SYLVANIA HEIGHTS PUBLIC SCHOOL PARENTS AND CITIZENS’ ASSOCIATION

INCORPORATED BY LAWS

INTRODUCTION

1. These rules are made under the Constitution of Sylvania Heights Public School Parents and Citizens’ Association (“the Association”), Incorporated in May 2012. These rules establish the policies and procedures for carrying out the business of the Association. These By-Laws can only be changed at a meeting of the Association with one (1) months notice, and must have a majority vote in favour of the change. (The Constitution shall have overall binding authority, and any By-Law rule which shall be contrary to any clause of the Constitution, shall not override the rules of the Constitution.)

OBJECTIVE

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.

GENERAL MEETING

3. A general meeting of the Association will be held on the 1st Tuesday of each month during term at 7:30pm. This may change due to conflict of school schedules but at least 7 (seven) days notice will be given.

MEMBERSHIP

4. Any person eligible for membership may become a member or renew membership by paying the required membership fee to the Treasurer, or nominee of the Treasurer, after any general meeting or at the Annual General Meeting. Membership will remain current until the close of the Annual General Meeting in the following year. Members shall be required to complete the Association’s application form when making application, which included a volunteer declaration form under the Commission for Children and Young People Act, 1998.

5. The prescribed membership fee shall be set each year at the Annual General Meeting.
6. All Members and Volunteers shall be bound by the rules of the Association, including the Constitution, By-Laws, Code of Conduct, Harassment and Discrimination policy, Sub-Committee rules, OHS guidelines, and any other rules governing the Association. Any failure to follow these rules may result in revocation of membership (see clause 81 regarding the process for revocation of membership).

7. A membership register shall be kept which records all financial members of the Association. The Secretary (or in their absence the nominated assistant of the Secretary), shall be responsible for maintaining and updating the register of membership at the close of each meeting.

8. Membership fees will fall due for payment at the close of the Annual General Meeting of the Association. Any existing financial member who renews their membership for the following year at the Annual General Meeting shall enjoy continued voting rights for the next financial year. Any person who allows their membership to lapse on the due date shall be required to wait until the close of the meeting when payment is made to again be eligible to vote.

9. Any new member who makes an application for membership and pays the prescribed fee at a general meeting shall not be eligible to vote until the close of that meeting, and accordingly shall not be eligible to vote until the following meeting.

10. Any new member who wishes to join and pay their membership fee on the night that the Annual General Meeting arises, must make their payment before the close of the Annual General Meeting in order to be able to vote at the general meeting which follows the Annual General Meeting. The new member will not be entitled to vote at the Annual General Meeting when their application for membership and payment is made, as the membership register is only updated at the end of the Annual General Meeting, and they will not be eligible to vote until the register is formally updated.

11. Any person, who makes a membership payment at any time between two meetings, shall not be eligible to vote until the close of the meeting following payment. At the conclusion of this meeting the membership register will formally updated and the new member will be vested full voting rights at the next upcoming meeting.

MEMBERS RIGHTS AND RESPONSIBILITIES AT A MEETING

12. A member must confine debate to the question under discussion; avoiding identities and unbecoming language.

13. A member when speaking shall not be interrupted except by the Chair or by a member raising a point of order.

14. A member who has spoken may be asked through the Chair to explain certain statements that have not been clearly understood. A member may, with permission from the Chair, volunteer an explanation where it is considered the member’s statement of facts has been misrepresented.

15. A member requesting information or wishing to ask a question at a meeting shall do so through the Chair.

AGENDA / ORDER OF BUSINESS FOR GENERAL MEETINGS

16. Meetings should be conducted as follows:
   a. President’s welcome and opening remarks
   b. Attendance, Apologies and New Members
   c. Minutes of the previous meeting
   d. Business arising from the Minutes
e. Correspondence  
f. Business arising from correspondence  
g. Reports  
h. President’s report  
i. Treasurer’s report  
j. Sub-committee reports and other reports  
k. Principal’s report  
l. General Business  
m. Date of Next Meeting  
n. Close  

17. Any unfinished business on notice at the previous meeting shall be dealt as matters arising from the Minutes.  

18. Any unfinished business which arises as a result of a meeting shall be carried forward to be placed on the Agenda at the following meeting.  

19. Any item of new business which is introduced to a meeting without notice may be placed on notice for a further meeting.  

VOTING  

20. Any financial member is entitled to vote at a meeting, *(after any waiting time limit specified under Clauses 8, 9, 10 and 11 of the By-Laws has expired).*  

21. All questions except when otherwise specified in the Constitution and By-Laws, shall be decided by a simple majority vote;  

22. Voting on any question shall be decided on a majority show of hands and the Chair will announce the result.  

23. A simple majority is defined as when more votes are cast for the motion than against. The President does not have a casting vote in the case of a 50/50 voting split.  

24. A two-thirds majority is defined as when at least twice as many votes cast for a motion as against.  

ANNUAL GENERAL MEETING  

25. The Annual General Meeting of the Association will be held in December of each year, in conjunction with and preceding the ordinary general meeting for that month. The agenda of the Annual General Meeting shall include:  

(a). Election of the Executive Committee;  

(b). Setting the membership fee of the Association for the ensuing year;  

(c). Agreeing upon the nominated independent financial auditor for the ensuing financial year.  

(d). Presenting of the annual audited financial statements by the Treasurer *(or nominated representative of the Treasurer)* for approval and adoption.  

(e). Agreeing on the cheque signatories for the ensuing year. *(The Principal cannot be nominated as a cheque signatory and two persons from the same family cannot be nominated as cheque signatories).*
AGENDA / ORDER OF BUSINESS FOR ANNUAL GENERAL MEETING

26. Meetings should be conducted as follows:
   a. President’s welcome and opening remarks;
   b. Attendance, Apologies and New Members;
   c. Minutes of the previous Annual General Meeting;
   d. Business arising from the Minutes;
   e. Annual Reports: President, Treasurer, Sub-Committees, Principal;
   f. Election of Office-Bearers;
   g. Election of Sub-Committee(s), and any other roles agreed upon by the Association for the upcoming year;
   h. Election of Auditor for the following year;
   i. Annual Membership fee to be determined;
   j. Confirmation of cheque signatories;
   k. Date of next Annual General Meeting;
   l. Close.

EXECUTIVE COMMITTEE

27. The Executive shall consist of the officers of the Association. No person shall serve more than three (3) consecutive years in the same position. At the end of a three (3) year term, a person may take up a different role for a substantive term of service not exceeding another three (3) years. This limitation rule shall not apply to any sub-committee position.

NOMINATIONS AND RECRUITMENT OF EXECUTIVE

28. A person can be nominated for more than one position at an election, however may only take up one elected position. When elected into a position and accepting that position, a person shall be deemed to have withdrawn from any outstanding nominations for any other positions on the Executive Committee.

29. All Executive positions shall be advertised publicly in a P&C Newsletter or similar flyer, seeking expressions from interested persons, who are eligible under Clause 4 of the Constitution at least seven (7) days prior to the Annual General Meeting. Nominations may be accepted in writing during this period to accommodate anyone who may be unable to attend the Annual General Meeting but wishes to stand for a position.

30. If an urgent call for nominations shall apply, and no nominations are received at a final call at the Annual General Meeting from any eligible persons, the position shall be held to be vacant at the Annual General Meeting, and shall be dealt with and filled by way of casual vacancy under Clause 56 of the By-Laws at a future general meeting.

ROLE OF THE PRESIDENT

31. 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 process 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 and making statements which accurately reflect the views of the Association;
- Setting up lines of communication with the Principal;
- Being a signatory on the Associations’ bank accounts;
- Training other Executive members;
- Leadership of the parent community;
- Chairing meetings;
- The President is entitled to the same voting rights as any member, however when in the Chair may abstain from voting in order to preserve the impartiality of the position;
- The president is a member of all P&C sub-committees.

ROLE OF THE VICE-PRESIDENTS

32. The two (2) Vice Presidents are responsible for providing support to the President in his or her role above, and shall fill for the President in his or her absence.

ROLE OF THE SECRETARY

33. The Secretary is responsible for:
- Carrying out the decisions of the meeting (unless otherwise stipulated);
- Notifying the school community of all Association meeting dates, and other important events;
- Undertaking routine administrative duties;
- Preparing meeting agendas in consultation with the President;
- Attending the Association meetings and taking notes of the decisions in order to produce a set of Minutes for subsequent distribution to members and for possible amendment and adoption at the following meeting; *(In the absence of the Secretary the meeting may elect a person to take the Minutes)*,
- Typing of the Minutes after a meeting and providing the Minutes to the appropriate parties within ten (10) working days for a general meeting, and seven (7) consecutive days for an Annual General Meeting;
- Receiving and tabling incoming correspondence;
- Writing and despatch outgoing correspondence as required;
- Giving notice of meetings;
- Convoking special meetings when requested;
- Providing information as requested by the P&C Federation;
- Maintaining 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
  - Correspondence

ROLE OF THE TREASURER

34. The Treasurer must comply with all requirements of the “Operational Guide for P&C Treasurers” document as provided by the Parents and Citizens’ Federation of NSW.

The Treasurer is responsible for:
- Preparation of a projected financial budget at the beginning of the year according to Clause 58 of the By-Laws.
- Compliance with all financial accountability requirements of the Association;
- Receiving and depositing all monies received by the Association;
- Maintaining financial records;
- Drawing cheques;
- Presenting accounts;
- Presenting a report in the form of an income and expenditure statement together with a reconciled bank statement at each P&C Meeting;
- Giving advice and setting an example for others so that all funds held and handled by the P&C are openly accounted for;
- The Treasurer is responsible for all funds held in the name of the P&C, including canteen, uniform shop, and all other specific fundraising 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 should encourage members to understand the state of P&C finances;
- The Treasurer must ensure that a cash book and other books as required are kept, recording ALL financial transactions of the P&C Association;
- The Treasurer is required to produce a full statement of financial position declaring all funds held in the name of the P&C Association *(including those of sub-committees)*;
- The Treasurer is required to forward all financial records 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.

**ROLE OF ANY EXECUTIVE ASSISTANT**

35. An Executive Assistant *(i.e. the Assistant Secretary and Assistant Treasurer)* shall be responsible for providing support to the Executive position they have been elected to assist in the roles outlined above, and shall fill in for that Executive in his or her absence.

**ROLE OF THE CHAIR PERSON**

36. The Chair shall be responsible for:

- Chairing the meeting *(This role is usually the responsibility of the President or at a sub-committee meeting the convenor)*;
- The Chair shall remain neutral, allowing all sides of an argument to be heard, and allowing as many people as possible to speak;
- Ensuring the rights of every individual member are respected and protected;
- Preserving order, including ruling on contentious matters of procedure and assisting the progress of discussion by preventing irrelevant or repetitions discussion or offensive remarks;
- Ensuring that full and informed discussion is available, by ensuring that items have been advertised to the school community before being dealt with at a P&C meeting;
- If the Chair is not able to remain neutral he/she should step down for that section of the meeting and another person should be allocated to Chair the meeting for the entire course of the discussion on the specific topic;
- Following the agenda;
- Ensuring one speaker at a time has the floor;
- Limiting the number of speakers on a particular topic;
- Limiting the time for speakers for and against;
- Ensuring all speakers are heard and their point of view is respected;
- Knowing the rules of the Constitution;
• Providing progressive summaries to keep meetings on track;
• Preventing confusion by explaining the effects of motions;
• Including new members in discussion;
• Taking initiative to terminate debate when it is time to put forward the motion;
• Creating working parties to investigate larger issues to report back to the meeting;
• The Chairperson may have to ask a member to leave the room or adjourn the meeting for a period of time should behaviour that breaches the code of conduct be displayed by a member;
• Ensuring that appropriate breaks during long and contentious meetings are provided.

ROLE OF SUB-COMMITTEE CONVENOR

37. The responsibilities of a sub-committee convenor are:

• Calling meeting and informing all sub-committee members of sub-committee meetings;
• Advising the President of all sub-committee meetings;
• Liaising between all members of the sub-committee;
• Chairing sub-committee meetings;
• Providing information to all sub-committee members of all activities and events of the committee;
• Ensuring that decisions are made as a sub-committee group and reported back to the Association;
• Following the rules of Chairing a meeting as set out in Clause 36 of the By-Laws;
• Keeping all records of the sub-committee;
• Presenting a report to each general meeting of the Association to report on the progress, activities, events and recommendations of the sub-committee;
• Ensuring that no funds are expended by the sub-committee without the prior express authority of the Association, except where specific delegation has been granted to expend funds for the normal running costs for authorised expenditure items only;
• This limit will be set and voted on at the first meeting of the year;
• Ensuring that receipts are presented to the Treasurer for items expended by the sub-committee;
• Ensuring that delegated authorised expenditure for normal running costs associated with the operation of the sub-committee activities are voted upon at a sub-committee meeting before the expenditure is made;
• Ensuring that no individual sub-committee members makes any expenditure without consultation at a sub-committee meeting, or without Executive approval;
• Ensuring adherence to the Operating Principles and Guidelines annexed to these By-Laws which relate to the sub-committee.

VOTING PROCEDURES / BALLOT AT ANNUAL GENERAL MEETING

38. All financial members who are present at the Annual General Meeting are entitled to vote at the election of the new Executive. No proxy votes will be accepted.

39. The Ballot shall proceed as follows:

(a). If only one nomination is received for a particular position, the confirmation shall be by way of show of hands;

(b). If more than one competing nomination is received for a particular position, the election shall proceed by way of secret ballot.

40. A secret ballot shall proceed as follows:
(a). Each member who is entitled to vote shall be given a ballot paper to record their vote;

(b). Each member is only entitled to vote once for each position;

(c). Any member who does not wish to vote shall write “abstain” on their voting form and the vote shall not count.

(d). The Returning Officer or a nominated independent officer shall ensure that one (1) ballot slip only is returned for each voting member;

(e). The Returning Officer or a nominated independent officer shall count the votes. To maintain independence, the counting officer shall not be a member of the current Executive or a person who has been nominated for a position;

(f). The Returning Officer shall count the number of members who have participated in the vote and compare against the number of ballot papers received. Should the numbers not coincide a re-vote shall be announced.

(g). The Returning Officer shall announce the successful nominee for the position.

41. The School Principal shall be asked to act as the returning officer at the Annual General Meeting. If the Principal is unavailable another independent officer shall be nominated and agreed upon by all eligible voting members present at the Annual General Meeting.

42. The Principal holds the same voting rights as any other member of the Association. However, the Principal (or any other person acting in the position of returning officer) shall not be eligible to vote at the Annual General Meeting if he or she is acting as Returning Officer. The Principal (or other independent officer) will resume full voting rights at any other meeting of the Association when he or she is no longer acting as Returning Officer.

RESPONSIBILITIES OF EXECUTIVE OFFERS AFTER AN ANNUAL GENERAL MEETING

43. The outgoing Executive and Sub-committee Officers shall conduct a hand-over of all Association business, files, paperwork, passwords, email accounts, website accounts, financial accounts, records, books and other property within fourteen (14) consecutive days from the date of the Annual General Meeting. For the purpose of calculating the days, the day of the Annual General Meeting shall be day one (1).

44. The outgoing Secretary (or a nominated assistant of the outgoing Secretary) shall be responsible for organising the typing of the Minutes within seven (7) consecutive days after an Annual General Meeting to ensure the smooth transition of the new Executive members. The outgoing Secretary shall also be responsible for producing the Minutes to all the relevant parties within seven (7) consecutive days after the Annual General Meeting.

45. The outgoing Secretary (or nominated assistant) shall provide the outgoing Treasurer and the newly elected Treasurer (if the person is not one and the same) with a copy of the Minutes of the Annual General Meeting within seven (7) consecutive days from the date of the meeting. The Minutes shall be provided to the Treasurer within seven (7) days to ensure the financial books can be handed over to the new Treasurer within a timely manner to facilitate the continued smooth financial management of the Association.

46. The outgoing Treasurer shall be responsible for handing over all financial records and books to the new Treasurer within five (5) consecutive days after receiving the Minutes of the Annual General Meeting to ensure the smooth running of the financial affairs of the Association.
47. The new Treasurer (or nominated assistant of the new Treasurer) shall be responsible for attending the bank of the Association and updating the new cheque signatories on all P&C accounts within five (5) working days after handover of the financial books of the Association. The Treasurer shall seek removal of all prior cheque signatories and shall seek the newly appointed signatories to be recorded on all bank records. At the time of doing this the Treasurer must provide the banking institution with a copy of the Minutes which outlines the newly elected members and cheque signatories of the Association.

48. The new Secretary shall be responsible for changing any digital passwords for any Association internet communication media such as the email account, and website account within five (5) days of receipt of handover to maintain security.

FINANCIAL YEAR OF THE ASSOCIATION

49. The financial year of the Association will close on 31 October each year. All financial accounts and books of the Association (including those of sub-committees) shall be submitted to an independent auditor at the end of each and every financial year for auditing.

50. The Treasurer (or in his or her absence a nominated assistant of the Treasurer) shall present an audited financial statement declaring all funds held in the name of the P&C Association to the Annual General Meeting for approval and adoption.

51. The Treasurer (or in his or her absence the nominated assistant of the Treasurer) shall forward a copy of all audited financial statements of the Association to the Parents and Citizens Federation within one (1) month from the date of the Annual General Meeting.

QUORUM AT GENERAL MEETING

52. At a general meeting the quorum will be in accordance with Rule 10 of the Constitution. Where that rule does not specify a number the quorum will be 9 members. (If membership is 50 or more the quorum shall be 11 in accordance with the rules of the Constitution.)

53. 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, the 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. To calculate the days, day one (1) shall be the date of the meeting which does not achieve a quorum.

54. 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.

ABSENCE OF EXECUTIVE OFFICER WITHOUT GOOD REASON

55. A general meeting of the Association may declare any officer who has been absent for three (3) successive meetings, without good reason, to have vacated their position and to have created a casual vacancy to be dealt with by means of Rule 6 of the Constitution and Clause 56 of the By-Laws.

CASUAL VACANCY OF EXECUTIVE POSITION
56. Any casual vacancy that arises during the year shall be filled in accordance with Clause 6 of the Constitution at the next possible meeting, after adequate notice of the intention to fill the position has been advertised. Adequate notice should be deemed to be a period of not less than seven (7) days. Should adequate notice not be able to be given before the next meeting arises, the position should be filled at the following meeting, after adequate notice has been able to be given. The procedure for nominations shall follow the guidelines as set out in Clauses 28-30 of the By-Laws.

COMMUNICATION WITH SCHOOL COMMUNITY

57. The Executive Committee shall be responsible for maintaining regular communication with the school community by way of newsletter which is to be distributed throughout the school. The Executive shall be responsible for communicating the outcomes of general meetings and the Annual General Meeting in these regular newsletters.

BUDGET

58. The Treasurer shall prepare a projected budget for the upcoming financial year which shall be presented at a general meeting for approval. This Budget will assist the Association to make informed decisions when voting upon expending Association money during the financial year. The projected budget shall be an estimate (statement of intention) of the income and expenditure of the Association for the financial year based on past economic performance and expenditure. The Budget can be altered at any time, by majority vote, after initial ratification at a general or special meeting. The Budget shall be founded on past economic performance, and adjusted to anticipate the probable effect on any special projects or one-off events.

EXPENDITURE OF MONEY

59. Any expenditure of Association monies must be approved at a meeting of the Association (except where any expenditure has been approved under clause 71 of the by-laws and is subject to delegated authority). At the first meeting of the year a limit will be voted on to give the sub-committees authority to cover the day-to-day running costs of their committees. Any expenses over and above these normal costs will need to be approved at a general meeting prior to expenditure.

ACCOUNTING PROCEDURES

60. The Treasurer is responsible for overseeing all financial matters of the Association.

61. All members and volunteers of the Association are required to keep records of all financial matters and expenditures of the Association to be produced to the Treasurer.

62. All Association money shall be banked in a timely manner. Amounts exceeding $250 should be banked within five (5) working days after being received.

63. Any Association money received which cannot be immediately banked must be stores in a safe until it is able to be banked. Confirmation of this course of action shall be communicated to the Treasurer or Assistant Treasurer in writing, via email, telephone or in person.

64. For OHS requirements, when Association banking exceeds, $2000, the P&C shall encourage at least two (2) persons to attend the bank together for safety reasons.

65. An officer who is authorised at a general meeting of the Association to expend an approved amount of funds shall not expend more than the authorised amount.
66. All members shall be required to follow the cash handling procedures of the Association. (The Association’s cash handling procedure helps all volunteers and members who have the responsibility of handling cash to be protected whilst they are handling community money. The Association is also required to ensure that all members, the community, the auditor, and regulators are confident that all cash received at any P&C event is properly accounted for).

67. Receipts are required to be produced to the Treasurer for all expenditures of P&C funds. If a receipt is unable to be produced re-imbursement may not be possible. If a receipt is lost, a sworn Statutory Declaration will be required before re-imbursement can be made.

68. All change floats allocated to volunteers at any fundraising event stall shall be recorded and receipted on distribution, including the amount distributed, and the name of who the float is handed to.

69. Any fundraising money taken at an Association fundraising event or any other fundraising activity shall be counted and signed by two people, and a cash handling record sheet shall be completed and provided along with the monies taken to the Treasurer. The cash handling record shall also be provided to the event co-ordinator for financial reporting purposes at the next Association meeting. For the purposes of this clause the Treasurer shall be able to be one of the persons who count the money.

70. An Association event or activity co-ordinator shall be responsible for reporting on all final tallies and financial outcomes after an event to the Treasurer and to the Association meeting.

AUTHORITY TO DELEGATE

71. The Association may delegate authority to an authorised sub-committee set up by the Association, to expend funding for the normal running costs or to make decisions regarding ongoing normal activities associated with the functions of that sub-committee, i.e. canteen, fundraising or uniform shop. This ongoing delegated authority shall be determined by the Association, and can be amended, altered or cancelled at any general or special meeting of the Association. Any delegated expenditure must be strictly in accordance with the prescribed amount specified on the sub-committee policy document, and must not exceed the delegated amount. No money is authorised to be expended, or shall be expended by any sub-committee for any reason or purpose other than the purposes as prescribed by the Association. No individual person can be given delegated authority to expend any funding or ongoing running costs, and the delegation is only extended to the sub-committee as a group.

SUB-COMMITTEE DECISIONS

72. Any sub-committee decision outside of delegated authority outlined in section 71 (whether financial or otherwise) shall be reported to an Association meeting and decided upon by a majority vote at a general meeting before the sub-committee decision is authorised to be acted upon. Should an urgent matter arise which must be dealt with before the next general meeting, the sub-committee decision can only be acted upon with majority approval from the Executive Committee, and this urgent decision must then be tabled at the next general meeting.

URGENT DECISION MADE BY THE EXECUTIVE IN EXTRAORDINARY CIRCUMSTANCES

73. The Executive must be mindful not to make decisions that should be debated at a general meeting. However, the Executive shall be vested the power to make an urgent decision in between meetings, in certain sensitive or extraordinary circumstances. A sensitive circumstance is an issue that would be required to remain confidential, (whether under legislation, human rights policy, or otherwise), and is a matter that would not be appropriate to disclose to a public forum.
An extraordinary circumstance shall arise if failure to act on an issue before the date of the next general meeting, may pose a serious detrimental affect on the Association, School, or a person. A serious detrimental affect may be held to be (but is not limited to):

- Financial loss (either monetary or other financial benefit);
- Cancellation of the Association’s insurance policy;
- Risk to public health and/or safety;
- Breach of Occupation Health and Safety legislation;
- Breach of any other legislation, authority, or council regulation;
- Possible detriment to the good name and reputation of the Associations and its member;
- Possible detriment to the good name and reputation of the School and its staff.

The Executive shall be vested the power to make a decision in certain sensitive or extraordinary circumstances to revoke a membership for any person who conducts himself or herself in a manner that may constitute a serious breach of acceptable behaviour or a serious breach of any Association rule that would warrant such revocation. When coming to a decision the Executive should consider the affect of this cancellation on the member, the children, the school, the community and the Association. The protection of children shall be the most important consideration when making a decision. A sensitive or extraordinary circumstance shall be deemed to be a circumstance that would need to remain confidential to protect the interests of those involved, when it would not be appropriate to bring the circumstances leading up the question of revocation to a public forum (whether under legislation, human rights policy, or otherwise). Any such decision to revoke a membership made by the Executive shall be forwarded to that person in writing, outlining the reasons for cancellation of the membership. That person shall also be informed in writing of a right of formal review of the revocation, if they are not happy with the decision.

Any formal review of the decision shall be required to be presented to an Association general meeting for full review, and a final decision shall be made by all those present at that meeting who are entitled to vote. Should an appellant wish to take a matter to a general meeting for review, the appellant acknowledges that any right of confidentiality will be waived and the full matter will be disclosed and discussed in an open general meeting. During this review the appellant shall present his or her matter to the general meeting, and shall take submissions to that meeting. The Executive members shall also present their decision to the general meeting and provide the reason for coming to their decision. This decision of the general meeting shall be final and no other internal Association review of appeal process shall be available, except where provided under legislation.

However of utmost importance, during any public formal review process, all parties (including the appellant, the Association, or otherwise) shall be mindful never to disclose the identity of any child or provide any information that may identify a child, who may be subject in any way to the circumstances leading up to a formal review for a decision of revocation of membership. Should a circumstance arise when it would not be appropriate to seek a formal review in a public forum in order to protect the privacy or interests of a child, (or when any legislation, privacy issue, human rights policy, or otherwise would prohibit such public disclosure), the matter shall alternatively be presented to the Principal of the School in confidence (or a member of staff nominated by that Principal in confidence) who will then be responsible for making the final decision whether the revocation shall apply. No other internal review process will be available when this Principal’s final decision is made, except where provided under legislation.

74. An urgent decision of the Executive made in between meetings shall only be acted upon with majority approval from the Executive Committee, and this urgent decision must then be tabled at the next general meeting. (The majority approval rule shall not apply only if any law, OHS issue, insurer, authority or regulated body would require that action must be taken).

COMPLAINTS AND GRIEVANCES
75. Parents and carers are encouraged to address any concerns about procedures or affairs directly to the President of the Association. Complaints may be in writing or oral. At the time of making a complaint, please make it clear whether you wish your concerns to be raised and discussed at a meeting or whether they are to remain confidential. All complaints should be made on one’s own behalf about matters relating directly to the person making the complaint. Complaints should not be made on behalf of another person or a third party. The complaint must present the facts, as this information will need to be verified by others. If the complaint relates directly about the President, then the matter should be referred to the next Executive Officer of the Association.

76. A concern or issue may be raised at an Association meeting. Forty-eight (48) hours notice should be given in order that the matter can be placed on the Agenda. Concerns and grievances raised at a meeting in a public form should not infringe on the personal rights of another. All persons must observe the conventional decorum of debate when raising concerns at a meeting, which is to address only general principles, and be mindful never to address specific personalities or identities.

77. Resolution and solutions should be attempted to be reached wherever possible by informal means.

78. The common law principles of natural justice and procedural fairness shall apply with regards to formal complaints about other Association person. A formal complaint may need to be put into writing if the complaint cannot be resolved through informal means. Persons are encouraged to provide their full name and contact details when making a formal complaint in order that the steps of natural justice and procedural fairness can be equitably applied.

79. The Association shall have no authority over complaints or concerns over teaching staff or any matter relating to the control and management of the school under Clause 3 of the Constitution. Matters pertaining to these issues will be referred to the Principal of the school.

80. Any complaint received concerning issues of discrimination or harassment will be dealt with according to the Discrimination and Harassment Policy as set out by the Federation of Parents and Citizens’ Association.

SANCTIONING A MEMBER OR OFFICER OF THE ASSOCIATION

81. The President in consultation with the Vice Presidents (with majority consent), shall be vested the power to counsel or sanction any member or Executive officer of the Association for any conduct, behaviour or neglect of duty which breaches the Constitution, By-Laws, Code of Conduct, Harassment and Discrimination policy, statement of duties, sub-committee rules, or other policies and rules of the Association or Federation. If the behaviour or conduct relates directly to the President or a Vice-President, the Principal of the school shall be vested the power to act in the circumstances.

When clause 81 shall apply the following process shall be taken:

(a). First breach – Counselling shall be provided;
(b). Second breach – Counselling and a warning shall be provided;
(c). Third breach – Action shall be implemented. When considering what action shall be taken consideration should be given to the circumstances leading up to the issue being considered. Action may include one or any of the following steps:

- Removal from office;
- Demotion from office to general members;
- Revocation of membership;
- Training to be implemented
Should any person subject to clause 81 be unhappy with the decision, they may seek a formal review of the matter to be heard before a general meeting of the Association under the review process as set out in clause 73 of the by-laws.

INSURANCE POLICY

82. The Executive Committee shall be responsible for organising the yearly insurance policy of the Association through the P&C Federation of NSW or similar insurer. The Association insurance policy (if taken out through the P&C Federation) will fall due on the 1st August every year at 4pm.

83. The Treasurer is responsible for organising payment for the annual premium for the insurance policy.

84. Should adequate insurance be unable to be obtained, the Executive must inform all members immediately in writing. In the absence of an insurance policy, the Executive shall meet urgently to determine whether all further P&C activities shall cease until such time as adequate insurance is obtained. The Executive must take into consideration the best interests of all members and participants at this meeting.

LIFE MEMBERSHIP

85. 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 in terms of rule 4 of the By-Laws.

ORGANISING A P&C EVENT – OHS REQUIREMENTS

86. The Association’s prescribed OHS risk management and assessment document shall be completed by an activity or event co-ordinator when organising a P&C Association activity or event.

87. The school’s emergency evacuation plan shall be adopted for any P&C event conducted on school grounds.

88. A First Aid Officer shall be nominated for any Association event or activity which is outside of school hours or off school grounds.

89. An Association event organiser shall keep an attendance sign in register for all volunteers and members assisting at an event, which shall be submitted to the Executive Committee immediately after an event.

90. An Association event organiser shall be responsible for taking a volunteer declaration form from any volunteer of a P&C activity.

YEAR SIX FAREWELL

91. The Association has approved a maximum amount of $23 per Year 6 student head that may be authorised to be paid by the Association towards each annual Year 6 Farewell. However this promise of payment shall NOT apply in any given year if the maximum total amount calculated under this clause is not available in the P&C account for the year in question as at the 30th April of that year, and shall not apply if the provision of the annual gift would put the Association into
financial hardship for that particular year. (The question of availability of funding or financial hardship for a particular year shall be considered at the next meeting directly after the 30th April of each year when a decision on availability of funding or hardship shall be made). If it is deemed that insufficient funds or hardship would apply for that year, alternative fundraising activities may be approved to raise P&C funds to go towards that Year Six Farewell. Note however: If the total amount raised in the approved fundraiser does not reach the total calculated amount that would normally be provided under provision of this clause then the Association shall not be obliged to pay any further amount towards the Year Six Farewell for that particular year and the total amount raised shall be deemed to be the whole promise for that particular year. However if the total fundraising amount exceeds over and above the normal total calculated amount that would normally be promised under this clause (i.e. maximum amount per head x number of year 6 students), any excess funding raised over and above this amount is capped at the normal rate and any excess shall remain the property of the P&C Association and not pass to the Year Six Farewell as part of promised funding.

Any amount paid for a Farewell shall be held in trust by the school to be expended by the parent body approved to plan the event. It is a provision of the agreement of the provision of the gift that copies of all receipts expended by the authorised organising body shall be provided to the Treasurer on expenditure in order that the gift may be acquitted for Association accounting and auditing purposes. Any remaining amount that is not expended at the end of the event shall remain the property of the P&C and shall be returned to the Association.

The annual amount outlined in this clause may be re-considered from time to time at a general meeting of the Association with a view to an increase in accordance with inflation or rising costs. Before any increase can be approved, a projected or proposed budget of approximate expenditure must be provided to the general meeting for consideration of any increase.