

Participation Council Statute of Stichting 'Het Rijnlands Lyceum'; primary education

Adopted by the Executive Board on 08-11-2021
Approval of the Joint Participation Council for Primary Education (GMR
PO) dated 08-11-2021

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The Board of Stichting 'Het Rijnlands Lyceum' and the joint participation council of the combined school, consisting of:

- Eerste Nederlandse Montessori School, in The Hague;
- The Primary School of the International School of The Hague, in The Hague;
- European School of The Hague Rijnlands Lyceum, Elementary School, in The Hague

have held consultations on the application of the Dutch Act on Participation in Schools (*Wet Medezeggenschap op Scholen*). They have also expressed their expectations on the possibilities that this Act provides for the enhancement of the mutual communication and the formal consultations on all activities in and around the combined school that are of importance to the management, parents, students and staff members.

The Board and the Participation council herewith state their vision on the participation and make concrete agreements on mutual communication, as well as the provision of information to all persons involved with the combined school, as stated below.

In principle, the Board of Stichting 'Het Rijnlands Lyceum' consults separately with the Joint Participation Council for Primary Education ('GMR PO') and the Joint Participation Council for Secondary Education ('GMR VO') on both school-transcending and Stichting matters. In the case of special circumstances of common interest to both primary and secondary education, both joint participation councils strive for consensus and transparent deliberation. For this reason, they can meet together.

The joint participation council has agreed to the participation statute with at least a two-thirds majority.

Since each school that is part of the joint school is completely independent of the other schools in its nature and functioning, the wish has been expressed to organise participation as much as possible at the level of each school, establishment and/or location. For this reason, a structure with a joint participation council for the common issues and an own participation council for each individual school, establishment and/or location has been chosen. The distribution of competences, as laid down in the management statute of the Stichting, is the starting point for determining whether the Participation Council or the Joint Participation Council should deal with issues.

This statute is based on the sample statute of the Stichting Onderwijsgeschillen (infowms.nl)

Chapter 1 General provisions

Article 1 Definitions

- a. **Act:** Education Participation Act (*Wet Medezeggenschap op Scholen*) (Bulletin of Acts and Decrees 2006, 658);
- b. **Competent authority:** Stichting 'Het Rijnlands Lyceum';
- c. **GMR:** the joint participation council as intended in Section 4 of the Act;
- d. **MR:** the participation council as intended in Section 3 of the Act;
- e. **Schools:** the schools under the jurisdiction of the competent authority;
- f. **Students:** the pupils, within the meaning of the Primary Education Act (*Wet op het primair onderwijs*), enrolled in the schools;
- g. **Parents:** the parents, guardians or carers of students;
- h. **Staff:** the staff that are employed or will be employed for at least six months without appointment by the competent authority and that are employed at the schools;
- i. **Section of the (joint) participation council:** a separate group of participation council members, as referred to in Section 3(3) of the Act.
- j. **Section within the school:** a separate group within the school, i.e. parents or staff, as referred to in Article 1, paragraphs g and h of this Statute.
- k. **Statute:** this participation statute

Article 2 Nature and period of operation

1. The Statute will enter into force on 8 November 2021 and will have a period of operation of two years.
2. Not later than three months before the period referred to in the previous paragraph expires, the GMR PO and the competent authority will discuss the evaluation, updating and adjusting and re-evaluation of the Statute.
3. The Competent authority and GMR PO may make proposals to amend the Statute regardless of the expiry of the period referred to in the first paragraph of this Article.
4. A proposal by the competent authority to amend the Statute requires the approval of two-thirds of the members of the GMR PO.

Chapter 2 Organisation of participation

Article 3.1 Joint Participation Council

1. A GMR PO has been established for matters of common interest to all schools or the majority of schools.
2. The GMR consists of three members elected by the staff section of the respective councils from the staff of the school concerned and of three members elected by the parent sections of the respective councils from the parents of the school concerned.
3. The election of Joint Participation Council members takes place in accordance with the Joint Participation Council participation regulations.
4. A person is installed as a member of the GMR PO by the Board of the Stichting after he/she has been elected in accordance with the election procedure included in the participation regulations of the GMR PO. Before proceeding to the installation, the Board of the Stichting will ascertain that the election is valid and in accordance with the regulations.
5. The regulations of the joint participation council require the consent of at least two-thirds of the members of the GMR PO and are adopted by the competent authority.

Article 3.2 Participation Council

1. Each school has an MR PO.
2. The Board of the Stichting may establish a participation council as referred to in Section 3(6) of

the Act for the central services office. This central services office participation council is directly elected from and by the staff of the respective central services office. The relevant central services office participation council is part of the joint participation council for secondary education.

3. The MR PO is chosen directly by and from the sections of the respective school.
4. The regulations of the council determine the constitution and the competences. The constitution is such that the number of members elected from the staff of the schools and from the parents, respectively, will each be half of the number of members of the MR.
5. The election of Participation Council members takes place in accordance with the Participation Council participation regulations.
6. The regulations of the participation council require the consent of at least two-thirds of the members of the GMR PO and are adopted by the competent authority. Decision-making on the regulations of the participation council by GMR PO takes place after consulting the MRs.
7. A person is installed as a member of the respective MR PO by the director of the respective school after he/she has been elected in accordance with the election procedure included in the participation regulations. Before proceeding to the installation, the director of the respective school will ascertain that the election is valid and in accordance with the regulations.

Article 3.3 Special circumstances of common interest

1. The Board of the Stichting, on behalf of the competent authority, conducts consultations on school-transcending and Stichting matters with the joint participation councils separately.
2. In case of special circumstances of common interest to both primary and secondary education, both joint participation councils strive for consensus. For the purpose of unambiguous decision-making and transparent deliberation, the two joint participation councils may, in that case, meet jointly.
3. The initiative for a joint meeting can be taken by one of the two Joint Participation Councils or by the Board of the Stichting.
4. The Board of the Stichting attends the joint meeting on behalf of the competent authority.
5. The joint meeting discusses the competences granted to the joint participation councils in the individual participation regulations, which have a sector-transcending significance and which also involve a special circumstance.
6. In the case of an appointment or dismissal of the executive director, the joint participation councils may establish a joint appointment advisory committee in the joint meeting, which operates on the basis of equality of both joint participation councils, or agree on joint participation in an appointment advisory committee.
7. With regard to the working method and the decision-making process of the joint meeting, the provisions of this Statute and the participation regulations both joint participation councils apply. Decisions are taken on the basis of equality of both joint participation councils.
8. In the case of a joint meeting, the chair of the Joint Participation Council for secondary education will act as chair, and the chair of the Joint Participation Council for primary education will act as secretary and deputy chair.

Chapter 3 Provision of Information

Article 4 Information by the competent authority

1. The competent authority will provide the GMR, the MR, or their sections, whether requested or not, with the information required by each of them for the performance of their duties, in a timely and accessible manner. 'Timely' is understood to mean: from the initial phase of policy development, and in any case at such a time that the GMR, the MR and their sections can use the information in the performance of their duties and, if necessary, can consult experts. 'Accessible manner' is understood to mean: in such a way that the information is understandable, relevant and clear to the GMR, the MR and their sections.
2. The information referred to in paragraph 1 will in any case include:
 - a. annually, the budget and the corresponding policy plans in the financial, organisational and educational fields;
 - b. annually before 1 May, information on the calculation that forms the basis for the resources that the National Treasury allocates to the competent authority;
 - c. annually before 1 July, an annual report as intended in Section 171 of the Primary Education Act;
 - d. the points of departure that the competent authority employs for the execution of its competences;
 - e. immediately informed of any decision by the complaints committee, as referred to in Section 14 of the Primary Education Act, in which the committee has found a complaint to be well-founded and of any measures that the competent authority will take as a result of that decision, all this in compliance with the regulations relating to the privacy of the staff, the parents and the students, as referred to in Sections 12(1)(m), 13(i) and 14(2)(f) and 14(3)(d) of the Act;
 - f. at least once a year written information on the level and contents of the employment regulations and agreements per group of the persons employed at the school and the members of the competent authority, with insight being provided regarding the percentage with which these employment regulations and agreements are related to one another, as well as to those of the previous year;
 - g. at least once a year written data on the level and contents of the terms of employment and agreements with the representative of the legal person who is responsible for monitoring the competent authority, at which an insight is provided regarding what percentage these terms of employment and agreements are related to each other, as well as to those of the previous year; and
 - h. at the beginning of the school year the written information with regard to the constitution of the competent authority, the organisation within the schools, the management statute, and the main points of the policy already established.
3. The competent authority will in any event make the information available to the joint participation council and the participation council in writing and, where possible, in a digital format.
4. All information obtained is in principle public.
5. If the competent authority submits a proposal to a section of the joint participation council or the participation council for advice or consent, the competent authority will simultaneously submit this proposal to the other section of the joint participation council or the participation council for information.

Article 5 Provision of information to those involved

1. The GMR and MR will report in writing on their activities to all those involved in the schools on a solicited and unsolicited basis, and will give each of them the opportunity to be consulted.
2. The meetings of the GMR, the MR, or their sections, are in principle open to the public.
3. In principle all information is provided in writing and where possible also in a digital format.

Article 6 Mutual provision of information

1. The GMR, MR and their sections will report to one another in writing on their activities on a solicited and unsolicited basis, and will give each of them the opportunity to be consulted.
2. In principle all information is provided in writing and where possible also in a digital format.

Chapter 4 Facilities

Article 7 Facilities and means of provision

1. The competent authority will allow parents and staff members who participate in the GMR, MR and their sections to use the facilities which the competent authority has at its disposal and which they reasonably need for the performance of their duties.
2. The competent authority will also reimburse the training costs agreed in advance for the members of the (joint) participation council in order to make their work for the (joint) participation council more professional.
3. The staff members of the (G)MR are given the necessary facilities in time for consultation, training and other participation activities, with due observance of the provisions of the primary education collective labour agreement.
4. For parents who are members of the GMR PO, there is an attendance allowance of €50.00 per attended meeting.
5. Parents who are members of the MR of a school do not receive any remuneration.
6. At the written request of parents and members of staff who participate in the GMR, MR or their sections, the competent authority will immediately reimburse the reasonably necessary costs of hiring experts and the costs of conducting legal proceedings. The GMR, MR, or their sections may request the competent authority to pay these costs directly to the expert or other third party. In the latter case, the competent authority will comply with that request immediately.
7. The GMR, MR and their sections will inform the competent authority in advance of the participation activities as referred to in paragraph 6.

Chapter 5 Discussions

Article 8 Discussions on behalf of the competent authority

1. The executive director holds discussions with the GMR, a representation of the GMR and the sections of the GMR on behalf of the competent authority.
2. The meetings with the MR, a representation of the MR and the sections of the MR are conducted by the principal of the school in question.
3. The persons referred to in the previous paragraphs may be relieved of this task at their own request. In that case, the competent authority will immediately arrange for a comparable replacement.
4. The consultation meetings between the GMR (section) and the competent authority and between the MR (section) and Principal are in principle closed unless all participants decide otherwise prior to the consultative meeting.

Chapter 6 Miscellaneous

Article 9 Official Title

1. This Statute can be cited as: primary education participation statute.