The Montessori School Kingsley Inc.

BOARD POLICY

1. VERSION MANAGEMENT

Version	Period Created/ Reviewed	Changes Made	Author of Changes	Ratified by the Board
1	May 2019	Remove forms from Policy to make them stand-alone documents. Role & Responsibilities of the Council Section updated in line with AISWA guidelines.	Secretary	June 2019
2	October 2023	Review	Board	2/11/2023
3	February 2024	Changed Review Cycle from Biennial to Triennial	Co-Principals	20/02/2023
4	2026 Review	Up for review. Format changes to match the rest of our policies.	Board	21/09/2026

2. BOARD POLICY

This Policy aims to establish a clear framework for the governance of The Montessori School Kingsley. It outlines the roles, responsibilities, and ethical standards for both the Board and its individual directors, ensuring the School's objectives are met and the best interests of the School community are upheld.

3. PURPOSE AND LEGISLATIVE COMMITMENT

The School recognises that effective governance is essential to its success and sustainability. The purpose of this Policy is to define the role, responsibilities and conduct of the Board and its directors and to promote transparent, accountable and effective governance. This Policy aligns with the Associations Incorporation Act 2015 (WA), School Education Act 1999 (WA), Work Health and Safety Act 2020 (WA), and Privacy Act 1988 (Cth), ensuring the Board fulfils its legal, fiduciary and ethical obligations.

4. SCOPE AND APPLICABILITY

This Policy applies to the Board of The Montessori School Kingsley, including all directors.

The composition, functions and duties of the Board is described in the School's Constitution and Rules. The Board has legal responsibilities to all individuals within the School body, including Principal, staff, students, parents, prospective students and to statutory authorities that deal with the Montessori School.

5. GUIDING PRINCIPLES

The Board is guided by the principles of integrity, accountability, transparency, stewardship and respect. In carrying out its responsibilities, the Board acts in the best interests of the School, provides strategic leadership, promotes effective governance, ensures compliance with legal and regulatory requirements, and supports the safety, wellbeing and educational outcomes of all students.

6. DEFINITIONS

TERM	DEFINITION
Association of Independent Schools of Western Australia (AISWA)	A non-profit organisation to support, represent and promote the interests of Independent Schools. AISWA is incorporated under the Industrial Relations Act.
Board	The governing board of The Montessori School Kingsley, comprises its Chairperson, the Principal, Directors, and Heritage Directors.
School	The Montessori School Kingsley

7. POLICY STATEMENTS

7.1. Function of the Board

1. The Board may perform such functions as necessary to establish and conduct, or arrange for the conduct of, facilities and services to enhance the education, development, care, safety, health and welfare of staff and students.
2. The Board may raise money for School-related purposes.
3. The Board may do all those acts and things incidental to the exercise of these functions.
4. The Board's functions must be exercised in accordance with legislation, administrative instructions and the School's Constitution.

7.2. Duties of the Board

7.2.1. The non-delegable duties of the Board are:

a) the development and implementation of a strategic plan for the School;
b) the development and implementation of effective processes for planning, monitoring and achieving improvements in student learning;
c) compliance with all written and other laws that apply to and in respect of the School and the operation of the School; and
d) effective management of the School's financial resources in accordance, where relevant, with any purposes for which they were provided.

7.2.2. The Board is also accountable for:

a) the regular and ongoing risk assessment of the levels of care provided in the School in terms of student safety, welfare and wellbeing;
b) ensuring the quality of the educational programs of the School;
c) determining the application of the total financial resources available to the School including the regular review of the budget;
d) risk management of the School (e.g. financial, operational, reputational, legal, student safety, welfare and wellbeing);
e) determining and implementing all expenditure on capital projects;
f) ensuring the proper care and maintenance of any property owned by the Association;
g) ensuring that the policies of the School including policies for the safety, welfare and discipline of students are developed, endorsed and enforced;
h) cooperating with the Principal to set, maintain and promote the broad direction and Vision and Values of the School;
i) fostering positive relationships and encouraging involvement with key stakeholders including parents and students;
j) raising, assisting with raising, or contributing to funds for the use and benefit of any School conducted by the Association, including endowment, building, embellishment or improvement, education, recreation or any other purpose considered advantageous to the Association;
k) to borrowing money on behalf of the Association and to securing the repayment of any such borrowing by mortgage, charge or pledge or other security over any property of the Association, or in any other manner the Board considers appropriate;
l) investing any funds of the Association that not immediately required, in any security authorised by the law for the time being for the investment of trust moneys, and generally managing, investing and expend all moneys and property belonging to the Association;
m) undertaking or administrating any trusts that the Board considers necessary, appropriate or beneficial to the promotion of the objects of the Association;

n) making donations and subscriptions for any purpose that the Board considers necessary, appropriate or beneficial to the promotion of any of the objects of the Association;
o) purchasing, leasing, hiring, acquiring, holding and using real or personal property of any kind, and leasing, selling, transferring, mortgaging, charging, assigning or otherwise disposing of that property, or any part of it, and making, granting and executing any leases, conveyances, transfers, mortgages, assignments or other documents necessary or appropriate in relation to that property, with the same powers as a natural person.

7.2.3. Principal Management

The Board is responsible for the employment, performance management and dismissal of the Principal.

7.2.4. The Board is required to:

a) engage in professional learning;
b) conduct an annual review of its own performance.

7.2.5. Annual Audit Requirements

The Board will ensure that the accounts of the School are audited by a registered accountant qualified to audit such accounts and the auditor's report is made available to the Association at the Annual General Meeting.

7.3. Role and Responsibilities of Board Directors

- Board directors are expected to be well-informed about the School's history, strategic objectives, current operations, policies, and constitution.
- Directors, as members of the Board, are responsible for the standard of education at the School and for setting the strategic direction of the School.
- Directors hold fiduciary responsibility for the sound financial management of the School.
- Board decisions must align with the ethos of the School at all times.
- Directors must attend meetings regularly, come prepared by reviewing relevant materials, and actively participate in all Board discussions.
- Directors should be willing to contribute to subcommittee work in a cooperative and collegial manner.
- Directors should refrain from getting involved in the School's operations unless directly requested by the Principal.
- Board directors must maintain strict confidentiality regarding Board affairs and avoid discussing matters before they are publicly disclosed by the Board.
- Parent directors participate in the Board to represent a parental view but should not act as representatives of any parent body or communicate Board matters to parents generally.
- Directors must support and accept Board resolutions and refrain from discussing differing views expressed during Board meetings outside the Board context.
- Directors must demonstrate support for the Board and the Principal within the School community.
- Board directors should direct any matters of internal school administration to the Principal and avoid dealing with such situations independently.
- Directors should actively participate in Board self-evaluation and planning processes.

7.4. Induction of Board Directors

Upon election, new Board directors receive a comprehensive induction, including:

- A welcome letter introducing other Board Directors and general day-to-day operations of the Board, including communication channels.
- A meeting with the Principal, which will include a tour of the School.
- A meeting with the Chairperson for a briefing on the role of the Board and current matters the Board is working on.
- Key AISWA resources on Governing Body Role and Accountability, Governing Body relationship with the Principal, and General Principles of Good Practice for Governing Bodies of Schools.
- Board Code of Conduct, Board Confidentiality Agreement and Conflict of Interest Declaration
- Vision, Mission, Values and Priorities of The Montessori School Kingsley.
- The Montessori School Kingsley Constitution.
- Access to the appropriate Board's document repository.
- Access to the Association of Independent Schools of Western Australia's (AISWA) website resources, annual Briefing the Board conference and other workshops.

7.5. Conflict of Interest for Board Directors

- Directors must avoid conflicts of interest, declaring any potential conflicts to the Chairperson or the Board and abstaining from discussions on the matter.
- Board directors must always prioritise the best interests of the School in their decisions.
- Board directors must submit an annual Conflict of Interest statement.
- If a conflict of interest arises during a meeting, the member involved should be excluded from relevant discussions.
- The Chairperson, in consultation with Board directors, will assess and manage conflicts of interest to safeguard the School's interests.

7.6. Sub-Committees of the Board

The School's Board may establish sub-committees to assist in specific areas of governance, providing advice and recommendations while operating under the authority of the Board. The sub-committees play a vital role in supporting the administration and operations of The School. It is essential to clarify the roles and responsibilities of each sub-committee to ensure effective functioning. The School's current sub-committees are as follows:

7.6.1. Bushland Sub-Committee

The Bushland Sub-Committee is dedicated to the care and management of the School's bushland. This committee focuses on initiatives related to conservation, preservation, and educational programs centred around the natural environment. The Bushland Sub-Committee reports regularly to the School Board, providing insights and recommendations concerning bushland maintenance, sustainability, and educational opportunities.

7.6.2. Capital Planning Sub-Committee

The Capital Planning Sub-Committee engages in long-term planning and strategic decision-making concerning the School's infrastructure and facilities. They assess the current needs of the School, propose improvements or expansions, and develop comprehensive plans for capital projects. The Capital Planning Sub-Committee presents its findings and recommendations to the School Board for consideration and final decision-making.

7.6.3. Community Engagement Sub-Committee

The Community Engagement Sub-Committee (CESC) reflects the School's commitment to building a connected, inclusive and engaged community. It leads initiatives that strengthen relationships among families, students, staff and the broader community, promoting collaboration, participation and a shared sense of belonging. Through events, workshops and programs, the CESC encourages active involvement, upholds the School's values and helps ensure the voice of the community is heard and considered in school planning and decision-making.

7.6.4. Finance Sub-Committee

The Finance Sub-Committee is responsible for financial matters and providing oversight of the School's budget and financial operations. They monitor financial performance, review financial statements, and make recommendations on financial strategies and resource allocation. The Finance Sub-Committee works closely with the School Board to ensure sound financial management and sustainable financial practices.

7.6.5. Risk and Compliance Sub-Committee

The Risk and Compliance Sub-Committee has been established to assist the Board in discharging its responsibilities relating to the oversight and review of risks impacting the School, including the design and implementation of the School's Risk Management Framework. The Risk & Compliance Sub-Committee is responsible for overseeing risk and risk-related activities of the School, other than those that are the responsibility of the Board or delegated to other Board Committees. The Risk & Compliance Sub-Committee supports the Board to address compliance-related issues and ensure a culture of ethical conduct within the School community.

Each sub-committee consists of Directors appointed by the School Board, considering relevant expertise and interest. The sub-committees report regularly to the Board, providing updates on their activities, recommendations, and any matters requiring Board attention. The final decision-making authority for all matters falls under the purview of the School Board, and the sub-committees operate in a collaborative and supportive role to enhance the School's overall effectiveness and achievement of its mission.

The School Board may establish additional sub-committees as needed to address emerging areas of focus or to ensure the efficient functioning of the School's governance structure. The creation, composition, and dissolution of sub-committees will be determined by the School Board through a formal resolution. Each sub-committee shall adhere to the Board's policies, objectives, and values, promoting transparent and accountable practices within the School community.

7.7. Decision-Making Process

The decision-making process pertaining to the Board aims to foster collaborative, informed, and transparent decision-making that aligns with the School's vision, mission, values, and priorities.

Key elements of the decision-making process are:

- Informed Deliberation: Decisions are based on thorough research and understanding of relevant information.
- Collaboration and Dialogue: Open and respectful discussions involve all stakeholders' perspectives.
- Consensus Building: Whenever possible, decisions are reached through shared agreement.
- Decision-Making Authority: The School Board holds the final decision-making authority.
- Within Policy Framework: Decisions align with the School's policies and governance framework.
- Recording Decisions: Accurate minutes document discussions and actions.
- Communication of Decisions: Decisions are promptly communicated to relevant stakeholders.
- Review and Evaluation: Regular evaluations ensure decisions achieve desired outcomes.

At a board meeting, each director has one vote, and a resolution is approved if a majority of directors present vote in favour. In case of a tie, the chairperson has a casting vote, and the voting method can be determined by the board, including a secret ballot, if necessary, with the chairperson deciding its conduct.

The Board can delegate its powers and duties, excluding the power to delegate and non-delegable duties, to a subcommittee or a subsidiary office holder, with the delegation subject to specified conditions. Actions taken by the delegate have the same legal validity as if performed by the Board, and the delegation can be amended or revoked in writing by the Board.

7.8. Whistleblowing

The School values transparency and accountability within the Board and encourages Board directors to come forward with concerns about unethical or illegal practices through whistleblowing.

7.8.1. Reporting Mechanism

Board directors can report concerns in writing or verbally to the Chairperson of the Board or a designated Compliance Sub-Committee member.

7.8.2. Confidentiality and Protection

Whistleblower identity is kept confidential, and measures are in place to prevent any retaliation against the Board director.

7.8.3. Types of Concerns

Includes financial misconduct, fraud, embezzlement, policy breaches, conflicts of interest, misuse of school resources, health and safety violations, discrimination, harassment, illegal or unethical conduct, and any other matters related to the School's governance.

7.8.4. Handling of Reports

Prompt acknowledgement and impartial investigation, involving relevant parties as required.

7.8.5. Reporting Outcome

The whistleblower Board director is informed of the outcome, ensuring privacy rights are respected. Appropriate actions are taken if concerns are substantiated.

7.8.6. False or Malicious Reporting

False or malicious reports made with the intent to harm or deceive will not be tolerated and may lead to disciplinary measures.

7.8.7. Retention of Records

Records related to whistleblowing reports, investigations, and outcomes are securely retained as per the School's record-keeping policies and regulations.

7.9. Board Self-Evaluation

The Board performs an annual self-evaluation to ensure accountability, measure Board effectiveness, and assess individual understanding of the Board's role. The Chairperson consolidates feedback from each Board director into a single report.

8. ACCOUNTABILITIES AND RESPONSIBILITIES

In relation to this Policy, the following positions are responsible for:

ROLE	RESPONSIBILITY
Board Directors	Board directors actively participate in the development and review of this Board Policy, as well as monitor the implementation and effectiveness of this Policy, ensuring its alignment with the School's mission and values. Board directors must also hold each other and School stakeholders accountable for adhering to this Policy.
Policy Owner	The Policy Owner, the Principal, has overall responsibility for the content of this Policy and its operation in the School.
Principal	The Principal is responsible for ensuring that the requirements of this Policy are implemented, monitored, and reviewed.
Workers	Ensuring they understand the information presented in this Policy.

9. RELATED AND SUPPORTING DOCUMENTS

Legislation	• Associations Incorporation Act 2015 (WA) • Child Safe Standards Framework (WA requirements) • Children and Community Services Act 2004 (WA) • Privacy Act 1988 (Cth) • School Education Act 1999 (WA) • School Education Regulations 2000 (WA) • Work Health and Safety Act 2020 (WA)
Mandatory Standards and Frameworks	• Registration Standards for Non-Government Schools (WA) • National Principles for Child Safe Organisations WA
Policy	• Privacy Policy • Information Security Policy
Procedures	N/A
Local Protocol	• The Montessori School Kingsley Constitution • Community Code of Conduct • Montessori School Board Statement of Private or Other Professional Interests • Community Code of Conduct
Forms	• Annual Confidentiality and Fidelity Statement