council may be dissolved if the number of members falls below the quorum.

(c) Where the district council is dissolved, minutes books, audited accounts with other records together with the residue of funds shall be given to another district council, an organisation with similar objectives and functions or the DET, as determined by a resolution of members. The transmission shall occur within two months of the dissolution and only after the books of account have been audited as provided under Clause 16.

(d) Where the district council is dissolved, assets and funds on hand after payment of all expenses and liabilities shall not be paid to or distributed among the members.

**19 Rule Making-Power**

The district council shall make such rules as required to carry out its functions. The rules shall not contravene the terms of this constitution or the Education Act 1990. The rules may be adopted, altered or withdrawn according to a simple majority vote at any meeting of the district council for which 28 days' notice has been given. Such notice shall include details of the proposed changes. The rules shall provide for the procedures to be allowed:

- a) at meetings of the district council;
- b) to convene a substitute meeting/s when a quorum is not present at a meeting;
- c) in making application for membership;
- d) for forming and operating subcommittees if required; and
- e) for sending notices of meetings and advising the business of meetings.

# The Government School System in NSW

This chapter provides some information about the Department of Education and Communities (DEC) the Government department responsible for delivering public education in New South Wales.

## The Department of Education and Community Structure

The NSW Minister for Education and Community is responsible for education in NSW. The DEC is headed by the Director-General of Education and Community who is assisted by a number of Deputy Director-General and a State Executive of senior Officers.

The DEC administers primary and secondary education in government schools and further education delivered by TAFE. The Department's head office, which has locations around NSW, employs staff for the entire Government school system, allocates global budgets to schools, and develops and issues Departmental guidelines. The Director-General regulates all teaching and learning, departmental properties and staff training. The decisions made by the Director-General are implemented across NSW through many mediums and staff. The daily administration of schools is the responsibility of Principals who are also their school's educational leaders.

For detailed information about the DEC structure, visit its website at <http://www.dec.nsw.gov.au/> or phone on (02) 9561 8000.

## State Office

The DEC has state offices in several locations across New South Wales. Those wanting to contact the Department of Education and Communities should contact the Bridge Street office in the first instance at:

35 Bridge Street  
GPO Box 33  
SYDNEY 2001  
Phone: (02) 9561 8000

## School policies and procedures

Schools policies relate to the day-to-day administration of NSW public schools. All policies can be obtained from Principals and on DEC website.

### Classification of Schools

#### Primary Schools

- Class 6 — Enrolment of 25 or less
- Class 5 — Enrolment from 26 to 159
- Class 4 — Enrolment from 160 to 300
- Class 3 — Enrolment from 301 to 450
- Class 2 — Enrolment from 451 to 700
- Class 1 — Enrolment of more than 700

#### Secondary Schools

- Class 8 — Enrolment of more than 900
- Class 9 — Enrolment of 900 or less

#### Central Schools

Central schools have both primary and secondary departments. They enrol students from Kindergarten to either Year 10 or Year 12.

- Class 4 — Enrolment from 26 to 159
- Class 3 — Enrolment from 160 to 300
- Class 2 — Enrolment from 301 to 450
- Class 1 — Enrolment of more than 450

There are three Class 8 and Class 9 schools catering for Kindergarten to Year 12.

### DEC ACRONYMS

ACARA	Australian Curriculum, Assessment and Reporting Authority	G&T	Gifted and Talented
AECG	Aboriginal Education Consultative Group	HSIE	Human Society and its Environment
AQF	Australian Qualifications Framework	HSLO	Home School Liaison Officer
ASLO	Aboriginal Student Liaison Officer	KLA	Key Learning Area
ATAR	Australian Tertiary Admissions Rank	LOTE	Languages Other than English
ATSI	Aboriginal and Torres Strait Islander people	LSLD	Local School Local Decisions
BER	Building Education Revolution	NAPLAN	National Assessment Program Literacy and Numeracy
BOS	Board of Studies	NBEET	National Board of Employment, Education and Community
BOSLO	Board of Studies Liaison Officer	NESB	Non-English Speaking Background
BVET	Board of Vocational Education and Community	OC	Opportunity Class for Gifted and Talented Students
CALD	Culturally and Linguistically Diverse Community	PSP	Priority Schools Program
CAP	Country Areas Program	QTP	Quality Teaching Program
CLO	Community Liaison Officer	RPL	Recognised of Prior Learning
CPI	Consumer Price Index	RoSA	Record of School Achievement
DEEWR	Department of Education, Employment and Workplace Relations	SEG	School Education Group
DEC	Department of Education and Community (NSW)	SED	School Education Director
ELI	Early Learning Initiative	SFMC	School Facility Maintenance Contract
ESES	Every School Every Student	SLSO	Student Learning Support Officer
ESL	English as a Second language	SRC	Student Council Representative Council
		TESOL	Teaching English as a Second Language
		VET	Vocational Education and Training

# P&C Federation

## General

P&C Federation was established in 1922 and was incorporated by an Act of Parliament in 1976. The members of P&C Federation are affiliated school-based associations and District Councils. The policy of P&C Federation is established at its Annual Conference to which all affiliates (associations and District Councils) are entitled to send delegates.

The implementation of this policy is carried out between Annual Conferences by the Council of P&C Federation which is elected at the conference. The Council consists of Office-Bearers and Councillors representing all the regions of the state.

Councillors are available to visit and assist affiliates in their region by invitation from associations.

Actions of P&C Federation include:

- (a) Lobbying the DEC and the state government, among other authorities, for the acceptance of P&C Federation's policies and their incorporation in relevant regulations, acts and policies related to schools and education.
- (b) Research and dissemination of information on school and educational matters to affiliated P&C Associations through the quarterly P&C Journal and by the regular circulation of reports and newsletters to affiliated associations.
- (c) Support of affiliates, at the request of those affiliates.

The business affairs of P&C Federation are carried out by the staff.

P&C Federation can be effective only if there is an open cross flow of information. Affiliated associations can assist by keeping P&C Federation informed of their current needs and concerns.

## Insurance

### Affiliation fees

All properly constituted school associations and District Councils may affiliate with P&C Federation. Affiliation fees are due for payment in August each year. A period of three months is allowed for payment, after which financial status and insurance cover will lapse. Affiliation fees have been set as follows:

#### **Primary and Central Schools 2012-2013**

Primary school 6 (less than 25 students)	\$135
Primary school 5B (26 to 60 students)	\$170
Primary school 5A (61 to 159 students)	\$220
Primary school 4 (160 to 300 students)	\$335
Primary school 3 (301 to 450 students)	\$415
Primary school 2 (451 to 700 students)	\$430
Primary school 1 (more than 700 students)	\$530

#### **High Schools**

High school 9B (less than 650 students)	\$420
High school 9A (651 to 900 students)	\$520
High school 8 (more than 900 students)	\$530

District Council	\$150
Community Group Non Member	\$650

Master policies negotiated by this P&C Federation provide Public Liability insurance to an indemnity of \$15 million through the payment of affiliation fees.

Higher levels of Public Liability cover are available in the following increments:

- (a) to \$20 million at a cost of \$66;
- (b) to \$30 million at a cost of \$87;
- (c) to \$50 million at a cost of \$107.

Further insurance covering voluntary workers, cash and property can be purchased on an annual basis and special, short-term cash, property and rainfall insurance can be purchased for special events. P&C Associations can purchase additional insurance to provide cover for:

- (a) Out of School Hours Care Centre (OOSH) - Endorsement levy \$267
- (b) Vacation Care when the program is an extension of an OOSHCS service.  
Endorsement levy is applicable on application to P&C Federation's office
- (c) After school programs (e.g. band, drama, craft)  
Endorsement levy \$160 pa. A further additional fee is charged in respect of excursions, camps and some performances – contact P&C Federation's office for further details.
- (d) Infants Parent Club – Endorsement levy \$87

\*Please note that fees are subject to change.

### ***Subcommittees***

All other subcommittees are automatically covered under the P&C Association's insurance policies. Subcommittees must conform to the following requirements to be eligible for insurance cover under P&C Federation's master policies.

- (i) All subcommittee members must be appointed on an annual basis by a general meeting of the P&C Association.
- (ii) The committee must report regularly to the P&C Association and it must be accountable for its actions to the P&C.
- (iii) Any profits, after defrayment of expenses, must be handed to the P&C Association. The subcommittee should not decide on any major purchases without having the P&C Association ratify such purchases by majority vote at a general meeting.
- (iv) A subcommittee requires a set of rules and these rules need to be endorsed by the main parent body. If a subcommittee does not adhere to these guidelines the insurance cover offered by P&C Federation to P&C Associations cannot be extended to cover the subcommittee activity.

### ***Cover on Departmental Committees***

Parents representing P&C Federation on committees at state level are covered by the insurance policies of P&C Federation provided they have been appointed by a resolution of Council. Others, appointed to committees by their own P&C Associations, are covered by their associations' policies. The DEC is responsible for people serving on school committees.

### ***Cover for District Councils***

Delegates from associations to District Councils are covered under the terms of their P&C Association's insurance (if taken out through P&C Federation) subject to the table of benefits covered by that association's policy when:

- (a) performing voluntary work in connection with District Council activities which is recognised as organised work by affiliated P&C Associations; or
- (b) performing voluntary work in connection with District Council activities organised as an activity in District Council in its independent role as a separate statutory body.

New South Wales government schools may only be liable to pay compensation where they have breached their duty of care to the child. This is not always straight forward and if the matter is litigated any determination may take considerable time. In fact, a number of accidents are simply that. Dental, ambulance, physiotherapy and other non-medical expenses can increase the pain on top of the injury your child may suffer.

### ***Injury to Students***

This insurance covers the student 24 hours a day seven days a week and offers lump sum benefits for most injuries as well as also covering reimbursement of other expenses. Although the premium is calculated per student it is only offered to the school on a whole basis, not by individual student.

*Note: In providing this information stated above we have only provided general information about this product. The full terms and conditions are contained in the Product Disclosure Statement and policy wording which we are happy to provide. We recommend that before you consider whether to apply for this coverage you read the Product Disclosure Statement and the Policy Wording. to assist you in deciding whether to take out this coverage. In making this offer we have not taken into account either the School or individual parents' and students' circumstances or needs.*

## **Communication**

### **P&C Journal**

P&C Federation's P&C Journal is published at the beginning of each school term. Multiple copies are distributed, at no additional cost, to all affiliated associations according to schools' enrolments. Numbers of journals distributed to schools are:

Class 6 schools	3 copies
Class 5B and 5A schools	6 copies
Class 4 schools	9 copies
Class 3, 2 and 1 schools	12 copies
Secondary schools	12 copies

The P&C Journal is also offered to individual subscribers. The cost of subscription may be obtained by contacting P&C Federation's office on 1300 885 982.

### **P&C Website**

P&C Federation's website, [www.pandc.org.au](http://www.pandc.org.au) has been developed to provide information to affiliates and the general public

## Representation

P&C Federation is represented on many state committees and working groups. Currently, P&C Federation's representatives serve on:

Aboriginal Education Consultative Council	National Curriculum Consultation
Anti-Homophobia Interagency Working Group	- Assessment, Reporting, Examining and Credentialing 11-12
Arts Education Foundation and Trust	- Learning Area English 11-12
Cohesive Community Award Committee	- Learning Area Mathematics 11-12
Asthma Friendly School Steering Committee	National Partnership on Youth Attainment & Transitions: NSW Community Consultation Group
Auslink Blackspot Program NSW Consultative Panel	Network Community Activities - Out of School Hours Care
Australian Council on Children and the Media	NSW Literacy and Numeracy Plan Reference Group
Australian Board Curriculum for Geography	Pedestrian Council
Board of Studies (BOS) - Primary	Peer Support Program
Board of Studies (BOS) - Secondary	Public Education Foundations Scholarship Advisory Committee
BOS English HSC Prescriptions Advisory Group	Quality Teaching Council
BOS Vocational Education Advisory Committee	School Bus Safety Community Advisory committee
CAP State Committee	Schools Animal Care and Ethics Committee
Community Languages School Board	Schools Cleaning Communications Group
Director General's Advisory Group on Aboriginal Education	Special Education Advisory Committee
Director-Generals Advisory Group on Multicultural Education and Training	Special Education Transport Appeals Committee
Director-Generals Advisory Group on Priority Funding Program Committee (PFP)	Sports Foundation NSW
Director-Generals Advisory Group on Special Ethics Education	State Student Transport Appeals Committee
Director-Generals Advisory Group on Special Religious Education	Stewart House
Early Childhood Reference Group 1	Tedd Noff's Foundation
Early Literacy and Numeracy Initiative Advisory Committee	The Meritious Service to Public Education and Training Awards Committee
Essential Secondary Science Assessment	
Ethnic Communities Council	
Learning Difficulties Coalition Seminar	
Local Schools, Local Decisions Advisory Group	



# Constitution of P&C Federation

## 1. Definitions

In this constitution, unless contrary intention appears:

- (a) Association — means a Parent and Citizens' Association or other kindred parent organisation properly constituted under the NSW Education Act, 1990.
- (b) Department — means the Department of Education and Communities of NSW.
- (c) District Council — means a District Council of Parents and Citizens' Associations properly constituted in accordance with the NSW Education Act, 1990.
- (d) P&C Federation — means Federation of Parents and Citizens' Associations of NSW.
- (e) Delegate — means a properly authorised delegate to Annual Conference.
- (f) Region — means a division of the state of NSW as more particularly described in By-Laws hereto.
- (g) Council — means Executive Council as defined by the Education Commission Act within the meaning of Federation Incorporation Act.
- (h) Words importing the singular number shall include the plural; and words importing the masculine gender shall include the feminine, and vice-versa.
- (i) The Federation of Parents and Citizens' Associations of NSW is a not for profit organisation.

## 2. Name of the Corporation and Registered Office

The name of the Corporation shall be the 'The Federation of Parents and Citizens' Associations of New South Wales'. The head office of the Corporation shall be located in Sydney.

## 3. Aims and Objectives

The objectives of P&C Federation shall be:

- (a) To promote the cause of public education and to facilitate community involvement in public education.
- (b) To co-operate with the DEC and all community agencies interested in furthering education.
- (c) To assist in the organisation of associations, District Councils and to assist any such association, district or council by financial or other means in such circumstances and such manner as may seem proper to the association, district council and P&C Federation.
- (d) To carry out research into the problems of education and to co-operate with other recognised groups to achieve more effective solutions to these problems.
- (e) To establish and expend funds both for the general conduct of P&C Federation and to enable P&C Federation to carry out its aims and objectives.
- (f) P&C Federation shall be non-sectarian and non-party political.

## 4. Policy

- (a) The policy of P&C Federation shall be determined by Annual Conference.
- (b) Council may add to policy between Annual Conferences but may not alter existing policy.

**5. Affiliation and Membership**

- (a) Members of P&C Federation shall be its properly constituted affiliates.
- (b) An affiliate shall be an association or District Council which has chosen to join P&C Federation by carrying a resolution to that effect at a general meeting and which has remitted the stipulated affiliation fee to P&C Federation.
- (c) The affiliation fees payable to P&C Federation shall be determined by the Annual Conference.
- (d) All affiliation fees shall become due and payable within three months of the conclusion of the Annual Conference and affiliates, having paid their fees, shall be considered in good financial standing up to and including the next Annual Conference.

**6. Council**

- (a) The implementation of P&C Federation policy shall be carried out by the Council in accordance with the decisions of the Annual Conference and the Constitution and By-Laws of P&C Federation.
- (b) The Council shall consist of the Office-Bearers and the Councillors. The Office-Bearers shall be the President, the Senior Vice-President, four Vice-Presidents (two of whom shall be from metropolitan regions and two of whom shall be from country regions), the Treasurer and the Publicity Officer. The Councillors shall be delegates elected to represent the affiliates within each region.
- (c) The Office-Bearers shall be elected by and from Annual Conference.
- (d) A delegate, to be eligible for election as an Office-Bearer, shall have previously served as a Councillor and no-one shall serve more than two terms consecutively in the same office.
- (e) Council meetings shall be open to members of affiliates authorised by such affiliates in writing to attend as observers, except that the meeting can be closed to attendance by observers by the decision of the chairperson.

**7. Committees**

- (a) Council shall appoint from within itself an Executive to act on its behalf between meetings.
- (b) The Council may elect from within itself such other committees as it deems necessary for the proper functioning of P&C Federation. Such committees shall have the power to co-opt.
- (c) Executive meetings shall be open to all Councillors to attend as observers, except that the meeting can be closed to attendance by observers by the decision of the Chairperson.

**8. Annual Conference**

- (a) The Annual Conference of P&C Federation shall be held once each calendar year.
- (b) The Annual Conference shall be constituted by the Council, Life Members and delegates.
- (c) The Annual Conference shall be convened for the purpose of exchange of information on, and discussion of, P&C Federation's aims and objects, and for the formation of, or amendment to, P&C Federation policy to achieve such aims and objects.
- (d) At the Annual Conference, 80 delegates shall form a quorum.

**9. Finance**

- (a) The funds of P&C Federation shall be applied to further the aims and objectives of P&C Federation at such time and such manner as the Council may determine.

- (b) The income and property of P&C Federation whence so ever derived shall be applied solely towards the promotion of the objects of P&C Federation and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any person provided that nothing herein shall prevent the payment in good faith of remuneration of any Officer or servants of P&C Federation.
- (c) P&C Federation shall have authority and power to borrow such sums of money on such terms and security as may be required for all and/or any purpose borrowing shall be at the discretion of Annual Conference or Council and shall be carried into effect by any two of the President, Executive Officer and Treasurer.

#### **10. Audit**

A registered public accountant shall be appointed by the Annual Conference as auditor for the year. The books of accounts, vouchers and accounts shall be examined by the auditor and he shall report thereon to the following Annual Conference.

#### **11. Life Membership**

P&C Federation may confer Life Membership on any person whose services to P&C Federation justify such an honour. Such members shall be appointed by Annual Conference on the recommendation of the Council. Life Members shall not be eligible to vote at Annual Conference or stand for election to office of P&C Federation by virtue of this honour only.

#### **12. Distinguished Service Award**

P&C Federation may confer a Distinguished Service Award on individual Councillors, and/or Officers or any person whose services to P&C Federation justify such an honour, as recognition of outstanding and dedicated service given to P&C Federation. The decision to confer such an award should be made at Annual Conference on the specific recommendation of Council or a resolution by Annual Conference itself.

#### **13. Amendment of Constitution**

- (a) This constitution may be amended only by the approval of a two-thirds majority of Annual Conference voting on a motion for its amendment of which at least six weeks' notice has been given to each affiliate.
- (b) An amendment of the constitution of the corporation does not take effect until an instrument certified under the seal of the corporation to be a true copy of the resolution affecting the amendment has been lodged in the office of the Corporate Affairs Commission and the fee prescribed by or under the Companies Act, 1961, in respect of the lodgement has been paid.
- (c) Motions for amendment of this constitution shall be dealt with by Annual Conference 1997 and by Annual Conference 1999 and by Annual Conference held every third year thereafter.

#### **14. Indemnity**

Members of Council jointly and severally as such shall be held indemnified personally in respect of their bona fide official acts, and shall be indemnified out of the assets of P&C Federation against any liability incurred in taking or defending any proceedings, whether civil or criminal, or in connection with any application under any Act in which relief is granted by the Court in respect of any negligence, default, breach of duty or breach of trust relating to P&C Federation or its Office.

#### **15. Winding up**

- (a) P&C Federation shall be dissolved in the event of the number of affiliates becoming less than one-fifth of the number of organisations qualified to affiliate, or upon the vote of a two-thirds majority at a special conference called for this purpose and convened with the same representation as an Annual Conference. Affiliates must receive 13 weeks' written notice of any intended motion to wind up P&C Federation.

- (b) Upon dissolution, assets and funds on hand, after payment of all expenses and liabilities, shall not be paid to or distributed among the members. The assets and funds shall be given or transferred to some other charitable institution or institutions which shall also prohibit the distribution of its or their property among its or their members. Such charitable institution or institutions to be determined by the Conference making the decision to dissolve P&C Federation.
- (c) The Officers of P&C Federation be authorised to take all steps necessary to wind up P&C Federation notwithstanding that P&C Federation has ceased to exist on the date determined by the aforementioned conference.

# By-Laws of P&C Federation

## 1. Regional areas of P&C Federation

- (a) The state shall be divided into regions (and sub-regions) as determined by the Annual Conference.
- (b) The state shall be divided into accordance with the boundaries as recognised by the DEC<sup>1</sup> as follows:
  - (i) Hunter/Central Coast (includes Central Coast sub-region)
  - (ii) Illawarra South East
  - (iii) New England
  - (iv) North Coast
  - (v) Northern Sydney
  - (vi) Riverina
  - (vii) South West Sydney
  - (viii) Sydney
  - (ix) Western NSW
  - (x) Western Sydney
- (c) Each school-based affiliate shall be assigned a single regional area or, where appropriate, a single sub-regional area as determined by Annual Conference.
- (d) Each regional area and the one DEC recognised sub-regional area; Central Coast shall be entitled to be represented by a number of Councillors on the basis of two Councillors for each 50 government schools, or part thereof, and which are eligible to affiliate.

## 2. Regional areas

The operation of Regional area Councils shall be by District Council Constitution as adopted, this adoption will offer the membership affiliated status.

## 3. Meetings of the Council

Additional meetings of the Council may be called by the President, or the Council in writing provided at least one-half of the members of the Council support this call or not less than 30 affiliates. Council shall meet at least 4 times per year

- (a) At meetings of the Council, a number of Councillors and Officers equal to 25 per cent of the total number of elected Councillors and Officers shall form a quorum.
- (b) Members of Council will be given seven days' notice of Council meetings in writing.
- (c) Relevant correspondence addressed to P&C Federation, shall be reported to all Council or Executive meetings.

## 4. Election of Officers

- (a) To be eligible to nominate for an Officer role a member must have previously served two complete years as a state Councillor.
- (b) All Officers must abide by P&C Federation's Code of Conduct and related policies.
- (c) Officers shall serve from the close of the Annual Conference at which they were elected to the close of the Annual Conference in the second year following, unless they are filling a casual vacancy.

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<sup>1</sup> P&C Federation regions shall be as recognised by the Department of Education and Communities as at July 2012.

- (d) At least 10 weeks prior to the opening of the Annual Conference at which the Officer elections are to take place, P&C Federation shall appoint a Returning Officer.
- (e) Annual Conference may by resolution fill such casual vacancies as may arise. Officers so elected shall retire at the Annual Conference at which the original incumbent would have retired. Council may by resolution fill, on an interim basis, such casual vacancies as may arise. Officers so elected shall retire at the next Annual Conference.
- (f) Nominations for Officer Positions signed by a Nominator, Seconder and Nominee, all of whom must be delegates, shall be submitted to the Returning Officer by the time specified in the agenda of the Annual Conference.
- (g) All positions for which there are more than sufficient candidates shall be decided by a standard preferential ballot

#### **5. Election of Councillors**

- (a) All Councillors must abide by P&C Federation's Code of Conduct and related policies.
- (b) At each Annual Conference one half of the Councillor positions representing each regional area<sup>2</sup> shall become vacant and elections to fill those positions shall occur. Councillors shall take office at the rise of the Annual Conference at which they were elected.
- (c) Casual vacancies shall be filled by nomination to a meeting of the state Council, the nomination must be received and adopted by Council. The nominee receives standing as a member of state Council at the rise of the meeting.
- (d) Any delegate who has had their office as a Councillor of P&C Federation deemed vacant according to:
  - (i) by-law 6(e) is not eligible for election as a Councillor until such time as the maximum period of imprisonment which could apply in NSW has expired; or
  - (ii) by-law 6(f) or by-law 6(h) is not eligible for election as a Councillor for the remainder of their revoked term and for a subsequent term of office.

#### **6. Vacancies**

The office of any Officer, Executive member, Councillor or representative responsible to P&C Federation shall be deemed vacant if:

- (a) the incumbent holds any office of profit under P&C Federation;
- (b) the incumbent dies;
- (c) the incumbent is absent for three consecutive meetings of a Council or Executive of which reasonable written notice has been given, - unless on leave granted by the Council or Executive or unless before the expiration of four weeks after the last of those meetings the incumbent is excused by the Council or Executive for the incumbent's absence from those meetings;
- (d) the incumbent becomes physically or mentally incapable of effectively carrying out their role – such incapacity to be defined according to the relevant legislation and as determined by an appropriate professional;
- (e) the incumbent while in office is convicted in New South Wales of a felony or misdemeanour which is punishable by imprisonment for 12 months or upwards, or if the incumbent is convicted elsewhere of a felony or misdemeanour that in New South Wales would be so punishable;

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<sup>2 2</sup> P&C Federation regions shall be as recognised by the Department of Education and Communities as at July 2012.

- (f) the incumbent is removed due to Code of Conduct or related policies breaches;
- (g) the incumbent resigns membership by writing under the incumbent's hand, addressed to the Council or Executive;
- (h) The incumbent is removed as a member by a two-thirds majority of a meeting of Council of which due notice has been given to all members.

## **7. Executive**

- (a) The Executive shall be comprised of the elected Officers plus ten (10) Councillors. To be eligible for election as a member of Executive, a Councillor must have served as a Councillor for a minimum period of one year.
- (b) Executive shall meet four times each calendar year.
- (c) Additional meetings of the Executive may be called by the President, or at the request of five members of the Executive. All members of Executive shall be notified in writing seven days prior to the Executive meeting.
- (d) At meetings of Executive a quorum shall be seven members of the committee.

## **8. Officers**

- (a) To support the President in acting on behalf of Council between meetings.
- (b) Officers meetings shall, whenever possible, be held in association with the meetings of Council and Executive.
- (c) Meetings of the Officers shall be held at the direction of the Council or of the President or upon application in writing by a majority of Officers.
- (d) At meetings of the Officers a quorum shall be five.

## **9. Functions and Duties of Officers**

### ***President***

- (a) To be responsible and accountable for the overall governance of P&C Federation.
- (b) To be responsible for producing and implementing a Strategic Plan for P&C Federation which is updated annually.
- (c) To preside at Annual Conference, Council and Executive meetings. The President shall have the right to chair or delegate the chair of all such meetings or parts thereof.
- (d) To be, ex officio, a member of all committees of P&C Federation.
- (e) To be responsible for all approaches from P&C Federation to any Minister of the Government of NSW or of the Australian Government, or to the Head of any department of either government.
- (f) To be responsible for the publication of all statements on behalf of P&C Federation.
- (g) To be the Officer of P&C Federation to sue on behalf of P&C Federation.
- (h) To act for the Council between Executive meetings.
- (i) To appoint when necessary an Acting Executive Officer or an Acting Treasurer to hold such position until the appointment is ratified at the succeeding Council or Executive meeting.
- (j) To be responsible for all aspects of managing the staff of P&C Federation; the President shall have the right to delegate operational staffing matters to the Executive Officer.

### ***Senior Vice President***

- (a) To assist the President in the overall governance of P&C Federation.
- (b) To be the primary person to liaise with Regional Councils.

- (c) In the case of incapacity, prolonged absence or resignation of the President, to carry out all the duties of the President until a new President is elected.

#### ***Vice Presidents***

- (a) To assist in the overall governance of P&C Federation as requested by the President.
- (b) To carry out such duties as the President delegates to them.

#### ***Treasurer***

- (a) To assist in the overall governance of P&C Federation as requested by the President.
- (b) Oversight and reporting of financial affairs of P&C Federation.

#### ***Publicity Officer***

- (a) To assist in the overall governance of P&C Federation as requested by the President.
- (b) To be responsible in collaboration with the President and, where appropriate, the Executive Officer, for publishing all properly authorised statements on behalf of P&C Federation in such a way as to further the aims and objects of P&C Federation.
- (c) To be responsible for all media releases on behalf of P&C Federation.
- (d) To contact all sections of the media generally in relation to media releases and all properly authorised statements on behalf of P&C Federation.

### **10. Finance**

- (a) The financial year of P&C Federation shall be from 1 June to 31 May the following year.
- (b) The operation of the funds of P&C Federation shall be determined by the Finance Policy of P&C Federation.

### **11. Representation of Affiliates at Annual Conference**

- (a) Each affiliate shall be entitled to send three delegates to Annual Conference.
- (b) Each affiliate shall notify the Executive Officer of its delegates' names at least four weeks before the opening of Annual Conference.
- (c) Each delegate to Annual Conference shall produce their credentials, duly signed by the President or Secretary, of the affiliate they represent, stating that they are a financial member of the affiliate and properly authorised to represent the affiliate.
- (d) A delegate representing an affiliated school parent body at Annual Conference shall be deemed to come from the region to which the school is assigned.
- (e) A delegate from a District Council shall nominate a school where they are a member of the affiliated school parent body and shall be deemed to come from the region to which that school is assigned.
- (f) Delegates are required to attend at least 50% of the business sessions of Annual Conference before being eligible for reimbursement for approved travel costs.

### **12. Machinery of Annual Conference**

- (a) Annual Conference will be held in July each year and at least 21 weeks' written notice of the date shall be given to all affiliates.
- (b) Advice on preparing motions for Annual Conference and notification of any Officer positions available for election, including a position description and responsibilities, will be forwarded to affiliates during Term 1 of each year and will also be contained in the Guide to Delegates
- (c) Motions for discussion at Annual Conference may be submitted by Council and affiliates. All such submissions shall be in the hands of the General Manager at least ten weeks before the opening of Annual Conference. Any motions so submitted and placed on the



agenda of Annual Conference shall be subject to amendment from the floor of conference.

- (d) The agenda for Annual Conference will include the Annual Report of the Council and of all its committees, all properly submitted motions, and a report setting out the number of organisations known to be eligible to affiliate in each region.
- (e) All conference papers/notices/information and an action item report shall be forwarded in hard copy to those delegates who do not nominate an email address on their delegate form or who nominate to get a hard copy at least six weeks before the opening of conference. Any such material forwarded to affiliates shall also be placed on P&C Federation's public website with notification to affiliates of same.
- (f) The Agenda for Annual Conference shall give priority to, and ensure that adequate time is provided for items of business from affiliates.
- (g) Action items will expire on achievement or after two years, whichever is the lesser time.
- (h) The Treasurer's Report, Auditor's Report, Statement of Comprehensive income, and the Balance Sheet will be given in writing to all delegates of Annual Conference.
- (i) The Auditor's Report will be provided electronically or otherwise on request, to all affiliates two weeks prior to Annual Conference.
- (j) Only delegates shall be entitled to vote at Annual Conference.

### **13. Reports of Annual Conference, Council and Executive Meetings**

- (a) The General Manager shall keep full and accurate records of the proceedings of all Annual Conferences and of all Council and Executive meetings.
- (b) Minutes shall be available for inspection at the office of P&C Federation by any member of any affiliate who has the written authority of the Secretary of the affiliate to seek such inspection at a time that is mutually suitable.
- (c) Minutes of the Annual Conference shall be provided in writing to all delegates within two weeks of the close of Annual Conference. The minutes of Annual Conference shall be received and adopted at the first meeting of Council following the Annual Conference.
- (d) Resolutions of Annual Conference shall be notified in writing to all Officers, Councillors, and affiliates within two weeks of the close of Annual Conference and placed on P&C Federation's public website.
- (e) Minutes of Council and Executive meetings shall be provided in writing to all Officers and Councillors, to such Life Members as signify their desire to receive same, to all affiliates requesting them in writing, and placed on the Councillor only section of P&C Federation's website within two weeks of the close of each meeting.
- (f) Records of Annual Conference, Council and Executive meetings shall be placed on P&C Federation's website after they have been endorsed.

### **14. Alteration of By-Laws**

- (a) These by-laws may be amended by the decision of Annual Conference, or by a two-thirds majority of Council, voting on a motion of their amendment of which at least six weeks' notice has been given to each affiliate and to Council.
- (b) Such amendments shall take effect from the time of adoption, except where the amendment itself prescribes a time at which the amendment shall come into effect.

# Standing Orders

## *For the Conduct of Annual Conference and all meetings*

### **1. Order of Business**

#### **A. *This section applies to Annual Conference only.***

- (a) Such opening address as may be arranged by the Council
- (b) The conferring of awards by P&C Federation, such as Life Memberships etc.
- (c) Admissibility of late delegates.
- (d) Receipt and adoption of the Annual Report of P&C Federation.
- (e) Receipt and adoption of the Treasurer's Report, Statement of Receipts and Expenditure, and Balance Sheets.
- (f) Receipt and adoption of a report from the Returning Officer regarding the conduct of the elections for Office-Bearers and Councillors.
- (g) Motions of which notice has been given. In this regard the Chair shall have discretion to put these motions in such order as may be recommended by the Agenda Committee at the opening of the Annual Conference.
- (h) Such other addresses, discussion periods and the like as may be determined by the Agenda Committee, and to be inserted into the Order of Business on the recommendation of the Agenda Committee.
- (i) Such other business as the Annual Conference may decide.
- (j) Motions without notice may be considered by Annual Conference during general business providing leave is given by a two-thirds majority. All motions without notice must be submitted in writing at or before the Conference and attributed to the nominating delegate and affiliate.
- (k) Declaration of the poll and introduction of new Office-Bearers.
- (l) Variations to the above order of business may be effected by Annual Conference itself adopting, by a simple majority, and thereafter amended as required, again by a simple majority, a proposed order of business.

#### **B. *This section applies to meetings of the Council only.***

- (a) Opening and apologies.
- (b) Receipt and adoption of the minutes of the previous meeting. In this regard the only permissible discussion on the motion for confirmation of the minutes shall be the accuracy of the reporting. Objections on this score must be moved, seconded and voted upon.
- (c) Matters arising from the minutes.
- (d) Reports:
  - (i) Treasurer
  - (ii) Other
- (e) Correspondence.
- (f) Motions of which notice has been given.
- (g) General Business.
- (h) Notices of Motion.

## 2. Suspension of Standing Orders

The operation of Standing Order No.1 may be suspended for a specific time for a specific purpose upon the carrying of a motion without notice by a two-thirds majority.

## 3. Time Limits

### A. *This section applies to Annual Conferences only.*

- (a) For each section of the agenda, such time as is allocated by the Agenda Committee.
- (b) For each speaker making a report — five minutes.
- (c) For each speaker moving a motion — three minutes.
- (d) For each speaker in debate — two minutes. For each mover of a motion speaking in reply — two minutes.
- (e) Extension of time, per speaker — two minutes.
- (f) No speaker to any motion shall be granted more than one extension of time.
- (g) The number of speakers on any motion relating to constitution or by-laws shall be limited to six, including the mover and seconder — three in favour and three against, with the mover having the right of reply.

### B. *This section applies to meetings of the Council only.*

- (a) For each speaker making a report — five minutes.
- (b) For each speaker moving a motion — three minutes.
- (c) For each speaker in debate — two minutes.
- (d) For each mover of a motion speaking in reply — two minutes.
- (e) Extension of time, per speaker — two minutes.
- (f) Debates on any motion shall not exceed 30 minutes without the express permission of the meeting.

## 4. Motions

- (a) All substantive motions shall be moved and seconded.
- (b) A member moving or seconding a motion or any amendment thereto shall have the right to speak only when so moving or seconding, and shall be held to have spoken to the question by reason of such moving or seconding whether they contribute to the debate or not.
- (c) A motion or amendment having been submitted to the meeting may not be withdrawn without the consent of the meeting.
- (d) If two motions are submitted, one proposing that a certain course of action be followed, the other that it not be followed, the issue shall come before the meeting in the affirmative form.
- (e) Before any motion or amendment is put to the meeting, the Chair may require that it be submitted in writing.
- (f) Each delegate in the case of a conference, or member in the case of Council, shall have the right to speak once only to any motion and to each subsequent amendment with the exception of the mover, who shall have the right of reply but shall not introduce any new matter therein. See also Standing Order 5(f).

## 5. Amendments

- (a) One amendment only shall be considered at a time.
- (b) The mover of an amendment has no right of reply.

- (c) More than one amendment may be moved by the same person provided that each such amendment refers to a different part of the motion.
- (d) Amendments shall be taken in the order in which they affect the terms of the motion.
- (e) An amendment must be relevant to the substantive motion. It may not be a simple negation of the motion.
- (f) The mover of the original motion may exercise the right of reply. The mover may not move an amendment but may speak to all amendments without prejudice to the normal right of reply, including amendments debated subsequent to the exercise of the right of reply.
- (g) Following the putting of all amendments, moved and seconded in keeping with the Standing Orders, the original motion (in its now possibly amended form) shall be put.

## **6. Notice of Motion**

### ***A. This section applies to Annual Conference only.***

Notices of motion shall be received and placed on the agenda in accordance with By-Law 3 (c).

### ***B. This section applies to meetings of the Council only.***

- (a) All notices of motion except notices of rescission shall be in writing and must be presented to the Council at a meeting previous to the one at which they are to be dealt with.
- (b) Motions of which notice has been given shall be dealt with in the order in which they are received by the General Manager.

## **7. Recommittal**

- (a) Any motion may be recommitted at the same meeting at which it was carried provided the motion for recommittal is carried by a two-thirds majority.
- (b) Such recommittal shall take the form of putting the question to the vote again, and no further debate of any kind shall be allowed.

## **8. Resubmission**

Either two Council meetings shall have been held or a two-thirds majority of members present and entitled to vote shall be in favour before any matter already decided by Council can be resubmitted.

## **9. Rescission**

- (a) Notice in writing must be given to the General Manager of intention to move for rescission of any resolution of Council. Such notice shall be signed by no fewer than three members of Council and shall be given at least two weeks before the meeting at which it is to be dealt with, and shall be placed on the business paper for that meeting.
- (b) When notice of rescission has been received, action to implement the original motion shall be deferred until the rescission motion has been resolved, but this sub-clause shall not apply to resolutions which were themselves the subject of a notice of motion.

## **10. Procedural Motions**

- (a) Any substantive motion that is before the meeting shall be disposed of before a further substantive motion is moved.
- (b) The following procedural motions may be moved, received, and put to the meeting during the course of a debate on a substantive motion:
  - (i) For permission to withdraw a motion or amendment;
  - (ii) That the question be now put;
  - (iii) To proceed to next business;

- (iv) To defer consideration of the matter for a stated time (adjournment of debate);
- (v) To refer the matter elsewhere;
- (vi) To discuss the action of a member who has been named by the Chair;
- (vii) To extend the time limit;
- (viii) That the motion or communication lies on the table;
- (ix) To go into committee of the whole;
- (x) To divide the motion into separate parts;

Motions (i) to (iii) shall have precedence in the order given. All procedural motions except (b)(ii) and (b)(iii) may be debated.

- (c) The Chair shall have discretion to refuse the following procedural motions (as listed in (b) above):
  - (i) That the question be put;
  - (ii) That we move to the next order of business
  - (iii) To extend the time limit;
  - (iv) That the motion or communication lies on the table.
- (d) It shall not be permissible for anyone who has spoken in the debate to move the following procedural motions as listed in (b) above:
  - (i) That the question be now put:
  - (ii) To proceed to next business;
  - (iii) To refer elsewhere;
  - (iv) That the motion or communication lie on the table.
- (e) If procedural motion (b) (ii) That the question be now put is carried, the mover of the original motion shall have the right of reply before the motion is put subject to the provision of Clause 5(f).

#### **11. Delegates' (at Annual Conferences) and members' (at Council meetings) Rights and Responsibilities**

- (a) A member shall stand to speak, address the Chair, and confine debate to the question under discussion, avoiding personalities and unbecoming language.
- (b) A member when speaking shall not be interrupted except by the Chair or by a member raising a point of order.
- (c) A member who has spoken may be asked through the Chair to explain certain statements or to clarify statements which have not been clearly understood. A member may, with permission from the Chair, volunteer an explanation where it is considered that the member's statement of the facts has been misrepresented. In making these explanations the member shall be prohibited from debating the merits or demerits of any proposal. Similarly, in asking for an explanation of any point a member shall not be permitted to debate the merits or demerits of any proposal, and the Chair may rule that the questioner has spoken in the debate if this requirement is breached.
- (d) A member requesting information or wishing to ask a question at a meeting shall do so through the Chair.
- (e) Any member may rise to a point of order against a speaker during debate, and the member against whom the point of order is raised shall cease speaking and sit down. The member raising the point of order shall state the reasons within one minute, then the Chair shall give a ruling without further discussion, and subject to each ruling the member who was speaking when the point of order was raised shall be allowed to

proceed. However, before giving a ruling the Chair may ask the member raising the point of order to indicate which of the standing orders is alleged to have been breached. The Chair's ruling shall be final unless challenged by a motion of dissent.

- (f) A member dissatisfied with the Chair's ruling may move a motion of dissent in the following terms: "That the Chair's ruling be dissented from". Immediately a motion of dissent is moved the Chair shall call upon a Deputy to take the Chair. When the mover and the Chair (in that order) have stated their cases, each being allowed three minutes, the Deputy shall then put to the vote the question "That the Chair's ruling be upheld". The motion shall be decided by simple majority. The Deputy shall declare the outcome of the vote, whereupon the Chair shall resume control of the meeting and shall rule in accordance with the outcome of the motion of dissent.

## **12. Chairperson's Rights and duties**

- (a) The Chairperson shall have the right of debate but must first call upon a Deputy to take the Chair, and not resume it until the question has been resolved.
- (b) It shall be the duty of the Chair to preserve order so that the business may be conducted in due form and with propriety, and to call to order speakers who violate any rule of debate.
- (c) The Chair shall call the attention of a speaker to continued irrelevance or tedious repetition, and may direct such member to discontinue speaking.
- (d) The Chair may name a member for disorder, and the meeting shall forthwith discuss what action shall be taken.
- (e) In the case of disorder arising, the Chair shall have the power to adjourn the meeting to a nominated time and place, and upon the Chair being vacated the meeting is thereby terminated.
- (f) When more than one member rises at the same time to speak, the Chair shall decide who shall be heard first.
- (g) Within the time allowed for the debate on a motion, and subject to procedural motions, the Chair shall not put the question while any member who has not spoken wants to be heard. If the time for debate on the motion expires, the Chair shall permit any member speaking to exhaust the time allowed for such speaking, shall invite the mover of the motion to exercise the right of reply subject to Clause 5(f), and shall then put the question.

## **13. Voting**

- (a) All questions except when otherwise specified in the by-laws shall be decided by a simple majority.
- (b) Voting on any questions shall be decided, in the first instance, by a show of hands.
- (c) When other than a simple majority is required, or when a count has been called for, the vote for and against shall be counted by at least two tellers appointed by the Chair, and the numbers voting for and against shall be announced by the Chair and recorded in the minutes.
- (d) Upon the request of at least ten members in the case of Annual Conference or of five members in the case of Council, a division shall be taken on any question. Upon a division being taken the names of those voting for and against the motion or amendment shall be recorded in the minutes.
- (e) Members are entitled at their request to have their dissent or abstention recorded in the minutes.
- (f) A simple majority is defined as when more votes are cast for the motion than against.

- (g) A two-thirds' majority is defined as when at least twice as many votes are cast for a motion as against. Abstentions shall be counted as votes against.

**14. Further Procedural Authority**

Any matter not dealt with in these Standing Orders shall be governed by the customary procedures at meetings as specified in the most recent edition of N.E. Renton's Guide for Meetings and Organisation

# Code of Conduct for Councillors

## 1. Statement

Federation of Parents and Citizens' Association of New South Wales (P&C Federation) aims to develop and maintain a safe and secure work environment for all members, staff and visitors. P&C Federation expects staff and members to act in the best interests of everyone and to treat everyone with appropriate courtesy and consideration. This Code of Conduct has been developed to assist in achieving this goal.

Please read this Code of Conduct thoroughly and observe the policies and directives of P&C Federation.

## 2. Guidelines

### 2.1 This code of conduct applies to:

A non-remunerated employee (to be referred to in this document as a member) is anyone who, without compensation or expectation of compensation beyond reimbursement of incidental costs, performs a task, at the direction of and on behalf of, P&C Federation. A member must read and assent to P&C Federation policies and officially accepted by Federation and Parents and Citizens' Association of New South Wales, prior to performance of any task.

### 2.2 Representing P&C Federation

When acting on behalf of P&C Federation all members will have knowledge of, and a sincere commitment to, upholding policy. Members, irrespective of personal opinion, are bound to this policy. If a member's personal opinion and the policy are in conflict, the member must decide, as a matter of conscience, if they ought to continue to represent P&C Federation on this issue. Members, while on P&C Federation's business, must promote P&C Federation's policy only, even when the said policy conflicts with their personal views.

Members are not to contact organisations or individuals on behalf of P&C Federation without proper authority or approval by the President.

### 2.3 Copyright/Ownership Issues

Materials produced by members for P&C Federation, including newsletter articles, graphics materials, etc. become the property of Federation of Parents and Citizens' Association of New South Wales.

### 2.4 Ending Your Member Role

P&C Federation asks members to intend to provide their services for an entire term of the position sought.

A member may cease their role with Federation of Parents and Citizens' Association of New South Wales upon the completion of the elected term or receipt of a signed and dated letter of resignation by P&C Federation.

On cessation of your role within P&C Federation any and all positions held on behalf of P&C Federation or derived from your association with P&C Federation must be immediately relinquished.

### 2.5 Removal of a member

Members who do not adhere to P&C Federation's policy, code of conduct or who fail to satisfactorily perform their assignment are subject to removal.

- (a) Possible grounds for removal include, but are not limited to:
- (i) Committing an offence that may be punishable by law
  - (ii) misuse of P&C Federation materials
  - (iii) abuse or mistreatment of visitors, staff or other members



- (iv) failure to abide by P&C Federation policies and procedures
- (v) misrepresentation of P&C Federation's policy
- (vi) continued failure to provide written reports to P&C Federation within fourteen days of said function
- (vii) failure to satisfactorily perform assigned duties
- (viii) continual failure to adhere to the rules of debate when in meeting forums
- (ix) multiple/vexatious complaints

All and any incidents/events and occurrences that should be referred to a legal authority will be by the committee.

There will be immediate dismissal in accordance with P&C Federation by law 6(e).

- (b) The Code of Conduct Committee of P&C Federation determines the severity of any proven misconduct of a member. It is to be noted that there will be misconducts that will result in the instant removal of the member from P&C Federation. Alternate methods of disciplinary action will be determined by the committee and presented to the member charged with misconduct.

### **3.0 Procedures**

#### **3.1 Members on P&C Federation business attending P&C Federation's Office should:**

- (a) Identify your presence and sign in immediately upon arrival at P&C Federation Office and sign out on departure.
- (b) Be aware of P&C Federation's Office evacuation procedures and the location of first aid facilities.
- (c) Abide by P&C Federation's policies.
- (d) Observe normal P&C Federation procedures regarding the day-to-day running of the P&C Federation Office and not disrupt the operations. Do not enter staff areas unless invited.
- (e) Notify the office of your intention to attend the office prior to arrival.
- (f) All contact to the Office shall be via the President and/or the General Manager.

#### **3.2 Members on P&C Federation business should:**

- (a) Report member activities to the P&C Federation's Office.
- (b) Avoid any significant departures from the prescribed activity for which they have undertaken without first discussing the proposed change with the President.
- (c) Where appropriate display identification badge.
- (d) Conduct themselves in a manner and use language that is appropriate at all times.
- (e) Dress in a manner that meets all safety requirements.
- (f) Provide a written report to P&C Federation within fourteen days of a member function
- (g) Provide a written report to Council of P&C Federation's activities
- (h) Put mobile telephones on "silent" mode so as not to disrupt or distract from activities, especially during meetings and other representation activities, with the exception of those who need to have mobile telephones on for P&C Federation business purposes.

### **3.3 Grievances Procedures**

Grievances between members, employees and members of the wider community arise. It is in the interest of the individual and P&C Federation for all grievances to be raised promptly and resolved satisfactorily. These procedures are designed to create an appropriate forum for raising and resolving concerns:

- (a) Resolution of a grievance should be undertaken by all participants in a spirit of goodwill and with a genuine willingness to seek a solution;
- (b) The process must be predicated on the worth and the dignity of the participants;
- (c) Grievance resolution is not a way of calling into question a person's or group's character.
- (d) This process is not a means to air unsubstantiated perceptions but must relate to attributable actions.

#### **4. General Principals, Confidentiality**

- (a) Members are not to contact organisations or individuals on behalf of P&C Federation without proper approval by P&C Federation.
- (b) P&C Federation members are open to civil litigation and must ensure that their public comments are not defamatory or offensive.
- (c) Value our role in ensuring the safety, privacy and confidentiality of all members, staff and other visitors.
- (d) Observe principles of confidentiality in relation to all aspects of P&C Federation's operation. No P&C Federation documents or processes should be shared or discussed with any third party unless they are relevant.
- (e) Avoid discussing or distributing any aspect of personal information relating to a staff member or another member with any third party.

#### **5. Equity and Diversity**

- (a) Each member has a unique dignity irrespective of nationality, ethnicity, social-economic status, gender, sexual preference, age, beliefs or contribution.
- (b) Every member has the responsibility to devote objective and disciplined knowledge and skill to aid individuals, groups and school communities in their development, including recognising and building up their strengths and in the management of conflicts.
- (c) When acting on behalf of P&C Federation every member has a primary obligation to the policy of P&C Federation. This obligation takes precedence over personal interest, aims or views.
- (d) P&C Federation has the obligation to pursue social justice and protect all of its members from harm.
- (e) Members should actively use positive reinforcement when working with others and take care of, respect and support each other.

#### **6. Safety**

At all times, members should:

- (a) Report all injuries and accidents immediately to the nominated officer responsible for the activity. Fill in an Accident Form.
- (b) Members have a responsibility to ensure they are fit to participate in their duties and avoid posing any health risk to others
- (c) Put safety first in all their activities and observe duty of care to themselves and others.
- (d) Follow all procedures to the best of their ability at all times and promote healthy and safe work practices.
- (e) Recognise that, in the use of specialised equipment, training is fundamental to its safe operation.

**7. Expenditure and P&C Federation's Funds**

- (a) Members may claim reimbursements for costs incurred in the performance of their approved member function(s). Any such claims must be supported by receipts. All claims are to be in accordance with the reimbursement schedule. P&C Federation's constitution does not allow members to make a profit from activities undertaken on P&C Federation's behalf.
- (b) All activities being undertaken beyond the normal day-to-day scope of P&C Federation business are able to be funded before entering into any such commitment.

**8. Lodging the Grievance or Complaint**

- (a) Members considering lodging a grievance or complaint form should first consider approaching the other party directly to seek resolution. Should this not reach satisfactory resolution then the concern should be conveyed in writing on the Grievance or Complaint Form addressed to the Chair of the Code of Conduct Committee.
- (b) At this point the complainant should indicate the resolution they seek.
- (c) Once received the Code of Conduct committee will conduct a preliminary investigation and determine a suitable path to resolve the grievance.
- (d) Parties will be invited to participate however the work of the committee will continue irrespective of attendance or support in their investigations.
- (e) All parties where required to meet are invited to bring one support person to this meeting. The support person is not an advocate and has no active role in discussions and is bound by rules of confidentiality.

**9. Dealing with a Grievance or Complaint**

- (a) On receipt of a grievance or complaint in writing the Convener of the Code of Conduct committee will arrange for the committee members to review all available information. This will occur within seven days of receipt of the complaint.
- (b) If the Code of Conduct committee is to interview or investigate further the matter referred to them this will be commenced within twenty one days of receipt of the grievance or complaint.
- (c) The Code of Conduct committee will recommend its decision to the President who will notify all parties in writing.
- (d) An appeal can be lodged to the President within seven days of the Code of Conduct committee decision only.

**10. Declaration*****Code of Conduct for Members***

I have read and understand all aspects of the Federation of Parents & Citizens' Associations of New South Wales Code of Conduct, and will undertake to follow this Code of Conduct as a condition of my services to P&C Federation.

First Name: \_\_\_\_\_  
(please print)

Family Name: \_\_\_\_\_  
(please print)

Member's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# Policy of P&C Federation

## 1. Role of Education

### *I. Educational Philosophy*

#### **A: The Importance of Education**

##### *Premise 1.I.A*

Australia must place a higher priority on education than at present if desirable national and individual goals are to be achieved. It is the responsibility of state and federal governments to provide a system of free and secular government schools open to all in order to spread the benefits of education as widely as possible.

#### **B: Aims of Education**

##### *Premise 1.I.B*

The basic aim of education is to help each individual to progress toward the attainment of their full potential, both as a person and as a member of society.

#### **C: Public Education: Campaigning and Promoting**

##### *Premise 1.I.C*

P&C Federation believes that a strong and viable government school system is vital for the nation's future. Australian society and its distinctive values depend on the practical expression of tolerance, fairness, egalitarianism and achievement of equitable outcomes provided by public schools.

### *II. Stages of Schooling*

#### **A: Pre-School, Infants and Primary Education**

##### *Premise 1.II.A*

Education is a continuum, beginning at birth, and the first eight years of a child's life are the most important in determining the child's development. The relationship between a young child, their primary caregiver and their family is vital in the child's development. Children inadequately cared for in their pre-school years enter schooling at an educational and personal disadvantage. Genuine and active participation between parents, carers and authorities involved in child care and pre-school education is essential.

#### **B: Middle Years**

##### *Premise 1.II.B*

(i) P&C Federation believes that the middle years of schooling approach facilitates the transition from primary to secondary. Years 5-8 are a discrete developmental stage and require a focused approach to learning and teaching.

(ii) Systemic support of the middle years of schooling should include an allocation of resources to enable the two traditional halves of the K-12 continuum to work collaboratively.

#### **C: Secondary Education**

##### *Premise 1.II.C*

P&C Federation believes that local, co-educational, comprehensive government high schools are the ideal model for providing high-quality secondary schooling catering for the needs of all students but recognises and supports all established forms of public education.

#### **D: Continuing Education**

##### *Premise 1.II.D(a)*

As education needs to continue throughout life and benefits both the individual and the community in economic and many other ways, the community, through governments, should

make available sufficient resources to see that reasonable personal aspirations and community needs are fully served. To provide equality of opportunity for success in, as well as access to, education for all, it is essential that alternative educational pathways are available for those groups whose capability is not truly reflected in their School Certificate, Higher School Certificate or normal school results.

*Premise 1.II.D(b)*

Everyone has a right to education throughout life to maximise their human potential, including the right to return to school to continue their secondary education later in life. Everyone has the right to continuing and further education. Tertiary, vocational and technical education should be equally available to all educationally qualified persons.

## **2. Roles & Relationships**

### ***I. Students***

The individual needs of students be addressed by the application of principles of equity, the participation and empowerment of student, parents and educators supporting UN International Declaration of Human Rights of the Child.

P&C Federation supports the position of individual educational and developmental needs met by a range of differential services expressed through appropriate and well planned curricula, programs and environments conducted by sensitive and well-trained personnel in conjunction with parents and families. Staff working in the Special Education and Gifted Talented field must have an understanding of, and commitment to the concept that every individual is of value. School staff and parents/carers will work in partnership to identify early, assess and cater for the needs of the individual. This will be supported by pre-service, and ongoing professional training affordable and accessible to all school staff and parents/carers.

### ***II. Parents & Community***

The Parents and Citizens' Association of the school is recognised in legislation (Education Act 1990) as the voice of that school community. The Parents and Citizens' Association is the recognised body from which school community representatives are elected and to which they report back.

### ***III. Schools***

Schools have a responsibility to meet the educational needs of each individual student and the school community they serve. All Public Schools shall provide education that is free, secular, equitable and of the highest quality.

Community Use of School Facilities – See Section 3: Schools/Facilities/3.II.D “Community Use of School Facilities”

### ***V. Government***

Governments must as a priority provide and fund the Public School System in New South Wales to the highest standard in accordance with Universal best practice.

## **3. Schools**

### ***I. Staff***

#### **Teachers**

##### **A: General**

*Premise 3.I.A (a)*

The key to the continuing development of our public system of education is well educated, highly motivated, professional teaching staff, supported by a sympathetic education authority and working in close co-operation with the community. Teachers should be endowed with the following personal attributes: the ability to communicate a high level of knowledge and skill; imagination, enthusiasm, tolerance, judgment, sensitivity, perception and individuality; and an awareness of people, of nature and of the dignity of those whom they teach. It is self-evident, therefore, that teachers should be qualified for the work they do and sufficient in number to

allow for effective school organisation, including remedial teaching, student welfare programs, career advice and appropriate programs for students with special needs. The selection of potential teachers and their training and development are of the utmost importance since the quality of schools is positively and significantly related to the quality of their teachers.

*Premise 3.1.A (b)*

Children must be encouraged to accept responsibility for their own learning. If this educational philosophy is adopted it follows that urgent attention should be given to reducing class sizes, particularly in lower grades. The early years of schooling form an all-important period crucial for the development of a healthy self-concept and a pleasurable desire for learning. It is also a period when individual differences should be recognised and catered for as indeed they should be throughout the school years. Allowances should be made for smaller classes or individual attention when this is educationally advisable.

**B: Selection of Staff**

*Premise 3.1.B*

Parents, through their representatives, should play an active role in setting general staffing policies for their schools and in establishing the criteria for selecting staff to fill particular vacancies as they occur. Parent representatives should also play an appropriate role in selecting staff to fill such vacancies.

**C: Pre-service Teacher Training**

*Premise 3.1.C*

Methods of recruitment, selection and education for the teaching profession should take into account personal qualities as well as academic ability. If the desired high professional standard is to be attained and maintained teaching must be given the highest possible recognition by governments and the community.

**D: Staff Development and In-service Training**

*Premise 3.1.D*

Staff development programs should be an integral part of the life of every school. A mutually agreed form of performance appraisal should be instituted with the primary aim of determining needs for assistance in the professional growth of individual teachers.

**E. Secondary School Staffing**

*Premise 3.1.E*

Staffing of secondary schools should take into account the need to provide a wide range of subjects to allow adequate choice for students in all schools.

**F: Central School Staffing**

*Premise 3.1.F*

Special attention should be paid to central schools to eliminate the discriminatory formulae with regard to staffing, funding and ancillary services that presently exist. Central schools should receive Executive and support staff that would be appropriate if their primary and secondary components were separately administered.

**Principals**

**G: School Principals**

*Premise 3.1.G*

Parent bodies in schools have the right to participate in the choice of new Principals and to receive regular, detailed reports from Principals covering all aspects of the operation of their schools.

Principals play a vital role in schools and hence their leadership and management of the school is a key to the student and school outcomes.

Review and evaluation of the Principal's performance should be undertaken on a regular basis to maintain high levels of student and school performance.

### **Ancillary Staff**

#### **H: Ancillary Staff**

##### *Premise 3.I.H*

The DEC must ensure that adequate ancillary staff are provided to schools, as well as support services, to enable teachers to perform their professional roles to the students' greatest benefit. Ancillary staff should be qualified and properly trained before appointment.

## **II. Facilities**

### **School Facilities**

#### **A: Sites and Buildings**

##### *Premise 3.II.A (a)*

To fulfil a major part of the needs of education it is essential to have well designed and maintained buildings on suitable and adequate sites providing sufficient classroom accommodation, modern equipment, specialist rooms, amenities and facilities of the highest standard. The DET, in conjunction with the Department of Planning, must ensure that adequate areas of suitable land for educational purposes are reserved in the plans for every Shire and Municipality, particularly in new residential subdivisions. The area reserved should be large enough to include one full oval and two football ovals, as well as the normal playground areas.

##### *Premise 3.II.A (b)*

The responsibility for establishing the basic philosophy of a particular school must be devolved to a local committee which includes a representative from the school's P&C Association and has access to private or Government professional planning advice to formulate the educational specifications for the school. Facilities should be established in each Regional Office to allow all future building of new schools and renovations and extensions to existing schools to be designed locally by Officers familiar with individual school and community needs working in consultation with the local communities.

##### *Premise 3.II.A (c)*

So as to protect the well-being of children using educational facilities, the state government should legislate to require Local Government Authorities to zone the areas surrounding schools in such a way as to exclude any future development which will, or has the potential to, adversely affect the education, welfare or safety of students attending such schools.

#### **B: Maintenance**

##### *Premise 3.II.B*

Since school buildings and facilities are a considerable investment of public funds, planned preventative maintenance by the DET is essential to protect this investment. Realistic funding provisions must be made for maintenance, replacement and upgrading of all government schools and this is totally the responsibility of the DEC.

#### **C: Fire and General Safety**

##### *Premise 3.II.C*

Principals, teachers, students, parents and all others connected with government schools should be keenly aware of fire and other safety issues, should work to make the school environment as safe as possible, and should be aware of procedures in the event of an emergency.

**D: Community Use of School Facilities***Premise 3.II.D*

Schools are community resources and should be made available to the community in ways which are not detrimental to the normal functioning of the school, providing safeguards relating to fire, security, cleaning and insurance are in place.

**Resources****E: Equipment and Textbooks***Premise 3.II.E*

In order to give full meaning to equality of educational opportunity, to safeguard the physical and mental welfare of students, and for the complete education of children in government schools, the provision, maintenance and security of furnishings, equipment, stationery and associated services of the highest standard are essential.

**F: Libraries***Premise 3.II.F*

First-class, well planned, well stocked and well staffed libraries are essential in infants, primary and secondary schools if children are to develop positive attitudes to methods of learning which will meet their present and future needs. Such libraries should be established and maintained from public funds, should be of a satisfactory standard and should be available for use at times convenient for their users. Modern concepts of the library as a learning resources centre providing information in many formats should be the basis of school library management, planning and future development.

**Transportation****G: Transport***Premise 3.II.G*

Free transport should be provided for all government school students to their nearest, accessible and appropriate government school and, whilst enrolled at school, include transport to VET, TAFE and training facilities as required. The safety of children going to and from school is of paramount importance and shall be afforded the highest priority in any town or transport planning.

**III. Curriculum & Assessment****Curriculum****A: General Curriculum Issues***Premise 3.III.A*

The curriculum of a school is the totality of experiences of a student in that school. The development of each individual student should be the basic concern in determining school organisation, learning experiences and evaluation methods. Tertiary selection needs must not dominate secondary schools' curricula, nor secondary selection needs dominate primary curricula. Steps must be taken to ensure that there is progressive development from Kindergarten to Year 12 and a wide variety of courses of study should be available to schools at both primary and secondary levels. Co-education should be encouraged at all levels without discrimination in respect of the curriculum.

The development of a broad National Curriculum Framework could provide the sharing of knowledge, experiences and understandings that are important to a cohesive yet diverse society.

Any National Curriculum Framework must be sufficiently broad to reflect regional, ethnic and cultural differences in the Australian community and must result from a collaborative process involving parents, teachers and students.



A National Curriculum Framework should not contain prescribed content or rigidly implemented programs and should not be driven by outcome statements but should be a broad framework of common learning that an education system needs to offer all Australian students and that will provide a minimum guarantee of curriculum quality.

A variety of support services, including courses of study, curriculum units, resource materials and subject consultancy should be available to each school to allow it to develop the curriculum best suited to its needs.

The DET should be responsible for ensuring the satisfactory implementation and resourcing of all new curriculum programs and syllabuses.

### **B: Computer Education**

#### *Premise 3.III.B*

Computer awareness is the right of every student within the government school system.

### **C: Careers and Vocational Education Policy**

#### *Premise 3.III.C*

Education must include Careers Education so that students leave school with dignity to achieve their own vocational choice and their own level of economic independence. Vocational education should enhance self-esteem, confidence in the ability to achieve, and broad competencies, rather than being training to fit into specific jobs, and have sufficient involvement in a range of actual or simulated career experiences to enable students to confidently choose their first career. Careers and vocational education should contribute to giving students an understanding of such things as the social and political dimensions of the world of work, paid and unpaid, and an appreciation of different views of the relations between work, leisure and life, as well as an understanding of what the different kinds of jobs are like.

### **D: Physical Education, Sport and Recreation**

#### *Premise 3.III.D*

Physical education should be an integral part of schooling and should be seen as a continuing process of education in, about, and through the physical. Physical education in schools is accomplished by the teaching and learning of physical activity, which includes fitness, skills, movement, dance, recreation, aquatics, athletics, gymnastics, games and sport. Sport and competitive team games are only one means of achieving physical education. Sports education is part of physical education, to do with the pedagogy (teaching and learning) of sports skills and physical competencies. Becoming physically educated is more than that. It is a growing awareness of one's physical self, the body and its capabilities, as well as the cultural significance of organised physical activity in Australia and the world. Physical education should be part of the key learning area Personal Development, Health and Physical Education (PD/H/PE) and sport education and school sport should be important subsets within that part of the curriculum. Health outcomes and elite performance are recognised dimensions of physical education, but they are not its primary concern, which is the educational outcome of participation in organised physical activity.

### **E: Literacy**

#### *Premise 3.III.E*

Literacy is of major importance in each child's education. It is a prerequisite for effective participation in society, full personal development and ongoing access to our cultural heritage.

All children are entitled to the learning experiences, intervention programs and support services which will enable them to achieve a standard of literacy which will enable them to function actively and effectively within our society. Parents play an important role in literacy learning and it is essential that they receive appropriate support in providing an environment that will promote literacy learning. Schools and other agencies can assist parents to provide

this environment. However, the responsibility for literacy acquisition lies with the school. It is the obligation of governments to ensure that schools can carry out this responsibility.

### **F: Numeracy**

#### *Premise 3.III.F*

Numeracy is of major importance in each child's education. It is a prerequisite for effective participation in society and full personal development.

All children are entitled to learning experiences, intervention programs and support services to achieve a standard of numeracy which will enable them to function actively and effectively within our society. Parents play an important role in numeracy learning and it is essential that they receive appropriate support in providing an environment that will promote numeracy learning. Schools and other agencies can assist parents to provide this environment. However, the responsibility for numeracy acquisition lies with the school. It is the obligation of governments to ensure that schools can carry out this responsibility.

### **G: Environment Education**

#### *Premise 3.III.G*

Environmental education includes learning to view any situation as a whole. Student, parents and teachers should build a coherent understanding of the world. The interests of different species, whether animal or plant, are integrated. The curriculum for every student must show students how facts, skills and attitudes come together to inform their actions.

### **H: Music Education**

#### *Premise 3.III.H*

P&C Federation recognises the importance and value of children learning music as an integral part of their education, as well as the positive links between the wellbeing of youth and their appreciation and active participation in music activities. Exposure to good music in the early years has been demonstrated to improve the development of neural pathways in the brain, and to enhance higher order thinking skills. Music adds to the totality of the school experience of each student, and should be evident across all subjects from Kindergarten to Year 12.

### **I: Other Specific Subject Areas**

#### *Premise 3.III.I (a)*

Well prepared programs on personal relationships acceptable to the school community should be instituted in each school and should be carried out by specially trained teachers.

#### *Premise 3.III.I (b)*

All children should be encouraged to speak another language other than English. In Europe many people speak 3 or 4 languages. If Australia wants to compete academically and economically with the rest of the world we need to develop more cultural understanding of people from other countries. Language learning is the most effective way to learn about another culture and be accepted by its people.

### **Assessment**

#### **J: Assessment**

#### *Premise 3.III.J*

Assessment is for the purpose of evaluating an individual student's progress. It is essentially to provide information shared by teacher, student and parents and therefore should be non-competitive. Furthermore, evaluation of individual student progress should take place at the local school level.

#### **K: Higher School Certificate**

#### *Premise 3.III.K*

The final years of high school are years in which students should be encouraged to develop in maturity, to make their own choices of future life and work and of what matters to them, and, with advice, select the courses of study that are appropriate. The inevitable tensions between different purposes of education are most pronounced in those years. It is important that administrative and course structures at school, in tertiary education and in the work-force are flexible enough to enable young people to revise their choices as subsequent experience and learning lead them to revise their life plans.

## **4. P&C Federation Procedures**

### ***I. General***

#### *Premise 4.I.A*

P&C Federation and its affiliates will use all available and appropriate means to protect and advance the interests of public education in New South Wales. Means to this end include:

- (a) assisting in the formation and maintenance of Parents and Citizens' Associations in all government schools in New South Wales and seeking to have all such associations affiliated with P&C Federation;
- (b) ensuring that P&C Federation is always responsive to the needs and wishes of its affiliates; and
- (c) fostering and supporting a system of Regional and District Councils with the express aim of achieving a complete state-wide coverage by such Councils.

### ***II. Representation***

#### *Premise 4.II.A*

Participation of parents, teachers and students at all levels of education decision-making through their properly chosen representatives is essential for the development of sound educational policies and programs. Furthermore, representation is a means of allowing a share in the decision-making for larger numbers of people than can easily participate directly. P&C Federation and its representatives share the responsibility of ensuring representative decision-making for the benefit of students.

### ***III. Journal***

#### *Premise 4.III.A*

P&C Federation publishes a regular journal to assist dissemination of information to affiliates and the community.

### ***IV. Website***

#### *Premise 4.IV.A*

P&C Federation publishes and regularly updates a website to assist dissemination of information to affiliates and the wider community.

### ***V. Goods and services***

#### *Premise 4.V.A*

Affiliates and the schools they represent should be able to purchase high quality school requisites at competitive prices.

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1949	Mr Hall *	1980	Mr E H Stone *	2004	Ms D Lloyd
1952	Mrs L Beal *	1984	Mrs A Macklin OAM *	2007	Ms J Bateup
1952	Mr S F B Liebert OBE *	1985	Mr N Cohen	2008	Mrs M Bryden
1955	Mr H W D Mudford *	1986	Mrs E McGill OAM	2011	Mr S Carpenter
1955	Mrs M Mudford *	1987	Mrs S Berg AM	2011	Mrs S Johnson
1958	Mr W H Snowdon *	1990	Mrs H Dillon	2012	Mrs P Clarke
1958	Mr A N Harrison *	1991	Mrs L McPaul AM	2012	Mr L Lambert
1958	Mr H K Crisp *	1991	Mr R Tidswell *		
1961	Mr H Muddle *	1993	Ms B Baker		
1962	Mrs E M Byron *	1993	Mr T Bettle		
1964	Mr A G Bond *	1993	Ms P Harrison		
1965	Mrs B Backhouse BEM *	1993	Mr J Young		
1965	Mrs D Collier MBE *	1994	Ms S Ray		
1965	Mr A Farquhar *	1994	Dr D Lang		
1965	Mr C L Smith *	1994	Mr R Halliburton		
1966	Mr H J Jones *	1995	Ms G Nichols		
1966	Hon. Mrs A E Press *	1997	Ms R Brennan AM		
1968	Mr S Ridgeway *	1997	Mrs J Evans		
1972	Mr A E J Tripet *	1997	Dr K Forster		
1972	Mr R W O'Brien	1997	Mrs N Lizzi		
1974	Mrs L Nicholson BEM *	1998	Dr M Bibby		
1975	Mrs B Sharpe *	1998	Mrs J Peart		
1975	Mrs I Carter *	1998	Ms C Smith *		
1975	Mr A Graham *	1999	Ms M Searle		
1977	Mr J Allen	2000	Mrs J Frape		
1977	Mr R L Lippmann *	2000	Mrs M Hoschke		
1977	Mr A G Richards *	2001	Mr I Morris		
1977	Mr M Tubbs	2001	Mrs J Barker		
1978	Mrs A Benson*	2003	Mrs D Giblin AM		
1978	Mr N Arentz*	2003	Mr D Giblin		
1978	Mr G O'Brien	2003	Mr L Wilkinson BEM		
1979	Mrs T Cohen AM, OBE*	2004	Mrs L Boorman		
1979	Mrs M Sherbinski	2004	Ms D Butland		
1979	Dr T Torpy *	2004	Mrs E Darby		

\*Deceased



# Fact Sheets

The chapter contains useful fact sheets for P&C Associations.

## Fact Sheet 1:

# What is a P&C Association?

A P&C Association is a school based organisation consisting of parents, teachers and citizens residing within the school drawing enrolment area.

The Education Act 1990 states that P&C Associations are established to:

- Promote the interest of the school by bringing parents, citizens, students and teaching staff into close co-operation;
- Assist in providing facilities and equipment for the school and promoting the recreation and welfare of the students at the school;
- Encourage parent and community participation in curriculum and other education issues in schools;
- Report, when requested by the Minister, on the material requirements of the school and advise on the subject of maintenance of the school, alterations and additions to school facilities and the selection of new sites;
- Assist and co-operate with teaching staff at public functions associated with the school
- Be responsible for the election of parent representatives to any school council constituted at the school in consultation with the principal of the school; and
- Assist in any other matters in which the Minister may seek the co-operation of the association.
- These objects and functions are included in the prescribed and standard constitutions for both incorporated and unincorporated associations.
- P&C Associations may adopt a set of by-laws which could include the following objectives:
- To participate as much as possible in the activities of the school and communicate with all members of the school community;
- To co-operate with the activities of the Federation of Parents and Citizens' Associations of New South Wales and its district and regional councils, and
- To do other things that may promote the interests of public education.

The Department of Education and Communities issued a statement 'The Partnership Between School and Established Parent Bodies' which outlines the proper place of parent organisations in school and places special emphasis on the P&C Association's role in providing "a forum in which parents can develop their partnership with the school and articulate their aspirations for their children's education."

## Fact Sheet 2:

# P&C Membership

All parents and careers of students enrolled at the school are eligible to be members of the school's P&C Association.

All citizens are eligible to be members of the school's P&C Association.

The Principal is an ex officio member of the P&C Association. That is, they are a member of the P&C Association by right of their position as Principal of the school and do not have to pay a membership fee. The Principal has the right to move motions and vote like any other member, except when acting as Returning Officer at the Annual General Meeting (AGM).

Members of the school staff are eligible to be members of the P&C but are required to pay the membership fee.

Parents, careers and citizens must pay the membership fee to become a financial member of the P&C.

Payment of the membership fee must be made by the close of one meeting so that the member is eligible to exercise membership rights (e.g., vote) at the next meeting.

It is in the members' interest to obtain a receipt at the time of payment.

Due to the fact that the membership register is not updated until after each general meeting, new members are not eligible to vote at the meeting at which their membership has been paid.

If a new member pays their fee to the Treasurer in between meetings, they are still not deemed financial until the close of the next general meeting.

All financial members including the school staff have the right to stand for office, move motions and vote.

### 1. Can the Principal vote at the AGM?

No. The Principal, as a general rule, acts as Returning Officer for the election of officers and is therefore not entitled to nominate or vote at the election.

### 2. How much is the membership fee?

The annual membership fee for the following year is decided, by majority vote, at the AGM and is recorded in the by-laws. The fee cannot be less than fifty cents.

### 3. Who updates the Membership Register?

The Secretary has responsibility for maintaining a register of financial members. The Treasurer issues receipts when membership is received.

## Fact Sheet 3: Office Bearers

Office bearers are elected at a P&C Association's annual general meeting (AGM). Only financial P&C members are eligible to stand for positions of the P&C Association.

A President, two Vice Presidents, a Secretary and a Treasurer will be elected. No other roles should or can be elected as office bearers, this is per the standard and prescribed Constitutions.

No more than one Officer Role can be held by the same person.

Members of the same family can hold office bearer positions at the same time.

Office bearers can be elected regardless of their place or type of employment except for where they are employed by the P&C Association. Employees of the P&C Association are not permitted to hold an office bearer or executive position within the association.

If an office bearer position becomes vacant between annual general meetings, the position is to be filled through an election at any general meeting.

In the absence of a canteen committee, office bearers, as a group with the P&C executive are responsible for the management of the canteen.

Signatories to all P&C financial accounts, including sub-committees, are the Officers of the P&C Association (President, Secretary, Vice Presidents and Treasurer).

## Fact Sheet 4:

# P&C Executive Committee

The P&C Executive Committee (Executive) consists of the association's office bearers (President, Vice Presidents, Secretary and Treasurer) and may include up to six financial members elected at the annual general meeting (AGM). The number of executive nominations will be outlined in your P&C association by laws.

The Executive is convened by the President or, a Vice-President in the absence of the President.

The Executive is responsible to the P&C Association and should ensure meeting decisions are adhered to and are acted upon. The Executive should only meet where necessary.

The Executive must be mindful not to make decisions that should be debated at a general meeting. Ordinary members have the right to question Executive decisions or, in fact, overturn them (by majority vote) at a general meeting. It is prudent for the Executive to only deal with matters that are urgent or of a sensitive nature.

The Executive can call special meetings of the association. All meetings of a P&C Association require seven (7) days' notice to the school community.

Minutes are kept of Executive meetings and confirmed at the next general meeting.

If a general P&C meeting decides that the Executive has acted irresponsibly or inappropriately, the meeting can formally censure the Executive or any member of the Executive.

## Fact Sheet 5: Sub-Committees

Sub-committees are formed by a P&C Association to undertake specific planning and/or manage tasks on behalf of the association. Sub-committees are categorised as either an ad hoc or a standing committee.

Ad hoc committees are formed to carry out specific tasks and cease to exist after these tasks have been completed for example a Centenary Committee.

Standing committees have an ongoing role and are elected annually at, or confirmed by, the P&C Annual General Meeting for example a Canteen Committee.

Sub-committees have delegated authority and are fully accountable to the P&C Association. Each sub-committee must operate within the rules set for it by the P&C Association. Sometimes a sub-committee may write its own rules but these must be properly endorsed by the P&C before the sub-committee begins its work. Must not contradict the P&C constitution

A sub-committee must adhere to the following; members to be elected by the P&C Association. All members must conform to the rules of operation endorsed by the P&C Association, further to this, all recommendations must be complimentary to the operations endorsed by the P&C Association. Sub-committees must report in writing to the P&C Association at each meeting of the P&C Association. Sub-committees must hand over any profits which may have resulted from the sub-committee's activities. Operational costs or a working budget are allowed to be met and retained by the sub-committee for it to continue its activity, these limits where applicable will be outlined in the sub-committee rules.

A sub-committee does not have a Constitution separate from the P&C, nor a separate set of office bearers. The P&C member of the sub-committee is known as the Convenor or Chairperson.

A subcommittee may operate a separate bank account; however, each account may only host the signatories of the Officers; President, Vice Presidents, Secretary and Treasurer of the P&C Association. Each sub-committees' books are the responsibility of the P&C association Treasurer. The sub-committee may elect a book keeper to work with the Treasurer. The sub-committee's books must be submitted for audit when the association itself undergoes its annual audit.

A sub-committee has no discretion to commit funds, beyond meeting operational costs, for purchases.

### **Insurance cover for sub-committees**

All P&C Association insurance, purchased through P&C Federation, extends to sub-committees provided the points listed in paragraph three are adhered to. This compliance is essential to limit a P&C Association's overall exposure to risk. In some circumstances it may be necessary to pay a specific fee to extend cover for sub-committees which have a higher than usual exposure to risk. Examples of these types of sub-committees are Out of School Hours Care sub-committees (OOSH) and After School Class sub-committees.

### **The Principal's role on sub-committees**

The Principal is automatically a member of the P&C Association and all of its sub-committees by virtue of their role. The Principal does not have the right of veto or the right to censor association or sub-committee discussions. However, the Principal is expected to highlight disparities between P&C discussions and Department of Education & Communities guidelines. The Principal must be given notice of every association and sub-committee meeting. The Principal may delegate another member of staff to attend in their place if they are not able attend the meeting.

It is a requirement of the Department of Education & Communities that all P&C Association monies be expended with the endorsement of a majority vote at a general or special meeting of the P&C Association. It is reasonable for a fundraising sub-committee, when handing over its profits to the P&C, to suggest via written recommendation, how part or all of these profits may be spent. The P&C is not obligated to adopt these suggestions and a motion followed by formal meeting procedure would ensure the matter suitably resolved.

## **Fact Sheet 6:**

# **Role of the Principal within the P&C Association**

The Principal is an ex officio member of the P&C Association. That is, the Principal is automatically a member of the P&C Association because they are the school's Principal.

The Principal is not required to pay a membership fee to the P&C Association.

The rights of the Principal in the P&C Association are the same as for any other member. The Principal is entitled to vote and to move and second motions at a meeting and engage in debate. The exception to this is where the Principal is recognised as the Returning Officer at the P&C Association's Annual General Meeting.

As an ex-officio member the Principal cannot stand for election to an office bearer position. Consequently, this is why the Principal is often invited to act as an association's Returning Officer.

The Principal has no power of veto over a P&C Association, the Principal cannot allow or disallow any discussion or decision made by the association.

The Principal's role in a P&C meeting is to table a written report to each meeting, respond to questions arising and offer advice on the Department of Education & Communities guidelines. Where a Principal is not able to attend a meeting of the P&C Association it is suitable to have a Principal's representative from the Staff attend on their behalf.

The Principal cannot be a signatory to a P&C bank account.

The Principal is also an ex officio member of the P&C Executive and all P&C sub-committees.

The role of the Principal is addressed in the Department of Education and Communities February 1998 Memorandum to Principals, Partnership Between Schools and Established Parent Bodies.



## Fact Sheet 7:

# Annual General Meeting

Each P&C Association is required, by the Constitution it operates under, to hold an Annual General Meeting (AGM). As indicated in the title, this meeting must be held once a year.

The AGM is held in accordance with the associations by laws. The by-laws will state the time and date for the AGM.

The AGM is advertised to the school community at least 14 days prior to being held. The notice should include the list of representative positions to be elected at the meeting.

All office bearer positions are declared vacant and therefore, available for election at each AGM.

The associations by laws will indicate if there is a limited tenure on any officer or representative position.

The minutes of the previous AGM are to be distributed prior to the AGM and endorsed at the AGM.

Prior to the AGM, the Treasurer must present to the nominated auditor the records of the P&C for auditing. These records consist of minute book, cash book, deposit book, cheque book, receipt book, invoices and bank statements of the P&C Association and all its sub-committees. The audited financial statement will be presented to the AGM as the Treasurer's Report. An AGM cannot occur until the Auditor's Report is tabled. The meeting must be closed and reconvened pending such a report if none is forthcoming at the time of the AGM. The auditor for the following year is determined at the AGM.

Incorporated P&C Associations must send a copy of their audited financial statements to P&C Federation within one month of their AGM. This is a requirement of the Prescribed Constitution that they operate under.

The AGM consists of the President's Annual Report, the Treasurer's Annual Report and any other Annual Reports required as well as the election of office bearers and representatives.

Reports must be strictly relevant to the AGM as opposed to the general meeting which immediately follows the AGM. Any matters that come up in the minutes cannot be endorsed or followed up until the next meeting. In the case of the AGM, such matters would have to wait for a year.

The Officer positions to be elected at the AGM, according to both the standard and prescribed Constitution, are President, two Vice Presidents, Secretary and Treasurer. Only financial P&C members are eligible to stand for a position.

No more than one Officer position can be held by the same person.

Two people from the same family can hold office bearer positions at the same time.

Office bearers can be elected regardless of their place or type of employment except for where they are employed by the P&C Association. Employees of the P&C Association are not permitted to hold an office bearer or executive position within the association.

Any other representative positions held by P&C members are elected at the AGM. These positions may include P&C sub-committees as well as Departmental and external committees that the P&C has representatives on. Examples are finance committee, merit panel, out of area enrolments, pre-school selection, canteen sub-committee, uniform shop sub-committee, fundraising sub-committee, OOSH sub-committee, NSW P&C Federation Annual Conference delegates.

The AGM is chaired by the outgoing President until the ballot is held. The ballot is conducted by the Returning Officer. This position of Returning Officer is determined by the meeting and is to be undertaken by someone who plays no part in the election (i.e. does not intend to stand for a position nor wishes to cast a vote). The Principal is often invited to take this role.

On completion of the AGM the new office bearers take carriage of their roles and proceed to conduct a general meeting of the P&C Association.

The minutes of the AGM are presented for acceptance at the next AGM, not the next general meeting.

## Fact Sheet 8: Voting Right

There is often confusion and misinterpretation of the rules governing voting rights. Any attempt to ignore or tamper with the set rules will, inevitably, lead to dissent and division among the members. Below are a few commonly asked questions.

### **Who is eligible to vote at a P&C Association meeting?**

All Members of an association are entitled to vote. Membership eligibility is prescribed in the association's constitution.

Membership involves the payment of an annual membership fee, which will be stipulated in the by-laws but must not be less than 50 cents.

All associations should maintain a current list of members. Life Members do not have voting rights unless they pay the membership fee. Observers do not have voting rights.

### **Can new members vote immediately?**

Not at their first meeting. The prescribed and standard constitutions both insist that the register of members "shall be updated after each general meeting by the Secretary or the Secretary's nominee." New members are then eligible to vote at the next meeting.

The voting rights of new members are sometimes an issue because ongoing members feel that it is unfair for "first-timers" to come to a meeting, pay the association's annual membership fee, and enjoy full and immediate voting rights on all matters, including highly controversial issues. P&C Associations often assert that such an arrangement allows a meeting to be easily and unfairly influenced by single-issue one-night stand members.

### **What about new parents?**

Shouldn't they be encouraged to participate? The membership register should be updated at the end of the Annual General Meeting (AGM) which is the last meeting in the association's calendar. The first general meeting of the year will immediately follow the AGM. The general meeting is a separate meeting from the AGM and new parents may participate and vote at the general meeting providing they paid their membership before the close of the AGM.

### **Can the Chairperson vote?**

A Chairperson possesses normal voting rights. Typically, however, a Chairperson often abstains from voting in order to preserve the impartiality of their position.

The current prescribed and standard constitutions make no provision for the Chair to exercise a casting vote in the event of an equality of voting. Consequently, in the event of an equality of voting the motion should be lost.

### **Are proxy votes or absentee votes acceptable?**

No. Under common law, special provision must be made in an association's constitution to provide for proxies. No provision exists in the prescribed or standard constitutions for proxy votes. Absentee votes are proxy votes by another name and are similarly unacceptable.

### **What does ex officio member mean?**

"Ex officio" is simply a Latin term which means "by the virtue of his or her office" and refers to the fact that a school principal is automatically a member of an association because they are the school's principal. The principal is not required to pay the normal annual membership fee or to meet other constitutional membership requirements.

**Can a principal as an ex officio member vote?**

Ex officio members have full voting rights. An ex officio member is not eligible to stand for election. Consequently, an ex officio member is often invited to act as an association's Returning Officer.

**Can students vote?**

No. The Education Act 1990 defines a P&C Association as "an association consisting of parents of children attending any government school together with other residents of the district served by the school who are interested in the welfare of the school."

**Can the membership of the P&C Association be incorporated in the school "fees"?**

P&C Federation advises against this practice. So called "school fees" or "voluntary contributions" are not compulsory in government schools and those who choose not to pay the fee or contribution or are unable to do so may still wish to become members of the P&C Association. It may mean that an organization has problems, at times, getting a quorum at meetings given the prescribed and standard constitutions' requirement which states that, "Where the association has current membership of 50 or more, the quorum at all meetings of that association shall be 11 members".

## Fact Sheet 9:

# Role of the President

### Election

The President is elected at the P&C Association's AGM (see fact sheet: Annual General Meeting)

### Duties

The President is responsible for:

- The successful functioning of the P&C Association
- The attainment of the P&C Association's objectives
- Ensuring that the P&C Association takes part in decision-making processes in the school
- Fostering fair participation of all members and ensuring that all new members are made to feel welcome
- Supporting volunteers
- Consistent adherence to the constitution
- Acting as the P&C Association's spokesperson when public statements or actions are needed
- Setting up lines of communication with the Principal
- Being signatory on the Association's bank accounts
- Chairing meetings (see fact sheet: Chairing Meetings) but, in the absence of the President, one of the Vice-Presidents will chair the meeting or the meeting can elect a chairperson from the members present for that meeting.

### Voting

The President is entitled to the same voting rights as any member. However, a President, when in the Chair, often abstains from voting in order to preserve the impartiality of the position.

The person chairing a meeting does not have a casting vote in the event of a tied vote. In the event of a tied vote, the motion should be lost.

### Sub-committees

The President is automatically a member of all P&C sub-committees. The President should be informed of all sub-committee meetings and decisions, this would occur through written report.

An experienced President gives opportunities to the Vice-Presidents to develop their skills in chairing meetings. P&C Federation recommends that a vice-president be delegated to chair part of a meeting. The training process could also include delegating the responsibility of sub-committee leadership to vice-presidents.

The President also has important responsibilities outside of meetings and is looked to as a leader of the parent community.

The President does not make unilateral decisions and should be mindful that all public statements accurately represent the views of the association.

## Fact Sheet 10: Chairing Meetings

Chairing the meeting is generally the role of the President; however, in the absence of the President, one of the Vice-Presidents will Chair the meeting.

The Chairperson (Chair) has a responsibility to remain neutral, allowing all sides of an argument to be heard, and as many people as possible to speak. Order is vital in a democratic forum where the rights of every individual member should be respected and protected.

P&C Associations are composed of very different individuals with different values, beliefs, viewpoints and ideas, the need for discussions which are ordered and fair is essential. The chair must preserve order, including ruling on contentious matters of procedure and assisting the progress of discussion by preventing irrelevant or repetitious discussion or offensive remarks.

### Prepare for the meetings

For full and informed discussion, items must be advertised to the school community before being dealt with at a P&C meeting. The President and Secretary agree on the purpose of the meeting and work together to prepare an Agenda. Additional agenda items can be dealt with at the end of the meeting in general business, if the meeting agrees, otherwise they may be held over to the next meeting.

The Chairperson can be influential and should be mindful of any indication they may give either verbally or visually, that may influence the direction of the debate. If the Chairperson is not able to remain neutral or, wishes to be involved in the discussion, they should step down for that section of the meeting and allow someone else to chair the meeting for the entire course of the discussion on the specific topic.

### Hints for Chairing meetings

Stick to the Agenda and set a time to finish the meeting.

Ensure one speaker at a time has the floor.

Limit the number of speakers (for and against) on a particular topic.

Ensure all speakers are heard and their point of view is respected.

Know the rules. The Chair must apply the rules of the Constitution.

Keep the discussions flowing and keep order. The Chair may need to remind members what the last issue being discussed and stop unconstructive or irrelevant debate.

To achieve the aim in the allotted time, the Chair should take initiatives such as terminating the debate and putting the motion.

Create working parties to investigate a larger issue and report back to a future meeting.

Ensure the seating arrangements, such as a circle, horseshoe and round table formations, produce a more inclusive feeling for all meeting members.

If the meeting is going to discuss contentious issues the Chair must maintain order and ensure that everyone will get a chance to speak once.

Take refreshment breaks as suitable.

## Fact Sheet 11:

# Voluntary School Contributions and Subject Fees

NSW Government policy enables all schools to request contributions from parents to enhance their educational, sporting and arts programs.

Towards the end of each school year Principals with their school finance committees, review their budgetary requirements for the following year. The level of voluntary contributions and subject contributions is to be made by the Principal in consultation with the school community. P&C associations should have an elected representative on the school Finance Committee.

P&C Federation is committed to a free public education system which is open to all irrespective of socio-economic status. It is therefore fundamental that parents are advised by the Principal that school contributions and subject fees are entirely voluntary and payment is a matter of decision by parents.

The collection of parental contributions is governed by the Department's Code of Practice which was issued to schools in 1995 which states that Principals must ensure that no student or family suffers any discrimination or embarrassment over failure to make a contribution.

Fees that may exist in schools are:

- Voluntary contributions – a contribution paid to the school by parents.
- Subject fees – a fee covering the costs of a particular subject, usually an elective subject in secondary schools.
- Educational support – a fee covering resources such as book and other equipment.

Schools may request from parents a payment to cover the purchase of materials used in particular elective subjects that go beyond the minimum requirements of the curriculum. These payments are also voluntary. However, parents who are unable to pay these fees because of financial hardship may be eligible for assistance from the student assistance scheme or other appropriate sources and are able to speak to the Principal about this.

Voluntary School Contributions should not be confused with membership fees or voluntary contributions made to a P&C Association. The School Voluntary Contribution payment goes to the school, not to the P&C Association.

## Fact Sheet 12:

# P&C Federation Services

The relationship between P&C Federation and affiliates is one of service. Each P&C Association is invited to pay P&C Federation an annual fee and for that fee received a range of service and access to certain resources. P&C Federation's provides support to ensure that its members are operating in accordance with appropriate legislation, constitutions and policies. P&C Federation produces a range of resources by which affiliates may be made aware of sound and effective practices in association management to empower them to confidently manage their own affairs.

Some of P&C Federation's services are as follows;

- Membership of a state-wide network of shared decision-making and information
- An avenue through which P&C Associations can become incorporated entities
- Participation in a blanket Public Liability insurance scheme and the option for affiliates to purchase extension and alternative insurance cover.
- Access to members service advice
- Access to speakers for daytime or evening meetings
- Access to P&C Federation's Information Days
- Annual Conference
- Access to regional council meetings and conferences

**Information is shared in a number of ways:**

### ***Handbook for P&C Associations***

The Handbook is an Operational Guide and Policy Manual. It includes general information for School P&C Associations; Constitutions; Information for Regional and District Councils of P&C Associations; The Government School System in NSW; P&C Federation's Constitution and Policy; useful contacts and more.

### ***P&C Journal***

The P&C Journal is published four times a year and print-run of 25,000 copies per issue ensures every P&C Association receives multiple copies. The Journal carries a range of relevant and topical items highlighting what is happening throughout the government school system at every level. We welcome your feedback on the Journal and welcome any articles you may wish to contribute. Please send all articles to [journal@pandc.org.au](mailto:journal@pandc.org.au).

### ***E-Bulletin***

P&C Federation regularly issues e-bulletin updates. You may either subscribe to the newsletter or read them online by using the following link: [http://www.pandc.org.au/ab\\_newsletters.asp](http://www.pandc.org.au/ab_newsletters.asp)

### ***P&C Affiliate Webmail, Logon ID and Password***

P&C Federation provides a P&C Affiliate Webmail system. This is a system that allows your P&C association to send and receive emails. The URL address is <http://www.mail.pandcaffiliate.org.au/Webmail/>.

### ***Annual Report***

P&C Federation's Annual Report identifies the work that is being done on behalf of the families of children in our New South Wales Public Education System.

### ***Information Days***

Information Days for P&C members are specially targeted to areas of need as identified, for example, through contact with P&C Federation's Office. They are often held in regional locations to allow parents from surrounding schools to attend. Topics include an almost endless list such as operation and management of P&C Associations; constitutions and by-



laws; parent rights and responsibilities; meeting procedures; incorporation; management strategies. Delegates are invited to submit topics in advance.

### ***Training and Development project***

Training and Development days are held at P&C Federation's office and are targeted at P&C Regional Councils to better equip them to support P&C Associations in their region.

### ***Guest Speakers***

The protocol for inviting a member of P&C Federation's Council to your meeting is to contact, in the first instance the Federation of Parents and Citizens' Associations of New South Wales. At least three weeks advance notice is helpful and the invitation must be supported by the President or the Executive Committee of your P&C Association or by a majority resolution at a general or special meeting of the Association itself.

### ***Insurance***

P&C Federation provides a range of insurance policies underwritten by CGU Insurance Limited and as a agent for and under the authority given by Marsh Pty Ltd. These policies include public liability, personal accident insurance for voluntary workers, cash and property, directors' and officers' liability and fidelity insurance.

P&C Federation has offered insurance to its members since 1956. All members, as an automatic part of the affiliation, receive a basic \$10 million public liability insurance protection.

### ***Annual Conference***

The Annual General Meeting is open for all affiliates to attend. This forum is where Officers are elected and the Annual Report is tabled. The Annual Conference is also where affiliates can submit motions for debate, this can then create policy that direct P&C Federation's Council members when undertaking their advocacy.

### ***Internet [www.pandc.org.au](http://www.pandc.org.au)***

P&C Federation hosts all documents available for affiliates on the website.

## Fact Sheet 13:

# Role of the Secretary

The Secretary is responsible for carrying out the administrative tasks related to the decisions of the meetings as resolved. The Secretary prepares, in consultation with the President, all meeting agendas.

The Secretary is required to attend every association meeting and take notes of the discussions in order to produce a set of Minutes for subsequent distribution to members and for receipt, possible amendment and adoption at the following meeting. (In the absence of the Secretary the meeting should elect a person to take the Minutes, this person should be identified in the Minutes.) Further, the position includes receiving and tabling all correspondence as well as writing and dispatching outgoing correspondence as resolved/appropriate. The Secretary also issues notice of all meetings and maintains official records of the P&C Association such as the constitution, by-laws, rules of subcommittees, Incorporation Certificate, ABN details, list of financial (voting) members, Minutes, Attendance book.

### Notice of Meeting

P&C Constitution by-laws state that P&C Associations meet on a regular day each month 'during term time' at the school. Secretaries may use the P&C newsletter, school newsletter/website, school sign, or other means to promote meetings. Motions on Notice, issues and events to be discussed should be advertised along with names of guest speakers.

### Minutes

Minutes are a formal brief summary of proceedings at meetings. Accurate Minutes officially record decisions, resolutions and actions to be taken and by whom. They provide evidence of expenditure authorised, inform members not present at the meeting, provide documentary evidence for audit purposes and provide a permanent record of the P&C Associations' history.

### Agenda

An agenda is a list of items of business to be considered at a meeting. An Agenda should include the name of the organisation, the type of meeting (e.g. Annual General Meeting, General or special meeting); where the meeting will be held; the date the meeting will be held and time the meeting will commence. An Agenda will contain the following;

1. Welcome and formal opening of meeting
2. Apologies
3. Minutes of the previous meeting (Receipt/Amendments/Adoption)
4. Business arising from the previous meeting Minutes
5. Correspondence
6. Business arising from the correspondence
7. Reports:
  - President's report
  - Treasurer's report
  - Sub-committee reports
  - Principal's report
8. General Business
9. Close

An agenda for Annual General Meetings will be similar to the above with the inclusion of items that only occur at an AGM such as election of Officers and Executive, appointment of the Auditor, membership fees, by-law changes etc.

## Fact Sheet 14:

# Role of the Treasurer

Whilst all P&C members must be mindful of complying with financial accountability requirements, this is the Treasurer's primary responsibility. The Treasurer receives and deposits monies, maintains records, draws cheques and presents accounts. The Treasurer presents a report in the form of an income and expenditure statement together with a reconciled bank statement for each and every P&C meeting.

The Treasurer also ensures that all funds held and handled by P&C are properly and openly accounted for as the Treasurer is responsible for all funds held in the name of the P&C. This includes the canteen and any other P&C committees. This does not mean that the Treasurer must undertake the actual bookkeeping themselves but they must ensure that the various sub-committee financial records have been kept to the Treasurer's satisfaction. The Treasurer is a signatory on the P&C accounts and should not delegate this responsibility.

The Treasurer should encourage members to understand the state of the P&C finances. The Treasurer must ensure a case book or books are kept, recording all financial transactions of the P&C Association.

**Planning, budgeting and cash flow** A budget is a planning document to estimate the income and expenditure of the organisation for a given period (usually the financial year of the P&C). The budget is a statement of intention rather than of fact and can be altered at any time, with due notice given by way of the Agenda, by majority vote, after its initial ratification at a general or special meeting.

Budget estimates are founded on past economic performance, adjusted to anticipate the probable effect any special projects or one-off events. Once the overall budget has been approved, it is helpful to break the budget estimates with actual income and expenditure levels at regular interval throughout the year. This comparison allows the Treasurer to recommend changes to the budget so that it more accurately reflects the real financial situation of the P&C association. These changes, in turn, allow the association to amend its fundraising or expenditure plans for the year.

*Note: The P&C Association budget is separate from the school's budget.*

**Surplus funds** The Treasurer makes recommendations about surplus funds. Surplus funds may be lodged as term deposits with any financial institution that has full trustee status.

**Audit** The financial accounts of the P&C Association must be submitted to an independent audit each year.

The Treasurer produces a full statement of financial position declaring all funds held in the name of the P&C Association, including those of sub-committees, along with the Secretary who presents the Minute book of the same period to the Auditor. After completion of the audit the financial statements, with all signed certificates appended, are to be presented at the Annual General Meeting for approval and adoption.

**Appointing an auditor** You must appoint the auditor at the P&C Association's Annual General Meeting.

The auditor does not need to be a qualified professional. The auditor must possess appropriate skills and experience in auditing and financial record management together with an appreciation of the issues of probity as they relate to the role of association auditor. The auditor must not have or appear to have any conflict of interest arising, for example, from a personal or business relationship with an Officer of the association and must be prepared to swear that the records are a true and correct statement of the information provided by the Treasurer.

To meet reporting requirements under their Prescribed Constitution, the Treasurer of incorporated associations should ensure that copies of the audited accounts, signed by the

President and Treasurer, are forwarded to the Federation of Parents & Citizens' Associations of NSW within one month of the AGM at which they were presented. By undertaking to send the records to P&C Federation the need for incorporated P&C Associations to publicly record their financial statements is fulfilled.

The Treasurer is responsible for the handing over of all financial records to the incoming Treasurer should the Annual General Meeting result in a new Treasurer being elected.

There are many useful conventions which should be followed when dealing in financial matters and the role of the Treasurer will be made easier if all P&C members appreciate and understand that rules and protocols are to be complied with.

Proper accounting procedures have two purposes:

1. They prevent loss and fraud. You might trust everyone in your association, but accounting procedures will tell you if the wrong thing is happening and where.
2. To protect the P&C Executive. Good accounting of P&C funds ensures financial propriety.

### **Cheques**

- Never sign blank cheques.
- Ensure that the P&C Association has resolved to expend the monies before drawing a cheque.
- No motion no payment.
- Do not make cheques out to cash.
- Ensure all cheques are marked 'Not Negotiable'
- Cheque signatories should sight all supporting documents; ensure they are correctly drawn to the payee and there is agreement between the amount on the invoice and the amount on the cheque before signing cheques.
- Monitor that payment are approved for appropriate purposes.
- Two members of the same family should not, as a general rule, act as signatories.
- Where possible, cheque signatories should not counter-sign a cheque drawn in their favour.
- The school Principal should not be a signatory to P&C bank accounts.
- Employees of the association should not be a signatory to the association or sub-committee bank accounts.

### **Payments**

- All accounts should be paid by cheque, except for small payments from petty cash.
- Support all payments with invoices, receipts or docketts.
- Mark all paid invoices with a "paid" stamp and cheque number.

### **Receipts**

- Issue receipts in sequential date order as per takings.
- Ensure two independent people are responsible for collecting and counting money. Likewise, at the end of the collection period, counting should occur in the company of at least two members and the amount verified, in writing, by each member involved in the count.
- Issue receipts to people responsible for collecting and counting money.

### **Banking**

- Check that the amount banked corresponds with the receipt totals.
- Bank money daily or secure in a fireproof safe if you are unable to bank on the day. (Your cash may not be insured if you do not make an effort to secure it adequately.)

**Cash books (computerised bookkeeping package or manual)**

- Keep cash books up to date. The cash book should be totalled and balanced at the end of each month.
- Match the sequence of entries in the cash book with the sequence of receipts and cheque payments.
- Figures must never be erased with white-out. If you make an error in your cash book, receipt book or cheque butts, rule a line through the incorrect figure and write the correct figure next to it.

## Fact Sheet 15: Special Meetings

Special meetings, or extraordinary meetings as they are sometimes called, provide a P&C Association with an opportunity to discuss one or more specific matter which cannot be dealt with at the next general (or ordinary ) meeting because of urgency or some other declared reason.

Special meetings can only deal with business of which notice has been given. While apologies can be accepted at a special meeting, no other formal business such as the minutes of the preceding meeting, correspondence, special reports or general business can be transacted.

### **Who can call a special meeting?**

The P&C Secretary is constitutionally required to give formal written notice of a special meeting but can only issue a notice of special meeting if a request for such a meeting is received from the Executive Committee or by at least ten financial members of the organisation.

Requests for special meetings should refer to the specific matters which will be raised and discussed at the meeting.

### **How much notice of a special meeting is required?**

The Secretary is expected to ensure that all existing financial members receive at least seven clear days' notice of any special meeting. The notice must indicate the time and place of the meeting as well as the specific business which will be transacted at the meeting.

The actual meeting date and time should be designated by the Executive Committee but, in any case, it must occur within a month of the request being received by the Secretary.

The President should preside at special meetings. In the President's absence this task can be taken by one of the Vice- Presidents and in the absence of either Vice-President the meeting itself can elect a chairperson.

### **Can new memberships be taken at special meetings?**

No special meetings provide an opportunity for existing financial members to discuss specific terms. It is not appropriate for new members to join an association immediately prior to or during a special meeting and expect to exercise voting rights and the other privileges of membership.

The Constitution provides for memberships lists to be updated after each general meeting. If a person pays a membership fee immediately before or during the special meeting they are not entitled to voting rights until after the next general meeting.

Special meetings are called because of an urgent need to address specific items of business. Most association business, including constitutional amendments, decision so to incorporate and no confidence motions, can be properly dealt with at general meetings. Referral of these matters to a general meeting ensures that requirements of due notice and wide-ranging consultation are better served.

## Fact Sheet 16: Incorporation

An incorporated association is a legal body which has rights and liabilities separate from its members.

P&C Associations are able to incorporate under the Parents and Citizens' Associations Incorporated Act 1976.

An incorporated P&C Association may enter into legal agreements, own assets and borrow money from financial institution as an association. Individual members will not be required to act as guarantors nor personal signatories to contracts or legal agreements. If an association is incorporated, any debt or liability will be against the association itself, rather than its individual members. Personal action normally cannot be taken against individual members unless they have been personally negligent.

Incorporation is essential for associations who wish to apply for federal and state government grants. Also essential for P&C's associations that operate an Out of School Hours (OOSH) childcare centre or vacation care program; employ staff or a Chaplain/Youth Worker – e.g. canteen supervisors, uniform shop coordinators, OOSH employees; or enter into legal agreements. The decision to incorporate must be made by majority vote at a general or special meeting.

Associations may contact P&C Federation's officer or visit our website [www.pandc.org.au](http://www.pandc.org.au) to access the information package and forms.

P&C Federation charges associations a one-off fee of \$100 to cover the administrative costs. Associations will receive a Certificate of Incorporation and copies of the relevant legislation.

There are no ongoing fees and incorporated associations will not have to lodge an annual return. However, they must send to P&C Federation a copy of their audited annual financial statements within one month of the association's annual general meeting. These will be kept for seven years.

A P&C Association that elects to become incorporated must adopt the prescribed constitution and will not be able to make any changes to that constitution. This constitution has been endorsed by the Minister and gazetted. It is available from P&C Federation's Office and is posted on the website.

Incorporated associations may change their by-laws. All by- must, at all times complement the constitution and provide members with further information about how constitutional requirements will be implemented on a day-to- day basis. Members must be given one month's written notice of any proposed by-law changes.

P&C Associations incorporated under the Parents and Citizens' Incorporation Act 1976

- do not need a registration number;
- do not report to the NSW Office of Fair Trading;
- do not appoint a Public Officer (it is implied that P&C Federation's President holds this position)

P&C Association books must be subjected to an independent review every year. The person appointed to audit the books does not need to be a qualified chartered accountant or tax auditor. The auditor can be anyone, other than an office-bearer of the association, who possesses appropriate skills and experience in auditing and financial record management and who does not have a personal or business relationship with an officer of the association (refer Prescribed Constitution for Incorporated P&C Associations, clause 7 Annual General Meeting).

Every P&C Associations must have an Australian Business Number (ABN). Without an ABN the association will not be regarded as income tax exempt or as a not-for-profit charity, and may be liable for income tax on all profits.

Other key provisions of the Parents and Citizens' Associations Incorporation Act 1976 are:

- The rules for incorporated associations published in the Education Gazette, as amended from time to time, are the rules of each incorporated association;
- Incorporated associations must maintain membership of P&C Federation;
- Incorporated associations must maintain approved public liability insurance which can be the coverage maintained by P&C Federation.

The incorporation of an association can be cancelled at any if the rules of the Act are not complied with.



## Fact Sheet 17:

# Parent Complaints

Any parent or caregiver can register any concerns they may have about the publicly funded government school system or any school therein. The Department of Education and Communities Parents Guide to Schools states: "School principals should include information about making a complaint in at least one school newsletter each year."

Wherever possible, try to seek a solution to a concern through informal means. Any Department employee can receive a complaint. In general, complaints about school matters should be made to the relevant teacher or principal, unless there are concerns about the Principal, in which case the complaint should be made to the next supervisory level – the School Education Director.

A formal complaint can be made orally or in writing. Oral complaints that cannot be resolved informally may need to be put in writing. There is a Complaint Form available on request.

When lodging a written complaint:

Stick to the facts. The complaint should be expressed in uncomplicated or unemotional language i.e. be free of anger, sarcasm or accusation and must be expressed in everyday, straightforward language. The complaint must not be on behalf of other people. I.e. complain on your own behalf, about matters which concern you. Others must be responsible for lodging and pursuing their own complaints.

You can have a support person present when making the complaint and at any related meeting. A support person acts in an observer only capacity to give moral support and to be a witness to the discussions.

Parents may seek advice from P&C Federation about any aspect of lodging and pursuing a complaint.

Principals and teachers are available to discuss and resolve concerns in informal ways and the procedures for formal complaints should be pursued only if informal attempts have proved unhelpful.

According to the Department's policy the principal or other appropriate Department Officer must, in the case of a written complaint, provide a copy of the complaint to the staff member who is the subject of the complaint.

In the case of an oral complaint the relevant officer is to discuss the complaint with the complainant (person making the complaint), provide or arrange assistance to enable the complaint to be set out in writing, ensure the written version of the complaint is signed by the complainant, provide a copy of the document to any staff member concerned and provide a copy of the Complaint Procedures to the complainant and any staff member concerned.

One of the following outcomes must be achieved:

- The parties resolve their differences
- The complaint is withdrawn,
- A reasonable compromise is agreed upon

If processes of conciliation fail the appointed DEC officer must make a decision to either:

- Dismiss the complaint
- Conclude that the complaint has been substantially resolved;
- Issue a directive or warning; or
- Refer the matter to a Departmental Officer with greater seniority with appropriate recommendations.

Is it extremely helpful if the person making the complaint (Complainant) has a clear idea about the constructive outcomes which they hopes will be achieved as a consequence of the complaint.

If the complainant is unhappy with the decision they may appeal to the Regional Director. The request for a review must be lodged in writing within 10 working days of the advice of the decision.

Parents making a complaint maybe fearful that their children could be subject to reprisals if they speak out. The Department's policy offers the following assurance to those lodging formal complaints:

"It is the responsibility of the school principal to ensure that neither parent making the complaint, nor the child involved, is in any way victimised as a result of their actions and that the rights of teachers are not prejudiced in the investigation of complaints."

P&C Association meetings are an open forum which allows parents to express and share their views and concerns.

Too often the standard clause in the P&C Association constitution – which states that "The Association shall not exercise any authority over the teaching staff or any matter relating to the control or management of the school" – is incorrectly interpreted to mean that association members have no right to express concerns about aspects of school management or classroom teaching practice.

A discussion should not be equated with the direct exercise of authority. Discussions may refer to practical matters but that referral should not be interpreted as an attempt to authoritatively impose change on those practical matters.

When matters of controversy arise at meetings the Chair must exercise a control over discussions with all members observing the conventional decorum of debate and to address general principles, never specific personalities.

Obviously, great care must be exercised to ensure that no member of the school community if unfairly or maliciously singled out for the purpose of being publicly ridiculed. If concerns are only felt by one or two members it is quite in order for the Chair to suggest that these few parents ought to explore their concerns privately with the school principal.

## Fact Sheet 18:

# Financial Reporting

Mandatory monthly and annual reporting provide a means for assuring the necessary checks and balances are in place and ensuring your P&C is in a sound financial position.

Proper accounting procedures have two purposes:

They prevent loss and fraud. You might trust everyone in your organisation, but accounting procedures remove temptation and the procedures will tell you if the wrong thing is happening and where.

They protect the P&C Executive. Good accounting of P&C funds removes any basis for accusations of financial impropriety against your executive members.

P&C accounts must be submitted for audit every year. The audited statement of income and expenditure and Annual Report must be presented at your Annual General Meeting.

The person appointed to audit your books must not be an Office-bearer of the association. This person must possess appropriate skills and experience in auditing and financial record management together with an appreciation of the issues of probity as they relate to the role of association auditor. In particular, the auditor must not have or appear to have any conflict of interest arising, for example, from a personal or business relationship with an officer of the association.

It is not essential for the auditor to be a Chartered Accountant; however, P&C Associations that receive government child care subsidies for an Out of School Hours (OOSH) Care Program would be better protected if they use the services of a professional accountant.

Appoint your auditor at the Annual General Meeting each year.

Incorporated P&C Associations are required to send a copy of their audited statements of income and expenditure, certified by the auditor, to the Federation of Parents and Citizens' Association of New South Wales. This fulfils the need for incorporated P&C Associations to publicly record their financial statements if fulfilled.

The financial report must be sent to P&C Federation's office within one month of the AGM which it is adopted.

This instruction can be found in the Prescribed Constitution for Incorporated Associations, Clause 7. Annual General Meeting.

## Fact Sheet 19: School Uniforms

### Changing School Uniform

Whether the uniform is being adopted in the first instance or being altered, the Principal should ensure that they seek the views of parents on the proposed uniform through the established P&C Association at the School.

According to the Department's School Uniform Policy:

*"Each school's uniform policy must be the result of formal consultation with students, teachers and parents or carers, including the P&C Association, local Aboriginal Education Consultation group and School Council, where relevant."*

*"The school's uniform policy and school uniform requirements should be reviewed at least every five years and amended where necessary. Groups within the school community may also seek a review when circumstances change significantly or issues arise."*

The P&C Association cannot compel the school principal to change the school uniform, but members who feel strongly about the need for change should, in the first instance, raise the matter at a general meeting of the P&C Association and propose that the association investigates current attitudes about the options for altering that uniform.

If this proposal is supported by a majority vote at the P&C Association meeting, the association can then decide how best to canvas parent views on the subject. This could take the form of a written survey of all parents, or the holding of special meetings, which much prior notice, so that various points of view can be expressed and views tested.

If a P&C Association recommends a change in school uniform, it should be able to demonstrate significant support for the proposed change. It would be most unwise to suggest that the uniform be altered if the proposed changes are supported by little more than a simple majority of parents.

If the Principal is reluctant to allow discussion or says categorically that the uniform will not change, regardless of parent feeling, the association should explore the possibilities of change with the School Educational Director or Regional Director as suitable.

### Notification of change

All parents or carers and, as far as is practicable, all retailers concerned must be notified early in the school year preceding the change. Some schools may need to allow up to three years for change, to enable school uniform shops and others with significant stocks of the uniform to be replaced to prepare for the change.

## Fact Sheet 20: School Maintenance and Approved Contractors

P&C Associations often provide funding for the installation of covered outdoor learning areas (COLA) etc. and the maintenance and/or upgrade of school canteens.

P&C Associations and Principals may think they can get work done more cheaply and save the school some hard earned P&C funds by engaging a local handyman or local contractor rather than using those approved by the Department of Education and Communities.

While the motivation may be good, using an unapproved contractor is extremely risky both for the Principal personally and for the Department.

Contractors approved by the DEC have been checked for:

- Child protection
- Safe working methods
- Workers Compensation insurance coverage
- Public Risk Liability insurance coverage
- Appropriate license and qualifications to undertake the work

All members of a school community who are undertaking business on the site have a responsibility under legislation for Work Health & Safety matters. P&C's must be mindful of safe working practices on site when engaging externals or when participating in school activities.

## Fact Sheet 21: Want of Confidence Motions

A want of confidence motion (often called a no confidence motion) is moved against those who have been elected to positions of responsibility within the association – like office-bearer positions or committee membership. The purpose is to remove them from those positions of responsibility.

Want of confidence motions are, by necessity are proposed, discussed, lost or carried in public and they inevitably involve considerable trauma for all parties. They are the very last resort and all P&C Associations with concerns about individual's or committee's failure to meet the specified responsibilities of the position should explore their concerns directly with the Office-bearer concerned or committee Convenor through informal conversation in the first instance.

Want of confidence motions are generally moved in the following form:

- That the President does not possess the confidence of the [...] School P&C Association (if directed at an individual), or
- That the committee does not enjoy the confidence of the [...] School P&C Association (if directed at an entire sub-committee).

If a want of confidence motion is supported by a majority vote, the individual or individuals to whom it is directed should immediately tender their resignations from the position in question. If the resignations are not tendered the association can declare the position/s in question vacant and subsequently, call for new elections. This can occur at the same meeting.

### Ordinary members

A want of confidence motion cannot be moved against an ordinary member. The right to be a member of a P&C Association is prescribed in its Constitution. Basic membership cannot be denied through the passage of a want of confidence motion.

There are guidelines for associations to follow when thinking about moving a want of confidence motion against an Office-bearer, committee member or full committee.

A want of confidence motion must be justified in terms of a demonstrated track-record of failing to fulfil the specific responsibilities. The motion must not defame an individual's reputation and must not be based on irrelevant or whimsical grounds. A want of confidence motion can only be justified by clearly identifying a consistent failure on the part of the individual or committee to meet the responsibilities of the position in question.

## Fact Sheet 22:

# Closing a P&C Operated Canteen

In order to no longer operate a Canteen that is currently operated by the school P&C Association, the following steps are recommended:

- A motion needs to be put at the P&C Association to do so. This motion should be noted to the whole school community on the Agenda.
- To be a successful motion would mean a majority of eligible members in attendance vote for the motion.

Should the motion be successful then the P&C Association need to:

- Take stock of all monies, food stock, and equipment that has been and is the P&C Associations.
- Equipment may need to be returned to external agencies/businesses and notice may need to be given to debtors on settlement of accounts.

There is a possibility to either sell the stock (Food or Equipment) to the next operator and keep the funds or sell the stock off privately with all funds belonging and being returned to the P&C account - that is the choice the meeting needs to make.

Should there be employees of the Canteen they need to be consulted with a termination process will occur:

- Employees are made redundant;
- Employees are given the appropriate severance pay;
- Employees are given a reference detailing their term of employment and their role description

If the new canteen operator wishes to employ the current Canteen personnel, this is their decision; however the employee's services still need to be terminated by the P&C Association.

In relation to the future of food services on the school site the school community will decide the method of operation of the canteen. Options include tendering to an external provider, this will see a committee established, the committee will be convened typically by the Principal or their representative and will consist of a member elected from the P&C association to represent the parent community. Alternatively the School through the Principal may decide to operate the Canteen.

Regardless of which method of operation a Canteen functions on a public school site the menu must comply with the Department of Education and Communities Nutrition in School Policy. Where a canteen does not meet the guideline standards a complaint should be lodged with the Principal or School Education Director where a Principal is involved in the non-compliance.