

PARENTS & FRIENDS ASSOCIATION



MARIST CAMPUS

MINUTES OF MEETING 17 June 2019

MEETING OPENED: 7:00 PM

OPENING WELCOME & PRAYER: Suzanne Cross

ATTENDEES: Teena Blair (Treasurer), Jim Cross, Suzanne Cross (Vice President), Deborah Garbutt (Vice Principal), Lisa Emerson, Janine Lanigan, Elisa McIntyre, Celeste Park, Michelle Patane-Dillon, Danny Tamayo, Anthea Turkington (Secretary), Kate Turner (Board Representative) Quorum present

APOLOGIES: Alan Buckley (President), Denise O'Meara (Principal), Sara-Jane Raffan

1.1 MINUTES OF PREVIOUS MEETING:

Minutes of the previous meeting of the Marist Parents and Friends Association (P&F) held on 13 May 2019 were distributed and approved.

Moved: Janine

Seconded: Kate

Approved: unanimous

2.1 CORRESPONDENCE IN:

❖ Nil

2.2 CORRESPONDENCE OUT:

❖ Nil

3. GENERAL BUSINESS:

3.1 P&F Constitution:

- ❖ Janine summarized why we need to amend and replace the rules of the P&F Constitution and lodge the new Constitution by 30 June 2019. The model rules of the CSPWA have been followed and mostly the changes are small or the clauses are in a different order. This new Constitution will need review and possibly amending every 5 years – next major review due August 2022.
- ❖ The existing Constitution will be replaced by a new Constitution in accordance with statutory requirements and model rules. The amended Constitution is subject to the Western Australian *Associations Incorporation Act 2015* and is administered by the Department of Mines, Industry Regulation and Safety (DMIRS).

- ❖ The proposed amendments are listed below and the proposed new Constitution attached, but we discussed in more detail the following changes:

The number of members required for quorum has changed from 10 to 4, including two office bearers (clause 13(f)).

The use of cheques, EFT and other payments was discussed and Teena advised that location of the P&F cheque book is unknown and we may need to cancel it if it is not found. Clause 12(a) now removes the need for a receipt for every income, which is especially useful with electronic transactions.

Either an auditor or a reviewer can complete financial audits and although clause 15(e) states that we can be audited every two years, we are still able to complete an annual audit. All agreed on annual audits.

- ❖ As we are a separate P&F, Mercy P&F will have to amend their Constitution separately.
Action: Deb to follow up with Mercy P&F.

❖ **Special Resolution to Amend the Constitution**

The following amendments have been proposed:

As the current Constitution is being replaced in total with a new Constitution all clause references have changed.

Clause 3 (current Constitution) Objectives – deleted

Clause 4 (current Constitution) Aims have been reworded and renamed as Clause 3 - Objects of the Association

Clause 6 (d) (current Constitution) requisition for Special Meeting has been reduced from 10 members with 5 attending the meeting to 5 members (or 1% of all members) providing a requisition and 3 attending the meeting. Change to Clause 13 (new Constitution)

Clause 6(c) (current Constitution) changed to 13 (c) and includes the following sentence:

No advance notice is required to propose motions at general meetings.

Clause 6(e) (current Constitution) changed to 13(e)

(e) The Secretary is to provide notification of Association General or Special Meetings as outlined below:

- at least 14 days notice of a general meeting;
- at least 21 days notice of a general meeting if a special resolution is to be proposed

Clause 6 (f) (current Constitution) changed quorum for general or special meetings from 10 member and at least 2 office bearers to 4 members and at least 2 member. Changed to Clause 13 (new Constitution)

Clause 6 (g) (current Constitution) has been deleted.

Clause 12 (current Constitution) Meetings of the Committee has been deleted

Clause 19 (current Constitution) Common seal has been changed – the Association does not have a common seal.

Clause 22(c) (current Constitution) relating to if the Association becomes incorporated – has been deleted

Clause 23(c) (current Constitution) relating to if the Association become incorporated – has been deleted

Clause 9(c) (new Constitution) Vacancy of office included

(c) A committee position becomes vacant where:

1. The person dies or ceases to be a member;

2. The person resigns or is removed from the position;
3. The person becomes permanently unable because of a mental or physical disability;

Clause 9(g) and (h) (new Constitution) Records hand over and retention included

- (g) Where a person ceases to be a member of the Association's committee, as soon as practicable after their membership ceases, the person must deliver to a member of the committee all of the relevant documents and records they hold pertaining to the management of the Association's affairs.
- (h) Records must be kept for a period of 7 years.

Clause 10 (new Constitution) Chair - included

10. CHAIR

(a) Subject to Rule 8(a), the President shall chair all general and special meetings of the Association and all meetings of the elected Executive Committee. The President is empowered to regulate the proceedings and procedure including, with the consent of the meeting, adjournment of business.

(b) In the absence of the President at a general or special meeting, the Vice-President shall have the power to conduct and chair meetings of the membership and in the absence of the Vice-President, the members present and entitled to vote shall have the power to select one of their number as Chair.

(c) The Chair of a meeting may use a casting vote, which must not be used to alter the status quo.

Clause 12(d) (new Constitution) – Treasurer duties included:

(a) Maintain the accounting records of the Association by:

- (i) Keeping such accounting records as correctly record and explain the financial transactions and financial position of the Association;
- (ii) Keeping its accounting records in such manner as will enable true and fair accounts of the Association to be prepared from time to time;
- (iii) Keeping its accounting records in such manner as will enable true and fair accounts of the Association to be conveniently and properly audited/reviewed; and

Submitting to members, at each AGM of the Association, accounts of the Association at the end of the immediately preceding financial year.

Clause 13 (f) Meetings (new Constitution) changes quorum from 10 members and 2 office bearers to 4 members and 2 office bearers.

Clause 13 Meetings (new Constitution) (g), (h), (k), (l) - included

QUORUM AT MEETINGS

(f) At any Association General or Special Meeting a total of four (4) members of the Association, including at least two (2) Office Bearers shall constitute a quorum.

(g) No business can be conducted at a General or Special Member Meeting unless a quorum of Members entitled to Vote under these Rules is present at the time when the meeting is considering that item, unless;

(i) if, within half an hour of the time appointed for the commencement of a Meeting, a quorum is not present:

a. in the case of a Special Meeting, the meeting lapses; or

b. in the case of an Annual General Meeting or General Meeting, the meeting is to stand adjourned to:

- the same time and day in the following week; and
- the same place unless another place is specified by the Chairperson at the time of the adjournment or by written notice to the Members given before the day to which the meeting is adjourned.

(ii) if at the adjourned meeting a quorum is not present within half an hour of the time appointed for the commencement of the meeting, the members present are to constitute a quorum.

CONFLICT OF INTEREST

(h) If a member of the Association has potential to receive an extraordinary benefit not shared by other members, they must promptly declare that fact and withdraw from the discussion. Records of the meeting must record that fact. This is to say:

(i) A member of the Association having any direct or indirect pecuniary interest in a matter or proposition, made by, or in the contemplation of, the committee (except if that pecuniary interest exists only by virtue of the fact that the member is a member of a class of persons for whose benefit the Association is established), must:

- Disclose to the meeting, the nature and extent of the conflict of interest; and
- Withdraw from deliberation or decision, with respect to that matter.

USE OF TECHNOLOGY TO BE PRESENT AT COMMITTEE MEETING

(k) The presence of a Committee member at a Committee meeting need not be by attendance in person but may be by that Committee member and each other Committee member at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.

(l) A member who participates in a Committee meeting as allowed under sub-rule (k) is taken to be present at the meeting and, if the member votes at the meeting, the member is taken to have voted in person.

Clause 15 (new Constitution – Finance (b), (c), (d), (e), (f) included:

(b) Funds are to be used solely for the Aim of the Association. All funds raised by or on behalf of the Association must be banked promptly and fully intact into an account in the name of the Association. Authorised signatories to the account are any of two of the following:

- President
- Treasurer
- Secretary
- Vice-President
- Principal
- Bursar and
- Assistant Bursar.

(c) Cheques drawn upon the account shall be signed by the Treasurer and at least one other authorised member, or by any two others as are authorised by the members of the Association. At the end of their term of office, their signatures must be removed and replaced by the signatures of the incoming officers.

(d) All payments drawn upon the account shall be authorised by the Treasurer and at least one other authorised member, or by any two others as are authorised by the members of the Association.

- (e) A committee member is entitled to be paid out of the funds of the Association for any out-of-pocket expenses for travel and accommodation properly incurred —
1. in attending a committee meeting or
 2. in attending a general meeting; or
 3. otherwise in connection with the Association's business.
- (f) The accounts will be subject to an audit/review, at least, every two years.

Clause 23 & 24 (new Constitution) – dispute resolution included

23. SUSPENSION OR EXPULSION OF MEMBERS OF THE ASSOCIATION

(a) If the Committee considers that a member should be suspended or expelled from membership of the Association because his or her conduct is detrimental to the interests of the Association, the Committee must communicate, either orally or in writing, to the member -

(i) notice of the proposed suspension or expulsion and of the time, date and place of the Committee meeting at which the question of that suspension or expulsion will be decided; and

(ii) particulars of that conduct,

not less than 30 days before the date of the Committee meeting referred to in paragraph (i).

(b) At the Committee meeting referred to in a notice communicated under sub-rule (a), the Committee may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Committee, suspend or expel or decline to suspend or expel that member from membership of the Association and must, forthwith after deciding whether or not to suspend or expel that member, communicate that decision in writing to that member.

(c) Subject to sub-rule (e), a member has his or her membership suspended or ceases to be a member 14 days after the day on which the decision to suspend or expel a member is communicated to him or her under sub-rule (b).

(d) A member who is suspended or expelled under sub-rule (b) must, if he or she wishes to appeal against that suspension or expulsion, give notice to the Secretary of his or her intention to do so within the period of 14 days referred to in sub-rule (c).

(e) When notice is given under sub-rule (d) -

(i) the Association in a general meeting, must either confirm or set aside the decision of the Committee to suspend or expel the member, after having afforded the member who gave that notice a reasonable opportunity to be heard by or to make representation in writing to, the Association in the general meeting; and

(ii) the member who gave the notice is not suspended or does not cease to be a member unless and until the decision of the Committee to suspend or expel him or her is confirmed under this sub-rule

24. RESOLVING DISPUTES

The procedure set out in this clause applies to disputes:-

- Between members; or
- Between one or more members and the Association.

- (a) The parties to a dispute must attempt to resolve the dispute between themselves within 14 days after the dispute has come to the attention of each party.
- (b) Party to a dispute includes a person:-
 - (i) who is a party to the dispute; and
 - (ii) who ceases to be a member within 6 months before the dispute has come to the attention of each party to the dispute.
- (c) If the parties to a dispute are unable to resolve the dispute between themselves within the time required by clause (a), any party to the dispute may start the grievance procedure by giving written notice to the Secretary of:-
 - (i) the parties to the dispute; and
 - (ii) the matters that are the subject of the dispute.
- (d) Within 28 days after the Secretary is given the notice, a Committee meeting must be convened to consider and determine the dispute.
- (e) The Secretary must give each party to the dispute written notice of the Committee meeting at which the dispute is to be considered and determined at least 7 days before the meeting is held.
- (f) The notice given to each party to the dispute must state:-
 - (i) When and where the Committee meeting is to be held; and
 - (ii) That the party, or the party's representative may attend the meeting and will be given a reasonable opportunity to make written or oral (of both written and oral) submissions to the Committee about the dispute.
- (g) If –
 - (i) The dispute is between one or more members and the Association; and
 - (ii) Any party to the dispute gives written notice to the Secretary stating that the party-
 - i. Does not agree to the dispute being determined by the Committee; and
 - ii. Requests the assistance of the Federation for mediation,

The Committee must not determine the dispute.

- (h) At the Committee meeting at which a dispute is to be considered and determined, the Committee must –
 - (i) give each party to the dispute, or each party's representative, a reasonable opportunity to make written or oral (or both written and oral) submissions to the Committee about the dispute; and
 - (ii) give due consideration to any submissions so made; and
 - (iii) determine the dispute.
- (i) The Committee must give each party to the dispute written notice of the Committee's determination, and the reasons for the determination, within 7 days after the Committee meeting at which the determination is made.

(j) A party to the dispute may, within 14 days after receiving notice of the committee's determination under clause (h)(iii), give written notice to the Secretary requesting the assistance from the Federation for mediation.

(k) If notice is given under clause (j), each party to the dispute is a party to the mediation.

SPECIAL RESOLUTION: That the Marist P&F approve and accept the amendments and rule changes as outlined in the Notice of Special Resolution to Amend the Constitution and in the attached new Constitution, and that the Marist P&F replace the existing Constitution with the new Constitution.

Moved: Janine

Seconded: Teena

Approved: unanimous

Suzanne thanked Janine for her thorough and ongoing work on the Constitution changes. All agreed and are grateful for Janine's hard work.

Payment is required to lodge the new Constitution electronically and as the P&F does not have a credit card, Janine will kindly make the payment herself.

MOTION: That the Marist P&F reimburse Janine Lanigan the total cost of fee required to lodge the new Constitution with the DMIRS as per receipt.

Moved: Teena

Seconded: Celeste

Approved: unanimous

Action: Anthea to ensure new Constitution is published on the P&F page of the BCC website and Deb will write a small article to be published in the next school newsletter.

3.2 Netball touring team support:

❖ the P&F has always supported school representative teams when they tour by providing \$100 per Marist student. The Marist Netball team is on tour this week and all agreed that we would continue this tradition indefinitely. Furthermore, all agreed that the P&F should support any touring team or individual that represents BCC in any capacity including arts/music/sports.

MOTION: That the Marist P&F approve payment of up to \$100 per Marist student that is a member of a BCC touring team and that this payment is approved in perpetuity for students that represent BCC and are required to travel for their competition.

Moved: Teena

Seconded: Kate

Approved: unanimous

3.3 BCC rowing team:

❖ BCC rowing teams were successful at recent Rowing WA All Schools Regatta 1 in Perth with both the girls and boys teams highly placed in several races. Currently the rowers are wearing BCC basketball uniforms and all agreed that perhaps the P&F could assist with the purchase of a set of Zooties for competitions.

Action: Celeste to investigate cost of Zooties, numbers required and inform next P&F meeting

3.4 Update on skort/shorts for girls:

❖ Deb advised that skorts are only provided by uniform suppliers as a Primary School option, and that a tailored womens short sample is being sent to BCC next week. Further discussions about grey vs green shorts will be required.

3.5 Update on canteen furniture:

- ❖ Diner-style booths, standing tables & chairs, and a sinuous set of modular tables & chairs are being considered by the school to furnish the vacant area in the new canteen. The aim is to make the room multi-function and enable it to be used at any time of day.

3.6 How parents can tour the school:

- ❖ Deb advised that the upcoming Open Day on 11 September would be an ideal opportunity for any interested parent to visit the Marist campus. There will be a Grandparents morning for Year 9 students, a book fair, school tours and our annual "Students in the Spotlight". All agreed volunteering in the canteen or at other school events is an excellent way to keep in touch with what's going on at BCC.

CLOSING PRAYER: Suzanne Cross

NEXT MEETING: 5 August 2019

MEETING CLOSED: 8.10 PM