

School Councils

Disclosure of Interest and Indictable Offence

Disclosure of Interest (s.103 of the Act)

This applies to a member of the council (the interested member) if:

- the interested member has a direct or indirect financial interest in an issue being considered, or about to be considered, by the council; and
- the interest could conflict with the proper performance of the interested member's duties when considering the issue.

As soon as practicable after the relevant facts come to the interested member's knowledge, the interested member must disclose the nature of the interest to a meeting of the council.

Unless the council otherwise directs, the interested member must not be present when the council considers the issue or take part in a decision of the council about the issue. The interested member must not be present when the council is considering whether the interested member can be party to considerations.

If a member is not present at a council meeting due to their disclosure of interest, the council is still considered to have a quorum (as if the member were present) and the remaining members present would consider and decide on the issue.

A disclosure of interest must be recorded in the council's meeting minutes.

Disclosure of Indictable Offence

If a person is convicted of an indictable offence while a member of a school council, the person must give written notice to the principal of the conviction within seven days after the conviction.

Under s93 of the Act, a person who is seeking election or appointment to the council or who is a member of the school council who has been convicted of an indictable offence or, can seek the Minister's approval to restore their membership or eligibility for election with regard to the circumstances of the indictable offence of which a person has been convicted.