

AUSTRALIAN COUNCIL OF STATE SCHOOL ORGANISATIONS INC

BY-LAWS

1.0 ELECTION OF PRESIDENT

- 1.1 Nominations for the position of President shall be in writing on “official nomination forms” and include a written statement from the nominee’s state affiliate body acknowledging and supporting the nomination. Nominations shall be lodged with the Executive Director not less than twenty-one (21) days prior to the time set for the commencement of the Annual General Meeting. Nominations shall be circulated, in alphabetical order, to affiliates within 48 hours of the close of nominations.
- 1.2 A Returning Officer and Assistant Returning Officer shall be appointed at the Annual General Meeting and shall conduct a ballot for the election of President and declare the result.
- 1.3 Elections shall be conducted in a secret ballot according to the preferential voting system as practised by the House of Representatives. Votes shall be counted according to a preferential system based on compulsory numbering beside each candidate’s name.
- 1.4 In the event of a tied vote, a second ballot shall be held between the tied candidates only, to determine the outcome. If the outcome of that ballot is a tie the name is drawn from a hat and that person is declared elected.
- 1.5 In the event of no nominations being received by the stated closing time the Returning Officer shall call for nominations at the time of the election.
- 1.6 The duly elected President shall take office at the close of the Annual General Meeting.

2.0 ELECTION OF OTHER OFFICER BEARERS

- 2.1 Elections shall be conducted in a secret ballot according to the preferential voting system as practised by the House of Representatives. Votes shall be counted according to a preferential system based on compulsory numbering beside each candidate’s name.
- 2.2 In the event of a tied vote, a second ballot shall be held between the tied candidates only, to determine the outcome. If the outcome of that ballot is a tie the name is drawn from a hat and that person is declared elected.

3.0 MEMBERSHIP

- 3.1 Unfinancial affiliates will resume their full membership upon payment of any affiliation fees due and unpaid since the last Conference. Any payments for services negotiated by an unfinancial affiliate will be deducted from the amounts outstanding.
- 3.2 Unfinancial affiliates do not have the right to send delegates to, or to exercise voting rights at, Conference and meetings of Executive, but will be entitled to send a number of representatives to these meetings equal to their previous entitlements, who shall have speaking rights.
- 3.3 Unfinancial affiliates will not be entitled to support. Nor will they be entitled to receive material from the ACSSO Office, or any other goods and services. However, Executive may negotiate the provision of any goods and services to an unfinancial affiliate in return for an appropriate payment of fee-for-service.
- 3.4 Unfinancial affiliates will not be included in any calculations of the right to send delegates to, or voting rights at, Conference and meetings of Executive, or of affiliation fees.

4.0 EXECUTIVE

- 4.1 The ACSSO President is the only person authorised to make public statements or issue media releases on behalf of ACSSO. In his/her absence, the Senior Vice-President or the Executive Director assumes this responsibility. All media inquiries are to be directed to the President.
- 4.2 ACSSO does not endorse any commercial products or services.

- 4.3 If ACSSO has provided equipment for the use of an Executive member (eg mobile phone, modem, fax machine), the equipment will be returned to the Secretariat when that member ceases to be a member of ACSSO Executive.
- 4.4 A register of equipment issued to Vice Presidents, research officers and others for use away from the office will be maintained by the office and all items issued will be appropriately recorded and numbered in the asset register, when issued the asset will be signed out by the person receiving the asset and when returned signed in by the person returning and the person receiving the asset. Fair wear and tear is accepted with items on issue. Damage beyond fair wear and tear will be made good by the person to whom the asset is issued.
- 4.5 The Executive Director shall distribute the agenda and papers for each Executive meeting at least 2 weeks prior to the meeting.
- 4.6 The minutes of each Executive meeting will be provided to Executive members within seven days of the meeting.
- 4.7 Each member of Executive acting as a representative and any other person acting as a representative shall submit to the Secretariat 16 days prior to the date of each Executive meeting a written report of current events and priorities. In addition, an annual summation of key events and issues for Annual Conference will be provided 8 weeks prior to conference.
- 4.8 At its first meeting after the Annual General Meeting, Executive shall elect a Finance Committee which shall be chaired by the Treasurer and consist of three other members of Executive. The Finance committee shall meet as required and make recommendations to Executive.
- 4.9 Financial management of ACSSO is the responsibility of the ACSSO Executive, supported by the Treasurer and Finance committee. Day to day financial management is the responsibility of the Executive Director.
- 4.10 The Treasurer shall submit to the last Executive meeting before the end of the financial year a draft budget for the coming financial year.
- 4.11 Financial reports to Executive and to Conference shall include a variations column, in addition to the budget and actual columns covering income and expenditure. The surplus/deficit variations are to be numbered sequentially and a note provided as to reasons for, and any action taken with respect to, each variation.
- 5.0 STAFFING COMMITTEE
- 5.1.1 A staffing committee of four members shall be appointed by Executive at its first meeting after the Annual General Meeting. Three positions will be by election the other will be the President.
- 5.1.2 The functions of the committee are as outlined in these bylaws. The committee will elect a convener from its number to take the responsibility of arranging meetings and preparing reports to the executive of recommendations/decisions of the committee.
- 5.1.3 The Executive Director will be responsible for the daily operations of staff duties and responsible to the President.
- 5.1.4 The annual review of all staff shall be as detailed in each staff member's contract. The staffing committee will be responsible to ensure this process is carried out.
- 5.1.5 The review of the staff will be carried out by the Executive Director and at least one member of the staffing committee.
- 5.1.6 Staff salaries will be reviewed annually (or as detailed in their agreement) by the staffing committee. Recommendations will be provided to the Finance Committee to be considered, prior to budget preparation each year. The recommendations will then be forwarded to the Executive for approval with an attachment from the Finance Committees indicating the financial implications of the recommendations.
- 5.1.7 Complaints regarding substandard performance of the staff members are to be directed, in the first instant, to the Executive Director or in the case of the Executive Director, to the President.
- 5.1.8 Complaints of a significant nature from the staff should be directed, in the first instant, to the President, unless another detailed procedure is outlined in the individual staff employment contracts.

- 5.1.9 In the event that complaints are not resolved, then they may be referred to the staffing committee for resolution.
- 5.1.10 When staff contracts are due for renewal the Staffing Committee will, make recommendations to the Executive.
- 5.1.11 If a member of staff is to resign this shall be in writing to the President ensuring that the resignation is in line with the terms and conditions of their contract. If they are different the President will contact with the staffing committee to consider any variations with an aim to negotiate an amicable outcome.
- 5.1.12 Within 48 Hrs of receiving the notice of termination, the President must in any event advise all current Executive members.
- 5.1.13 Staff recruitment will be the responsibility of the Staffing Committee in consultation with the Executive Director. The Recommendations of appointments to be signed off by Executive prior to any offer being made
- 5.1.14 After approval of Executive of any appointment a letter of offer will be signed by the President

6.0 EXPENSES

- 6.1 Expenses incurred by the President in attendance at Conference and meetings of Council and Executive, in connection with official business of the Council and in carrying out the duties of President, shall be met by the Council.
- 6.2 The Honorary Treasurer shall be empowered to reimburse the President and Vice-President for expenses incurred or when otherwise directed by Conference.
- 6.3 Expenses incurred in connection with holding Executive meetings shall be met by the Council.
- 6.4 The following conditions shall apply:
 - (a) Travel - up to the level of economy class airfare for the President and each nominated Vice-President. Cab charge vouchers are provided for use when travelling to and from meetings. Use of private vehicles on Executive business is reimbursed at the rate of 50cents per kilometre or an advance purchase economy airfare, whichever is the lesser.
 - (b) Accommodation - overnight expenses in accommodation approved by the President.
 - (c) Meals and incidentals - an allowance determined by Executive as follows: Breakfast \$15.00; Lunch \$20.00; Dinner \$30.00 or a maximum of \$60.00 per day
 - (d) Other expenses approved by the President - reimbursements will be made on completion of Expenses form and production of receipts.

7.0 PROJECTS

- 7.1 Where ACSSO enters joint project work with other bodies the Executive Director, President, Senior Vice-President and Treasurer (or other representative/s as determined by Executive) shall form a joint project steering committee with nominees from each party to the project.
- 7.2 A contract will be signed with the body funding the project; and a Memorandum of Understanding will be signed by the joint partners in any project.

8.0 APPOINTMENTS TO NATIONAL COMMITTEES

- 8.1 The Secretariat shall forward to all affiliates by mail, email or fax a notice calling for nominations which includes all current information about the position; closing date for receipt of nominations; and requirements to be met when submitting nomination. Selection of the nominee shall be based on merit, accountability or any special criteria set out by the body requesting the representation.

- 8.2 All nominations must be lodged with the Secretariat by the closing date and must include a statement of relevant skills with name, postal and street addresses, telephone/fax or email and written support from the nominating affiliate.
- 8.3 If more than one nomination for a position is received the Secretariat will circulate by mail, email or fax a ballot paper and any supporting information to Vice Presidents listing the nominations. A valid vote requires a number against all candidates listed with the completed voting papers being returned to the Secretariat by the close of business on the notified closing date. Post, fax or email votes are acceptable. Where no voting papers are received by the Returning Officer by the close of business on the due date, that affiliate or affiliates will be deemed to have waived its/their right to vote.
- 8.3.1 In the event of a tied vote the name/s shall be drawn from a hat.
- 8.4 There will be equal voting strength for each state and territory.
- 8.5 Unless otherwise determined by Executive, the Executive Director will be the Returning Officer and the scrutineers (as determined by Executive) will oversee the counting of votes. Votes shall be counted according to a preferential system based on compulsory numbering beside each candidate's name.
- 8.6 The Secretariat will advise the candidates of the outcome of the ballot immediately and all affiliates and the organisation seeking the nomination by mail, fax or email within one week.
- 8.7 All representatives are required to complete the External committee template and forward it to the Secretariat after each of their committee's meetings.
- 8.8 Representation on External committees shall be reviewed annually by Executive at the second meeting after the Annual General Meeting.
- 9.0 ANNUAL CONFERENCE
- 9.1 ACSSO is responsible for the costs of travel and accommodation for the President and Secretariat staff who work at Conference.
- 9.2 Each affiliate is responsible for meeting the costs of its delegation's attendance at Conference.
- 9.3 ACSSO will prepare a Memorandum of Understanding which will be signed by ACSSO and the affiliate/s hosting the conference
- 9.4 Affiliates shall provide the Secretariat with the names and contact details of their delegates.
- 9.5 Within eight weeks after conference the Secretariat shall provide to all Executive members and affiliate offices a copy of the ACSSO information kit including a copy of the Constitution, Policy Document, and action items agreed to by conference.
- 9.6 Within 4 months of Conference the Secretariat shall provide a report of the Conference proceedings to Executive for its approval then distribution to Affiliates
- 10.0 ACSSO NATIONAL SECRETARIAT
- 10.1 The National Secretariat office shall be located in Canberra ACT (Ref Constitution Rule 6.6).
- 10.2 The National Secretariat office shall operate between such hours as may be decided by the Executive.
- 11.0 STAFF LONG SERVICE LEAVE / SEVERANCE FUND
- 11.01 The Executive shall be empowered to establish and maintain an investment account to be known as the "ACSSO Staff LSL / Severance Fund" (the Fund).
- 11.02 Payments to ACSSO National Secretariat Staff from the Fund shall be in accordance with Federal Rulings for long service leave.
- 11.03 A member of staff proceeding on long service leave shall be paid from the Fund and the salary of any temporary replacement member shall be met from the General account.

11.04 The by-laws in this section shall be applied to all ACSSO National Secretariat staff except those employed on a casual basis.

12.0 THE RESOLUTION AND DISCIPLINE OF MEMBERS

12.1 In all instances of dispute or discipline a committee shall be formed at the instigation of the President. The committee shall consist of-

- The President
- Two Vice-Presidents

12.2 The committee will agree upon its own processes and procedures. The agreed upon tasks of the Committee may be undertaken by a single committee member if appropriate.

12.3 Written complaints about a member by a member should be marked "Private and Confidential" and sent to the President. If the complaint is about the President the written complaint should be directed to the Senior Vice-President who will undertake the role of the President as described in this section.

12.4 On receipt of a written complaint, the President will immediately write to the member who is the subject of the complaint advising that a complaint has been received and that an investigation will be undertaken by a committee.

12.5 The President will refer all necessary details of written complaints to the committee who shall confer within five working days after the complaint is received. The committee will investigate the complaint in an appropriate manner and shall attempt to settle the complaint by discussion and negotiation.

12.6 At the conclusion of their investigation, the committee shall write to both parties advising the outcome/s of their deliberations.

12.7 Where it has been brought to the attention of the President that a member may have breached clause 8.2.2 of the Constitution, the President shall convene a committee as outlined above.

12.8 The recommendation of the committee will be taken to the Executive for a formal resolution for action to be decided upon as per clause 8.2.2.

12.9 In the event that any of the actions listed in clause 8.2.2 of the Constitution are taken they will comply with the rules of procedural fairness, and rights of appeal may be utilised.

13.0 ALTERATIONS TO BY-LAWS

13.1 Proposed alterations to by-laws must be tabled with the secretariat for circulation to affiliates not less than one month prior to the Executive meeting at which they will be considered.

13.2 A two thirds majority of those present and entitled to vote shall be required.