

Governing Council

Working together

Governing council plays a key role in South Australian government schools, and being a member of a governing council can be a rewarding and challenging experience.

Acting as a team, the council supports and works in partnership with the principal to help set and monitor the direction of a site, and can also assist in enhancing the educational opportunities for students. Council members and the principal have a joint responsibility for the governance of the school, but the day-to-day involvement is different.

Powers and functions of governing council

A governing council member's role on a governing council is to work with the principal to:

- **set the broad direction and vision of the site, including monitoring and reviewing the school's improvement plan and strategic direction**
Strategic planning is the process of reflecting on a school's past performance and establishing future directions.
- **determine local site policies** – also see *policy development and review*
Clearly written policies set out the school's position on particular issues. Good policies are essential to demonstrate that the school is being operated in an efficient manner, ensuring consistency in decisions and in school operations.
- **determine the application of the total financial resources available to the school**
Review, approve and monitor the total financial resources available to the school, including the regular review and monitoring of the budget. Councils oversee the school's financial performance, through the Finance Advisory Committee.
- **present operational plans and reports on its operation to the community and minister**
Reporting to the minister is an annual legislated requirement. An annual report provides the community with information about the school's performance in implementing their improvement strategies and how the school's resources have been used. Annual reports are made available to the school community at an annual general meeting.

In addition to the main functions conferred on a governing council under the Act, the governing council has other functions as outlined in section (4) of the model constitution.

These include:

- representing and taking into account the views of the whole school community regarding educational, cultural and social diversity needs
- responsibility for the proper care and maintenance of any property owned by the council
- performing such functions as necessary to establish and conduct, or arrange for the conduct of facilities and services to enhance the education, development, care, safety, health or welfare of children and students (out of school hours), and residential facilities for the accommodation of students



- raising money for school related purposes
- performing other functions as determined by the minister
- undertaking other acts or activities that are incidental to the exercise of these roles.

Role of the principal on governing council

The role of the principal on council is undertaken in the context of the principal's joint responsibility with the council for the governance of the school. The principal works with governing council to:

- give educational leadership
- implements the schools local site policies
- carry out the school's improvement plan and strategic direction.

The principal must also:

- be an ex-officio member of council with full voting rights
- chair the first meeting of the council, held to receive nominations, direct appointment of members by the council and the election of office holders
- supervise and promote the development of staff employed by the council (line management)
- be responsible for the financial, physical and human resource management of the school
- be the returning officer for the election, nomination and appointment of council members
- contribute to the formulation of the agenda of council meetings
- implement the school improvement plan, strategic direction and school policies
- provide accurate and timely reports, information and advice relevant to the council's roles
- report on learning, care, training and participation outcomes.

The principal and governing council's functions and roles must be exercised in accordance with legislation, administrative instructions and the governing council constitution.

Different roles and responsibilities

At times the difference between the principal's roles and responsibilities as a site leader, and the governance role of council members can be blurred. Noting that the site leader is employed by the department to provide educational and professional leadership at a site.

It is fundamental to underpin good practice in governance with a clear understanding and respect for the functional split between role of the governing council and that of the principal. This is critical for an effective functioning council.

Governing council powers and functions are limitations with respect to governance as legislated in the *Education Act 1972*, and continued under the new *Education and Children's Service Act, 2019*, and embedded in the mandatory administrative instructions issued by the minister (under the Act).

The principal's roles and responsibilities on a governing council are in addition to their responsibility to manage a school as per direction from the chief executive and the Act and Regulations.

The principal has a leadership role, and is responsible for the day to day operations of the school and for ensuring the delivery of education to every student. The principal also holds a duty of care for, and is responsible for the care, safety and welfare, of the students at the school.

The principal is answerable to the chief executive.

Under the Act (limitations in respect of curriculum, discipline and staff), the governing council must not interfere, or take any action that interferes, with:

- the provision, or the day-to-day management of the provision, of instruction in the school in accordance with the curriculum determined by the chief executive; or
- the administration of discipline to students enrolled at or attending the school.
- The recruitment of staff, allocation of responsibilities and performance development management.

For a detailed comparison of responsibilities, examples can be located on the education department's [governing council portal](#).

Code of practice and standing orders

When council members accept appointment to a council, they are also agreeing to comply with the code of practice. The code of practice is a public document and has been approved by the Minister for Education.

Governing council members must abide by the code of practice and work together in the best interests of the whole school, including:

- assisting in the efficient governance of the school
- ensuring that the council's decisions affecting students are made having regard to the best interests of the all students
- enhancing the educational opportunities of all students
- ensuring the governing council adheres to all legal and department requirements.

The code of practice embraces the values of honesty, integrity, enterprise, excellence, accountability, justice, independence and equal opportunity, and these values form the basis of actions and decisions when making decisions.

To complement the code of practice, governing councils are encouraged to implement a set of standing orders. Standing orders describe a commonly understood set of expected behaviours and rules for council members. These behaviours increase trust and confidence in councils operations, and outlines the school community expectation of its representative group to act in accordance with code of practice and any other legislative values. The code and standing orders and following these expected behaviours is central to building and maintaining trust in the important work that council undertake.

When council members act in accordance with the code of practice, standing orders and complete all associated work in accordance to the administration instructions and legislative requirements, it strengthens the school's capacity to operate effectively and achieve its objectives.

The department has an example of [standing orders](#) that can be adopted by a council or used as a starting point.

Social Media

Social media (also referred to as social networking) refers to a range of online services and tools used for publishing, sharing and promoting interaction and dialogue. Social media can improve both communication between the school, governing council, and parents and carers and can aid in the learning and development for children and young people. Social media is about interaction, unlike traditional websites that communicate information and help to complete tasks, social media is more like having a 'conversation'. Social media can include tools such as Facebook, Instagram and Twitter.

Nothing is private on social media. Once it is posted, it is potentially there forever, even if an individual's privacy settings are such that access is limited, or individuals are posting in what they think is a private 'group'. It is important to remember, the privacy policy of a social media site may change without an individual's knowledge or information can be leaked at any time.

If there are likely to be privacy or confidentiality issues, or if content is of a sensitive nature, individuals need to consider whether it should be posted, or if airing a concerns and/or grievance online is the most appropriate way to get the point across or achieve the desired outcome. It is important to consider if other actions could be more productive, including having a meeting, making a phone call or sending an email to a staff member or site leader. This type of activity can assist in maintaining positive relationships.

As a governing council member, individuals also need to be confident that they have met all their ethical and legal obligations. Posting online can raise significant issues and damage relationships. All governing council members are bound by the code of practice, issued by the minister, under the *Education Act 1972*, and continued under the new *Education and Children's Service Act, 2019*. In addition, if a social media post has been deemed inappropriate, offensive and/or defamatory, it may result in further investigation by the department. Further, failure to adhere to the code of practice can result in disciplinary measures, including limiting a councils powers and functions or a member being removed from council.

Financial roles for the principal on governing council

Setting and approving budget

Governing councils play an important role in *setting* and *monitoring* the school budget. The principal [reports to the finance advisory committee and treasurer](#). The treasurer reports to the council.

At councils meetings, the council will monitor the budget and discuss the report from the treasurer, highlighting any concerns. The council will discuss how the site's actual income and expenditure is tracking against the budget. The treasurer and principal will highlight possible problems with the budget, such as early signs that income or expenditure will be outside of budgeted amounts – for example, as a result of a significant drop in the number of students.

The governing council approves the budget once a year. By the end of term 4, the principal would have prepared the draft budget for the finance advisory committee and treasurer. The finance advisory committee works with the principal to fine-tune the budget. The treasurer shares an interim budget with the council. At this point, members of the council can suggest changes to the budget. By the end of term 1, the governing council would have approved the final budget.

If the principal, proposes to purchase an items or employ additional staff above what was budgeted for, the governing council must approve this additional expenditure. Note, this does not apply to over-expenditure of budget, for example, something costs more than budgeted, it only applies to additional expenditure that was not budgeted for.

Financial delegations

Financial delegations are determined by the department. Financial delegations refers to enforced limits on department staff regarding the amount that staff can approve, without seeking approval from a more senior staff member a delegate with a greater authority.

The department has financial delegations that determine the levels of authority when it comes to site level expenditure, specifically the Department set a delegation for a Principal. Setting finance delegations is not within the scope of governing councils. This is determined centrally so that there is consistency and

accountability across the education system. If the principal wished to sub-delegate to other school staff, this requires the approval of the governing council.

The governing council do not determine financial delegations or allocate limits on expenditure to the principal, or school staff. They are not involved in the expenditure of school funds. Councils monitor expenditure as it aligns to the approved budget. Any variances to the budget would be detailed in the reports from the principal to the financial advisory committee.

Business planning for governing council services (Canteen/OSHC)

The governing council can prepare a business plan for the canteen/OSHC, however the council must consider in preparing the plan the purpose of service, for example, to provide a services to students and parents, not to make significant profits.

Roles and responsibilities of a sub-committee

Sub-committees are central to how most councils work. How many committees a council establishes depends on what services and facilities are at the school. However, there are some 'must-haves'.

Every council must have a *finance advisory committee*. If the site has any of these services, there must also be a committee for each one:

- canteen
- out of school hours care service, even if a third party provider
- School Watch
- residential facilities (a boarding house).

The need for other types of committees is driven by what's happening locally at the school, examples include committees that support fundraising, parents and friends or school uniform.

Council must ensure that each sub-committee is clear about its purpose and powers, and have a clear understanding about the scope and limitations of their tasks and responsibilities. To achieve this, committees should be given clear terms of reference by the council.

Terms of reference need to state clearly what the task is, and what action the committee is authorised to take. Examples of sub-committee terms of reference are located on the department's [governing council portal](#).

A least one governing council member should be on each sub-committee. This does not need to be the principal, it can be a responsibility shared amongst all council members. Council members on sub-committees are the conduit between council and the sub-committee, and should report regularly on the sub-committee business at council meetings.

A council may delegate any of its powers and functions to a committee with the exception of approving the budget and entering into contracts. Committees should refer matters about contracts back to the council with their recommendations and approval.

A council can remove any delegated power and function from a committee either temporarily or permanently. Council can also decide to establish or wind up sub-committees (other than mandatory) at their discretion, via a decision of council (majority rules).

Complaint and grievance procedures

Anyone who has been affected by a decision or action at a school can make a complaint or give feedback.

This includes a failure to make a decision or take action. A complaint or feedback may be about:

- the type, level or quality of service
- staff behaviour and decisions
- a policy, procedure or practice.

When raising any issues, complaints or concerns, in the first instance an individual should have spoken with the Principal. They will look into the concerns raised and get back to the individual directly.

The school and the department will aim to resolve the concern as quickly as possible.

However, at times an individual may feel the matter has not been addressed they can lodge a complaint through the Customer Feedback unit [submit a complaint form](#). The department will contact the individual and explain the steps they will take. If the person prefers to give their complaint details to a customer service officer, they can call on 1800 677 435.

If an individual is not sure who to contact to make a complaint or provide feedback, for example if it's not about a school they can contact the general enquiry line on 1800 088 158 or email education.customers@sa.gov.au for help.

Further information and contact details

By working together, operating within the powers and functions of governing council, setting and following clear processes and rules, and striving to achieve the goals and objectives set by council, council members can have an effective and efficient governance structure, and work in partnership with the school to achieve the best outcomes for its students.

Assistance, advice and support on site governance related matters, is provided by the Site Governance Team, Partnerships, Schools and Preschools Division at education.sitegovernance@sa.gov.au or phone 8226 9617.

Alternatively, people can visit the governance portal, <https://www.education.sa.gov.au/sites-and-facilities/governing-councils> or access online training via <https://www.education.sa.gov.au/sites-and-facilities/governing-councils/training>.