

Glenstantia Primary School



School Governing Body Constitution

Date approved	30 June 2021	Date Policy will take effect	1 July 2021	Date of next review	Annually
Developed by	School Governing Body (SGB)				
Approved by	Head of Department				
Responsible Body	School Governing Body (SGB)				
Supporting documents, procedures and forms for this policy	Legislation (see Below)				
References and Legislation	South African Schools Act 84 of 1996 The Constitution of the Republic of South Africa (1996) National Education Policy Act 27 of 1996 The Gauteng Schools Education Act 6 of 1995 The Regulations and Rules - Governing Bodies of Public Schools published under General Notice 786 of 1997				
Scope	SGB				
Expiry date of policy	This policy remains in force until replaced by a policy revised and approved by the SGB.				

CONSTITUTION OF THE SCHOOL GOVERNING BODY OF GLENSTANTIA PRIMARY SCHOOL

In terms of the South African Schools Act, 1996, this is declared to be the constitution of the School Governing Body of Glenstantia Primary School.

1. DEFINITIONS

“The National Act”	The South African Schools Act (Act No. 84 of 1996).
“The Provincial Act”	The Gauteng School Education Act No. 6 of 1995 (as promulgated or as to be promulgated).
“The National Regulations”	The regulations promulgated or to be promulgated by the minister in terms of the South African Schools Act, 1996.
“The Provincial Regulations”	The regulations promulgated by the member of the Executive Council of the Gauteng School Education Act No. 6 of 1995.
“The School”	Glenstantia Primary School
“The School Governing Body”	The School Governing Body of Glenstantia Primary School. Body vested with the governance of the school and the powers bestowed upon it, in terms of the South African Schools Act, 1996
“Finance management”	The public Finance Management Act No. 1 of 1999
“A Member”	A member of the School Governing Body
“The Head of Department”	The Head of the Gauteng Education Department
“Learner”	A child enrolled at the school.
“Member of Staff”	A person employed by the school.
“Member of the Executive Council”	The member of the Executive Council of the Gauteng Province responsible for Education
“Minister”	The Minister of Education.

“Parent”	(a) The Parent or Guardian of a learner and or (b) The person legally entitled to the custody of a learner; or (c) The person who undertakes to fulfill the obligations of a person referred to in the foregoing paragraphs (a) and (b) towards the learner’s education at the school
“Teacher”	A Teacher as defined in the South African schools Act No. 84 of 1996
“Staff”	Includes “Teacher” and any member of “Staff”.
“Departmental Head”	Head of subject in school.
“The Principal”	Any person appointed or acting as the Head of the School.

2. THE NAME OF THE SCHOOL

The name of the School is Glenstantia Primary School, hereinafter referred to as GPS.

3. THE ADDRESS OF THE SCHOOL

Street Address

Anton van Wouw Street
Constantia Park
Pretoria

Postal Address

P O Box 33383
Glenstantia
0010

4. THE SCHOOL’S OBJECTIVES

The objectives of the school shall be:

- 4.1 To provide all learners with the opportunity to develop to their full potential in mind, body and spirit within a happy, secure and disciplined environment where the dignity of the individual is upheld.

- 4.2 To teach in a climate of accepted religious values with an awareness and respect of other cultures
- 4.3 To provide a curriculum with the emphasis on scholastic excellence, which would include the teaching of life skills, leadership, problem solving and entrepreneurship, and the development of self-confidence and self-discipline to enable learners to realize their full potential
- 4.4 To continue to provide the best possible academic, sporting and cultural facilities in order to enrich the lives of learners, the GPS (Glenstantia Primary School) family and the wider community
- 4.5 To offer a nurturing environment to cater for the needs of learners from the residential feeder area
- 4.6 To attract and retain staff of the highest caliber by providing an attractive and stimulating working environment which nurtures the professional growth of the individual
- 4.7 To encourage open communication and close interaction with parents
- 4.8 To ensure a school community that accepts the responsibility of the financial needs of the school
- 4.9 To foster the past GPS learner network to ensure continued interest, loyalty and financial support
- 4.10 To secure the financial well-being of the school to uphold the standards of excellence through fundraising
- 4.11 To be actively involved with and to accept the school's responsibility towards the community
- 4.12 To acquire assets, raise income and to utilize the same for the benefit of the school, its staff and learners.

5. CONTROLLING LEGISLATION

The School shall be governed according to the applicable National and Provincial Acts and the regulations promulgated there under.

6. AFFILIATIONS

The School may:

- 6.1 Be affiliated with any educational organization which has objectives similar or in common to those of the school
- 6.2 Accept affiliation by other bodies in similar circumstances.

7. SYMBOLS

The traditional School song, school colours, motifs, mascot and badge shall be retained as they are in present form.

8. THE OBJECTIVES OF THE SCHOOL GOVERNING BODY

The objectives of the School Governing Body shall be to:

- 8.1 Attend to the proper governance of the school
- 8.2 Promote the best interests of the school and strive to ensure its development through the provision of quality education for all learners of the school

9. COMPOSITION OF THE SCHOOL GOVERNING BODY

9.1 The School Governing Body shall consist of:

- 9.1.1 The Principal of the School in his/her official capacity
- 9.1.2 Six (6) parents of the learners at the school who shall be elected by the parents of the school provided that a parent who is employed at the school may not represent parents on the School Governing Body in terms thereof:
- 9.1.3 Three (3) teachers at the school, duly elected by the teachers at the school
- 9.1.4 One (1) member of staff at the school who is not an teacher, and who is duly elected by non-educator staff

9.2 The School Governing Body may co-opt a member or members of the community to assist in its discharge of functions. Co-opted members shall not have voting rights on the School Governing Body.

9.3 The number of parent members shall at all times comprise of one more than the combined total of other members of the School Governing Body who have voting rights.

10. DISQUALIFICATION OF A PARENT TO BE ELECTED BY THE PARENT COMMUNITY AS A MEMBER OF THE GOVERNING BODY

A person shall not be eligible to be elected as a member of the School Governing Body where:

10.1 The parent is employed by the school

10.2 The parent is an un-rehabilitated insolvent.

10.3 The parent is in arrears with payment of school fees for a period exceeding thirty (30) days after the date of notice of calling for such payment and has not been exempted there from.

10.4 The parent has been convicted of an offence involving dishonesty and a period of ten (10) years has not elapsed since the date of such conviction.

11. ELECTION OF MEMBERS OF THE SCHOOL GOVERNING BODY

The members of the School Governing Body shall be elected in accordance with the procedure prescribed in the Provisional Regulations.

12. ELECTION OF OFFICE BEARERS FOR THE SCHOOL GOVERNING BODY

12.1 The Principal shall convene the first meeting of the School Governing Body, for a new term of office, within fourteen (14) days of election.

12.2 At the first meeting of the School Governing Body the members shall elect a Chair, Vice-Chair, Secretary and Treasurer from their ranks. The Principal shall not be elected to any of these offices. Only a parent member of the School Governing Body, may serve as the Chairperson of the School Governing Body.

12.3 The Chair, Vice-Chair, Secretary and Treasurer shall, remain in the office for a period of one (1) year from the date of their election but may after the expiry of the said term, be eligible for re-election or co-option for a further period.

12.4 If the office of Chair, Secretary or Treasurer becomes vacant, the School Governing Body shall, at the first meeting after the vacancy has occurred, elect one of its members to fill the vacancy for the unexpired period of office of the pre-predecessor.

12.5 The Principal shall preside at an election referred to in 12.2 above and also at an election in terms of 12.4 if both the offices of Chair and Vice-Chair are vacant.

13. TERM OF OFFICE OF MEMBERS OF THE SCHOOL GOVERNING BODY

13.1 The term of office of a member of the School Governing Body shall be three (3) years.

13.2 The term of office bearer of the School Governing Body shall be one (1) year. A member or office bearer of the School Governing Body shall be re-elected or co-opted, as the case may be, after the expiry of his or her term of office.

13.3 Notwithstanding the provisions herein, the members of the School Governing Body shall, notwithstanding the expiration of their term of office, continue to hold office until a new School Governing Body is constituted.

14. CASUAL VACANCY

14.1 A Casual Vacancy shall occur on the School Governing Body when a member:

14.1.1 Submits a written resignation

14.1.2 Dies

14.1.3 Is absent from three (3) consecutive meetings without submitting a formal apology to the Chair of the School Governing Body, before the meeting.

14.2 A Casual vacancy shall be filled by a replacement through election as stipulated in clause 9 or by co-option by the School Governing Body in accordance with the composition of the School Governing Body as stipulated in clause 9.

15. APOLOGIES FOR ABSENCE OF MEMBERS OF THE SCHOOL GOVERNING BODY

The Governing Body may accept leave of absence of a member or members for a period determined by the School Governing Body where appropriate.

16. QUORUM

Attendance by the majority of the members of the School Governing Body shall constitute a Quorum for a meeting of the School Governing Body.

17. MEETINGS OF THE GOVERNING BODY

17.1 Number of meetings

The School Governing Body shall meet 8 times per year but not less than four (4) times a year.

17.2 Notice of Meetings

Ordinary and extraordinary meetings shall take place after written notice has been issued at least seven (7) days prior to the meeting. The notice of the meeting must include the agenda of the matters to be discussed at the meeting, provided that in the case of matters of urgency the Chairman may give such shorter notice as deemed appropriate.

17.3 Agenda

17.3.1 The School Governing Body shall deal with matters of which prior notice has been given as well as any other matter which the Chair or any other members, with the approval of the meeting, has raised;

17.3.2 Any person, may upon invitation of the School Governing Body, attend a meeting and participate in the discussions, but without the right to vote;

17.3.3 The School Governing body may summon any member of staff to attend a meeting for the purpose decided upon by the School Governing Body.

17.4 Voting

Each member of the School Governing Body has one (1) vote. At the conclusion of a voting exercise, the Chair may exercise a casting vote. Members co-opted in terms of clause 14.2 and who are parents of learners at the school, or who falls within the description contained in clause 9.1.2, 9.1.3 or 9.1.4 and who were co-opted into existing or new portfolios on the School Governing Body, shall have voting rights on the School Governing Body, subject to the further conditions stipulated herein. A member of the School Governing Body must recuse themselves from a meeting of the School Governing Body, for the duration of the discussion and decision making, on any issue in which the member has a personal interest.

17.5 Minutes

17.5.1 The Secretary of the School Governing Body shall minute all discussions taken at the meeting and provide each member with a copy thereof within seven (7) days after the meeting.

17.5.2 A member may, with or without a concise statement of reason, have it noted that he/she voted against a specific decision or that he/she was not present when the decision was taken.

17.5.3 The School Governing Body shall make available such minutes for inspection by the Head of Department when required.

17.6 Approval Methods

The minutes of meeting shall be approved by the School Governing Body at the next meeting and the approved minutes signed by the Chair.

17.7 Standing

The Chair shall decide on a matter of standing order and procedure should a member question such a decision, the question shall be submitted to the meeting without further discussion for decision.

17.8 Meeting with Parents, Learners, Teachers and other staff

The School Governing Body shall meet with parents, learners, teachers and other staff from time to time.

17.9 Re-imbusement of funds for members of the School Governing Body

17.9.1 Necessary expense incurred by a member of a School Governing Body in the performance of his or her duties may be reimbursed by the School Governing Body.

17.9.2 No member of a School Governing Body may be remunerated in any way for the performance of his or her duties.

18. COMMITTEES OF THE GOVERNING BODY

18.1 Executive Committee

The Executive Committee of the School Governing Body shall consist of the Chair, Vice-Chair, Secretary, Treasurer, the Principal and any other person co-opted by the School Governing Body, from time to time.

18.2 Sub Committees

The School Governing Body can appoint such sub-committees as it may deem appropriate from time to time. The Chair of the School Governing Body and the Principal shall be ex-officio members of all sub-committees.

19. THE POWERS OF THE SCHOOL GOVERNING BODY

The School Governing Body shall have the power:

- 19.1 To perform activities which, besides any other stipulations, fall within the express or implied powers of the School Governing Body and which are necessary for the welfare of the school.
- 19.2 To take all reasonable measures within its means to supplement the resources supplied by the state in order to improve the quality of education provided by the school to all learners at the school.
- 19.3 To appoint and administer personnel in accordance with the National and Provincial Acts and the regulations promulgated there-under, and the policy of the School Governing Body.
- 19.4 To provide services and facilities in the interest of the learners, staff and of education in general in accordance with the National and Provincial Acts, the regulations promulgated there-under and in this Constitution.
- 19.5 To make and withdraw investments in the name of the school or the school fund.
- 19.6 To utilize funds in accordance with the stipulations of the National and Provincial Acts, the regulations promulgated there-under and the conditions of any sponsoring body for the purposes of realizing the above objectives.
- 19.7 To admit, suspend and expel learners in accordance with the prescriptions of the National and Provincial Acts and the regulations promulgated there-under.

20. THE FUNCTIONS OF THE SCHOOL GOVERNING BODY

20.1 The School Governing Body must:

- 20.1.1 Promote the interests of the school and strive to ensure its development through the provision of quality education for all learners at the school.
- 20.1.2 Adopt the Constitution
- 20.1.3 Develop the Mission Statement of the school.
- 20.1.4 Adopt a Code of Conduct for learners at the school.
- 20.1.5 Support the Principal, teachers and other staff at the school in the performance of their professional functions.
- 20.1.6 Determine times of the school day consistent with any applicable conditions of employment of staff at the school.

- 20.1.7 Administer and control the school's property, buildings and grounds occupied by the school, including the school hostels.
- 20.1.8 Encourage parents, learners, teachers and other staff at the school to render voluntary services to the school.
- 20.1.9 Recommend to the Head of Department the appointment of teachers at the school, subject to the relevant legislations.
- 20.1.10 Recommend to the Head of Department the appointment of non-educator staff at the school, subject to the relevant legislation.
- 20.1.11 At the request of the Head of Department allow the reasonable use of the facilities of the school for educational and/or extra-curricular programs not conducted by the school
- 20.1.12 Discharge all other functions imposed on the School Governing Body by or under this constitution and the Act; and must discharge any other functions consistent with the Act as determined by the Minister by notice in the Government Gazette or by members of the Executive Council by notice in the Provincial Gazette.
- 20.2 The School Governing Body may allow the reasonable use of facilities of the school for community, social and school fundraising purposes, subject to such reasonable and equitable conditions as the School Governing Body may determine which may include the charging of a fee or tariff which accrues to the school.
- 20.3 The School Governing Body may join a voluntary association representing Governing Bodies of public schools.
- 20.4 The School Governing Body shall furthermore have allocated functions and additional responsibilities:
 - 20.4.1 To maintain and improve the school's property, buildings and grounds occupied by the school, including the school hostels.
 - 20.4.2 To determine the extra-mural curriculum of the school and the choice of subject options in terms of Provincial curriculum policies.
 - 20.4.3 To purchase textbooks, educational materials and equipment for the school.
 - 20.4.4 To pay services to the school
 - 20.4.5 To hire movable and immovable property.

- 20.4.6 To sell, lease, exchange or otherwise dispose of any of the movable assets of the school.
- 20.4.7 To acquire property or any interest in property, movable as well as immovable, by means of purchase, donation, legacy or otherwise.
- 20.4.8 To exercise any other function consistent with the National Act, any applicable Provincial Law and this Constitution.
- 20.4.9 To enter into contracts and agreements in the name of the school.
- 20.4.10 Where necessary to enforce, by process of law, the payment of school fees by parents.
- 20.4.11 To discipline staff, subject to the provisions of the Labour Relations Act.

21. SCHOOL FUNDS AND ASSETS OF THE SCHOOL

- 21.1 The School Governing Body of the school shall establish a school fund and administer it in accordance with the following issued by the Head of Department.
- 21.2 Subject to 21.3 below, all money received by the school, including school fees and voluntary contributions shall be paid into the school fund.
- 21.3 The School Governing Body of the school shall open and maintain a banking account. The school's cheques and other documents shall be signed on behalf of the school by the member(s) of the School Governing Body appointed as signatory for that purpose by the School Governing Body.
- 21.4 Money or other goods donated or bequeathed to or received in trust by the school must be applied in accordance with the conditions of such donation, bequest or trust.
- 21.5 The school fund, or proceeds thereof any other assets of the school, shall be used only for:
 - 21.5.1 Educational purposes at or in connection with the school.
 - 21.5.2 Educational purposes at or in connection with another public school prior to an agreement with each other and with the consent of the Head of Department.
 - 21.5.3 The performance of the functions of the School Governing Body; or

21.5.4 Any other educational purpose agreed between the School Governing Body and the Head of Department.

22. ANNUAL BUDGET OF THE SCHOOL

22.1 The School Governing Body of the school shall prepare a budget each year, according to guidelines determined by the member of the Executive Council, which shows the estimated income and expenditure of the School for the following financial year.

22.2 Before a budget referred to in 22.1 above is approved by the School Governing Body, it must be presented to a general meeting of parents convened with at least thirty (30) days' notice, for consideration and approval by a majority of parents present and voting. A quorum of 15 % of the parent body must be present at the meeting. If a quorum is not present a second meeting must be scheduled. The second meeting can continue even if there is not a quorum present.

23. FINANCIAL RECORDS AND STATEMENTS

23.1 The School Governing Body shall:

23.1.1 Keep records of funds received and spent by the school and of its assets, liabilities and financial transactions, and

23.1.2 As soon as practicable, but not later than three (3) months after the end of each financial year, draw up financial statements in accordance with the guidelines determined by the member of the Executive Council.

23.2 The School Governing Body shall submit to the Head of Department, within (6) months after the end of each financial year, a copy of the Annual Financial Statements as audited by the Auditor appointed by the School Governing Body.

23.3 The Financial year of the school shall commence on the first day of January and terminate on the last day of December of each year.

24. SCHOOL FEES

24.1 Subject to the National and Provincial Acts and Regulations, school fees shall be determined and charged at the school in terms of a resolution which has been adopted by a majority of parents attending the meeting for the approval of the annual Budget.

24.2 The aforesaid resolutions must provide for:

24.2.1 The amount of fees to be charged.

24.2.2 The equitable criteria and procedures for total, partial or conditional exemption of payment of fees by parents and guardians who prove their inability to pay full disclosure of their

financial positions, supported with certified copies of the financial statements is required by the School Governing Body.

- 24.3 The parents shall be liable to pay the school fees determined in terms of this Section unless or to the extent that he or she has been exempted from payments in terms hereof. A parent may appeal to the Head of Department against a decision of the School Governing Body regarding the refusal to exempt such a parent from the payment of school fees. In deciding such an appeal, the Head of Department must follow due process which safeguards the interests of the parent and School Governing Body.

25. ADMISSION

Subject to the National Act and applicable Provincial Law, the Admission Policy of the school shall be determined by the School Governing Body.

26. LANGUAGE POLICY

The medium of instruction of the school has been determined by the School Governing Body in consultation with the parent community of the school. The school is an educational institution and the medium instruction is English.

27. RELIGIOUS POLICY

Religious observances of all religions will be accorded due respect as Glenstantia Primary School recognizes the religious and cultural diversity of its population.

28. CODE OF CONDUCT

- 28.1 The School Governing Body must adopt a Code of Conduct and school rules for the learners after consultation with the learners, parents and teachers of the school and in terms of the Section 8 of the National Act.
- 28.2 The Code of Conduct must contain provisions of due process which safeguards the interests of the learner and any other party involved in the disciplinary proceedings.

29. SUSPENSION AND EXPULSION OF A LEARNER FROM THE SCHOOL

- 29.1 Subject to the National Act and any applicable Provincial Law, the School Governing Body of the school may, after a fair Hearing, suspend a learner from attending school;
- 29.1.1 As a correctional measure for a period not longer than one (1) week; or
- 29.1.2 Pending a decision, as to whether the learner is to be expelled from School, by the Head of Department.

29.2 Subject to any applicable law, a learner at the school may only be expelled:

29.2.1 By the Head of Department

29.2.2 If found guilty of serious misconduct after a fair Hearing

29.3 Learners may be expelled from school only on grounds of serious misconduct determined by the School Governing Body and in accordance with relevant legislations;

29.4 The members of the Executive Council must determine the disciplinary proceedings to be followed in such cases as well as the provisions of due process, safeguarding the interests of the learner and any other party involved in the disciplinary proceedings.

29.5 A learner or the parent of the learner who has been expelled from the school may appeal against the decision of the Head of Department to the member of the Executive Council.

30. LEGAL PERSONAILITY

The school is a juristic person with legal capacity to perform its function in terms of the relevant applicable legislation and is governed by the Governing Body.

31. NOTICE OF MEETING OF PARENTS

31.1 A meeting of parents, other than a meeting such as is referred to in clause 22 above, must be convened at least once per year by the School Governing Body.

31.1.1 The notice must be delivered at least fourteen (14) days prior to the meeting to every parent of the school body.

31.1.2 Specify the date, place and time as well as the agenda of the meeting.

31.2 Persons who may attend the general meeting of parents.

31.2.1 Every parent having one or more children enrolled as a learner at the school may attend the General meeting.

31.2.2 Each parent has a vote.

31.2.3 Any person other than the parent may at the invitation of the School Governing Body attend a meeting and participate in its deliberations, but shall not have a vote and shall excuse himself/herself should the School Governing Body so decide.

32. PROCEDURES AT PARENTS MEETING

32.1 The Chair of the School Governing Body, or in his/her absence the Vice-Chair, acts as Chair of the meeting. In the event that both Chair and the Vice-Chair of the School Governing Body being absent, the Principal of the school will act as Chair.

32.2 Subject to provisions of this Constitution, the Chair of the meeting shall decide on the order and procedure of the meeting and should a parent raise an objection to such decision, the decision shall, without further discussion be voted upon and the decision of the meeting shall be final.

33. AMENDMENT OF CONSTITUTION

A decision to amend the Constitution requires a two-thirds (2/3) majority vote of the total membership of the School Governing Body after all the members have been informed of the proposed amendment in writing, at least fourteen (14) days in advance; any amendment shall be subject to the approval of the Head of Department.

34. INAUGURATION OF THIS CONSTITUTION

This Constitution will come into operation on the date it is signed by the Chair of the School Governing Body after it has been approved by a two third (2/3) majority of the members of the School Governing Body.

The original copy of the Constitution has been approved, signed and dated.

SIGNED BY

Chairperson of the SGB: _____ Date: _____

The Principal: _____ Date: _____

IDSO : _____ Date: _____