

THE EFFECTIVE P&C ASSOCIATION

Updated for the
2019 P&C CONSTITUTION



The Effective P&C Association

The information herein is in accordance with the:

- Associations Incorporation Act 2015;
- Associations Incorporation Regulations 2016;
- School Education Act 1999;
- School Education Regulations 2000; and
- P&C Constitution 2019.



The information in this publication is in line with the Associations Incorporation Act 2015.

Every care has been taken to ensure the accuracy of the information contained herein. The School Education Act 1999, School Education Regulations 2000, Associations Incorporation Act 2015 and the P&C Constitution 2019 are the definitive documents in this area. © Copyright WACSSO updated July 2019.

P&C Associations

P&C Associations are an officially recognised forum where anyone over the age of 18 who is interested in the welfare of government schools can meet to discuss educational issues.

The objects of an association are to promote the interests of the school or group of schools for which it is formed through -

- (a) cooperation between parents, teachers, students and members of the general community;
 - (b) assisting in the provision of resources, facilities and amenities for the school or schools; and
 - (c) the fostering of community interest in educational matters.
- School Education Act 1999, part 3, division 8, subdivision 2, section 143 (1).

P&C's give parents an opportunity to learn about the school's policies and programs; organising ways in which parents can share in shaping and developing school policies; bring parents together to share information and views; assist the school in building positive attitudes to students and their families; help raise funds to provide extra resources.

The P&C Constitution

The Constitution used by P&C Associations affiliated with WACSSO, was developed in conjunction with Crown Law solicitors, the Minister for Education, the Department of Education's legal advisers and WACSSO. It is important that all members of the P&C Association, particularly the Executive Committee members, are aware of the implications and requirements of the Constitution.

According to the School Education Act 1999 any changes to the P&C Constitution must be approved by the Minister for Education.

P&C Associations

P&C Composition

The Office Bearers are the President, Vice President, Honorary Secretary and Honorary Treasurer. The Executive Committee consists of these Office Bearers, the Principal and at least 3 other financial members for a large school (>200 students) or at least 2 others for a small school (<=200 students) who are elected at the Annual General Meeting.

Then there are the **Sub-committees**. The Convener and their respective committees are elected at the Annual General Meeting, and financial members of the P&C can nominate themselves to be on these committees. Each Sub-committee must have a 'Terms of Reference' to operate by—which is specific to that committee. Then reports and requests are brought to the General Meeting. The President is always an 'ex officio' member of all the Sub-committees on the P&C Association, and ALL Sub-committees must include at least one member of the Executive Committee.



P&C Office Bearers

President

The President is the meeting Chairperson, the public face of the P&C and can be a link between parents and school administration.

During a meeting it is important that the President ensures there is a motion to be voted on and conducts productive/orderly meetings by:

- Maintaining control
- Ruling on points of procedure
- Stopping people from speaking out of turn
- Encouraging participation by all members
- Closing debate by summing up

The President is also a signatory to the bank accounts, needs to ensure other Office Bearers fulfil their duties, handles media and all external enquiries, observes legal formalities and is an *ex officio* member of all Sub-committees.

Vice President/WACSSO Liaison

The Vice President is the understudy for the President to undertake the President's duties if they are unable to do so, including chairing meetings when the President is absent or has a conflict of interest.

The Vice President can be a member of Sub-committees and is a signatory to the bank accounts. They also hold the role of WACSSO Liaison and are responsible for reporting to the P&C - at each General Meeting - on what is currently happening in education and P&Cs within Western Australia. They can stay informed of the latest news by following WACSSO's communication channels.

P&C Office Bearers (Continued)

Secretary

The Secretary maintains the Association's records (NOT the financial records). They must:

- Post notice of meetings and advise of financial motions
- Assist Chairperson in drawing up agenda
- Record minutes
- Deal with correspondence
- Maintain membership records
- Be a signatory to the bank accounts
- Observe legal formalities

It is important that when taking the minutes the Secretary documents, what decisions were made, who will follow-up on the resolution and the timeframe.

P&C documents that must be archived are the minute books and document register. All correspondence that is not of an ongoing issue need not be retained for longer than 12 months provided they have been listed in the correspondence log.

Treasurer

The Treasurer maintains the Association's financial records. It is important to establish and maintain SIMPLE procedures for handling the Association's money:

- Always issue receipts;
- 2 people to count money and the receipt signed by both;
- bank **all** money received;
- 2 people to sign cheques or authorise online transactions (ensure those in a direct relationship don't co-sign);
- sight an invoice before authorising any transactions; and
- **never** sign blank cheques

It is the responsibility of the Treasurer to prepare and present a WRITTEN report for every General Meeting, including an up-to-date bank reconciliation, a copy of the most recent bank statement and a statement of receipts and payments. Other responsibilities include:

- Preparing the annual financial report for the AGM, auditor or reviewer as required;
- management of all the P&C's accounts including overseeing ALL Sub-committee accounts; and
- completion of tax, superannuation and employee entitlements as necessary.

All financial records must be kept for a minimum of 7 years, however personnel records of employees must be kept for the time of their employment and for 7 years after termination/resignation.

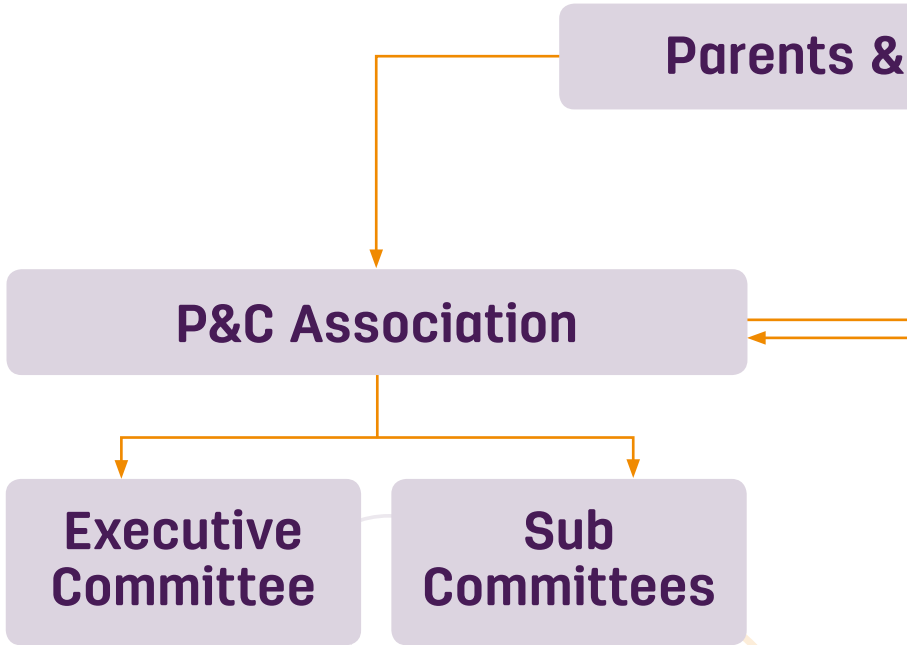
Principal

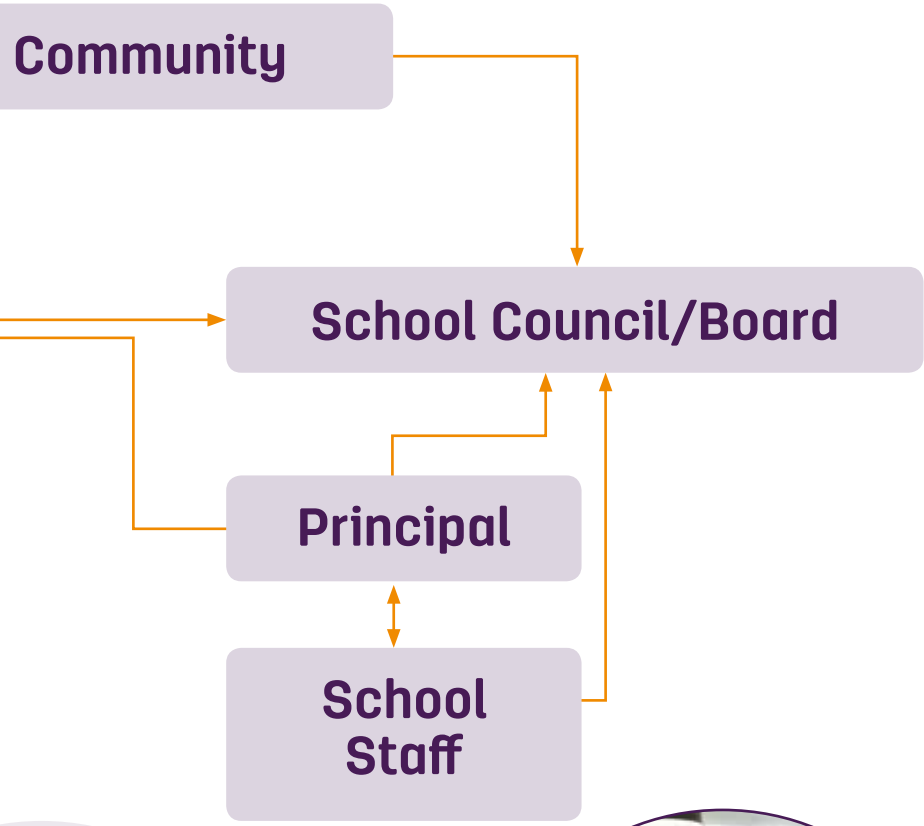
The Principal is an *ex officio* member of the Association and Executive Committee and, as such, has the same rights and responsibilities as any other member. They may be counted in the quorum for all meetings.

The Principal can propose motions, vote, and be elected to a Sub-committee. They can't be elected as an Office Bearer or be a signatory to accounts.

The Principal cannot overrule decisions legally made by the P&C unless that decision attempts to exercise authority over the day-to-day management of the school.

School Community





Some Legal Obligations of P&C Associations

P&C Associations must:

- Hold an AGM once in each calendar year, within 4 months of the end of the P&C Association's financial year, i.e. usually the P&C's financial year ends on 31st December, therefore the latest the P&C is able to hold its AGM is 30th April.
- Maintain adequate financial records, showing transactions and financial position.
- Present annual financial statements, audit or review to the AGM as required. Copies must be given to the Principal and to WACSSO.
- Maintain a list of the names and addresses of the P&C Association's financial members and make this register available to members upon request.
- Keep a copy of the P&C Association's rules (Constitution) and make these rules available to any member who requests them and to all new members.
- Maintain a record of the names and addresses of office bearers and Executive committee members elected at the AGM and make this available to any member upon request. A copy of this information must also be given to the Principal of the school and WACSSO by April 30 each year.
- Ensure the membership fee per person does not exceed \$1.00.
- Ensure all profits are only to be expended for the benefit of students attending government schools in WA.

To meet legal requirements look out for the 'obligations checklist' provided within the annually supplied P&C Handbook, delivered to the school early each school year.

Types of Meetings

General Meetings

This is the ordinary meeting of the P&C where normal business is discussed. These meetings are open to any member of the school community. However, non members may not speak unless the Chairperson has granted permission and they do not have voting rights. At least one meeting must be held per term with 7 days notice and a quorum of 8 financial members (>200 students) or 5 financial members (≤200 students). The minutes are adopted at the following meeting.

Executive Committee Meetings

This committee meets between General Meetings to discuss items of an urgent or ongoing nature, and/or to set the agenda for the General Meeting. Most P&C Associations find it unnecessary for the Executive to meet on a regular basis. Any member of the P&C is eligible to attend the Executive Committee meetings as an observer (with the permission of the Chair), however only duly elected and *ex officio* members of the Executive are entitled to vote. Observers may request permission to speak. Minutes should be presented to the next P&C General Meeting for confirmation. 48 hours notice is required and the quorum is 5 members (>200 students) or 3 members (≤200 students) of the Executive Committee. Only members of the Executive Committee can present motions.

Sub Committee Meetings

These meetings are often more informal than General Meetings and should remain short and productive. The minutes or a report to the P&C Associations General Meeting should outline any decisions/requests of the Sub-committee. These decisions may be overturned by a motion of the P&C. Rules are according to their Terms of Reference which must be adopted.

Types of Meetings (Continued)

Annual General Meetings

As the name suggests, held once per year and must be held within 4 months of the end of the P&C Association's financial year. Usually the end of the financial year for the P&C Association is December 31st. 7 days notice must be given to all members and it's best that the meeting be advertised. Notice can be given via the newsletter (you may attract new members) or by mail or email. This way you know ALL the members will have been given the appropriate notice.

The AGM is a General Meeting but with two extra annual functions. These are: the election of the P&C Office Bearers and Executive Members; and the presentation of the annual financial statements, audit or review.

It is customary for the President and the Sub-committee Conveners to present an annual report of their activities during the past year. General Business can be dealt with at an AGM but it's recommended that items already listed on the agenda be the only items discussed.

Minutes of the AGM should be confirmed at the next General Meeting of the P&C Association, thus confirming all resolutions passed at the AGM including the election of Office Bearers.

Special General Meetings

These meetings are called in exceptional circumstances. They differ from General Meetings in that only the business of which notice has been given can be discussed. 7 days notice must be given and may be convened by the President, Honorary Secretary or 20% of the financial members of the P&C (requisition). If the meeting has been called by means of a requisition, then the Chairperson should invite one of the requisitioners to be the 'mover of the motion'. Minutes of the Special General Meeting are adopted at the next General Meeting. The quorum is the same as General Meetings.

WACSSO

WACSSO (the Western Australian Council of State School Organisations Inc.) is:

- The peak body representing parents of students in Government Schools;
- Non-party political and non-sectarian;
- Directed by policy determined by the majority of delegates attending each Annual Conference;
- Governed by a volunteer State Council, the members of which are elected by and from members of the affiliated P&C Associations from the WACSSO electorates that are closely aligned with the education regions in WA;
- Actively involved with Department of Education, Government and Non-Government Committees; and
- The network which links parents, P&C Associations, and WACSSO State Council.

Services provided include:

- A staffed office to assist affiliates with issues relating to P&C Associations.
- WACSSO Annual Conference
- Free P&C training
- Public Liability and Volunteer Personal Accident Insurance
- Publications and assorted communications:
 - P&C Voice, WACSSO eNews
 - Facebook & Twitter
 - President, Secretary, Treasurer Guides
 - Effective P&C and Effective Meeting Guidelines Booklets
 - P&C Handbook (annual)
 - Brochures

Standing Orders & Rules of Debate

The majority of P&C Associations have a discussion and then formulate a motion to be voted on – normally this is OK as long as a formal motion is then put and voted on. Using the formal rules, this should be done in reverse with a motion being put to the meeting first (Substantive Motion*) followed by debate and then a vote.

A motion is just a formal proposal that an action be taken, that something previously done be approved or, that the meeting express an idea or opinion about something. No matter how relaxed the meeting may be, the Chairperson should always insist that decisions are made by way of a vote on a motion.

Motions always begin with the word 'that' and should be:

- clearly worded, so that everyone can understand them and therefore, cannot be misinterpreted;
- expressed in positive terms; and
- recorded in such a way that it is clear “who” is to do “what” and by “when”. Where money is involved it is a good idea to specify a maximum cost.

For example: That the Canteen Convenor purchase one apple slinky machine to the value of \$50.00 before 3rd July 2018 for use in the Anytown Primary School canteen.

The person who formally presents the idea to the meeting i.e., moves the motion, is the “mover”. Before a motion can be discussed it also requires a “seconder”, i.e. another person who agrees that the idea should be discussed. If the motion is not seconded, it lapses and is not discussed.

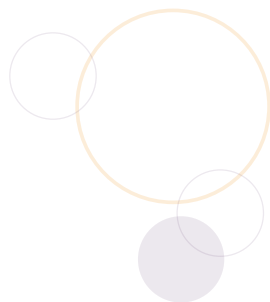
* motions for the spending of P&C funds (financial motions) require 7 days' notice for a General Meeting and 48 hours' notice for an Executive Committee Meeting.

Once the motion has been seconded, the mover then explains the reason for presenting it to the meeting and what it is hoped it will achieve. The mover has a 4 minute time limit to speak.

The meeting then debates the motion, members can speak for or against the motion with each speaker having a 2 minute limit. Speakers may only speak once and the Chairperson will normally ensure speakers take turns speaking for or against the motion, with no more than 2 'for' or 2 'against' in succession. When the debate is closed the mover has the 'right of reply' (2 minutes), giving them an opportunity to answer arguments brought up in the debate but the Chairperson must not allow them to introduce new arguments. The motion is read to the meeting again and members vote by a show of hands or by secret ballot. A simple majority of votes determines if the motion is carried, and if carried the motion then becomes a resolution. All motions that are moved and seconded should appear in the minutes and shown as carried, lost or laying on the table.

When the rules of debate are observed debate is faster, fairer and more effective.

You can see formal rules of debate in operation when you attend WACSSO's Annual Conference. Details regarding conference are available by phoning WACSSO, visiting the website or keep an eye on the post for the information that is sent to your P&C. WACSSO's contact details are on the back of this booklet.



For more information or to book a FREE training session
please phone WACSSO on 9264 4000
wacssso.wa.edu.au

Further Information

Insurance – Public Liability and Volunteer Personal Accident
Optional additional Insurance
Grange Education Risk Solutions
grangeeducation.com.au
0499 968 657
9201 8000

Education Policies
Department of Education
det.wa.edu.au
9264 4111

Acts and Regulations
State Law Publisher
slp.wa.gov.au
9321 7688

Canteen Information
WA School Canteen Association
waschoolcanteens.org.au
9264 4999

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