



Parents and Citizens' Associations procedure

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Audience

All state schools, outdoor and environmental education centres, parents, and parents and citizens' associations.

Purpose

This procedure outlines responsibilities and processes for forming, operating and dissolving a Parents and Citizens' Association.

Overview

A Parents and Citizens' Association (Association) may be formed for a state school to promote the interests of the school, facilitate its development and further improvement, and to achieve the best possible outcomes for students of the school.

The [Education \(General Provisions\) Act 2006 \(Qld\)](#) (the Act) and the [Education \(General Provisions\) Regulation 2017 \(Qld\)](#) (the Regulation) include provisions regarding the:

- formation of an Association
- application for membership, election of Executive Committee officers and removal of members and officers
- objectives, functions, powers and liability of an Association
- dissolution of an Association.

The Act declares an Association to be a statutory body under the [Statutory Bodies Financial Arrangements Act 1982 \(Qld\)](#) and therefore [income tax exempt](#). An Association may enter into and perform certain financial arrangements in accordance with the [Statutory Bodies Financial Arrangements Act 1982 \(Qld\)](#).

An Association is specifically excluded from incorporation under the [Associations Incorporation Act 1981 \(Qld\)](#).

Responsibilities

Principals

- instigate the formation of an Association

- provide approvals (at the principal's discretion) as required under the Act and the Regulation (for example, Chapter 7 of [the Act](#) and Part 3 and 6 of [the Regulation](#))
- provide support and guidance to an Association
- consider a business case from the Association to operate the school tuckshop or other amenity to benefit the school community, where applicable
- authorise the hire of the premises and facilities at the state school for use by the Association or any of its sub-committees
- monitor the Association's compliance with its objectives, functions, and legislative and financial responsibilities.

Parents and Citizens' Associations

- promote the interests of, and facilitate the development and further improvement of, the state school
- foster community interest in educational matters
- encourage closer cooperation between parents of students attending the state school, other members of the community, staff and students of the state school
- contribute to a positive school culture by working with the school community to manage conflicts
- act and make decisions in a way that is [compatible with human rights](#)
- if asked by the principal, provide fair and balanced advice and recommendations about issues relating to the students of the state school, and the general operations and management of the state school
- assist in providing financial or other resources or services to benefit students
- ensure the use of state school facilities is consistent with the [Community use of state school facilities procedure](#) and Part 3, [Section 13 of the Regulation](#)
- perform any other functions, not inconsistent with the Act, as the Minister decides
- comply with all its legislative requirements and obligations
- comply with all financial requirements, obligations and procedures pursuant to any relevant legislation and the [P&C Accounting Manual](#)
- comply with the Department of Education (the department) policies and procedures that apply to Associations
- comply with the [model constitution](#)
- determine if a [community liquor permit](#) is required under the [Liquor Act 1992 \(Qld\)](#) for a social function on school premises run by the Association where alcohol will be served
- operate compliant school-based amenities to benefit the school community where applicable.

Parents and Citizens' Association Executive Committees

- perform the functions of the Executive Committee roles, as outlined in the model constitution, efficiently and with integrity, recognising that the P&C has a role in supporting the best interests of every child enrolled at the school

- contribute to a positive school culture and work with the school community to resolve issues or concerns while recognising and respecting personal differences
- do not exercise any authority over school staff, or over the control or management of the school
- securely maintain and store the Associations' records and documents
- if the Association is an Approved Provider for an Outside School Hours Care service, provide a minimum of four weeks' notice prior to resigning from the Executive Committee.

Regional Directors

- support principals, as required, with matters relating to an Association.

Process

Principals

1. When forming an Association:

- Call a meeting of eligible persons, to consider and decide on the formation of an Association for the state school –
 - when calling a meeting of eligible persons, principals should consider the [Parent and Community Engagement Framework](#) and ensure that all families have opportunities to be involved if they desire.
- Progress to the Regional Director or [delegate](#) a request to waive the “Restriction on who may be a member of the Executive Committee”, if relevant.
- Ensure all members of the Executive Committee and Association volunteers who are not parents of current students or registered teachers at the school, meet the appropriate Blue Card requirements as outlined in [Blue card system – Information sheet parents and citizens associations \(P&Cs\)](#)

Note: The principal is automatically a member of the Association but may not be an office holder of the Association.

2. Functions, operations and activities of the Association:

- Approve the adoption of the [model constitution](#) and any amendments to the model constitution, by an Association and formally advise the Association of the approval.
- Ensure that the Executive Committee members of the Association have access to the generic email accounts allocated to the Association, including the president and the secretary.
- Provide school activity, major project and financial reports at meetings to keep the Association informed of the state school's progress.
- Monitor the Association's compliance with its objectives and functions and its legislative and financial responsibilities and obligations, and refer ongoing concerns to the Regional Director.
- Consider and approve the Association's business case to operate a school-based amenity.
- Approve and sign agreements with respect to the hire of the state school premises and facilities by the Association or any other persons, and obtain the correct approvals for arrangements entered into for [Community use of state school facilities](#).

- Obtain the approval of the Association for alcohol being taken onto the state school premises for consumption under a [hire agreement](#) of state school premises.
- Allocate a space for secure storage of Association documents on school premises which may be hard copies of documents or electronic files.
- Sight and retain copies for the school of key documents such as the P&Cs constitution, insurance policies taken out by the Association, individual workers compensation and personal indemnity insurance of contractors, approvals and consents as required under legislation and regulation, and audited financial records.

3. By 31 May each year, receive from the Association:

- The annual audited financial statements for the previous financial year, and the name and contact details for the incoming Executive Committee for that year.
- Forward the above information to the Regional Director.
Note: Confirm the annual financial statements were audited by a person who meets the criteria listed in the 'Appointing an Auditor' section of the [P&C Accounting Manual](#).

Parents and Citizens' Associations and Executive Committees

1. After the formation of the Association:

- Adopt the [model constitution](#) by a resolution passed by a majority of members present at an annual general meeting (AGM) or special meeting of the Association as soon as practicable.
- Obtain the principal's approval to adopt the model constitution, or amendment of the model constitution, in order for the Association's constitution to have effect.
- Establish and maintain a register of members of the Association.
Note: All Association members must comply with the constitution.
Note: A member of an Association does not incur civil liability for an act done, or omission made, honestly and without negligence under the Act.
- Apply any money received by the Association (other than money received under an Agreement) at the direction of the Minister, firstly in paying expenses lawfully incurred by the Association and secondly, in achieving the objectives and performing the functions of the Association.
Note: Associations have a financial year starting on 1 January and ending on 31 December.
- Manage conflicts to achieve the best outcomes for students.

2. Meetings of an Association:

- Elect the Association Officers at each AGM and maintain an Executive Committee.
- Hold the AGM of the Association for a financial year by 31 March each year.
- Hold general meetings at least three times a semester at the times the Association decides.
Note: This does not apply to an Association during the year in which it is formed.
- Where invited by the Principal, make decisions on the operation of the school tuckshop or other amenity. Where the Association wishes to operate an amenity, the offer is minuted at a P&C meeting and a business case is to be endorsed by the Association and approved by the principal.

- Establish, and appoint members of, subcommittees if considered appropriate for purposes consistent with the objectives and functions of an Association, including subcommittees for special purposes, such as a swimming club or tuckshop.
- Comply with all legislative requirements and obligations and the department policies and procedures that apply to Associations.
- Comply with the [P&C Accounting Manual](#).

3. By 31 May each year:

- Provide the principal with the Association's annual audited accounts with appended certificates, auditor's report, any management letters, P&C response, and a completed accountability compliance transmission report for the previous financial year.
Note: The Association must ensure the accounts are audited for each financial year by a person who meets the criteria listed in the 'Appointing an Auditor' section of the [P&C Accounting Manual](#).
- Provide the principal with the name and contact details for the incoming Executive Committee that year.

4. Agreements:

- May enter into and perform certain financial arrangements in accordance with the [Statutory Bodies Financial Arrangements Act 1982 \(Qld\)](#).
- The Association's president may sign the Agreement for the Association, provided the Association has made a resolution to enter into the Agreement.
- Either the principal and the Association together, or the Association with the prior written approval of the principal authorising the Association to enter into an Agreement, may enter into an Agreement.
- Must deal with any money it receives under an Agreement as the principal directs or otherwise as the Association believes is appropriate and consistent with its objectives.
- Must obtain the prior consent of the department's Deputy Director-General Infrastructure Services, Assistant Director-General Infrastructure Delivery and Operations, or Executive Director, Regional Operations (or in the case of projects that are planned not to exceed a total of \$50,000, the regional Infrastructure Manager), before the following activity is carried out:
 - the construction of improvements to the premises of the state school
 - the addition of a fixture to the premises of the state school
 - the purchase of furniture for the state school.
- May employ persons it considers necessary to achieve the objectives of the Association.
- Must enter into a hire agreement with the school for the use of the school premises and facilities by the Association (or any of its sub-committees).
- Where the Association operates an OSHC service at the state school, comply with applicable legislation and the [Hosting outside school hours care services on state school sites procedure](#).
- Ensure the operation of a swimming club is consistent with the:
 - [Asset maintenance and school swimming pool operation procedure](#)
 - [Community use of state school facilities procedure](#)
 - [Curriculum activity risk assessment guidelines](#)

- [P&Cs Qld's P&C Guide](#).

5. Insurance:

- Purchase and maintain appropriate insurance to cover activities (recommended level \$25 million) including public liability, volunteer workers/personal accident and general property coverage. Additional insurances will be required if the Association delivers OSHC or a swimming club.

6. Legal advice:

- An Association must obtain legal or financial advice at its own cost. The department may only provide legal advice to its employees and therefore cannot provide such advice to an Association, Association Officers, Association members or Association employees.

Regional Directors

1. After a state school has formed an Association:

- Approve waiver of "Restriction on who may be a member of the Executive Committee", if relevant.

2. By 31 May of each year:

- Receive from principals of state schools within the region a complete copy of the annual audited financial statements of Associations.
- Receive from principals of state schools within the region the names and contact details for each Association's incoming Executive Committee.

New schools:

- Following an announcement of a proposed new state school or a school being created by the amalgamation of two or more state schools, either the regional director, appointed project manager or appointed principal calls a public meeting of interested prospective parents and other adult members of the school community to form an interim Association to assist the school to determine necessary matters such as the [Student dress code](#), the [Student Code of Conduct](#) and the [Enrolment agreement](#).
- The interim Association adopts the [model constitution](#) and remains in place until the first AGM of the new school.

Dissolution of an Association:

- An Association is dissolved if the school is closed, or the number of members is two or less, or if a 75% majority vote is passed at a special meeting of the Association.

Definitions

Term	Definition
Amenity	A school-based amenity, such as a tuckshop, swimming pool, bookshop, uniform shop and outside school hours care service, operating to benefit the school community.

Term	Definition
Eligible persons	Means a person who under section 118 of the Act is eligible to be a member of an Association formed for the state school.
Executive Committee	Provides leadership and represents the Association under the Act and the Regulation . At each AGM, the members of the Association elect the following officers from its members— <ul style="list-style-type: none"> • the president of the association; • the vice-president, or vice-presidents, of the association; • the secretary of the association; • the treasurer of the association.

Legislation

- [Associations Incorporation Act 1981 \(Qld\)](#)
- [Collections Act 1966 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#) Chapter 7
- [Education \(General Provisions\) Regulation 2017 \(Qld\)](#) Part 3, Part 6
- [Education and Care Services National Law \(Queensland\) Act 2011](#)
- [Education and Care Services National Regulations](#)
- [Financial Accountability Act 2009 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Income Tax Assessment Act 1997 \(Cwth\)](#)
- [Liquor Act 1992 \(Qld\)](#)
- [Statutory Bodies Financial Arrangements Act 1982 \(Qld\)](#)
- [Statutory Bodies Financial Arrangements Regulation 2019 \(Qld\)](#)

Delegations/Authorisations

- [Director-General's Delegations under the Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Director-General's Delegations under the Education \(General Provisions\) Regulations 2017 \(Qld\)](#)
- [Minister's Delegations under the Education \(General Provisions\) Act 2006 \(Qld\)](#)

Policies and procedures in this group

- Nil

Supporting information for this procedure

- [Information Sheet for P&Cs - Managing Conflict](#)
- [Information Sheet for P&Cs - Responsibilities as an Approved Provider of an Outside School Hours Care \(OSHC\) service](#)

Other resources

- [Asset maintenance and school swimming pool operation procedure](#)
- [Community use of state school facilities procedure](#)
- [Curriculum activity risk assessment guidelines](#)
- [Fundraising procedure](#)
- [Hosting outside school hours care services on state school sites procedure](#)
- [Loans sought by Parents and Citizens' Associations procedure](#)
- [P&C Accounting Manual](#)
- [Purchasing and procurement procedure](#)
- [Purchasing policies and procedures for P&C Associations](#)
- [School councils procedure](#)
- [Student dress code procedure](#)
- [Student Resource Scheme \(SRS\) procedure](#)

Forms

- [Hire agreement](#)
- [Model constitution](#)

Online materials

- [Australian Taxation Office](#)
- [Blue card services – Information for P&Cs](#)
- [Early Childhood Education and Care](#)
- [Information sheet for P&Cs - The Human Rights Act: Supporting best practice](#)
- [Office of Liquor and Gaming Regulation – Information for community groups](#)
- [P&Cs Qld](#)
- [P&Cs Qld's P&C Guide](#)
- [Parent and Community Engagement Framework](#)
- [Parents and Citizens' Associations](#)

Contact

For further information, please contact your [closest regional office](#).

Review date

4/01/2020

Superseded versions

Previous seven years shown. Minor version updates not included.

3.0 Parents and Citizens' Association – State Schools

4.0 Parents and Citizens' Association – State Schools

5.0 Parents and Citizens' Association – State Schools

6.0 Parents and Citizens' Associations

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