



Diocese of Toowoomba Constitution of the Toowoomba Catholic Schools Council – 08 December 2022

Preamble

The Toowoomba Catholic Education Board (CEB) was established by Bishop Edward Kelly on 20 July 1976. In 2003, the Catholic Education Office issued the Diocese of Toowoomba Catholic Education Board Constitution and Commentary. In 2014, the CEB sought advice from the Diocesan Bishop Robert McGuckin to clarify the aims and scope of work for the CEB.

The Bishop determined that the CEB should be reviewed. In early 2015, after further consideration, the Bishop asked that the CEB be reconstituted as the Catholic Schools Board (CSB). The constitution was further reviewed and updated during 2016 by external reviewers and took effect in 2017 as the newly constituted Toowoomba Catholic Schools Council (TCSC). That constitution required a review in the sixth year of the Council, and this was undertaken during 2022. Further refinements were made to the constitution and authorised by the Bishop for commencement in 2023.

The Council is inspired by the Vision for Catholic education within the mission of the Diocese, Church models for Catholic education governance ¹ (NCEC and QCEC), earlier versions of the constitution and discernment of changing requirements and current good practice in governance. The Catholic Schools Council seeks to discern its considerations within the context of Catholic teaching and tradition, good governance practice and legal and statutory requirements.

Constitution

1. Purpose

The role of the Diocese of Toowoomba Catholic Schools Council, to be known as the Toowoomba Catholic Schools Council (TCSC), is to explore, discern and provide strategic advice and recommendations to the Bishop of Toowoomba for the purpose of providing the best possible Catholic education for students.

The TCSC is to provide leadership in all areas that relate to the nature and purpose of Catholic schools, with particular emphasis on their Catholic mission and ethos.

The TCSC, sharing in the responsibility of the evangelising mission of the diocese, works in collaboration with others in the Diocese so that each person in the Catholic education community is educated in inspiring and challenging ways and, in doing so, comes to know and love Christ. ²

2. Authority

- 2.1 The TCSC exercises its responsibilities in the spirit of service. TCSC membership is a ministry within the Church.
- 2.2 The authority of the TCSC is derived directly from the Bishop, who approves its Constitution and formally appoints its members.

¹ National Catholic Education Commission, Catholic Schools Governance, 2002; Queensland Catholic Education Commission Models for School Boards, <http://qcec.catholic.edu.au/catholic-education/school-board-constitution>

² Diocese of Toowoomba, Catholic Education Vision Statement

- 2.3 All final decisions in regards to the TCSC, its mission and purpose, and the Catholic school system remain with the Bishop. The wider responsibilities of the Bishop confer on him the right to approve TCSC recommendations and to veto any TCSC advice he believes may not be in the best interests of the Diocese.
- 2.4 The TCSC is neither a jurisdictional authority for the purposes of canon law nor a legal entity for the purposes of civil law.
- 2.5 The TCSC may not have control of funds, open bank accounts, enter into contracts, acquire, hold, dispose of or deal with property, sue or be sued.

3. Functions and responsibilities

- 3.1 The TCSC reviews and analyses the current educational trends and directions to identify areas for development and improvement. It establishes processes to assure its members of the quality of Catholic schooling in the Diocese and its prudent administration.
- 3.2 As a forum of creative thinking, research and discussion, TCSC functions include
 - 3.2.1 to advise the Bishop on the vision and strategic directions for Catholic schools in the diocese and to monitor their implementation
 - 3.2.2 to advise the Bishop on matters relating to religious education and Catholic identity in all Catholic schools of the diocese
 - 3.2.3 to develop, review and monitor broad educational policy within the diocese
 - 3.2.4 to oversee stewardship of the resources entrusted to the Bishop, especially in the annual budget process for the system
 - 3.2.5 to advise the Bishop on the provision on new schools, restructuring or closure of diocesan schools
 - 3.2.6 to commission research or initiate projects to assist the TCSC in its function.

In some of these functions, the TCSC is one source of advice amongst others available to the Bishop.
- 3.3 The TCSC is independent of the Catholic Schools system of the Diocese, though in dialogue with it and in service to it.
- 3.4 The TCSC co-operates with and supports the Queensland Catholic Education Commission (QCEC), National Catholic Education Commission (NCEC) and the Australian Catholic Bishops Conference in furthering the ideals of Catholic education in Australia.

4. Membership

- 4.1 The Bishop appoints all members of the TCSC. People appointed to the TCSC will demonstrate
 - 4.1.1 commitment to the teaching, tradition, and ethos of the Catholic faith
 - 4.1.2 a broad spectrum of expertise and experience in a range of fields relevant to the diocesan school system, such as theology, pastoral ministry, business, strategic planning, financial acuity, law and education
 - 4.1.3 the diversity of the Diocese.
- 4.2 The TCSC consists of nine (9) members, which may include the Chair. Current employees of any Catholic school in the diocese or the Catholic Schools Office are not normally eligible for membership of the TCSC, although may be co-opted from time to time to provide advice to the Council.

- 4.3 At least one (1) TCSC member is to be a priest of the diocese, appointed from the Council of Priests by the Bishop.
- 4.4 Members are appointed for a term of three (3) years and normally a maximum of two (2) consecutive terms. The Bishop may approve additional terms on the recommendation of the Chair and Executive Director.
- 4.5 Members who are 18 years of age or older must be holders of a current suitability (blue) card issued by the Public Safety Business Agency (PSBA). Persons may not attend meetings until their suitability card is issued.
- 4.6 The TCSC may recommend the co-option of two (2) additional members, for a particular purpose, subject to the approval of the Bishop. The term of office of co-opted members will be for one (1) year.
- 4.7 TCSC members are expected to subscribe to a TCSC Code of Ethics (see Appendix 3).
- 4.8 Succession planning is managed by a sub-committee of the TCSC known as the Catholic Schools Council Executive Committee. The purpose of the succession plan is to maintain both continuity and balance of expertise on the TCSC while allowing for the periodic and orderly induction of new members and retirement of sitting members.
- 4.9 When a vacancy occurs, the TCSC Executive Committee will compile a shortlist of at least two (2) candidates for the position. The Bishop appoints the candidate of his choice.
- 4.10 The Bishop may ask any member of the TCSC to step down at any time.
- 4.11 The Bishop and Executive Director: Catholic Schools are ex-officio members of the Council. The Bishop may appoint additional members in an ex-officio role.
- 4.12 The Chair is appointed by the Bishop for a term of three (3) years with a maximum of two (2) consecutive terms. Sitting members of the Council may be considered.

5. Council support

- 5.1 The Catholic Schools Office provides secretariat support for the TCSC by appointing a professional officer to the role of Council Secretary.
- 5.2 Under the Chair's direction, the Council's Secretary's duties, may include
 - 5.2.1 administrative support to the TCSC, such as taking meeting minutes, circulating papers, and liaison between the Council, the Bishop, and the Executive Director of Catholic Schools
 - 5.2.2 ensuring effective information flows within the TCSC from the Council to its committees and from the committees to the TCSC
 - 5.2.3 facilitating the induction of newly appointed members
 - 5.2.4 carrying out the instructions of the TCSC and giving practical effect to the Council's decisions.
- 5.3 The Council Secretary does not take part in the discussions of the TCSC.

6. TCSC communication and decision making

- 6.1 TCSC meetings are not simply a forum for the tabling of reports. It is the role of the Chair to ensure that meetings retain a strategic, task-oriented focus.
- 6.2 Meetings of the TCSC are to take place at least five (5) times per year.

- 6.3 The Agenda for each meeting is set by the Chair in consultation with the Executive Director.
- 6.4 Meeting records are maintained and distributed to all TCSC members. The public distribution of a meeting record may only take place after formal approval by the TCSC Chair and Executive Director. A summary of key points may be made available to key diocesan stakeholders, such as clergy, diocesan parents and friends, principals and staff through existing communication channels with these groups.
- 6.5 The TCSC uses a structured group process to arrive at its decisions that is collaborative in nature and consensus driven based on the shared wisdom model³. The TCSC is to avoid majority decisions as the basis of its discernment and in its recommendations to the Bishop.
- 6.6 The quorum for a meeting of the TCSC shall be half plus one of the current membership. Ex-officio members are not included in this count.
- 6.7 To capitalise on the use of technology, and to enable membership from across the Diocese, the TCSC enables members to take part in meetings by videoconference or teleconference.
- 6.8 Extraordinary meetings of the TCSC may be held if deemed necessary by the Chairperson in consultation with the Bishop. The members are notified of extraordinary meetings by the Chairperson, through the Executive Director, at least one (1) week prior to the meeting. The Chairperson, in consultation with the Executive Director, will postpone or cancel a meeting if deemed necessary.

7. Consultation with stakeholders

- 7.1 The Bishop requires the TCSC to take seriously its obligation to consult with its stakeholders. This would usually occur within the existing consultation protocols and mechanisms of the Toowoomba Catholic Schools Office.
- 7.2 The following groups are to be considered stakeholders
 - Diocesan clergy
 - religious communities
 - Diocesan Principals' associations
 - school teaching staff
 - school administrative staff
 - staff of the Catholic Schools Office
 - parents
 - students
 - and any others as considered by the Council to be stakeholders.

8. Standing committees and working parties

- 8.1 The Standing committees will include at least a (1) Finance, Audit and Risk Management Committee and (2) the Executive Committee. The TCSC determines the scope, responsibilities and mission of the standing committees which will be limited in number.

³ McKinney, M.B., Sharing Wisdom, a process for group decision making, 1987, Tabor Publishing, Texas

- 8.2 In order to maintain a strategic and outcomes focus the TCSC may set up Council sub-committees or working parties with specific roles and durations. It is the responsibility of the TCSC to define their roles, scope and reporting timeline and to dissolve and re-shape them when the task is deemed to have been accomplished. All members of standing committees and working parties are appointed by the TCSC.
- 8.3 Each working party is to be chaired by a TCSC member. Membership should include at least one (1) other TCSC member and may also include non-TCSC members who are selected for their expertise in the field. Employees of the Catholic Schools Office, including Principals, teachers and other school or diocesan staff may be appointed to a working party.
- 8.4 The non-TCSC members who comprise a working party are nominated by the Chair of the working party in consultation with the Chairperson and the Executive Director.

9. Formation of the TCSC

- 9.1 The TCSC exists to be a creative forum for identifying the strategic priorities of the diocesan schools' system. The TCSC will only be effective if it works as a team. The TCSC must routinely pay attention to its own formation and development. The Bishop will require the TCSC to maintain a program of formation that attends from time to time to the following issues
 - 9.1.1 Catholic ethos, theology and spirituality
 - 9.1.2 knowledge of the school system that the TCSC serves
 - 9.1.3 the role and mission of the TCSC
 - 9.1.4 effectiveness of the TCSC
- 9.2 The Chair, with the assistance of the Executive Director and Council Secretary will ensure that all incoming TCSC members are provided with appropriate orientation.
- 9.3 Participation in prayer and formation activities is an integral part of TCSC membership.

10. Relationships

- 10.1 The Bishop – the interaction between the Council and the Bishop on the TCSC is to share his pastoral responsibility as chief shepherd of the Diocese – appointed to teach, govern and sanctify. The TCSC, in turn, provides the Bishop support and guidance in his role as spiritual leader.
- 10.2 The Executive Director – the role of the Executive Director: Catholic Schools on the TCSC is to share knowledge and inform Council members, in a timely manner, all significant matters influencing the mission, strategic vision and overall performance of our Diocesan Catholic schools system. The Executive Director maintains contact with members of Diocesan TCSC between meetings when required.
- 10.3 The Diocesan Finance Council (DFC) – the Diocesan Finance Council and the TCSC have complementary roles in regard to the endorsement of the annual budget of the Diocese of Toowoomba Catholic Schools Office. TCSC makes recommendations to the Bishop about the priorities determined by the Executive Director under which the annual budget for the Diocesan school system is drafted. The Bishop is guided in the final approval by the DFC.
- 10.4 The Council of Priests – as leaders of parish communities, priests have a unique spiritual and pastoral leadership role in the educational ministry. It is important that there are formal channels of communication and consultation between priests, the Council of Priests and the TCSC. The Council of Priests will receive reports of the

TCSC through the Priest member and the Executive Director and the TCSC will receive reports of education matters considered by the Council of Priests through the Priest member of the TCSC.

- 10.5 School Board – Principals inform School Boards of the TCSCs recommendations following their approval by the Bishop. School Boards are required to implement the Bishop's directions. They have access to the TCSC through the Executive Director. The Board formulates policy for the formation of local Catholic School Boards.
- 10.6 School, Parish Community and other Educational Agencies – schools, parish communities and other educational agencies have access to the Board through the Executive Director. The work of the TCSC is communicated to schools, parish communities and other educational agencies through the Executive Director.

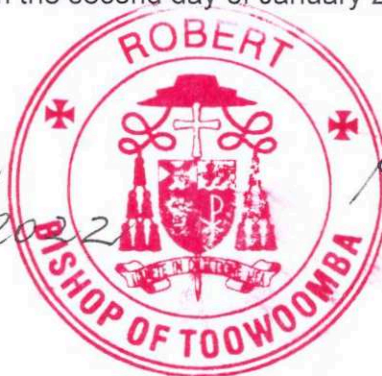
11. Appraisal of the TCSC

- 11.1 The TCSC is to undertake regular evaluations of its meetings and reviews of its own performance. This is to take the form of self-appraisal alongside periodic evaluation by its stakeholders.
- 11.2 Periodically, and at least every six (6) years, the TCSC, through the Executive Committee, is to appoint a committee consisting of the Chair and two (2) other members of the TCSC to arrange for an evaluation of the TCSC's performance in the light of the roles set out in this Constitution and acknowledge standards of practice in the wider community.
- 11.3 The person or persons conducting the appraisal may be independent of the TCSC, the Catholic Schools Office and the Catholic Schools in the Diocese.
- 11.4 The agenda of the meeting following the appraisal should include discussion on the implementation of any recommendations of the appraisal that would enhance the TCSC's performance.

12. Amendments and promulgation

- 12.1 The Constitution of the TCSC is regarded as a 'living document'. It is expected that from time to time the TCSC will have the need to amend the constitution to meet emerging needs.
- 12.2 Amendments to this Constitution may be proposed to the Bishop. Amendments only become effective when ratified by the Bishop
- 12.3 These statutes were discussed by the members of the College of the Consultors at its meeting on the seventh day of December 2022.
- 12.4 The Statutes are now approved by the Diocesan Bishop.
- 12.5 The Statutes are to take effect from the second day of January 2023.

+ R. McLuckin
8 December 2022



Christine Hickey
Notary

Appendix 1 – Role statements

Chairperson role statement

The Chairperson has a strategic role to play in facilitating the work of the TCSC so that it provides the Bishop with appropriate and timely advice pertinent to the Diocesan Catholic school system's service of its evangelizing and educational mission and ensuring the best education possible for its students.

The Chairperson ensures that the TCSC functions efficiently, that there is full participation at meetings, all relevant matters are discussed and effective decisions are made.

Key responsibilities of the Chair are to

- plan agenda and chair meetings in an orderly, efficient manner in accordance with the Constitution
- ensure that recommendations and suggestions are communicated to the Bishop
- promote a positive working relationship between the Council, the Bishop and the Executive Director
- ensure regular review of the Council's performance
- represent the TCSC at external meetings and significant events in the Diocese.

Appendix 2 – Standing committees terms of reference

2.1 Finance, audit and risk management standing committee

Mission

- to assist the TCSC to fulfil its advisory responsibilities to the Bishop in relation to the oversight of the financial management of the school system

Role

- to inform the TCSC of significant issues in relation to system income, financial reporting, accounting policies and principles, financial risk management and compliance
- to make recommendations and/or suggestions to the TCSC to assist in the alignment of system strategic priorities with financial goals

Responsibilities

- contribute to the development and review of a strategic financial management plan
- analyse sources of school funding and to assess and report to the TCSC on the implications for the system on any changes to government funding policies
- contribute to the development and review of accounting policies and financial management principles for the system and schools
- receive and review annual budget, audited financial statements and periodic financial and non-financial performance reports
- to undertake tasks the TCSC might assign from time to time related to the financial and budgetary aspects of the system

Membership

- Chairperson (a member of TCSC)
- member of TCSC
- Executive Director: Catholic Schools (ex-officio)
- Director: Finance, Infrastructure and Information Services (ex-officio)
- Diocesan Financial Administrator
- up to two (2) members co-opted for their expertise (at least one (1) external to TCSO)
- Committee Support Officer from TCSO (ex-officio)

Terms of membership

- ex-officio members will be standing appointments
- co-opted members may be appointed for a period of three (3) years

2.2 Executive committee

Mission

- to facilitate the effective organisation and operation of the TCSC

Role

- to prioritise issues of relevance to the operation of the Council
- to initiate the formation, mandate and conclusion of working parties or task forces, as required

Responsibilities

- to establish a mechanism for the periodic review of the TCSC and its performance
- to attend to the identification of potential new members of the Council and make recommendations to the Chair for submission to the Bishop
- to ensure appropriate orientation for all new Council members
- to respond to specific requests from Council for policy related to the effective and efficient operation of TCSC
- to deal with matters of urgency between Council meetings where necessary

Membership

- Chair of the TCSC and up to three (3) other members of the Council
- Executive Director: Catholic Schools
- co-opted members for particular expertise (as required)
- Committee Support Officer from TCSO (ex-officio)

Terms of membership

- nominations will be sought at the start of each calendar year from current members of the TCSC

Appendix 3 – Toowoomba Catholic School Council code of ethics

TCSC members will

- fulfil their responsibilities in a spirit of service as a collaborative ministry within the Church
- be familiar with the Constitution of the TCSC and its current policies
- ensure that their work as a member of the TCSC is focussed on policy development, monitoring and review
- respect canon and civil law and act in accordance with it
- act honestly, in good faith and in the best interests of the people they serve
- make recommendations and endorsements based on all available facts and be aware and declare conflicts of interest or personal biases when they arise
- accept the decisions of the TCSC regardless of personal positions on any issue
- form themselves as a faith community which respects opposing points of view, strive for co-operation and harmony and manage conflict constructively
- commit to regular spiritual formation and self-education programs
- keep confidences when the TCSC agrees that information is confidential and should not be shared outside a meeting
- participate as fully as possible in prayer, reflection and the sharing activities at each meeting
- invest the necessary time, thought and study into the TCSCs work between (as well as during) meetings
- refer day to day administrative problems to the Executive Director or Bishop
- share responsibility and authority equally with other members and only speak or act on behalf of the TCSC if delegated to do so or it is within the role of office as described in the Constitution.

Appendix 4 – Toowoomba Catholic School Council communication and decision making

This amplifies section 6 – TCSC communication and decision making, in the draft Constitution.

Decision making during Council meetings by electronic presence

- TCSC may hold a meeting at two (2) or more venues, using any technology that gives the members as a whole a reasonable opportunity to participate.
- Notwithstanding that the Council members are not present in one (1) place at the time of a meeting of TCSC held using technology, a resolution passed by such a meeting will be deemed to have been passed at a meeting of the Council held on the day on which and at the time at which it was held.
- A TCSC member present at the commencement of a meeting of TCSC held using technology will be conclusively presumed to have been present and to have formed part of the quorum throughout the meeting.

Decision making between Council meetings by electronic communication

- It may be necessary on occasion for Council members to be consulted on resolutions outside of published meeting times. This may occur through email, telephone or other electronic means. Normally, Council members will be given at least twenty-four hours' notice for such a response. A response by email (or other medium) from a Council member will be considered as a formal response and the outcome of the electronic discussion will be endorsed at the next meeting of the Council.
- Every such resolution shall be deemed to have been passed on the day and at the time at which the document was signed by the last member to make up a quorum.
- An electronic transmission which is received by the Chairperson and which purports to have been signed by a member shall for the purposes of this clause be taken to be in writing and signed by that member at the time of the receipt of the electronic transmission by the Chairperson.