



SUMMARY OUTCOME

APEEE IV - Information Meeting on Statutes 05 December 2017

The information meeting went well. Fewer persons attended than had registered but what we lacked in numbers was more than compensated for by the high quality of the discussion.

Key points included, but were not limited to:

Article 3: Data protection

- Q. why is there a new article “The Association shall comply with the law relating to the protection of personal data”. in the Statutes?
- A. The Association is committed to ensuring the highest standards of personal data protection, and wants to formalise this commitment in the Statutes.
- Q. To which data protection law does Article 3 refer?
- A. The article has deliberately been drafted generically not to refer to any specific Belgian or European legislation, so that it never becomes out of date. Data protection provisions will be addressed in more detail elsewhere. When collecting information about individuals, Belgian personal data protection law of 8 December 1992, as amended, applies. At European level, we have:
- Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.¹
 - Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.² This is the General Data Protection Regulation (GDPR).

The GDPR will come into effect on 25 May 2018. It is a new set of regulations to protect the personal data and privacy of EU citizens. It will affect any company that processes personal data of EU citizens – even if that company doesn't have a presence in an EU country – making this legislation more than a European concern. GDPR stipulates that personal information be “processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality')”.

¹ OJ L 8, 12.1.2001, p. 1.

² OJ L 119, 4.5.2016, p. 1

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Article 5.6 Members' powers

- Q. Does this mean only honorary members (i.e. those who do not pay the annual fee) ?
- A. No. It means all Members Honorary and Full. Article 5.7 describes the additional powers that full Members can use.

Article 5.8 Life membership

- Q. Why have we added this new category?
- A. The Board wants to create the title of life member so that it can recognise people who have done a great deal of work for the APEEE and for the School. It could be awarded (for example) to an outgoing Head of the School or to one or two of the Board Members. Some of them spend literally hundreds of hours in attending meetings, writing papers and seeking in every way possible to promote and protect the interests of the school children and their parents. As Board members are unremunerated – awarding them a life membership of the APEEE could be a nice way of recognising and thanking them for their work. It would be just a simple paper certificate - nothing more. You will see that they have no voting or other rights.

Article 5.10 – membership list

- Q. Why cannot the membership list be consulted on the Association's website?
- A. The requirement that the membership list can be consulted only at the registered office relates to data protection. All of the EEB Schools have an identical provision to our draft in their statutes.

Article 7.2 Class representatives

- Q. Will the proposal to reduce the number of class reps from 4 persons to 2 persons not run counter to the Association's aim to involve the parents more in its activities?
- A. No. This is all about voting rights and ensuring that General Assemblies are able to vote on resolutions, for implementation by the Board.

Article 10.7 Timelines

- Q. Article 10.6 states that a GA is convened at least "two weeks" beforehand". Yet article 10.7 states that the motions must be submitted "at the latest three weeks before the official date of the meeting". Is there not an inconsistency in these two dates?
- A. No. This text is unchanged from the 2012 statutes and the answer is in article 6.5. This is the "first notification of the GA" which has to be at least one month beforehand. Article 10.6 is the "formal convocation" of the GA.

Article 10.7 submitting motions/items for discussion

Comment: the list of class reps should be known and circulated well in advance to parents

- A. Comment noted.
- Q. Can honorary members vote too?
- A. No. Only class representatives, who are up to date with their annual fee payment, can vote.

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Article 10.11

- Q. There is a need to allow for more weight of full members at least. Often class representatives are not present.
- A. Article 10.13 allows class reps to hold up to 3 proxies in total from other class reps, not necessarily from their own class, but also from the class reps for other classes.

Articles 10.13 and 10.14

- Q. you should allow more representation for full members at least.
- A. Point noted.

Article 11.4 Board

- Q. As far as the composition of the Board is concerned, we should try to ensure the representation of each section regardless of how many votes the individual candidates have taken. For example if 4 English take 25 votes and an Italian takes 10, the Italian should go to the Board and not all four English. Could you explain how it will be?
- A. The candidates who obtain the most votes are elected provided that at least two persons from each linguistic section open at the school are included on the Board. Note also that the Section Reps follow the work of the Board and up to six SRs can attend board meetings without being board members (see articles 8.)

This ended the Q&A session. In addition, two general points were made at the meeting:

Point 1: The Association allows General assemblies to run into the early hours of the morning

- A. The next GA will start at 18:30 sharp, as should future GAs. The Association recognises that parents have family obligations and work the next day, so cannot stay at a meeting until 01:00.

Point 2: Communication with parents on what the APEEE did was very poor.

- A. the Association has started to take "effective communications" very seriously. A dedicated communications expert has been appointed, and explanatory brochures explaining the roles of the APEEE, class reps etc. are being developed. A first draft was available in time for the class rep elections in September.

Next steps

The Association will expand the "justification text of the table" to include these comments and replies. It will be circulated asap.

Parents will be invited to send any comments or queries they may have so that their points can be addressed prior to the GA. We want to deal with the Statutes swiftly at the GA because there will be a notary present for this item and we want to keep the related costs down.

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Closing remarks

Everyone at the meeting stated that they would vote in favour of the statutes as they stood.

They also would vote in favour of a draft resolution “early implementation” of the statutes from 01.01.2018. This will be submitted to the GA for vote at the same time as the statutes. Its purpose is to get, inter alia, the Social fund (see Article 11.12) up and running with effect from that date.