

# WELKOM SECONDARY SCHOOL



## *SCHOOL GOVERNING BODY*

## *CONSTITUTION*

*Policy approved 10 June 2018*

CHAPTER 12  
SCHOOL GOVERNING BODY  
CONSTITUTION

*In terms of the South African Schools Act No 84 of 1996, WELKOM SECONDARY SCHOOL was declared a public school. Under the legislation, certain powers, functions, and duties are, invested in the School Governing Body to determine the ethos, character and philosophy of the school. The effective management and organization of the school through its School Governing Body, and other matters relating to its operation, are embedded in this Constitution.*

1. NAME

The name of the School Governing Body is the WELKOM SECONDARY SCHOOL Governing Body, hereinafter referred to as the "SGB".

2. DEFINITIONS

Unless the context indicates otherwise, the terms in this Constitution mean the following:

- 2.1 "SGB" means the body responsible for the governance of the school;
- 2.2 "Governor" means any person who is elected in terms of section 23 of the South African Schools Act 84 of 1996 (hereinafter Schools Act), to serve on the Governing Body.
- 2.3 "Head of Department" means the Head of an Education Department in a Province;
- 2.4 "Learner" means any person receiving education or obliged to receive education in terms of the School Act;
- 2.5 "Educator" means an Educator as defined in the Educator's Employment Act, 1994;
- 2.6 "Parent" means –
  - 2.6.1 the parent or guardian of the learner
  - 2.6.2 the person legally entitled to custody of a learner, or
  - 2.6.3 the person who undertakes to fulfill the obligations of a person referred to in 2.6.1 and 2.6.2 towards the learner's education at School;
- 2.7 "Principal" means an educator who is appointed as the Head of the school;
- 2.8 "Member of the Executive Council" means the member of the Executive Council of a province who is responsible for education in the province.

3. LEGAL STATUS

The School is a legal entity, with legal capacity to perform its functions in terms of the South African Schools Act.

4. COMPOSITION

The composition of the SGB is determined by legislation, according to the total number of learners enrolled at the school.

## 5. TERM OF OFFICE

- 5.1 The term of office of each elected member shall be a maximum of three (3) years. A member who was elected on a sub-committee will remain on the sub-committee for the 3 years, unless his/her child has completed his/her schooling.
- 5.2 The term of office of each office bearer shall be a maximum of one (1) year.
- 5.3 The term of office for a RCL member shall be a maximum of one (1) year.

## 6. OBJECTIVES

The main objectives of the School are to educate and prepare our children to –

- 6.1 be ready for and accept the challenges and demands of a changing society, and
- 6.2 play a meaningful role therein.

## 7. GOVERNANCE AND MANAGEMENT

### 7.1 Governance:

Subject to the School Act, the governance of the school is vested in the SGB, which therefore stands in a position of trust toward the school.

### 7.2 Powers of the SGB. In terms of the Schools Act the SGB shall:

- 7.2.1 determine the Admission Policy of the School;
- 7.2.2 determine the Language Policy of the School;
- 7.2.3 determine the Policy for Religious Observances;
- 7.2.4 join voluntary Associations representing Governing Bodies of Public Schools.

### 7.3 Functions of the SGB. In terms of the Schools Act the SGB shall:

- 7.3.1 promote the best interest of the School and strive to ensure its development through the provision of quality education for learners;
- 7.3.2 adopt a Code of Conduct for the learners;
- 7.3.3 develop a Mission Statement;
- 7.3.4 adopt a Code of Conduct for Educators;
- 7.3.5 support the Principal, Educators and non-academic staff of the School in the performance of their professional functions;
- 7.3.6 determine duration of the School day, consistent with any applicable conditions of employment of Staff;
- 7.3.7 administer the School's property, buildings and grounds;
- 7.3.8 encourage Parents, Learners, Educators and Non-academic Staff to render voluntary services to the School;
- 7.3.9 recommend the appointment of Educators to the Provincial Department, subject to the Educator's Employment Act, 1994, and the Labour Relations Act No 66 of 1995;
- 7.3.10 recommend the appointment of Non-academic Staff to the Provincial Department, subject to the Public Service Act, 1994 and the Labour Relations Act, No 66 of 1995;

- 7.3.11 allow the reasonable use under fair conditions, of the facilities of the School for educational programmes not conducted by the School;
- 7.3.12 meet at least every three months;
- 7.3.13 keep minutes of meetings;
- 7.3.14 on request, make the minutes available to the HOD for inspection;
- 7.3.15 prepare an annual budget;
- 7.3.16 establish and administer a school fund into which all money received by the School must be paid;
- 7.3.17 raise revenue, including voluntary contributions to the School, in cash or in kind;
- 7.3.18 open and maintain a Bank Account;
- 7.3.19 prepare Annual Financial Statements;
- 7.3.20 on request by an interested party make annual Financial Statements available for inspection;
- 7.3.21 report annually by Parents, Learners, Educators and non-academic Staff;
- 7.3.22 convene an annual meeting with Parents, Educators and non-academic staff respectively.

#### 7.4 Management

The Principal within the authority of the HOD undertakes the management of the School.

#### 7.5 Committees

##### 7.5.1 Executive Standing Committee:

This Committee will consist of the Chairperson, Deputy Chairperson, Treasurer, Secretary and Principal. The committee may co-opt one other educator member of the SGB.

##### 7.5.2 Finance Standing Committee:

This Committee will consist of the Chairperson, Deputy Chairperson, Treasurer, Principal, one educator member of the SGB and financial officer of the school. The committee may co-opt another parent member of the SGB. The Deputy Chairperson will act as Chairman of the committee.

##### 7.5.3 Grounds and Buildings Standing Committee:

This Committee will consist of a minimum of three Parent Members, Principal and two educator members. The committee may co-opt one other member of the non-educator staff on the committee.

##### 7.5.4 Disciplinary Standing Committee

This Committee will consist of the Chairperson, three parent members, two educator members and an independent scribe.

##### 7.5.5 Shortlisting and Interview Committee

The interview and shortlisting committee must as far as possible consist of the same members. One of the following office bearers must be on the committee: Chairperson, Deputy Chairperson and Treasurer and shall be the chairperson of the committee. A minimum of another three parents and the principal will constitute the minimum number of this committee.

##### 7.5.6 Representation on other school committees

As required by the HOD or MEC of the province, when representation by parents or the SGB is required on school committees the full SGB will elect members to serve on these committees as and when required.

## 7.6 General

Members of the Committee are empowered to co-opt any person with required expertise or interest to serve on these Committees. The above members are the minimum members allowed.

## 8. ELECTION OF MEMBERS OF THE SGB

The election of members shall be determined by way of secret ballot to be conducted at an appropriate time as set out in Provincial legislation. Matters relating to

### 8.1 The eligibility of members and voters

### 8.2 Nominations and candidates

### 8.3 Electoral officers

### 8.4 Voting and counting

### 8.5 Appeals and grievances

## 9. ELECTION OF OFFICE BEARERS

9.1 At the first meeting of the SGB after the election, at the beginning of a new three year term, the following office bearers will be elected from their ranks:

- A Chairperson
- A Vice Chairperson
- A Treasurer
- A Secretary

9.2 The office bearers will be elected annually at the first or last meeting held of each year in accordance with section (5.2) of this constitution. All other SGB members who are not office bearers and serve in sub-committees will remain in their positions and will end their term of office only after 3 years.

9.3 The Principal of the School shall preside as chairperson at any meeting convened to elect the Chairperson.

9.4 Only elected parent members of the SGB may be elected Chairperson or Deputy Chairperson.

9.5 The names, addresses and contact details must be handed in to the District Manager not later than seven (7) days after the election of office bearers.

9.6 The Chairperson, Principal and Treasurer will be the signatories of the school.

## 10. MEETINGS OF THE GOVERNING BODY

### 10.1 Notification

The Secretary shall, in consultation with the Chairperson, determine the venue, date and time of any meeting and shall notify each member in writing, at least 2 days prior to the meeting, stating the nature of the business to be transacted. The SGB shall meet at least once during a School Term or every three months.

### 10.2 Proceedings

Subject to the provisions of the SA Schools Act and the provincial legislation, the Governing Body shall determine its own rules relating to the format and procedures at meetings.

### 10.3 Quorum

SGB:

The majority of the members of the Governing Body form a quorum. SA Schools Act, P 38, sub-sect 10, states "the number of parents must comprise one more than the combined total of other members of the Governing Body" This will be adhered to. Should parents not be in the majority and the meeting is postponed, the meeting will be rescheduled for within 7 days when the meeting will continue with or without a majority of parent members.

Sub-committees: A majority of SGB members will form a quorum, irrespective of stakeholder component.

### 10.4 Proxy Votes

Any Governing Body member who cannot attend a meeting shall be entitled to issue a written and signed proxy to any other member of the body if a particular motion is to be subject to a vote. Such other member shall be given authority to vote for the non-attending member.

### 10.5 Recusal

Where a matter affecting the personal interests of a member is discussed, the member shall withdraw and leave the meeting for the duration of the discussion.

### 10.6 All decisions of the Governing Body shall be taken by a majority vote, i.e. showing of hands unless a secret ballot is requested.

### 10.7 Minutes

The Independent Scribe shall record the minutes of every meeting in the language determined by the SGB.

## 11. DUTIES OF THE CHAIRPERSON

The Chairperson shall preside over meetings of the SGB, including other duties.

## 12. DUTIES OF THE VICE CHAIRPERSON

The Vice Chairperson will be required to deputize during the absence of the Chairperson, and to assume all the appropriate duties.

## 13. DUTIES OF THE SECRETARY

Deal with correspondence, convene meetings, take minutes, ensure safe-keeping of all official documentation, and provide assistance where necessary.

## 14. DUTIES OF THE TREASURER

Responsible for all procedures and transactions regarding the School's Income, Expenditure and Assets, as well as other duties, that will include the drawing up of the relevant budgets for each financial year.

15. VACANCIES ON THE SGB

If a vacancy arises as a result of the departure of a Parent, Educator or Non-academic Staff Representative, the Principal shall assist the appointed electoral officer in managing a by-election as prescribed in the provincial regulations.

16. GENERAL

16.1 Budget Meeting

The Chairperson of the SGB is required to call a Budget Meeting of all parents at least once a year. Parents must be given one (1) month notice of this meeting.

16.2 School Budget

The SGB of the School shall prepare an annual Budget in terms of the estimated Income and Expenditure of the School for the next financial year.

16.3 Financial Records

The SGB shall keep records of funds received and spent, and of all assets, liabilities and financial transactions.

16.4 Audit

Every five (5) years the SGB shall appoint a registered Auditor to audit the records and Financial Statements of the School, and submit a copy of the Auditors Report to the HOD within six (6) months of the end of the Financial Year.

16.6 Financial Year

The Financial Year of the School commences on 1 January and ends on 31 December of each year.

17. AMENDMENTS TO THE SGB CONSTITUTION

A decision to amend any aspect of the Constitution requires a two-third majority of the total membership of the SGB. All members have to be informed of the proposed amendment at least one (1) week in advance of the meeting, in writing.

The School Governing Body may from time to time amend, modify, supplement and/or alter the contents of this document.

Signed at WELKOM on this ..... day of ..... 2018.

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F AUGUS  
CHAIRPERSON: SGB

.....  
G.J DE JAGER  
PRINCIPAL

.....  
J.E WILLEMSE  
SECRETARY