



Board Policy 2026

Version No	Date Review Due	Approved and Date Published	Changes Made	Author
8.	2029	May 2026	Full review	JM/YSS Board

Introduction

At Yallingup Steiner School it is considered essential to have an effective governing body that can maximise opportunities, minimise threats and maintain high levels of compliance throughout the whole School.

The School Education Act 1999, section 160, clearly states what the Board will be accountable for. It reads:

... the governing body of the school will be accountable for the following—

- *development and implementation of an effective strategic direction for the school;*
- *development and implementation of effective processes to plan for, monitor and achieve improvements in student learning;*
- *effective management of the school's financial resources in accordance, where relevant, with any purposes for which they were provided;*
- *compliance with all written and other laws that apply to and in respect of the school and the operation of the school;*
- and*
- *the school will provide a satisfactory standard of education of the kind for which registration is sought; and*
- *the school will provide satisfactory levels of care for the children concerned.*

Accountability does not require that the Board itself perform all of the roles associated with achieving the required outcomes. It must, however, take ultimate responsibility and establish to the Director General's satisfaction that it has the necessary authority, information, understanding and capacity to do so.

Board Accountability

The Board is to hold accountable those responsible, including the Board, for implementing and following the School's policies and procedures.

Documentation required by the NGR to show that the Board is accountable will include:

- The School's Strategic Plan, endorsed by the Board.
- The School's Annual Improvement Plan, endorsed by the Board.
- The annual schedule of Financial reports provided to the Board.
- A declaration of legal compliance.
- Evidence of training opportunities offered to and undertaken by Board members which target gaps in members' knowledge and expertise as well as providing regular updates covering accountable and ethical decision making, complaint handling, duty of care and protective behaviours.
- Board meeting agendas and minutes together with reports received and considered.

The Executive Report will be a regular source of information that allows the Board to be accountable.

The Chairperson's Role

As per the School Constitution;

- a. "It is the duty of the Chairperson to consult with the Secretary and the School Executive regarding the business to be conducted at each Board meeting and general meeting.
- b. The Chairperson has the powers and duties relating to convening and presiding at Board meetings and presiding at general meetings provided for in these rules.
- c. In the absence of the Chairperson the Board collective will conduct the business of the Association as described in subrule a)."

The Chair must always encourage an atmosphere of inquiry, whereby everyone is able to participate in the discussion.

It is vital that no decisions are made, reports accepted or requests endorsed, until all Board members acknowledge they understand the information relevant to that decision being made, report being accepted or request being endorsed.

The Chairperson will:

- a) Maintain YSS Board confidentiality at all times;
- b) Declare any potential interest whether vested or conflicted;
- c) Chair all Board and Association meetings;
- d) Maintain a strong professional relationship with the Education Facilitator and Business Manager;
- e) Provide leadership to the Board to assist in:
 - i. Separating governance from management
 - ii. Maintaining appropriate financial oversight
 - iii. Ensuring compliance with all relevant laws, acts and regulations and developing and facilitating an appropriate strategic plan;
- f) Perform any other responsibilities assigned by the Board.

Role of Board Members

Duties

A YSS Board member is assumed, under common law, to understand the duties and obligations they have undertaken. These duties are:

- To act in good faith. All actions must be in the best interest of the school. Sometimes this is called a 'Fiduciary Duty';
- To use their power for a proper purpose;
- To maintain discretion. Members must not approach discussions with a fixed opinion but be prepared to hear all sides and decide their position at that time;
- To avoid conflicts of interest (see explanation below);

- To not misuse information. Members must not gain any benefit from information they obtain as a result of their membership of the governing body;
- To exercise care and skill - Members must make an effort to be familiar with the affairs of the school and the responsibilities of a governor and exercise the same care a reasonable person would have exercised.

Rights

Governing body members not only have a duty to perform to the best of their ability they also have 'rights'. These rights include the right to:

- attend and participate fully and equally in meetings of the governing body;
- raise issues, make motions and to pass decisions;
- speak on and debate issues;
- vote or come to consensus decisions on issues;
- be free from intimidation and threats;
- be fully and accurately informed;
- be provided with inductions and training on their governance role and legal obligations;
- to be up-skilled in their role.

Qualifications

The Board should be made up of people with a variety of skills appropriate to overseeing the Yallingup Steiner School. The Board should maintain a register that records the names, roles, and qualifications for that role.

Asking questions

Board members may query any reports tabled, information given and statements made during meetings to promote good communication and understanding between management and the Board.

The Board must acknowledge and value respectful questioning and inquiry during meetings to promote unification within the School's governance and operations.

Subcommittees

Subcommittees are created by and reportable to the Board. The Board member roles (above) apply, as do:

- a) Having expertise in the area of the subcommittee;
- b) Working in accordance with the directions of the Board;
- c) The subcommittee reporting all relevant business to the Board.

Conflicts of Interest

For the purposes of the law, the conduct of a Board member is judged in the same way as that of a director of a company.

Members of school governing bodies are deemed by the law to have a 'fiduciary' (trust) relationship with the governing body on which they sit. That means that they have:

- a duty to act honestly
- a duty not to make improper use of information acquired by virtue of their position or to gain directly or indirectly an advantage for themselves or others or the association
- a duty to avoid any actual or potential conflict between the obligations owed by the governing body or governing body member and their personal interests
- a duty to use reasonable care and diligence in exercising their powers.

Board members are not to "improperly use their position" to "gain an advantage for themselves or someone else ..." or to allow any improper use of their position to "cause detriment to" the association. Also, Board members are not to make improper use of *information* acquired by virtue of their position in order to gain (directly or indirectly) an advantage for themselves or others or YSS or cause detriment to Yallingup Steiner School.

Potential Conflicts

There is no doubt that it makes good sense to invite on to the Board those individuals who have professional qualifications or business experience, for example, lawyers, accountants, builders, engineers, commercial directors, business owners and architects. This is done to draw upon the expertise of these people.

It is also common to have parents of school students on the Board, as they are likely to have an emotional and financial interest in making sure that the school is run well.

It should be no surprise that almost all Board members will come across a real, potential or perceived conflict of interest at some point during their time on the Board.

Conflicts of interest may warrant members of the Board removing themselves from meetings or discussion or in some cases from their position on the Board itself.

Induction of Incoming Board Members

It is essential that the Governing body provides a thorough induction process for new Governing body members. An induction into their role on the Governing body and all relevant information about the School will be arranged *before* they attend their first Governing body meeting.

Information provided to new Governing body Members will include:

- The terms of appointment
- The Governing body Charter
- The School's Constitution
- The Governing body's Code of Conduct
- A plan of the school's organisational structure
- A background history of the school
- Information on the financial position of the school
- A statement of the Governing body's roles, rights and responsibilities
- Understanding of the appropriate relationships between Governing body Members and the Executive Committee, staff and students
- Relevant policies
- The School's latest Annual Report
- Governing body Minutes and papers from recent meetings
- Briefing on matters currently before the Governing body
- Legal and governance obligations
- Laws and regulations that govern School Governing Bodies
- Deed of Access, Indemnity and Insurance
- Directors and Officers Liability Insurance Policy
- Director's Confidentiality Agreement

It is the responsibility of new Governing body Members to:

- Understand the school's Charter documents
- Understand the school's financial position
- Understand the legal structure of the school
- To obtain copies of all documentation relevant to Governing body members undertaking a particular role

- Know what they are getting into before taking on the role

Information required from new Board Members:

- Signed Fit & Proper Declaration
- Current WWCC (where applicable /if not exempt)
- Signed YSS Code of Conduct
- A copy of their current CV and relevant Qualifications
- A National Police Clearance certificate