



MERCY EDUCATION POLICY CONSTITUTION FOR COLLEGE ADVISORY COUNCILS

Preamble

The College Advisory Council provides advice and support to the Principal and the Staff of the College. Members of the College Council are valued for their wisdom and the contribution they make to the functioning of the College and work together to ensure that the Mercy Ethos underpins the life of the College.

1. Name

1.1 The name of the College Advisory Council is: Sacred Heart College Geelong Advisory Council

2. Type of organisation

2.1 Mercy Education Limited is a not-for-profit public company limited by guarantee which is established to be, and to continue as, a charity. It trades under various names including (Please insert: <School name>)

3. Definitions

3.1 In this Constitution, unless the contrary intention appears:

Council	College Council or College Advisory Council means the College Advisory Council referred to in Clause 1 of this Constitution.
Meeting	means a meeting of the Council in accordance with this Constitution.
Member	means a member of the Council holding office in accordance with this Constitution.
Mercy Education	means Mercy Education Limited.
Parents	means the father and/or mother and/or guardian and/or carer in relation to a student of the College.
Principal	means the Principal of the College.
College	means Sacred Heart College Geelong.

3.2 Words importing the singular will include the plural and vice versa where the context so requires.

3.3 Words importing gender will include the masculine gender and/or the feminine gender and/or the neutral gender where the context so requires.

Charitable purposes

4. Purposes

4.1. The purposes of the Council are as follows:

- (a) To act as a consultative Council for the College and the Principal in the provision of Catholic education.
- (b) To promote the Mercy ethos and to ensure the charism is alive and central to all deliberations.
- (c) To assist the Principal and staff in school policy making, including the formulation of foundational documents and those policies related to child safety.
- (d) To assist in the preparation of the College budget and to recommend its adoption.
- (e) To provide advice concerning the financial administration of the College.
- (f) To give such practical support to the College as required in matters such as capital development, the maintenance of College facilities and equipment.
- (g) To take part in the strategic planning for the future operations of the College.
- (h) To assist generally in developing relationships both within the College community and between the College and the wider community.
- (i) Supporting any fund-raising activities organised by auxiliary bodies associated with the College.
- (j) To facilitate the welcome of parents and students new to the College.
- (k) To develop strategies for the local promotion of Catholic education.
- (l) To provide advice according to members' expertise.

Members

5. Membership of the Council

5.1 The Council shall consist of no fewer than seven (7) and no more than twelve (12) members comprising the following:

- (a) The Principal
- (b) No fewer than six (6) and no more than eleven (11) persons appointed by the Principal, some of whom shall be parents of current students of the College.
- (c) Any person who supports the mission and vision of the College is eligible to apply to be a member of the College Advisory Council.

5.2 A person is eligible for election as a member of the College Advisory Council if they:

- (a) Give their signed consent to act as a member of the College Advisory Council
- (b) Are not ineligible to hold the position due to infringements of the Corporations Act, ACNC Act or are convicted of any offence involving fraud or dishonesty or any other serious offence which is punishable by imprisonment.
- (c) Hold a current Working with Children Card unless exempted from this requirement by the relevant State law.
- (d) Sign the declaration that they are a fit and proper person for the role of Council member.

6. Terms of Office

- 6.1 Except as provided hereafter, Members of the Council shall be appointed for a period of three (3) years commencing on the 1st February of the year of their appointment and concluding on the 31st January three (3) years following.
- 6.2 All persons who are appointed members of the Council pursuant to this Constitution shall be entitled to be re-appointed subject to them remaining eligible to be a member of the Council up to a limit of three (3) consecutive three (3) year terms.
- 6.3 In special circumstances, a Principal may re-appoint a member of Council for a further period not exceeding twelve (12) months.

7. When a member stops being a member

- 7.1 A person who is a member of the Council shall cease to be a member if they:
 - (a) cease to adhere to the eligibility requirements in clause 5.2,
 - (b) Resign
 - (c) Die
 - (d) Become bankrupt or enters an arrangement with his or her creditors or assigns the benefit of his or her estate for the benefit of his or her creditors.
 - (e) By reason of physical or mental health the person is unable to perform his or her duties.
 - (f) Are convicted of any offence involving fraud or dishonesty or any other serious offence which is punishable by imprisonment.
 - (g) Are absent from three consecutive meetings of the Council without an apology.
 - (h) Are removed as a member by the Principal, within his or her right, and after due consideration, no reason has to be given.
- 7.2 Clauses 5.2 to 7.1 above shall be taken as also applying to the members of any Advisory Council Committees that may be established.

8. Membership of Council

- 8.1. The Principal shall give Mercy Education written particulars of the members of the Council at the commencement of each calendar year.

9. Formation in Mercy Ethos

- 9.1. During the period of appointment, each member of the Council is expected to participate in Mercy ethos programs provided by the College or by Mercy Education. New members will be provided with induction materials by the Principal including training in the safeguarding of children.

Meetings of members

10. Meetings of Council

- 10.1 The Council shall meet no less than six (6) times per school year. The Principal shall give prior written notice of each meeting to the Council members specifying the date, time and place of the meeting. At least one week in advance of an upcoming meeting, the Principal shall provide for all members, an agenda for the meeting, a copy of the minutes of the previous meeting and all relevant papers. The agenda shall be prepared by the Principal in consultation with the Chair of the Council.

- 10.2 Further regular or occasional meetings may be scheduled by the Council Chair in consultation and with the agreement of the Principal.
- 10.3 A minute secretary for Council meetings who need not be a member of Council shall be appointed by the Principal. The Principal shall arrange for the Minutes to be drafted and circulated. A copy of the reviewed and approved Minutes shall also be sent to Mercy Education. The Minutes shall be kept in an appropriate and secure register and shall be signed by the Chairperson. The Minutes shall record the names of all members of the Council present at the meeting.

11. Chair of Council

- 11.1 The members of the Council must elect a member as the Council's elected Chairperson.
- 11.2 The position of Chair is appointed annually.
- 11.3 The position of Chair may be a shared appointment
- 11.4 The members at Council meeting may choose a member to be the chairperson for that meeting if the elected chairperson is:
- (a) not present within 30 minutes after the starting time set for the meeting, or
 - (b) present but does not want to act as chairperson of the meeting.
- 11.5 The tasks of the Chair of the Council shall include:
- (a) chairing of meetings
 - (b) consulting with the Principal on the agenda of each meeting
 - (c) representing the Council at relevant forums
 - (d) participating in formation activities as requested by the Principal.

12. Duties of Members

- 12.1 Members of the Council must:
- (a) discharge their duties with the degree of care and diligence that a reasonable person would exercise if they were a Member of the Council.
 - (b) act in good faith in the best interests of the College and to further the charitable interests of the College.
 - (c) not misuse their position as a member.
 - (d) not misuse any information they gain in their role as member.
 - (e) disclose any perceived or actual conflicts of interest. (ref Section 14)

13. Quorum at Council Meetings

- 13.1 Unless the members determine otherwise, the quorum for a Council meeting is a majority of members (more than 50%) of members.
- 13.2 A quorum must be present for the whole Council meeting.

14. Conflicts of interest

- 14.1 A member must disclose the nature and extent of any actual or perceived conflict of interest in a matter that is being considered at a Council meeting.
- 14.2 The disclosure of a conflict of interest by a member must be recorded in the minutes of the meeting.

- 14.3 Each member who has a material personal interest in a matter that is being considered at a meeting of members must not,
- (a) be present at the meeting while the matter is being discussed, or
 - (b) vote on the matter.

15. Using technology to hold Council meetings

- 15.1 The Council will use its best endeavours to facilitate electronic meetings as required to maximise participation and scope of membership.

16. Voting

- 16.1 Only members may vote on recommendations.
16.2 The principal does not vote.
16.3 In the event of a tied vote the chair has a casting vote.

17. Finance Committee

- 17.1 Each College Council shall maintain a separate Finance Committee which will meet at least four times each year.
17.2 The Chair of the Finance Committee shall be a member of the Council and shall be appointed to the role of Committee Chair by the Council.
17.3 The Finance Committee should include at least two members who are not school staff members and who have current employment, previous experience or formal qualifications in accounting and business.
17.4 The school Business Manager shall be an ex-officio member of the Finance committee.
17.5 The Finance Committee is responsible for the oversight of and summary reporting to Council of the following aspects of school finances:
- (a) To regularly monitor and review the financial performance of the College
 - (b) To make recommendations to the Council on policy matters relating to finance or capital works.
 - (c) To consider and recommend to the Council the annual budgets
 - (d) To advise the Principal on matters relating to financial controls, accounting standards, practices and procedures
 - (e) To provide financial advice to the Council on major capital projects and proposals for new projects put forward
 - (f) To address other matters that may be referred to the Committee by the Council from time-to-time

18. Additional Committees

- 18.1 The Council may elect to have a Capital Planning / Building & Facilities group which is a committee of the Council or a sub-committee of the Finance Committee.
18.2 The Council may implement other committees as agreed on a temporary or permanent basis e.g., Strategic Planning, Wellbeing, Marketing and Communication, Policy
18.3 Where additional committees are established, the Chair of such committees will be a member of the College Council and detailed Terms of Reference shall be prepared addressing the lifespan of the committee, the number and terms of members, the number of meetings each year and the key responsibilities of the Committee (or sub-committee).

19. Custody of Records

19.1 All records of the Council shall be kept in the custody of the Principal and securely archived when appropriate.

20. Amendment of Constitution

20.1 The Council shall not have power to amend this Constitution. Amendments may be made from time to time by Mercy Education.

Review History

Version	Date Released	Next Review	Author	Approved
1.0	Dec 2010	Feb 2014	MEL Board	MEL Board
1.1	May 2014	May 2017	MEL Board	MEL Board
1.2	Apr 2015	Apr 2018	MEL Board	MEL Board
2.0	Apr 2021	Apr 2024	MEL Executive	MEL Board