



**LAURENTIUS**

stichting voor katholiek primair onderwijs

## **Participation Statutes**

Together we are the Laurentius  
Foundation!



# Foreword

In the Participation in Schools Act -Wet Medezeggenschap Scholen- (hereinafter referred to as: WMS), a participation statute is a mandatory document, in which the participation entities associated with the Laurentius Foundation are mapped out and in which, in addition to the mandatory articles, articles are also included that aim to facilitate the functioning of participation entities, individually or in cooperation with the legal authority.

The Board of the Laurentius Foundation and the joint participation council hereby record their vision on participation and make concrete agreements about the communication back and forth and the provision of information to all persons involved in the school, as mentioned below.

With this revised version of the employee participation statutes, the participation statutes from 2020 will lapse.

Delft, May 2023

# Acceptance of employee participation status

The joint participation council of the Laurentius Foundation approved this participation statute by at least two-thirds majority on 22 June 2023. The employee participation statute takes effect on 1 July 2023 and has a validity period of two years.

**Assent:**

GMR meeting of 26 October 2023

**For your information:**

Supervisory Board dated 27 June 2023

**Adopted:**

Executive Board of 01 November 2023

Mr. K. Tigelaar  
Chairperson

# Paragraph 1 General

## Article 1 definitions

- a. law: the Participation in Schools Act;
- b. board / legal authority: Executive Board Laurentius Foundation
- c. joint participation council: the joint participation council (hereinafter: GMR) as referred to in Article 4 of the Act;
- d. participation council: the participation council as referred to in Article 3 of the Act;
- e. support plan council: the support plan council as referred to in Article 4a of the Act;
- f. schools:

1. 03PQ Petrusschool in Rijswijk
2. 04KU Sint - Jozefschool in Nootdorp
3. 05HD De Zuidwester in The Hague
4. 06MV Rosaschool in The Hague
5. 06OP Pius X in Bergschenhoek
6. 07AK De Buutplaats in The Hague
7. 07UO Petrus Dondersschool in The Hague
8. 10GK Pyramid in Rijswijk
9. 10XK Mariaschool in Rijswijk
10. 11LE Godfried Bomansschool in Rijswijk
11. 12SL Gabriëlschool in Delft
12. 12SL-00 International School Delft in Delft
13. 13FA Jenaplanschool De Oostpoort in Delft
14. 13KK Cornelis Musiusschool in Delft
15. 13PI Bernadette Mariaschool in Delft
16. 13WS Mgr. Bekkersschool in Delft
17. 14DJ Titus Brandsmaschool in Delft
18. 14GD De Regenboog in Delft
19. 14IX De Bonte Pael in Delft
20. 14LL De Wilgenhoek in Berkel en Rodenrijs
21. 15JV Jenaplanschool De Kwakel in Berkel en Rodenrijs
22. 15MH De Poolster in Berkel en Rodenrijs
23. 17KG Mariaschool in Den Hoorn
24. 21GJ Laurentiusschool for SBO in Delft
25. 25KP The Willibrordschool in Bergschenhoek
26. 26AV De Christoffel in The Hague
27. 26MJ Laurentius Practical School in Delft
28. 27LY Het Baken in Berkel en Rodenrijs
29. 28CE De Gouden Griffel in Berkel en Rodenrijs

- g. pupils: pupils as described in the Primary Education Act and the Secondary Education Act;
- h. parents: parents, guardians or guardians of pupils;
- i. school management: the director and deputy director, referred to in the Primary Education Act and the Secondary Education Act, who are

employed or otherwise mandated by the legal authority to work at the school;

(j) 'staff' means staff employed or employed for at least six months without appointment to the legal authority and employed at the school;

k. articulation: the individual groups of members referred to in Article 3, third paragraph of the Act;

l. GMR-regulations: regulations of the joint participation council;

m. MR-regulations: regulations participation of individual schools.

## **Paragraph 2(d) participation entities**

### **Article 2 Participation entities**

1. A GMR is attached to all schools. This council is elected by the participation councils from among the staff members and the parents in accordance with the provisions of the GMR-regulations.
2. Each school has a participation council. This council is directly elected by and from the staff and the parents in accordance with the provisions of the MR-regulations.
3. The GMR or the participation councils are represented on the support plan council of the partnership
  - Fitting Primary Education Delflanden – Passend Primair Onderwijs Delflanden (PPO Delflanden) 2802;
  - Stichting Passend Primair Onderwijs Haaglanden (SPPOH) 2815;
  - VO Delflanden (Secondary Education Delflanden) 28.9,the election of which takes place in accordance with the provisions of the rules of the support plan board.
4. By way of derogation from paragraph 2 and the other provisions of this Statute, the participation body of International School Delft shall be regarded as a sub-council within the meaning of the WMS and the tasks and powers shall be governed by the sub-council regulations adopted for the ISD sub-council.

### **Article 3 Scope and composition of participation bodies**

1. The aim is to achieve an even distribution of chosen members staff and parents.  
The participation council of a school within the Laurentius Foundation chooses 1 staff member or 1 parent for the GMR.
2. The participation council of a school within the Laurentius Foundation consists of at least 4 members of whom 2 members are elected by and from the staff and 2 members are elected by and from the parents.
3. The participation council of the Laurentius Praktijk School consists of (4) members, of whom (2) members are elected by and from the staff, (1) members, who are elected by it from the parents and (1) members, who are elected by the pupils.

## **Section 3 Provision of information**

### **Article 4 Provision of information from the legal authority to the participation entities**

1. The legal authority shall announce a request for consent to intended decisions as referred to in Article 13(a) (educational objectives), (merger or transfer) and Article 14(b), insofar as it concerns termination of the school's activities and Article 16(b) (change of the basis or conversion of the school) of the MR regulations and Article 16(i) (privatisation of the secondary establishment) of the GMR regulations, in writing to the relevant participation entity six months before the decision will be implemented.
2. The legal authority shall announce a request for consent to intended decisions as referred to in Article 13(b) to (g) and in Articles 15 and 16(a) and (c) to (i) of the MR Regulations in writing to the relevant participation body two months before the decision is to be implemented.
3. The legal authority shall announce a request for advice with regard to intended decisions as referred to in Article 17 of the MR Regulations to the relevant participation body in writing three months before the decision is to be implemented.
4. In consultation and in the interest of careful decision-making or of urgent interest, the periods referred to in the previous paragraphs may be deviated from.
5. The information will be provided in writing where possible. Preparatory documents are shared in SharePoint.
6. For the periods referred to in this Article, the summer holidays shall have a suspensive effect.

### **Article 5 Provision of information between participation entities**

The communication within the organization will be distributed digitally as much as possible, including via Sprekend Laurentius, SharePoint and via the website.

1. The participation council, the GMR and the sections of these councils shall inform each other fully and clearly, unsolicited, of their positions, working methods and procedural agreements with the legal authority. Reports of meetings shall be disseminated immediately, subject to approval if necessary.
2. At the request of one of the councils referred to in the first paragraph, a board shall immediately provide all and complete information on certain matters, provided that they are not subject to agreements on confidentiality.
3. The information shall be provided in writing where possible. It is desirable to make maximum use of e-mail.
4. Information shall in principle be provided to the secretary of the GMR and, in his/her absence, to the chairman of the GMR. The members of the Board shall be given an overview of the information provided. Everyone has the opportunity to view the information and to request its information from the Council.

## **Article 6      Confidentiality**

With regard to matters that have been discussed in a closed meeting or about which the legal authority has imposed confidentiality, the obligation to provide information lapses.

## **Paragraph 4 Facilities**

### **Article 7      General facilities for the benefit of participation entities**

1. For the purpose of their meetings, the representative entities may, in consultation with the designated official, have at their disposal meeting rooms, other meeting facilities (coffee, tea, drinks, refreshments), dispatching facilities and copying facilities.
2. Expenditure that is reasonably necessary for the performance of the task of a participation entity, including training costs, shall be borne by the legal authority. The reasonably necessary costs of consulting an expert and of conducting legal proceedings by a representative body shall only be borne by the legal authority if the legal authority has been informed in advance of the costs to be incurred. The legal authority may, in agreement with the participation entity, set the costs that the participation entity will incur in any year at a certain amount that the participation entity can spend at its own discretion. Costs which would exceed the amount referred to here, shall only be borne by the legal authority to the extent that the legal authority agrees to bear them.
3. The amount referred to in the preceding paragraph shall not cover consultation of experts, including legal assistance, on the administrative side.
4. Where the amount referred to in paragraph 2 is not used in full in the calendar year in which it was entered in the budget, it may be used in the following year, it being understood that where the total amount has become more than twice the annual amount, the remainder shall be returned to the resources of the Laurentius Foundation.
5. If (a section of) a participation entity wishes to hold a constituency consultation, it shall immediately inform the legal authority thereof. The legal authority shall make facilities available for this purpose.
6. Participation bodies may, in consultation with any editors, make use of the usual publication methods within the school or schools (publication boards, intranet).

### **Article 8      Facilities for the benefit of staff**

For the staff who sit on a participation body, facilities are made available in the form of hours, in accordance with what has been agreed in the COLLECTIVE LABOUR AGREEMENT.

## **Article 9      Facilities for the benefit of parents**

1. For parents who sit on a participation body, an expense allowance shall be made available to cover demonstrable and necessary expenses.
2. The expenses referred to in paragraph 1 shall in any case include travel and subsistence expenses, which shall be reimbursed in accordance with what is laid down in the collective labour agreement for staff.

## **Paragraph 5   Representation of the legal authority**

### **Article 10      Consultation GMR**

1. Discussions with the GMR shall be conducted by the chair and member of the Executive Board.
2. In the absence of both chair and member of the Executive Board, the discussions will be conducted by a representative to be appointed by the Executive Board.

### **Article 11      Consultation of participation councils**

1. Discussions with the participation councils shall be conducted on behalf of the legal authority by the school's management.
2. In the absence of the Supervisory Board, the discussions shall be conducted by a representative of the Supervisory Board, to be appointed by him or by the legal authority.

### **Article 12      Exemption**

1. The official responsible for consultation may request the legal authority to relieve him, in whole or in part, of his duties to conduct the discussions. The request shall be substantiated.
2. The legal authority shall grant the exemption:
  - (a) if the official responsible for consultation cannot reasonably be expected to conduct the discussions in general, or
  - (b) if the official responsible for consultation cannot reasonably be expected to conduct the discussions on one or more matters.
3. The legal authority shall take a decision on the request as soon as possible and shall inform the representative body of its decision in writing. The exemption is for a fixed period of time and can concern all or only certain cases. The decision shall be substantiated.
4. Where an official as referred to in paragraph 1 concerns the Executive Board itself, the Supervisory Board shall decide on a request for exemption.

## **Paragraph 6   Other provisions**

### **Article 13      Acceptance and amendment of the Staff Regulations**

1. The legal authority shall, in compliance with the provisions laid down by or pursuant to the law, establish the statute of participation at least once every two years.



2. The legal authority shall submit the participation statute, including any amendment thereto, to the GMR as a proposal and shall adopt it only if the proposal has obtained the consent of two-thirds of the number of members of the GMR.

#### **Article 14    Citation title; entry into force**

1. This Statute may be cited as: Employee Participation Statute Laurentius Foundation
2. This Statute shall enter into force from 1 July 2023.

## Explanation

### Article 1(i)

A member of the executive board is authorised to conduct negotiations with a representative body on behalf of the legal authority.

The wording 'in employment or otherwise' offers the possibility that interim directors can also negotiate with the board.

### Article 1(j)

Staff members who have been employed for at least six months without appointment are, for example, temporary workers.

### Article 4(4)

In urgent cases, the situation must be considered when a deadline must be met to claim a certain compensation. The legal authority may not invoke this paragraph to undo a culpable postponement of a request for advice or consent.

### Section 4, Facilities

When determining the facilities available to the Council, it is advisable not to make agreements for an indefinite period.

### Article 7(3)

Here it is excluded that the legal authority would withdraw the costs that it has to incur itself for the provision of information to the (G)MR or in a dispute with the (G)MR from the budget of the (G)MR.

### Article 7(4)

This agreement serves to prevent 'reservoirs' of unused money for employee participation from having to be retained.

### Article 7(6)

The consultation with the editors is included because the management (who is usually represented in the editorial board of an information bulletin or staff period) should not be surprised by unexpected publications.

### Article 9(1)

Here one can think of postage or telephone costs.

When a parent or student performs a position (chairman, secretary) that involves a lot of work, one can of course consider offering a compensation in return, related, for example, to the maximum tax-free volunteer allowance.



**plezier**



**samen**



**open**



**eigenaarschap**



**groei**



**toekomstgericht**



**eigen**

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