



Board Charter

NAME

The name of the Board is the **Cyril Jackson Senior Campus Board (Inc)**.

DEFINITIONS

In this Board Charter:

"AIA" means the *Associations Incorporation Act 1987*.

"Board" means "Council" as defined in the *School Education Act 1999*.

"Director General" means the Chief Executive Officer of the Department of Education as defined in Section 229 of the *School Education Act*.

"educational program" means an organised set of learning activities designed to enable a student to develop knowledge, understanding, skills and attitudes relevant to the student's individual needs as defined in Section 4 of the *School Education Act*.

"Minister" means the Minister responsible for administering the *School Education Act*.

"principal" means a person as defined in Sections 4 and 62 of the *School Education Act 1999*.

"school" means Cyril Jackson Senior Campus.

"School Education Act" means the *School Education Act 1999*.

"School Education Regulations" means the *School Education Regulations 2000*.

"school fund" means the General Purposes Fund and a fund referred to in Section 110 of the *School Education Act*, as defined in Section 4 of the *School Education Act*; and

"student" means student enrolled at the school.

PURPOSE

The Board is formed with the fundamental purpose of enabling parents and members of the community to engage in activities that are in the best interests of students and will enhance the education provided by the school.

The income of the Board will be applied solely towards the promotion of the purpose of the Board.

FUNCTIONS OF THE BOARD

The Board has the powers and duties:

- to make recommendations in the following:
 - establishing and reviewing from time to time, the school’s objectives, priorities and general policy directions;
 - the planning of financial arrangements necessary to fund those objectives, priorities and directions;
 - evaluating the school’s performance in achieving them; and
 - formulating codes of conduct for students at the school.

- to promote the school in the community.

- with the approval of the Director General undertake the following functions:
 - obtain funds for the benefit of the school under Regulation 113(a) of the *School Education Regulations*.
 - employ persons other than a person referred to in Section 235(1) of the *School Education Act* and Regulation 113(b) of the *School Education Regulations*.
 - to manage or operate facilities at the school, such as:
 - i. a canteen;
 - ii. a swimming pool;
 - iii. residential accommodation for students; and
 - iv. a school farm or horticultural centre.

- to approve:
 - charges and contributions for the provision of certain materials, services and facilities under Section 99(4) of the *School Education Act*;
 - extra cost optional components of educational programs under Section 100(3) of the *School Education Act*;
 - items determined by the Principal to be supplied by a student for use in an educational program under Section 108(2) of the *School Education Act*; and
 - any agreements or arrangements for advertising or sponsorship in relation to the school under Section 216(5) of the *School Education Act*.

- to provide advice to the Principal of the school on:
 - a general policy concerning the use in school activities of prayers, songs and material based on religious, spiritual or moral values being used in a school activity as part of religious education; and
 - the implementation of special religious education under Section 69(2) of the *School Education Act*.

- with the approval of the Minister or Director General, as the Minister’s delegate, to:

- take part in the selection of, but not the appointment of, the school principal or any other member of the teaching staff under Section 129(2) of the *School Education Act*.

The Board cannot:

- intervene in the control or management of the school;
- intervene in the educational instruction of students;
- exercise authority over teaching staff or other persons employed at the school; and
- intervene in the management or operation of a school fund.

MEMBERSHIP OF THE BOARD

- The number of members of the Board shall be up to (fifteen) 15 but no less than ten (10) and will be determined by the Board.
- Membership of the Board shall include:
 - the Principal of the school;
 - a representative of the school nominated by the Principal to act as a board secretary;
 - three (3) elected staff representatives of the school, not including the principal;
 - six (6) but no less than four (4) members of the general community, including a representative/s from the training, tertiary education and social advocacy (with a focus on CALD youth) sectors as appropriate.
 - three (3) elected student representatives (or parents as appropriate).
- The chair and deputy of the Board are to be elected by, and from, its members annually.
- Students/Parents and members of the general community must form the majority of the members of the Board.

APPOINTMENT AND ELECTION OF MEMBERS

- The Principal of the school will invite nominations from suitably qualified persons to fill vacancies occurring and, except in the case of the community membership category, will conduct elections where the number of nominees is greater than the vacancies available.
- Students eligible to vote for student members are each student, under Regulation 109(2) of the *School Education Regulations*:

- enrolled at the school at the date of the notice of the election; and
 - who is 17 years of age, or who will reach 17 years of age during the calendar year.
- Staff members are to be elected from and by the staff of the school under Regulation 109(2) of the *School Education Regulations*. Staff members who are eligible to vote are the school.
- A person may not vote in respect of more than one category referred to the previous two dot points above.
- In the category of general community membership positions, the Principal may invite individuals to nominate and the Board may appoint suitably qualified members of the general community from the list of nominees.
- The Director General may, from time to time, specify standards or requirements in relation to the conduct of elections.
- The Director General may inquire into any matter affecting an election or appointment of a member of the Board and, if any irregularity has occurred, may declare the results of an election or appointment invalid or order an election or appointment or a new election or appointment to be conducted.
- A student or staff member of the Board shall hold office for a term not exceeding three (3) years as determined by the Board. Due to the nature of students being at the school for two (2) years on average, students may chose to have a term of one (1) year and may be reappointed more than once.
- A staff member of the Board (other than the Principal) shall hold office for a term not exceeding three (3) years as determined by the Board and may be reappointed more than once.
- A general community member shall hold office for a term not exceeding three (3) years as determined by the Board and may be reappointed for one (1) further term.
- Any member appointed or elected to a casual vacancy in the Board shall hold office for the balance of the term of the member of the Board whose seat on the Board has become vacant.
- There will not be an election to appoint co-opted members. The Board will appoint a person of the local community having such skills, experience, or qualifications as would enable the person to make a contribution to the Board's functions for a specified time period.

CESSATION OR TERMINATION OF MEMBERSHIP

- The office of a member of the Board becomes vacant if the member:
 - becomes ineligible to hold office as a member;
 - resigns by written notice delivered to the Board; or
 - is removed from office by the Director General or delegate.

- The Director General, or Executive Directors as delegates of the Director General, may remove a person as a member of the Board on the grounds that the continuation of the person as a member would be detrimental to the interests of the Board.

- The Board may remove a person as a member of the Board on the grounds that the person:
 - has neglected his or her duty as a member;
 - has misbehaved or is incompetent;
 - is suffering from mental or physical incapacity, other than temporary illness, impairing the performance of his or her function as a member; or
 - has been absent, without leave or reasonable excuse, from three consecutive meetings of which the member has had notice.

- The Board must not remove a person as a member unless the person has been given a reasonable opportunity to show that he or she should not be removed from office.

- A decision of the Board to remove a person from office is to be made by resolution of a majority comprising enough of the members for their number to be at least two thirds of the number of offices, whether vacant or not.

MEETINGS AND PROCEEDINGS OF THE BOARD

- The Board will determine the number of meetings for each year, but as a minimum shall have at least four (4) meetings.

- The Chair of the Board is to convene Board meetings in accordance with the directions of the Board in relation to the venue and time of meeting and giving notice of the meeting.

- Meetings of the Board are generally to be open to the public.

- The Board is to hold each calendar year at least one meeting that is open to the public, 14 days' notice of which has been given to the school community and in which a report is presented on the performance of the Board's functions.

- The Board may decide to close to members of the public a meeting or part of the meeting on the grounds set out in rule 8.6 below unless the meeting is the annual public meeting or a special meeting called under Regulation 118 of the *School Education Regulations 2000*.
- The Board may decide to close to members of the public a meeting or part of the meeting if it deals with any of the following:
 - a matter affecting a person who is employed at the school;
 - the personal affairs of any person;
 - a contract entered into, or which may be entered into, by the school and which relates to a matter to be discussed at the meeting;
 - legal advice obtained, or which may be obtained, by the Board and which relates to a matter to be discussed at the meeting;
 - a matter that, if disclosed, would reveal:
 - information that has a commercial value to a person and that is held by, or is about, a person other than the Board; or
 - information about the business, professional, commercial or financial affairs of a person and that is held by, or is about, a person other than the Board;
 - information which is the subject of a direction given under Section 23(1a) of the *Parliamentary Commissioner Act 1971*.
- A decision to close a meeting or part of the meeting and the reason for the decision are to be recorded in the minutes of the meeting.
- The Chair, in consultation with the Principal, is to convene a special meeting of the Board if the meeting is called for in a notice to the Chairperson setting out the purposes of the proposed meeting, that is provided by at least fifty (50) students/families of students at the school or at least half the number of students/families of students at the school, whichever is the lesser number of families.
- The Chair is not to convene a meeting if the purposes of the proposed meeting are not relevant to the Board's functions.
- A meeting convened is to deal only with matters relevant to the purposes set out in the notice received by the chair.
- Each Board member, including the Chairperson, is entitled to one (1) vote only.
- A decision of the Board does not have effect unless it has been made by an absolute majority.

- An absolute majority means a majority comprising enough of the members of the Board for their number to be more than fifty (50) per cent of the number of offices whether vacant or not.
- Subject to these rules, the procedure and order of business to be followed at a meeting shall be determined by the Board.
- The Board Secretary will be responsible for undertaking the following duties:
 - coordinate the correspondence of the Board;
 - ensure that full and correct minutes of the meetings and proceedings of the Board are kept; and
 - have custody of all books, documents, records and registers of the Board.

FINANCIAL MANAGEMENT

- The Board is responsible to the Director General for the financial administration of its affairs, and as such is required to account for and administer all its income, from whatever source, and all expenditure.
- The Board will manage its finances in accordance with Department of Education financial management policies and any written law.
- All property and income of the Board will be applied solely towards the promotion of the purpose of the Board and no part of the property or income may be paid or otherwise distributed, directly or indirectly, to members of the Board except in good faith in the promotion of the purpose.
- The Board will not undertake any financial commitment in excess of available financial resources without the approval of the Director General.
- The Board is not permitted to borrow money or obtain credit.
- The Board will appoint a Treasurer to (under the AIA):
 - be responsible for the receipt of all moneys paid to or received by the Board and issue receipts for those moneys in the name of the Board;
 - have responsibility for the bank account including the authority to sign cheques in the name of the Board, pay moneys into the bank account and make payments on behalf of the Board;
 - keep accounting records as correctly recorded and explain the financial transactions and financial position of the Board;
 - keep true, fair and organised accounting records to enable a convenient audit trail; and

- have custody of all securities, books and documents of a financial nature and accounting records of the Board.
- Accounts of the Board showing the financial position of the Board at the end of the preceding financial year will be submitted to members of the Board and the school community at the annual public meeting.

FAILURE TO ACT PROPERLY

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

SUB-COMMITTEES OF THE BOARD

- The Board is empowered to appoint such committees as it deems necessary.
- Membership of committees is not confined to members of the Board but at least one (1) Board member is required to serve on each Committee.
- The duties of any committee shall be clearly defined by the Board and, where appropriate, a specific date shall be set for the completion of the tasks assigned to the committee.
- In all cases a committee makes its recommendations to the Board.

QUORUM

- A quorum will be more than sixty (60) per cent of the members of the Board, whether vacant or not, but decisions must still be made with an absolute majority.

CODE OF CONDUCT

School Board members are required to exercise judgement and make decisions, and this can at times present ethical dilemma. The code of conduct provides a framework of values and behaviours in support of this role to:

- Perform roles and responsibilities to the best of one's abilities, within the framework of the law, the limits of authority and available resources.
- Respect the uniqueness and dignity of individuals and act in a fair, courteous and sensitive manner.
- Accept the responsibilities arising from the trust placed in members of the Board by staff, students and the community.
- Perform all duties with integrity, honesty and impartiality.
- Declare conflicts of interest which may result in personal benefit or potential discrimination to others.
- Maintain appropriate confidentiality of personal and official information.
- Be accountable for efficient and effective use of resources with which Board members are provided.
- Undertake not to hinder the implementation of Board decisions.

A copy of the School's Code of Conduct is available in Appendix 1.

REVIEW

The Board is to review the Board Charter every three (3) years, and may review as necessary in the interim.

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APPENDIX 1 – CYRIL JACKSON SENIOR CAMPUS BOARD CODE OF CONDUCT

This code of conduct applies at all Board meetings and at functions where Board members are acting in an official capacity.

Our Vision

To create an innovative learning community that values integrity, inclusivity, academic rigour and lifelong learning.

To foster an adult ethos that values the individual qualities of each student.

To provide a supportive learning environment that promotes independent learning, creativity, personal growth and well-being.

In all our operations and relationships we value:

Our Philosophy

Our philosophy is based on the belief that social capital is produced through education.

We offer our community of learners the opportunity to attain academic, vocational and personal goals in a supportive environment

We are committed to:

- Building Relationships
- Innovation and Flexibility
- Learning and Growth

Conduct

Personal behaviour – I will:

- act ethically and with integrity;
- act according to the legislative requirements, policies and ethical codes that apply;
- make decisions fairly, impartially and promptly, considering all available information, legislation, policies and procedures;
- treat members of the public and colleagues with respect, courtesy, honesty and fairness, and have proper regard for their interests rights, safety and welfare;
- not harass, bully or discriminate against colleagues, members of the public and employees;

- contribute to a harmonious, safe and productive work environment by our work habits, and professional workplace relationships; and
- serve the government of the day by fulfilling our purpose and statutory requirements.

Communication and official information – I will:

- not disclose official information or documents acquired through my work, other than as required by law or where proper authorisation is given;
- not misuse official information for personal or commercial gain for myself or another;
- adhere to legal requirements, policies and all other lawful directives regarding communication with Parliament, ministers, ministerial staff, lobbyists, members of the media and members of the public generally; and
- respect the confidentiality and privacy of all information as it pertains to individuals.

Fraudulent and corrupt behaviour – I will:

- not engage in fraud or corruption;
- report any fraudulent or corrupt behaviour;
- report any breaches of the code of conduct; and
- understand and apply the accountability requirements that apply.

Use of public resources – I will:

- be accountable for official expenditure;
- use publicly-funded resources diligently and efficiently. These include office facilities and equipment, vehicles, cab charge vouchers, corporate credit cards;
- use corporate credit cards only for Board-related expenditure;
- not use office time or resources for party political work or for personal gain, financial or otherwise;
- keep to policies and guidelines in the use of computing and communication facilities, and use these resources in a responsible and practical manner; and
- be careful to ensure that any travel for official purposes is only done so when absolutely necessary.

Record keeping and use of information – I will:

- record actions and reasons for decisions to ensure transparency;
- ensure the secure storage of sensitive or confidential information;
- comply with our record keeping plan; and
- where permissible, share information to fulfil our role.

Conflicts of interest – I will:

- ensure personal or financial interests do not conflict with my ability to perform my official duties in an impartial manner;
- manage and declare any conflict between my personal and public duty; and
- where conflicts of interest do arise, ensure they are managed in the public interest.

I commit

- to taking responsibility for reporting improper conduct or misconduct which has been, or may be occurring in the workplace. I will report the details to the relevant people or agency; and
- to taking responsibility for contributing in a constructive and positive way to enhance good governance and the reputation of the board.

Public Sector Requirements

I am committed to upholding the principles in the Code of Ethics. The Board accepts the minimum requirements set out in the Conduct Guide for Boards and Committees. This code of conduct builds on these minimum requirements.