



Our Lady of the Nativity School operates with the consent of the Catholic Archbishop of Melbourne and is operated and governed by Melbourne Archdiocese Catholic Schools Ltd (MACS), where formation and education are based on the principles of Catholic doctrine, and where the teachers are outstanding in true doctrine and uprightness of life.



1. Purpose of the School Advisory Council

The Board of Melbourne Archdiocese Catholic Schools Ltd (MACS) has responsibility for the strategic direction and oversight of the operation and management of MACS schools, including Our Lady of the Nativity School. Clear lines of authority, reporting and delegation from the MACS Board through the MACS Executive Director delegate the day-to-day operational management of Our Lady of the Nativity School to its principal.

In keeping with the objects of the MACS Constitution, which states “The good work of educating the young, undertaken in the light of the Gospel, is a co-responsible task led by every member of the Catholic school community”, the School Advisory Council provides a crucial point of connection between the wider school community and school leaders. While the School Advisory Council does not have governance responsibility or decision-making authority, it supports the principal and school leadership and provides an important connection to the parish.

It is not a governing body but its role is to support the overall governance of the system as it “is to give consideration to, and advice on, important school matters in order to support the principal and the strategic interest of the school.” (*Working Together in Mission* p.11)

2. Role of the School Advisory Council

Advisory in nature

The School Advisory Council provides a forum for discussion and discernment, where the parent/guardian voice and perspective are available to inform and support the decisions made by the principal and parish priest for the good of school and parish where the wellbeing and outcomes for students is paramount.

It is important that School Advisory Council members understand that their primary role is to provide support and advice on important school matters to support the principal in the context of the MACS governance arrangements. School Advisory Councils do not have a legal identity and do not become involved in the day-to-day management of the school. The School Advisory Council must act within the parameters of these Terms of Reference.

MACS provides support to the School Advisory Council, such as policy guidance and templates for the work of the council. While not immediately responsible for the activities of the council, utilising the

principle of subsidiarity, the principle of solidarity acknowledges that MACS Board, as the governing body of MACS schools, is responsible for common good of Catholic education in MACS schools the Archdiocese and thus is ultimately responsible for making any decision about the establishment of a council and its arrangements.

The following are some ways the School Advisory Council supports the school and the principal:

- Articulating and enacting the school's vision and mission
- Promoting the school's Catholic ethos and culture
- Promoting faith formation and development
- Implementing school policies as required
- Giving advice to the principal on issues such as enrolments, school improvement plans and enrolment trends
- Engaging in discussion with the principal about the annual school budget and other financial matters
- Giving advice to the principal about the school Master Plan
- Capital resource planning and maintenance support to the principal

The School Advisory Council is not the governing body of a school, and as such does not have a decision-making authority due to it not having a legal identity. While a vital forum for parent and community voice, it is not a forum for individual parent advocacy or special interest representation and does not become involved in the day-to-day management of the school. It does not take on the role of a Parent and Friends group, a fund-raising forum or fete organising committee.

3. Council structure

Members of the School Advisory Council

Serving on the School Advisory Council of a Catholic school is a form of Church lay ministry. It is a response to the call to support the local Catholic parish and school communities in a particular way. It is also a means for members of our community to share their skills and talents for the common good. A well-functioning council provides rich sources of wisdom and insight as well as a means of strengthening community links and potential for partnerships.

Our Lady of the Nativity's School Advisory Council is to be comprised of a minimum of six (6) and a maximum of 10 (ten) council members who value and share the educational mission and ethos of the Catholic Church comprising of at least:

- a) the principal (ex officio)
- b)* the parish priest (ex officio) (**Custodian of Mission**)
- c) two (2) parents, guardians, carers of children attending the school
- d) one (1) parishioner
- e) another person from either category or who in the opinion of the principal has the relevant knowledge, skills, expertise or interest and commitment to the mission of the school to serve a particular need on the council.

A person that is a member of the council under either category (a) to (e) may satisfy the eligibility criteria under more than one category. A single parish representative may be sufficient for a council fulfilling its function in dealing with education matters relating to the school.

- f) additional parents, guardians, carers of children attending the school *
- g) business manager (ex officio)
- h) staff member
- i) any other person who in the opinion of the principal has the relevant knowledge, skills, expertise or interest and commitment to the mission of the school

At the principal's discretion members of the school staff may be invited from time to time to attend meetings depending on the content of the agenda.

Process of appointment of council members

The principal has the power of appointment, re-appointment and removal of members of the School Advisory Council, except the Custodian of Mission who holds office *ex officio* and cannot be removed by the principal.

In appointing Council members, the Principal will consult with the Custodian of Mission following a process of discernment. The principal and Custodian of Mission may choose to be supported by others in the appointment process. When appointments are being made it is important to keep in mind the need for a balance of gender, cultural diversity and skill sets in forming the council.

The Principal may, following a consultation with the Custodian of Mission, remove a council member (except the Custodian of Mission) if the Principal is of the view that a council member is not complying with the expectations of the role of a Council member or is engaged in conduct unbecoming of a Council member or prejudicial to the interests of the school. A Council member may appeal his or her removal to the Executive Director of MACS for review. The decision of MACS Executive Director will be final.

The Principal of Our Lady of the Nativity School acts on delegation by MACS Executive Director who in turn acts on delegations from the MACS Board. No delegation of power prevents the exercise of a power directly by the MACS Executive Director or the MACS Board, as relevant. For the avoidance of doubt, the MACS Executive Director and/or the MACS Board reserve the power to remove a council member from office (except the Custodian of Mission) if they are of an opinion that the circumstances are deserving of such action.

Council members are appointed annually at a set time devised by the council. The principal may at any time make an additional appointment to the council in the event of a vacancy in the minimum prescribed positions or to otherwise fulfil a need on the council, however any council member so appointed will only hold office until the next set annual appointment round devised by the council following the appointment, and at this time may apply for membership of the council in the ordinary manner.

Child Safe Standards

Adherence to the school's child safe standards must be at the forefront of any appointment process. Council members must have both a Police Check and Working with Children check and must sign the School Child Safe Standard Agreement. Once appointed, it is a requirement that all council members sign and comply with the school's *Child Safety Code of Conduct*.

Conflict of Interest

MACS is committed to building School Advisory Councils that are free from fraud or corruption or the perception of fraud or corruption. Conflict of interest arises where a councillor's duty to the school is affected by a personal (actual, potential or perceived) interest. In such cases, the line between personal and professional conduct may become blurred and interfere with a councillor's capacity to provide advice and fulfil his or her responsibilities on the council. Conflicts of interest may arise and do not need to present a problem to any School Advisory Council or MACS if they are openly and effectively managed.

The school's *Conflict of Interest Policy* addresses the requirements for disclosure and management of conflict of interest, and extends to council members. It is a requirement of the role that Council members abide by and comply with this policy.

Expressions of Interest

Generally, expressions of interest to become a council member are made in advance of the set annual appointment round devised by the council. The process of applying for membership of the Our Lady of the Nativity School Advisory Council is:

- Submit an application/expression of interest in writing addressed to the Principal, stating
 - Reasons for applying for the SAC
 - Relevant skills that can be brought to the SAC

Anyone interested in becoming a member of the Our Lady of the Nativity School Advisory Council may seek advice from the Principal, Chair or the Custodian of Mission on the process of appointment. Consideration will also be given to succession planning through staggered renewal of members to ensure continuing institutional memory.

Diversity

School Advisory Council seeks to be inclusive of all community members and will demonstrate a genuine commitment to gender equity, cultural diversity and requisite skill sets.

Collectively, council members should bring a range of personal skills and experience to add value to the Our Lady of the Nativity School Advisory Council in accordance with the requirements under clause 5 'The role of individual council members' in these Terms of Reference.

4. Appointment and induction of members

A process of discernment

As being a member of a School Advisory Council of a Catholic school is a form of Church lay ministry, the process of appointment is preceded by discernment to assist potential new council members to understand:

- the mission and vision of MACS, the parish and school
- the roles, responsibilities and processes of MACS and the Our Lady of the Nativity School Advisory Council
- how council members, can support the principal and the Custodian of Mission
- the appropriateness of their personal readiness to serve.

This discernment process commences when expressions of interest are sought for new council members, beginning with the provision of an information pack to those interested in nominating for a council position and /or a chance for potential nominees to discuss the role of the council and the expectations of a council member with the principal, chair or Custodian of Mission.

In keeping with what it means to be and to build Church, the discernment process seeks to arrive at a decision about appointment which all can accept gracefully and support wholeheartedly (even if some wish the decision had been different) because they know the group honestly searched together for the Spirit of God in and for the life of the community.

A discernment process ensures that those who have expressed an interest have had an opportunity to discern their readiness to serve.

Such a process could include:

- Reflecting on the Mission of MACS and the school
- Exploring the shared understanding that serving on the School Advisory Council is a means for members of our community to share their skills and talents for the common good
- Interviewing those who submitted an Expression of Interest
- Sharing known background information about the potential members - with observance of privacy laws and confidentiality,
- Considering the good character of the person and their disposition
- Guaranteeing a balance of gender, diversity and skill sets on the SAC.

Induction

The induction process continues after appointment and is a continuing process rather than an event. MACS provides a basis for formation and induction as outlined in the *MACS School Advisory Council Manual*. Formal induction to the Our Lady of the Nativity School Advisory Council includes:

- an introduction to the school Vision Statement as the school's foundational document
- ongoing formation in relation to Franciscan Education and lived vision
- Familiarisation with relevant policies and procedures
- Clarification of roles within the SAC

New council members will be provided with:

- the *MACS Statement of Mission*
- an understanding of the history of the parish and school
- a *MACS School Advisory Council Manual, including the School's Child Safety Code of Conduct, School's Conflict of Interest Policy and other relevant School governance policies*
- a tour of the school facilities.

Terms and conditions of appointment

The period of appointment for council members, excepting the Custodian of Mission, the principal and any other ex officio appointment, is generally a term of three years ending on the conclusion of the third year following their appointment, with the option of being reappointed for a total of three consecutive terms.

The Custodian of Mission and the principal hold office on the School Advisory Council *ex officio*, meaning that their term continues for so long as they occupy that office following which their cease

to be a member of the council. Their successor in that office then becomes automatically appointed to the council.

Any other council members who are appointed on the council *ex officio* due to a specific position in the school (for example, Business Manager), will also have a term of office on the council for so long as they occupy that office following which they cease to be a member of the council. Their successor in that office will be eligible to be appointed to the council, as determined by the principal in consultation with the Custodian of Mission.

The other terms and conditions of appointment of council members are contained in a letter of appointment from the principal which sets out, amongst other things:

- the terms and conditions in the letter of appointment that must be agreed to by the proposed council member
- details of expectations of council members and a copy of these Terms of Reference
- reference to availability of applicable MACS school governance policies, as provided in the *MACS School Advisory Council Manual* including the applicable *School's Child Safety Code of Conduct, Conflict Resolution Policy, Conflict of Interest Policy and Child Safety Policy*.

The office of a council member will become vacant if the council member:

- is absent without the consent of the council from three (3) successive meetings of the council, unless the principal determines otherwise;
- resigns by notice in writing;
- is removed from office by the principal (or MACS Executive Director or MACS Board, as applicable);
- in the case of the Custodian of Mission, the principal or any other *ex officio* appointment to the council, ceases to occupy the relevant office;
- becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health;
- dies.

Any period of office of a council member held during a casual vacancy appointment by the principal (that is, a period of less than one year between annual appointment rounds) is disregarded in counting the maximum permitted tenure of office of a Council member of three consecutive terms.

5. The role of individual council members

Qualities and skills of a council member

Each Catholic school is different, but all schools share the mission of the Church. The council should be composed of people who appreciate, value and share the educational mission and ethos of the Catholic Church. When seeking council members, it is important to reflect on the qualities and skills of benefit to the council in carrying out its functions. Their capacity to contribute, their shared understanding and their positivity is essential.

The following is a list of some of the key qualities and skills for members of the School Advisory Council:

- commitment to the *MACS Statement of Mission*
- commitment to Catholic education in the parish and school

- commitment to the vision and mission of the parish and school
- an understanding of the role of Custodian of Mission, principal and council members
- willingness to ask questions and seek clarification
- ability to think strategically
- willingness to support the contributions of other council members
- capacity to listen in an active and meaningful way
- willingness to work cooperatively with others
- commitment to maintaining confidentiality at all times.

Expectations of the council member

Each council member is required to commit to the following:

- understanding the council's role
- having a positive and constructive attitude
- elevating any appropriate issues for consideration by the council
- declaring and not allowing any personal interests to conflict with the interests of the school and properly manage any conflict of interest in accordance with the *School's Conflict of Interest Policy*.
- preparing for council meetings
- attending each council meeting, unless there are extenuating circumstances
- bringing expertise and views to discussions on behalf of the whole community
- participating actively and responsibly
- acting honestly and fairly, in good faith and in the best interests of the school
- acting ethically and with a high level of integrity
- conducting themselves professionally and treating other council members fairly, sensitively, consistently and with respect
- undertaking council work with reasonable care and diligence
- participating in council formation activities
- keeping confidential the information received in the course of service as a council member
- not taking improper advantage of their position as a council member
- abiding by the applicable MACS school governance policies and key documents including *MACS Statement of Mission, Working Together in Mission, school's Child Safety Code of Conduct* and *Conflict of Interest Policy*.

6. Key roles

There are four key roles on a School Advisory Council. The Chair, the principal, the Custodian of Mission and the secretary each have a significant role on the council and each of these roles carries specific responsibilities.

The Chair

The role of the Chair is to:

- chair council meetings
- in conjunction with the principal and the secretary oversee the development of meeting agendas, checks papers for meetings and the draft minutes
- ensure the meetings are focused on the agenda

- encourage participation by all council members in meetings and at council events
- act as a spokesperson for the council when authorised to do so by the principal
- attend important parish and school events as appropriate
- participate as a member of the council.

Appointment

The Chair is elected by the council members from amongst their number at the first meeting of the council after the end of the term of the previous Chair.

The Chair will normally be an independent member who is not employed by MACS at Our Lady of the Nativity School or otherwise and is selected on the basis of the person's achievements and his or her record as a leader.

The term of the Chair aligns with their term of office as a council member. The office of the chair will terminate if they cease to be a council member whether by way of expiry of their term, resignation or removal. The Chair does not have a casting vote in addition to their ordinary vote as a council member.

The Principal

Key responsibilities of the principal's role include development of the faith community, particular focus on the safety and wellbeing of students, formulation of a vision for the whole school, attention to contemporary teaching and learning in order to engage all students, and stewardship of the people and resources with particular outreach to the parent community.

The principal works in collaboration with the Custodian of Mission, staff and members of the school community, and MACS management to achieve the mission of the school.

As such the principal's role on the council as an ex officio member is to:

- play a key role in developing the overall goals and priorities of the council
- play a key role in developing the agenda for meetings and the preparation of papers before meetings
- ensure follow-up of actions arising from council meetings
- act as the chief education advisor to the council
- make arrangements to maintain an archive of relevant council documentation in accordance with this Terms of Reference, including minutes from previous meetings
- make arrangements to distribute the papers before meetings, after preparation of the papers by the secretary
- make arrangements to distribute draft minutes to the council members, after preparation by the secretary
- ensure that council members are kept informed between meetings
- make arrangements to maintain a register and record of council, committee and working groups and all applicable documentation and records, including minutes, agendas and correspondence.

Appointment

The Principal is an ex officio member of the School Advisory Council by virtue of holding the role of a Principal of the School. The principal has full voting rights and is counted in the usual way for quorum purposes.

The Custodian of Mission

The Custodian of Mission has a key role of supporting the School in its distinctive Catholic identity, spirituality and life by continued responsibility for faith education, sacramental life and pastoral care.

Therefore, the Custodian of Mission has an ex officio role on the council to:

- evangelise and educate in faith within the parish and school and to provide guidance to the council in its deliberations where relevant
- support the principal and council in the development and implementation of the sacramental program to ensure the school is faithful to its distinctive Catholic identity and spirituality
- provide strong pastoral support and effective Catholic leadership of the parish, which includes the school community, to guide the council and bring to the council's attention, matters relevant to the operation of the school
- be engaged with, and bring to the council's attention, those aspects of the school's operations that have the potential to harm the parish's good name
- be involved in and provide input in regard to the council's planning of any transaction that will change the nature of the school property or affect the use of any other areas of adjoining parish property (where property is beneficially owned by a juridic person which the Custodian of Mission represents i.e a parish or groups of parishes).

Appointment

The Custodian of Mission has an automatic entitlement to hold office on the council ex officio by virtue of his office as parish priest, parish priest representative of an association of parishes or nominee of the Archbishop, as applicable. The Custodian of Mission has full voting rights and is counted in the usual way for quorum purposes.

The secretary

The role of the Secretary is to:

- take the minutes of council meetings
- oversee that the agenda and papers are confirmed in sufficient time to allow for their distribution at least a week prior to the meeting
- oversee management of all council correspondence
- oversee the provision of adequate notice of the annual appointment round and of any intention to call for nominations for council positions that become vacant.

Appointment

The secretary is appointed by the council from among its members at the first meeting of the council after the end of the term of the previous secretary. The secretary does not have an additional vote in addition to the ordinary vote on the council.

7. Committees and working parties

To share and support the work of the School Advisory Council, the council may consider establishing standing committees depending on the size and local context of the school. The purpose of each committee is to advise the School Advisory Council on specific matters. Committees are not a requirement but an additional advisory structure if needed.

The councils of larger schools may delegate work to committees to more effectively provide advice on complex or specialised issues and to use councillors' time more efficiently. Committees provide recommendations to the full council, which retains collective responsibility for the advice provided to the principal.

Involvement in committees allows members to deepen their knowledge of the school, become more actively engaged and fully utilise their experience. Additionally, the existence of committees can indicate to the community that the council is giving voice to particular issues.

Smaller schools may not benefit from a formal committee structure because their councils are often quite small and operations not as complex.

From time to time the council may also wish to establish a committee or working party for a specific purpose or to undertake a particular task, for example a centenary celebration.

The council may appoint additional members of a council committee or working group to assist with deliberations in the manner determined by the council in each instance.

Council committees and working groups may be focused on a specific area such as:

- finance
- property
- parent/guardian/carer engagement

Function

If a committee or working party is seen as desirable, the MACS approved template Terms of Reference document is to be used to establish the committee or working group. The following structures need to be adopted:

Each committee or working party should be chaired by a council member who is responsible for reporting to the council on the activities of the committee/working party.

Council committees/working parties are directly responsible to the council.

Each committee/working party of the council should have clearly articulated expectations stating:

- the name of the committee/working party
- the name of the chair
- the purpose and tasks to be undertaken
- the names of the members
- quorum, meeting and reporting requirements
- the date for reporting back to the council e.g. actions since last report, what's happening now, future plans, items for council discussion
- duration of the committee/working party.

It is important that any council committee or working party understands that it may not speak publicly for the council.

The terms of reference of each committee or working party of the council should be approved by the principal and appropriate records maintained by or on behalf of the principal.

8. School Advisory Council meetings

Meetings

The Our Lady of the Nativity School Advisory Council meets once per term as a minimum during the year.

The School Advisory Council may call extraordinary meetings if required.

Agendas should be prepared and distributed prior to each meeting, with sufficient notice and time for preparation by council members.

Quorum

A quorum must be present at all times at each council meeting for the meeting to be validly constituted and all decisions made at the meeting valid. The quorum for meetings is two-thirds of the total number of council members at any given time. The Principal should always be part of the quorum.

Conduct of council meetings

Council confidentiality and solidarity are key ingredients in building trust at council meetings. As a general rule all council meeting proceedings are confidential. At times, there may be occasion to formally declare an issue, a paper and/or a discussion as particularly sensitive and confidential. This should be done by the Chair prior to a council meeting, and confirmed before the close of the meeting.

Council members must respect the right of individuals to express their views freely at council meetings without fear of their being named outside the council meetings as taking particular positions. As in all similar groups, a sense of trust among council members is vital for the wellbeing of the council.

A meeting should close by reviewing actions and deadlines set, and noting of the details of the next meeting.

The Secretary of the Council is responsible for taking minutes of council meetings. A minute book of all meetings of the Council must be maintained by the principal.

Disclosure of interests by council, committee and working group members

In accordance with the school's *Conflict of Interest Policy* which is prescribed by MACS, all councilmembers must disclose any personal interest which relates, or may relate, to the operations of the school, in order to ensure that any actual, potential or perceived conflict of interest with a duty that the person has on the council is identified and appropriately managed.

When an issue arises at a council meeting, relating to such an interest or duty, the member must not attend the meeting while that matter is discussed and must not vote on that or any related matter. The school's *Conflict of Interest Policy* as prescribed by MACS must at all times be complied with by all members of the Council.

The same disclosure requirements also apply to the members of any committee or working group established by the council in accordance with their Terms of Reference which includes a requirement for compliance with the *School's Conflict of Interest Policy* as prescribed by MACS.

9. Engaging with your school

The council encourages full participation of stakeholders to ensure a high level of engagement and participation by the school community. Schools must employ a variety of strategies to provide evidence to meet VRQA Minimum Standard, 16 which requires a school to ensure that it is clear about its philosophy and can articulate the same to staff, students, parents, guardians and the school community.

10. Record keeping

As a minimum, the principal must ensure the maintenance of the following council documents and records:

- the School Advisory Council Terms of Reference (this document) and the terms of reference of any committee or working group established by the Council
- agenda and minutes of School Advisory Council, committee and working group meetings
- a register of the current members of the council, committees and working groups and any council members holding key roles
- a register of interests disclosed by council, committee and working group members
- the School Advisory Council correspondence file.

Agenda and minutes

The minutes of council meetings must be recorded in a consistent format and maintained in an appropriate archive system at the school.

Minutes of meetings should be distributed as soon as possible after the meeting to allow sufficient time for action items to be followed up between meetings.

The minutes should be approved by the council at its next meeting, as an accurate record of the meeting.

Council minutes are not public documents.

Publication of this Terms of Reference

An up-to-date version of these Terms of Reference must be available on the school's website at all times.

11. Evaluating the work of the council

The School Advisory Council must undertake an annual evaluation to reflect upon its performance and areas for improvement.

The council must agree the process to be followed each year following a MACS template and appoint a council member to oversee the evaluation process and, if appropriate, take a leadership role in implementing the findings. Each year the council should consider whether any improvements to its operation or this Terms of Reference should be recommended to MACS.

The council may determine to evaluate all aspects of its work or concentrate on some key areas. Areas for evaluation may include:

- Council processes such as meeting procedures, planning, communication
- the work of committees or working groups
- the nature and extent of involvement of the parish and school communities
- involvement in or assistance to key parish or school projects.