

### **The role and duties of the chairperson of a school governance structure<sup>1</sup>**

The school's founding documents<sup>2</sup> determine whether office bearers must be elected from within the school's ranks. Typically, a governance structure includes a chairman, treasurer, and secretary.<sup>3</sup> This legal opinion provides an in-depth discussion of the role and duties of the governance structure chair.<sup>4</sup>

#### **1. The role of the chairperson**

The chairperson of a governance structure plays a vital part in the proper functioning of the school governance structure. The chairperson guides the rest of the governance structure and serves as a mediator between the members. The governance structure chair must steer the rest of the governance structure members through meetings and decisions, and must manage any potential differences of opinion amongst members so that the interests of the school remain paramount.

The chairperson also takes charge of all official communication with stakeholders. (S)he must ensure that all governance structure resolutions that affect the school community are conveyed to parents and staff.

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<sup>1</sup> This document should be read together with the document: "An overview of the functioning of independent schools in South Africa".

<sup>2</sup> These include, but are not limited to, memorandum of incorporation, trust deeds, constitutions, etc., which may provide detail in this regard. Therefore, it is important to review it carefully.

<sup>3</sup> Also consult the legal opinions "The role and duties of the treasurer, finance officer and accounting officer of a school governance structure" and "The role and duties of the secretary of a school governance structure" at [www.fedsas.org.za](http://www.fedsas.org.za).

<sup>4</sup> This legal opinion must be read in conjunction with "Constitution of the governance structure", which is available at [www.fedsas.org.za](http://www.fedsas.org.za).

The chairperson and school principal must maintain a sound working relationship. The relationship between the chairperson and the principal often defines the relationship between the governance structure and staff. In this regard, the Task Team on Education Management Development emphasised the importance of a good working relationship between the principal and governance structure, which is in many cases influenced by the governance structure chair. The task team found that the relationship between the principal and governance structure is not always clear-cut and simple, which is why regular communication between the policymakers and the principal is vital.<sup>5</sup> This relationship must benefit both the school and the community in order to ensure school improvement, including enhanced learning and teaching.<sup>6</sup> A sound partnership creates the opportunity for the relevant stakeholders to truly take ownership of the school, and forces partners to assume responsibility for promoting the school and the community.<sup>7</sup> The converse is however also true: An unstable partnership results in a dysfunctional school that is unable to achieve the ideal of becoming a self-managing entity.<sup>8</sup>

The chairperson must never lose sight of his/her primary objective, namely to promote the school's interests. Any hidden or selfish agendas will frustrate this objective and will have a ripple effect on the functioning of the entire governance structure.

## **2. The duties of the chairperson**

The duties of the chairperson include:

- chairing all governance structure meetings, unless policy dictates otherwise;<sup>9</sup>
- advising the principal on governance issues;
- keeping abreast of all activities of the governance structure and the school;
- ensuring that the governance structure members are properly informed and receive sufficient information to make informed decisions;

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<sup>5</sup> Department of Education (1996b) *Changing Management to Manage Change in Education* 13-14.

<sup>6</sup> Heystek 2004 *S. Afr.j.educ* 308.

<sup>7</sup> Bagarette 2011 *J Soc Sci* 228.

<sup>8</sup> Heystek 2004 *S. Afr.j.educ* 310.

<sup>9</sup> This refers to meetings of the governance structure only, and not of governance structure committees.

- compiling meeting agendas in collaboration with the principal;
- proposing an annual schedule of governance structure meeting dates, times and venues;
- reviewing and signing the minutes of governance structure meetings;
- serving on other committees of the governance structure, as appropriate;
- convening special governance structure meetings as prescribed by the governance structure constitution;
- determining the date, time and venue of the annual general meeting and drafting its agenda in collaboration with the principal;
- chairing the annual general meeting and any other meeting hosted by the governance structure for parents and other stakeholders;
- assessing the effectiveness of the governance structure at the end of each year, and making proposals to improve the governance structure's functioning, as needed;
- ensuring that the governance structure applies proper risk management and does proper planning;
- acting on the governance structure's behalf in all legal action once mandated thereto by the governance structure;<sup>10</sup>
- representing the school and governance structure in all discussions on school governance matters with the provincial education department; and
- serving as the link between the principal and the governance structure when the governance structure is not in session.

Overall, the chairperson has a responsibility to ensure that all members of the governance structure at all times respect the relationship of trust between the governance structure and the school in all decisions and actions. In this regard, it is important to emphasise that this role of the chairperson includes all members of the governance structure, and not only

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<sup>10</sup> Should the chairperson be unavailable, the deputy chair or any other governance structure member authorised thereto by a governance structure resolution will act on the governance structure's behalf.

the parent component. Please refer to the school's founding documents<sup>11</sup> for additional duties.

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