



# Coastal Taranaki School

**NAG 3 Personnel**

**Policies and Procedures**



### **3. PERSONNEL POLICY**

#### **Rationale**

Coastal Taranaki School will be a good employer in recognition that a committed stable staff will provide the best learning environment for students.

#### **Purpose**

To provide the best learning environment for students we recognise that by providing staff with optimum conditions, adequate resources, effective on-going training, career opportunities and encouragement we will foster staff well-being and promote high levels of performance.

#### **Guidelines**

- Develop and implement personnel and industrial policies, within policy and procedural frameworks set by the Government from time to time, which promote high levels of staff performance, use educational resources effectively and recognise the needs of students;
- Be a good employer as defined in the State Sector Act and comply with the conditions contained in employment contracts applying to teaching and non-teaching staff.

#### **Conclusion**

Coastal Taranaki School Board of Trustees meets its obligations to NAG 3, by ensuring that the following documentation is developed, implemented and reviewed as part of the Board's self-review process.

This policy is reviewed on a 3-year cycle in line with the Board's documented self-review plan.

Approved: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_

#### **SUPPORTING DOCUMENTS**

Employment of Relievers

Performance Standards

Collective Employment Agreements

Associate Teacher Reports

Staff Development programme

BOT Folder

Ministry Gazette Notices & Circulars

Professional Development Evaluation Form

Staff Induction Form

Job Descriptions

Staff personnel records

EEO Programme & Report

Staff Appraisal programme/agreement/records

Current Budget

Appointment Documentation

Charter

Professional Development Application Form



## **3A EQUAL EMPLOYMENT OPPORTUNITY POLICY**

### **Definition:**

Equal Employment Opportunities refers to the operation of the principle of appointment and promotion by merit. It refers to the right to be considered for a job for which one is skilled and qualified without a person's chances of employment, promotion etc. being reduced by any irrelevant personal characteristics. It is aimed at ensuring that preference is given to the person best suited to the position.

### **Rationale:**

In accordance with the requirements under the State Sector Amendment Act, the Coastal Taranaki School Board of Trustees affirms its commitment to the principles of Equal Employment Opportunities for all employees and has adopted the policy of:

- Eliminating discrimination and ensuring the continued absence of discrimination in employment on the grounds of race, creed, sex, marital status, physical disability, sexual or political preference and on any other grounds that shall constitute a disadvantage.
- Promoting equal opportunity in all aspects of employment including recruitment, selection and appointment, education, training and development, career path planning and promotions.

### **Purpose:**

- The purpose of this policy statement is to ensure that all employees and applicants for employment are treated according to their skills, qualifications, abilities and aptitudes, without regard to irrelevant factors.

### **Broad Guidelines:**

1. This school will develop and implement the EEO programme in consultation with Board employees, particularly employees from the target groups and their employee organisations.
2. We will appoint or select a designated staff or Board member who will be responsible for co-ordinating the development and implementation of the equal employment opportunities programme, and who may be contacted for further information about EEO matters in the school.
3. All personnel policies and practices will be developed or reviewed to ensure that they include EEO principles. Personnel policies and practices include the areas of recruitment and selection, promotion and career development, and conditions of service.

### **Specific Guidelines:**

As part of this school's EEO programme we are committed to:

1. Having a woman teacher in at least one of the top positions (if one is available). If unavailable, a senior woman will have some responsibilities relating to girls' discipline and a reduction in previous duties.
2. Providing positive Maori role models by encouraging the appointment of Maori teachers and their promotion to positions of responsibility, where possible and proficient.

### **Conclusion:**

An EEO programme is a requirement in this school. By implementing the guidelines and working in co-operation with our employees, we will make equal employment opportunities a reality in our school.

This policy is reviewed on a 3-year cycle in line with the Board's documented self-review plan.

Approved: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

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## 1) ALLOCATION OF UNITS

Each year the roll of the school generates staffing allocations. Part of these allocations are units which carry a remuneration, these can be fixed term or permanent. Units will be available to all teaching staff and will be offered and allocated to the person or persons most qualified for the key tasks and assignments. Allocation will be the responsibility of the Principal who will consult staff, manage the process and report to the Board on unit allocations. Fixed Term Unit review will be carried out annually after staffing for the following year has been notified and future school needs identified

### Units for Management (MU)

- Are required to support the management of Coastal Taranaki School.
- Teachers designated as Deputy Principal, Assistant Principal, Head of Curriculum and Deans all require units as of right according to staffing schedules and will have job descriptions which clearly define management components and associated professional standards.
- Extra Units for Management generated by the roll will be allocated as needs become apparent.
- Any change of responsibility and status of each position will be reflected with a change in the number of units allocated.

### Units/Allowances for Responsibility (MMA)

- Will be allocated objectively in relation to specific tasks or roles
- Where possible Units/Allowances will be used for aspects of responsibility
- Units will have clear job descriptions which specify
  - Task or role specification
  - Tenure
  - Lines of accountability
  - Performance appraisal procedures
- Units may be allocated as Fixed Term or permanent
- The key tasks will be identified from school needs

### Loss of Management Units

Where there is a reduction in the number of management units allocated to the school –

- Fixed Term Units will be the first units identified and the CAPNA process will govern the loss of these units
- The Principal will ask permanent unit holders if any holder is planning to resign in the near future or will voluntarily seek a reduction in responsibility and relinquish their unit or units.
- If there is no response to this request the CAPNA process will govern redistribution of Units
- The teacher holding the position identified as surplus will be advised in writing.
- The process followed for the reduction of units is as set out in the ASCA

### Fixed Term Units

1. To ensure that due recognition is given to staff for the duties they undertake.
2. The fixed term units are allocated separately each year.
3. The Principal will conduct a process of consultation with staff which allows all teachers an opportunity to make suggestions regarding the use of fixed term units.
4. Fixed term units may be allocated for a whole or part of a year.
5. The Principal is ineligible for allocation of fixed term units.
6. The process of consultation will be outlined and the outcome of that consultation will be presented to staff.
7. Specialist Classroom Teacher (SCT) has a targeted allowance that is not a management unit as outlined in ASCA. Allocation of other units to the SCT will be as per the ASCA guidelines.

## **2) APPOINTMENTS**

The Board of Trustees will comply with procedures as established in relevant awards and regulations for all teaching and non-teaching staff to ensure the best possible appointments are made.

### *Guidelines:*

*To ensure that the appointment procedures are consistent, fair and transparent and meet EEO policy requirements. The appointment process will comply with the Privacy Act and Vulnerable Children's Act. Venues for the interviews, travel and accommodation expenses will be at the Principal's discretion.*

### **Permanent Appointments**

1. All positions will be advertised in the Gazette.
2. A minimum of 14 days' notice for all advertisements shall be given
3. All applications received by the Principal within the timeframe will be acknowledged in writing.
4. A description for the position will be provided
5. Applicants will be asked to complete an application form, and send a C.V. and the names of three confidential referees.
6. No late applications will be accepted.
7. For the principal's position the shortlist and interview will be conducted by the BoT with the support of an independent advisor.
8. No person involved in making an appointment shall act as a referee for an applicant
9. All positions offered are subject to full Board of Trustees ratification pending completed safety checks.
10. Assistants and Ancillary Staff positions, after consultation as above, will be offered by the Principal. All relevant Collective Agreements will be recognised as appropriate.
11. Management Positions - after consultation, a short list for interviews will be made up by the Appointments Committee, comprising Principal, and other Board of Trustees members as appropriate.
12. Applicants will have the right to be supported at the interview.
13. The Principal may offer an appointment to the position to the first ranked applicant. This offer shall state a reasonable timeframe for acceptance. In the case of an applicant declining the offer of appointment the principal may proceed to offer the position to the second ranked applicant.
14. The offer of employment shall state starting dates and end dates if applicable, responsibilities, pay scale and other information as applicable.
15. An applicant shall accept the offer in writing.
16. On accepting the offer of employment, after verbal acceptance a letter of confirmation will be sent.
17. The appointments committee may decide to re-advertise if there are no suitable applicants.
18. All appointments will agree, in writing, to the CTS Code of Conduct.
19. For support staff, caretakers and cleaners, a negotiation of their hours of work will form part of the acceptance of the position.
20. All teaching appointees must be registered with the Education Council.

### **Temporary appointments, acting positions, Long term relieving**

1. The principal may make a temporary appointment in situations that require continuity of delivery.
2. The temporary appointee may be appointed on such terms and conditions as determined by the principal in consultation with relevant collective agreements.
3. Termination of a temporary appointment shall be in writing and include an end date of employment.
4. A temporary appointee may apply for an advertised vacancy for which they are filling.

## **3) ASSOCIATE TEACHERS**

### **1. College of Education**

Requests from the various Colleges of Education for successful and experienced teachers to make themselves available to assist in the training of teachers is often made. An allowance is paid and there is an expectation that Associate Teachers will be available for briefing seminars and will complete and photocopy such reports and procedures as are required from the Colleges of Education. The allowance is payable directly via NOVOPAY

### **2. Application**

Application is by discussion with the Nominated Teacher in Charge. Associates must demonstrate successful teaching practice and classroom management and organisation.

#### **4) COMPLAINTS AND CONCERNS**

##### **Purpose:**

It is important for all concerned that clear procedures exist by which complaints can be heard, and appropriate follow-up action taken, within the principles of natural justice and relevant employment agreement.

People from all sectors of the school community are encouraged to raise their concerns at an early stage, so that if possible these can be addressed effectively through appropriate low level action.

Complaints against staff members (given the contractual situation) will be dealt with following the addendum affixed below.

##### **Objectives:**

- Most concerns will initially be raised verbally in an informal way directly to the person concerned, within an appropriate setting.
- Advocacy will be encouraged at any stage of the complaints proceedings if any party so chooses.
- If a mutually agreed outcome is not forthcoming, mediation will be available at any stage if agreed to by both parties.
- For more serious issues, or concerns which have not been satisfactorily resolved through discussion and mediation, formal procedures will exist. Such complaints will be in writing.
- The referee responsible for investigating and acting upon a formal complaint will notify the person concerned and provide them with a copy of the complaint.
- If any matter raised is deemed to be of sufficient seriousness it will be referred by the Principal to the Board of Trustees chairperson, and possibly on to other agencies. In such cases, if significant safety issues are involved, the person concerned may not be notified in the first instance.
- The complainant will be provided with a written reply by the referee responsible, outlining the actions taken. If this action is deemed unsatisfactory, the complainant will have recourse to a further party, by outlining their concerns in writing.
- Ultimately, if the complainant is still unhappy with the response of the Board of Trustees, provision will be made for an independent arbitrator acceptable to both parties, with the cost to be shared equally by both.
- The Protected Disclosures Policy will be used for concerns of serious wrongdoing by the Board of Trustees or by a staff member as raised by another employee or a contractor of the school.
- Any complaints directly received by the Board of Trustees will be referred back to the Principal in the first instance, except where those complaints relate to the Principal

##### **Staff Conduct and Discipline Addendum:**

- Any disciplinary investigation whether arising from a complaint or otherwise, must be carried out in accordance with the relevant employment contract provisions. In most instances this will be the teacher's collective employment agreement. For this reason we have made reference to contractual provisions.
- It is fair comment that not only the complainant should be protected, but also the rights of the accused. This will be particularly important if it turns out that the complaint is unfounded or perhaps even vexatious. We have included references to staff rights to representation and so on.
- The requirement to keep accurate records, while this is always preferable, in some situations it may not be possible and if expressed as a requirement in a policy document may become a procedural issue.

##### **Rationale:**

The individual concerns of all staff and students need to be recognised and the wider interests of both the school and community protected and enhanced. Concerns related to students either by staff or other students are dealt with in the school's Discipline and Guidance procedures. All complainants and staff have a right to fair, non-threatening treatment. The School environment should be such that parents, staff and students feel able to come forward with concerns and know all matters will be dealt with fairly and in the strictest confidence.

##### **Purposes:**

- To ensure the safety of the complainant and that the rights and dignity of employees are given full consideration.
- To meet aspects of the Charter relating to student progress and welfare.
- To ensure that in the case of a complaint against an employee, action is guided by the relevant employment contract and principles of natural justice.
- To ensure that communication and consultations with families take place wherever possible and appropriate.
- To provide clear guidance to management in respect of any allegations received and how to deal with these in fair and appropriate ways.

## **Guidelines:**

- Complaints will be referred in the first instance to the appropriate area of management e.g. complaints about the Principal would be referred to the Board of Trustees; senior management to the Principal; curriculum teaching to Senior Management.
- All complaints will be taken seriously. Formal complaints against staff should identify both parties and relate to serious specific issues.
- Where appropriate there will be early consultation with all parties concerned.
- Guidance and support will be available to staff and students when necessary.
- If a complaint is to become the subject of a formal disciplinary investigation then this shall be conducted in accordance with relevant employment contract provisions and natural justice.
- Complainants will be kept informed of the outcome of any investigation.
- Police and other outside agencies should only be involved after consultation with parents/guardians.

## **Guidelines for Trustees**

### **Note:**

These procedures follow the school Complaints Policy.

- Verbal complaints are normally treated as informal.
- Written complaints are treated as formal.
- Assistance for the complainant, by way of an advocate or trustee representative, may be sought at any level.
- There is no avenue for informal complaints by a parent about a teacher.
- Complaints from one student about another would be handled by a teacher or by the Principal, with an appropriate course of action being taken.
- Complaints from one staff member about another would be handled by the Principal, with an appropriate course of action being taken.
- Complaints about trustees could be handled by the BOT Chairperson.
- The Principal will manage complaints of a general nature, in the first instance.
- Any formal complaint about the Principal must be made to the BOT chairperson.
- Any matter of sufficient seriousness would be referred by the Principal to the BOT chairperson.
- Any complaints about the Board chair will be referred directly to NZSTA

## **5) DRESS CODE**

A professional, yet practicable, standard of dress helps communicate the expectations we have for ourselves and the standards we are able to expect of our students. Staff are asked to dress in a manner seen to be a positive example to the students and consistent with reasonable expectations.

Various classroom and other activities are likely to dictate choice of clothing. The dress standard of staff will assist in raising student personal presentation standards and public perception of Coastal Taranaki School.

## **6) EQUITY**

All children, regardless of gender or religious, ethnic, cultural, social or family background, are entitled to the same educational opportunities.

1. To ensure that the curriculum is non-sexist and non-racist.
2. To ensure that all pupils have access to learning programmes and physical resources.
3. To ensure that no pupil at school is disadvantaged in access to learning.
4. To identify pupils who do not experience successful outcomes from learning.
5. To ensure that learning is enhanced by the provision of appropriate role models where applicable.
6. To ensure that there is no sexual harassment of pupils, parents or staff members and that grievance procedures are established in this area.

Groups of children may be identified for extra help as necessary. All teachers, regardless of sex, religious or ethnic background, will have equal opportunity for teaching in senior positions.



## **7) JOB DESCRIPTIONS**

1. There will be a Job Description in place for all employees.
2. This Job Description will be the subject of annual review at the commencement of each school year.
3. Individual Job Descriptions will be reviewed during the appointment of a new employee.
4. A separate Job Description will be required for staff holding Units.
5. Job Descriptions support and are part of the Performance Appraisal.

## **8) MEETINGS**

1. **Teacher Staff meetings**  
This is the main way of professional development for whole teaching staff. Meetings run for one hour and follow a set agenda.
2. **Syndicate meetings**  
Teams meet on agreed days after school with an agenda. Minutes of these meetings are forwarded to the Principal when necessary.
3. **Senior Management**  
Senior staff meet regularly. Minutes of these meetings are kept by the Principal.
4. **Staff Briefings**  
Held at 8.05 am on Monday & Friday to inform staff about weekly events.
5. **Pastoral / PB4L**  
Held on a regular rotation afterschool, with an agenda. Minutes are circulated to staff members.
6. **Dreamweaver / whanau hui**  
Twice per term where possible. Minutes of meetings circulated to staff.
7. **FOCTS**  
Held monthly at 7pm – public encouraged to attend. Minutes circulated.
8. **BoT Meetings**  
Held twice per term. Public are welcome to attend these meetings. Additional meetings may be required.

## **9) NEW TEACHERS TO THE SCHOOL**

1. The appropriate Senior Leader will conduct an induction programme for all new teachers early in the period of their appointment, to acquaint them with the nature of the school and its community, as well as the professional organisation. Induction tracking sheet filed in staff employment folders.
2. Teachers whose registration is subject to confirmation will be required to follow a programme of advice and guidance for up to one year under the provision of a delegated staff member (Tutor Teacher) in consultation with the PRT Co-ordinator.
3. A Provisionally Registered Teacher will be required to follow a programme of advice and guidance for up to two years under the supervision of a staff member (Tutor Teacher) in consultation with the PRT Co-ordinator.

## **10) PERSONAL GRIEVANCES AND DISPUTES**

### **Introduction**

The Coastal Taranaki School Board of Trustees makes every effort to meet its obligations as a fair and good employer. Occasionally, however, an employee may feel that they have an employment relationship problem, or grievance or dispute related to their employment. Personal grievances and disputes shall be addressed in accordance with the provisions of Part 9 of the Employment Relations Act 2000.

### *What is an employment relationship problem?*

It is a problem between the employee and the employer – in this case, the Board of Trustees. For example, it might be a personal grievance or a dispute about a provision in an employment agreement.

### **Action Resolving an Employment Relationship Issue**

The employee and Board should first make a reasonable effort to discuss the problem, and settle it by mutual agreement. If it's a personal grievance, it must first be raised with the Board, and within 90 days (Personal Grievances are explained further below). An employee has the right to be represented at any stage – as does the Board. When a problem arises, union members should contact their union field officer for advice and representation. The Board should contact a NZSTA adviser or other representative of its choice.

## **Personal Grievances**

A personal grievance is a particular type of employment relationship problem that normally must be raised with the employer within 90 days of the grievance arising. An employee may have a personal grievance where:

- They have been dismissed without good reason, or the dismissal was not carried out properly;
- They have been treated unfairly;
- Their employment or a condition of their employment has been affected to their disadvantage by an unjustified action of their employer;
- They have experienced sexual or racial harassment, or have been discriminated against because of their involvement in a union or other employee organisation, or have suffered duress over membership or non-membership of a union or other employee organisation;
- They have been discriminated against in terms of the prohibited grounds of discrimination under the Human Rights Act 1993.

*Note: The full meaning of the terms personal grievance, discrimination, sexual harassment, racial harassment, and duress, shall be the meaning given by sections 103 to 110 inclusive of the Employment Relations Act 2000.*

As with other employment relationship problems, the parties should always try to resolve a personal grievance through discussion.

Either party can refer a personal grievance to the Employment Relations Service of the MBIE for mediation assistance, or to the Employment Relations Authority.

If the problem relates to a type of discrimination that can be the subject of a complaint to the Human Rights Commission under the Human Rights Act 1993, the person can either take a personal grievance, or complain to the Human Rights Commission, but not both. If in doubt, advice should be sought before deciding.

## **Services Available**

To help resolve employment relationship problems, the MBIE provides:

- **An information service**  
This is free. It is available by contacting the MBIE.
- **Mediation Service**  
The Mediation Service is a free and independent service available through the MBIE. This service helps to resolve employment relationship problems and generally to promote the smooth conduct of employment relationships. Mediation is a mutual problem solving process, with the aim of reaching an agreement, assisted by an independent third party. If the parties can't reach a settlement they can ask the mediator, in writing, to make a final and binding decision.  
A settlement reached through mediation and signed by the mediator at the request of the parties is final, binding, and enforceable. Neither party can then take the matter any further, nor can either party be made to comply with the agreed settlement by court order.  
If the problem is unresolved through mediation, either party may apply to have the matter dealt with by the Employment Relations Authority.

*Note: All employment relationship problems, including personal grievances and any dispute about the interpretation or application of this agreement, must be resolved under Parts 9 and 10 of the Employment Relations Act 2000.*

## **11) NON TEACHING STAFF**

1. All non teaching staff shall be employed and paid in accordance to the relevant Employment Agreements including Individual employment agreements .
2. Staff will be paid for the actual hours of work unless they are on contract.
3. The caretaker/cleaners and Principal PA shall be employed as set out in the relevant Employment Agreement and shall take annual leave during the school vacations as agreed with the Principal.
4. Actual hours of employment are agreed to by November, prior to the year of employment, between the Principal and support staff. Learning Assistants hours of employment are dependent on funding and school wide focus'.

## 12) PERSONNEL FILES

Confidential files must be held by Boards as part of good management of staff. The types of information held will include:

- CV with application for employment.
- Letters of offer and acceptance for the position.
- Documentation outlining position, hours of work and hourly rate for non teaching staff, personal details.
- Correspondence entered into with the employee during employment.
- Performance Appraisal documentation.
- Any disciplinary action undertaken.
- Applications for leave.

Personnel files to be kept in a locked cabinet in the Principal's PA's office. Should a staff member wish to see their own file, they should make a request to the Principal who will arrange a time for the file to be viewed. No contents may be taken from the school site.

All files to be kept for seven years after the employee leaves. (This is because employees can make a wage claim going back six years and can also claim a breach of contract for dismissal which can be backdated six years.)

## 13) STAFF APPRAISAL

### Introduction

Teaching and support staff can expect to be provided with feedback, which measures work performance against

- The job description
- The Practising Teacher Criteria (PTC)
- The Professional (Teaching) Standards (PS)

This feedback can be both formal and informal. Formal feedback is generally given by a person with whom the appraisee has a functional relationship. Formal feedback (appraisal) is used

- To acknowledge the staff member's contribution to the school
- To state the aspects of performance that meet, partially meet or do not meet the standard expected
- To ensure that appropriate professional development opportunities are available

### Process (Teaching staff)

1. The Senior Leadership Team will annually prepare an **Appraisal Web** which specifies the appraisers and appraisees. This is publicised to staff and modified as agreed. Modification will occur as new staff are employed.
2. An **Initial meeting** is held early in Term 1. The teacher's job description is reviewed and amended as agreed with the principal.  
The initial meeting sets goals (personal and professional) in regards to:
  - matters identified and agreed upon at the appraisal review the previous year
  - the school's strategic goals for the year
  - the Teaching as Inquiry project nominated by the appraiseeThe meeting also identifies the professional development focus to support the teacher in achieving their goals.
3. Three formal appraisal observation are held each year. Terms 1 & 3 by the appraiser and Term 2 by the Buddy teacher. This would typically be set up to enable the teacher to provide evidence in working towards their professional goals.  
Written feedback and feed forward must be provided in a timely fashion after the observations.
4. A portfolio of evidence is kept by the teacher to enable self-review and peer review to be carried out.
5. The Teaching as Inquiry Project is part of the evidence collected. All evidence must be cited by the Principal.
6. An Appraisal Review meeting is held in Term 4. This takes the form of a self-review by the teacher, and a summative assessment by the appraiser. The Principal will cite and sign the completed documentation.
7. This informs attestation which may be used to:
  - prepare professional development and support programmes
  - allow for salary/service increment advance
  - enable attestation for the 3-yearly renewal of the Teacher's Practising Certificate
  - signal a need for the consideration of the provisions of the ASTCA (2.3: Teacher Competence)

## **Process (Support Staff)**

An equivalent process will be followed as per Teachers at CTS with due consideration to the relevant provisions of respective collective agreements

## **14) POLICE VETTING**

1. All employees will require a police vet as part of their safety check. Teacher registration covers police vetting for teaching staff.
2. The Principal is responsible for the police vet check and these will be sent for before the appointment is made.
3. The Principal will check the vet and if there is nothing untoward it will be put in the employee's file and the appointment confirmed.
4. If the vet shows up something untoward a decision needs to be made whether to appoint or not. This is up to the discretion of the Principal.

## **15) PRIVACY**

The Official Information Act extends the strict limits imposed by Principle 11 on Disclosure to third parties. The Privacy Officer's duties are to:

- a. Encourage compliance by the School with the 12 privacy principles.
- b. Deal with access and correction requests made to the School.
- c. Assist the Privacy Commissioner in relation to the investigation of complaints.
- d. Otherwise ensure compliance by the School with the Act.

Provide internal procedures for dealing with access requests. Annually review all personal information the school currently holds to ensure that:

- a. It is securely held.
- b. It is accurate and up to date.
- c. Redundant information is deleted.
- d. Unique identifiers (ID numbers) are adopted for individuals only where appropriate.

Review the procedures for obtaining personal information (including stationery and forms) in order to ensure that:

- a. The requirements of the Act are complied with.
- b. The "purpose of collection" is sufficiently widely defined and established.
- c. All consents and authorisations necessary to allow all proposed uses of information are obtained at the time of collection.
- d. Any consents and authorisations necessary to obtain information from third parties, including other schools, are obtained.

Review current or proposed uses of personal information to ensure that the use is consistent with the purpose of collection and that future use will not breach the principles. Review procedures for release of personal information to ensure that:

- a. Appropriate consents are obtained prior to release; or
- b. The statutory obligations are otherwise complied with.

Ensure that school staff stay current in their understanding of their obligations under Privacy Act.

### **Purpose of collection of personal information:**

Personal information will be collected only for a purpose connected with the function of the school, and only where collection is necessary for that purpose.

### **Source of personal information:**

As far as is practicable, personal information will be collected from a parent or the adult concerned.

### **Collection of information from individuals:**

When collecting personal information from an individual, reasonable steps will be taken to ensure that the person is aware of:

- The fact that information is being collected and the purpose of collection
- The intended recipients of the information
- The consequences of refusing to provide the information
- The right of access to and correction of personal information

### **Manner of collection of personal information:**

Personal information will not be collected by unlawful, unfair or unreasonably intrusive means

### **Storage and security of personal information:**

Reasonable steps will be taken to ensure that all personal information is protected (loss, unauthorised access, misuse)

### **Access to personal information:**

Individuals are entitled to access information about them that is held by the school in a readily retrievable form

### **Correction of personal information:**

Individuals are entitled to request correction of personal information

### **Accuracy etc. of personal information:**

The school shall take responsible steps to ensure that information used is accurate, up-to-date, complete, relevant and not misleading

### **Agency not to keep personal information for longer than necessary:**

The school will not keep personal information for longer than is necessary for the purposes for which the information may lawfully be used

### **Limits on use of personal information:**

The school will not use personal information collected for one purpose for any other purpose

### **Limits on disclosure of personal information:**

The school will not disclose personal information to any other party unless disclosure is one of the purposes, or is directly related to the purposes for which the information was obtained.

### **Unique identifiers:**

The only "unique identifier" that shall be used by the school shall be an individual student's "Enrolment Number".

### **Confidentiality:**

The Board and all staff sign code of conduct documents which contain a confidentiality clause, this includes any information at all relating to the school and its business. Breaches of the code of conduct for Board are referred to NZSTA, for staff are referred to the Principal.

## **16) PROTECTED DISCLOSURE**

### **Who can make a protected disclosure?**

- A staff member (either temporary or permanent)
- A contractor supplying services to the school
- A former staff member (either temporary or permanent)

Any person fitting into any of these categories is able to make a disclosure under the provisions of this Act.

### **What is a Protected Disclosure?**

A protected disclosure is a declaration made by an employee where they believe serious wrongdoing has occurred. Employees making disclosures will be protected against retaliatory or disciplinary action and will not be liable for civil or criminal proceedings related to the disclosure.

### **What is a serious wrongdoing?**

The Act defines a serious wrongdoing as being any of the following:

- (a) An unlawful, corrupt, or irregular use of funds or resources of a public sector organisation; or
- (b) An act, omission, or course of conduct that constitutes a serious risk to public health or safety or the environment; or
- (c) An act, omission, or course of conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial; or
- (d) An act, omission, or course of conduct that constitutes an offence; or
- (e) An act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement;
- (f) Whether the wrongdoing occurs before or after the commencement of this act.

## **Conditions for Disclosure:**

Before making a disclosure the employee should be sure the following conditions are met:

- The information is about serious wrongdoing in or by the school; and
- The employee believes on reasonable grounds the information to be true or is likely to be true; and
- The employee wishes the wrongdoing to be investigated; and
- The employee wishes the disclosure to be protected.

## **How is the “whistle blower” protected?**

You are “protected” when making a disclosure in the following ways:

- Your identity will be confidential unless you give permission to be identified
- You cannot be victimised by your employer for having disclosed the information
- You are not liable for civil or criminal proceedings for disclosing the information
- If you believe that you have been unfairly treated in your job or unreasonably dismissed following a disclosure you can take a personal grievance against your employer.

## **PROCEDURES:**

### **1. How to submit a disclosure:**

If on reasonable grounds you believe you have information that a serious wrongdoing is occurring (or may occur) within the school and you wish to disclose that information so it can be investigated you can make a protected disclosure to the Principal / Board Chairperson. The employee should submit the disclosure in writing.

### **2. Information to be contained:**

In writing the disclosure should contain detailed information including the following:

- The nature of the serious wrongdoing
- The name or names of the people involved
- Surrounding facts including details relating to the time and/or place of the wrong doing if known or relevant.

### **3. Where to send disclosures:**

A disclosure must be sent in writing to the Principal who has been nominated by the Board of Coastal Taranaki School Trustees under the provision of Section 11 of the Protected Disclosures Act 2000 for this purpose. If you believe that the Principal is involved in the wrongdoing or has an association with the person committing the wrongdoing that would make it inappropriate to disclose to them, then you can make the disclosure to the Board Chair.

### **4. Decision to investigate:**

On receipt of a disclosure, the Principal/Chair of the Board must within 20 working days examine seriously the allegations of wrongdoing made and decide whether a full investigation is warranted.

If warranted a full investigation will be undertaken by the Principal/Chair of the Board or arranged by him/her as quickly as practically possible, through an appropriate authority.

### **5. Protection of disclosing employee’s name:**

All disclosures will be treated with the utmost confidence. When undertaking an investigation and when writing the report, the Principal/Chair of the Board will make every endeavour possible not to reveal information that can identify the disclosing person, unless the person consents in writing or if the person receiving the protected disclosure reasonably believes that disclosure of identifying information is essential:

- To ensure an effective investigation
- To prevent serious risk to public health or public safety or the environment
- To have regard to the principles of natural justice

### **6. Report of investigation:**

At the conclusion of the investigation the Principal/Chair of the Board will prepare a report of the investigation with recommendations for action if appropriate, which will be sent to the person making the Protected Disclosure.

### **7. Disclosure to an appropriate authority in certain circumstances:**

A disclosure may be made to an appropriate authority (including those listed below) if the employee making the disclosure has reasonable grounds to believe:

- The Principal/Chair of the Board in the school responsible for handling the complaint is or may be involved in the wrongdoing; or
- Immediate reference to another authority is justified by urgency or exceptional circumstances;
- There has been no action or recommended action within 20 working days of the date of disclosure.

Appropriate Authorities include (but are not limited to)

- Commissioner of Police
- Controller and Auditor General
- Director of the Serious Fraud Office
- Inspector General of Intelligence and Security
- Ombudsman
- Parliamentary Commissioner for the Environment
- Police Complaints Authority
- Solicitor General
- State Service Commissioner
- Health and Disability Commissioner
- The head of every public sector organisation

#### **8. Disclosure to Ministers and Ombudsman**

A disclosure may be made to a Minister or an Ombudsman if the employee making the disclosure

- Has made the same disclosure according to the internal procedures and clauses of this policy
- Reasonably believes that the person or authority to whom the disclosure was made:
  - Has decided not to investigate; or
  - Has decided to investigate but not made progress with the investigation within reasonable time;
  - Has investigated but has not taken or recommended any action; and
  - Continues to believe on reasonable grounds that the information disclosed is true or is likely to be true.

#### **9. Why can't the "Whistle Blower" go to the appropriate authority?**

There are three circumstances when you can go directly to the appropriate authority:

- When you believe that the head of the organisation is also a party to the wrongdoing or has an association with the person which would make it inappropriate for them to investigate.
- If the matter needs urgent attention or there are other exceptional circumstances.
- If after 20 working days there has been no action or recommended action on the matter to which the disclosure related.

#### **10. What happens if even the appropriate authority does nothing?**

You could then make the disclosure to the Ombudsman (unless they were the authority you have already disclosed to) or a Minister of the Crown.

The act does not protect you if you disclose information to the media or a member of parliament other than a Minister of the Crown in the circumstances referred to above.

#### **11. Where can more information be found?**

If you notify the Office of the Ombudsman verbally or in writing, that you have disclosed or are considering a disclosure under this Act, they must provide information and guidance on a number of matters including those discussed here and the protections and remedies available under the *Human Rights Act 1993* if the disclosure leads to victimization.

A copy of the Act can be found on the Internet at Legislation on Line

<http://rangi.knowledge-basket.co.nz/gpacts/actlists.html> Click on "P" then scroll to *Protected Disclosures Act 2000*.

### **17) PROVISIONALLY REGISTERED TEACHERS**

Provisionally Registered Teachers (PRT) are given advice and guidance so that they have the opportunity to become fully registered.

To ensure PRT teachers have a valid and effective programme to enable progress towards registration:

- The Principal will appoint a skilled teacher to co-ordinate the development of all Provisionally Registered Teachers.
- The PRT co-ordinator will act in accordance with guidelines as published in the staff manual.
- A Tutor Teacher is to be allocated by the Principal. They are to create an effective development programme for the PRT
- Tutor teachers have the responsibility to develop the new teacher into becoming an effective teacher.
- Clear guidelines will be outlined to guide the effective use of the .2 staffing Provisionally Registered allowance. This time allowance and use will be indicated in the teacher's Development Programme
- The Principal needs to ensure that the Tutor Teacher's Job Description is clearly defined and that the role of the Tutor Teacher is seen by all staff as an important delegation
- All Provisionally Registered Teachers will have the opportunity to participate in a range of Professional Development activities including attendance at relevant seminars and workshops at the school's discretion.

## **18) RELIEVING TEACHERS**

1. All leave other than sick leave must be approved by the Principal in advance.
2. A teacher informs the Relief Co-ordinator (RC) that they will be absent – if becoming ill overnight usually by 7.00 a.m.
3. The RC is responsible for the administration and management of relieving teachers. Every effort will be made to employ suitably, trained and qualified teachers as relievers. All teachers must be Registered or have Provisional Limited Authority or Subject to Confirmation.
4. Classroom teachers are responsible for ensuring that all available teaching materials, timetables and work plans are in place and class and school rules are displayed for ready reference.
5. Relief Folders will be supplied to relievers with essential information about school systems and routines. These folders are held by the RC. Folders will be kept up to date with relevant work.
6. In the event where a suitable reliever cannot be found then the RC in consultation with Senior Staff will make a decision as to whether:
  - Teachers of senior classes who have non-contact will cover relief
  - The class can be offloaded within other classes in the school.

## **19) ROLE MODELS**

- Role models are recognised as an important ingredient in providing excellence in education.
- Coastal Taranaki School will increase staff and students awareness that they are role models.
- That staff and students who act courteously and do not permit unacceptable behaviour are providing positive role models and are therefore enhancing learning.
- That staff appointments and promotions reflect where appropriate the gender and racial compositions of the school.
- That student seniority, status and responsibility reflect where appropriate the gender and racial composition of the school.

## **20) PROFESSIONAL DEVELOPMENT**

**All PD will link to Charter and School-wide goals where possible.** PD can include:

In-service Course (internal/external)

Teacher Only Days

Visits to other schools

Visits from Advisers

Teacher Swap

Tertiary Studies

Appraisal and guidance by HOF and/or Senior Management

Subject Associations (conferences/memberships/subscriptions)

Conferences

### **Professional Development Co-ordinator's Role**

A Senior Leadership Member is to be identified as the Professional Development Coordinator at the end of each year. Their role is:

- 1 To receive and sort all requests.
- 2 To prioritise and recommend strategies to meet the needs and to estimate costs.
- 3 To monitor the programme, receive reports from participants.
- 4 To ensure evaluation of course and matters of general interest are communicated at next full staff meeting by course attendants.

### **Staff Cover**

Teacher relief is available for any of the activities listed under Scope of Professional Development Policy.

- 1 Staff will cover for a colleague who is engaged in Professional Development with the proviso that in the first instance a reliever will be employed to cover classes.
- 2 Work for classes is to be set by the class teacher.
- 3 Teachers / relievers are expected to actively teach the class, following the relief teacher's plan.



## **Procedure**

- An annual allocation of resources will be made in each year's budget
- Release time will be made available when practical for teachers to engage upon professional development work
- PD Application Forms must be completed and returned to the PD Coordinator
- Leave application form to PD Co-ordinator will return request forms which will indicate if approval has been granted.
- After attending PD completion of the Evaluation Form is to occur and filed in Professional Development clearfile in the PD Coordinator's room. Staff will be required to report back to staff at a full staff or syndicate meeting. This must be minuted.
- If deposits/registrations are required urgently the PD Coordinator will forward to the Financial Administrator for action.
- An induction programme will be run for beginning teachers and for teachers new to the school
- Staff development may be organised on an individual, team curriculum and school basis
- Alternative staff development programmes to traditional in-service courses will be encouraged
- A separate allocation will be made for school based staff development including professional development for ancillary and support staff
- All staff accept a professional responsibility to help their colleagues and to assist in their professional development
- Staff development can take place both within and outside the school environment
- Sufficient funds will be made available to allow release for all teachers.
- PD Co-ordinator will ensure RC has all relevant relief requirements.
- PD Co-ordinator will inform the office manager of relief requirements for Payroll purposes.

## **Reimbursement**

- Reimbursement claims will be processed by the Financial Administrator but need to be approved by the PD Co-ordinator for payment.
- The Financial Administrator will process two claim forms (office records and PD records)

## **21) STAFF DISCIPLINE**

The Coastal Taranaki School Board of Trustees as a good employer has the obligation and responsibility to comply with the Employment Contracts Act and ensure the rights of all employees to procedural fairness and natural justice when disciplinary action is undertaken.

### **Purpose:**

1. To ensure that the principles of natural justice are observed when an employee fails to reach or falls below the standard of conduct expected.
2. To ensure staff are provided with an early warning system and a definite statement when disciplinary action is being considered.
3. To provide information on rights and obligations in cases of disciplinary action.
4. To provide a process for disciplinary action where an employee's employment contract does not outline such a disciplinary process.

### **Procedure:**

- Before commencing any disciplinary process the Principal must consult with the Board Chairperson.
- The Principal/Board committee is to seek appropriate advice from the New Zealand School Trustees Association Industrial Adviser, the Employers Association or school lawyer.
- The Principal/Board committee must comply with the reporting requirements contained in the relevant insurance policy held by the Board of Trustees.
- On the initiation of each disciplinary step the employee shall be advised of their right to request assistance of a representative at any stage.
- If the employee does not wish to have a representative present at an interview, this must be documented and signed by the employee at the beginning of the interview. A witness to the interview shall then be arranged by the person conducting the interview.
- Principles of promptness, impartiality, consistency, fairness, natural justice and advance warning will underpin any decision to take disciplinary action.

- Employees are to be advised of the standards of conduct expected of them. A copy of all Board policies will be available in a folder in the staffroom. A copy of the Disciplinary Policy will be given to any employee receiving a letter outlining matters of concern.
- In any case where the Board of Trustees is satisfied that the welfare of students and/or staff is at risk, then they may suspend the employee, with or without pay (normally on pay), pending the final decision of an inquiry.
- Confidentiality is important to ensure fair process and should be respected by all parties.
- The personal grievance provision as set out in Part III of the Employment Contracts Act 1991 will be available to an employee who is aggrieved by any action taken under this policy.

## **Disciplinary Procedures**

### **1. Teachers / ancillary staff**

Disciplinary processes outlined in the relevant collective agreements will be adhered to. The Principal is delegated the power to undertake the initial investigation of teacher discipline except in situations where there may be the possibility of an allegation of bias or conflict of interest.

### **2. Non-Teaching Employees**

Where a collective Employment Contract does not include a disciplinary procedure, or an IEA is used, the following procedures will be used.

#### Misconduct

- For matters other than serious misconduct the following warning procedure applies.
- The Principal is delegated the power to apply this procedure as Chief Executive of the School.
- On the initiation of each step of the procedure the employee shall be advised of their right to request the assistance of a representative at any stage.

#### Step One: Verbal Warning

1. The Principal shall, in writing, outline the matter(s) of concern to the employee.
2. The employee shall be given a reasonable period of time to provide an explanation.
3. The Principal may need to make further enquires to clarify the facts of the specific matter(s) causing concern before making a final decision.
4. If the Principal is satisfied that the matter(s) of concern are proven then he/she may issue a verbal warning to the employee. The verbal warning shall outline the corrective action required to amend their conduct and the employee be given a reasonable opportunity to do so. The employee shall have explained to them that failure to take the corrective action will result in further disciplinary action being taken.
5. The Principal has the discretion to make the verbal warning valid for a period up to six months.
6. The fact that a verbal warning has been given plus acknowledgment that the process has been followed is to be recorded, shown to the employee, signed by the employee and placed on the employee's personal file.

#### Step Two: Written Warning

Where a verbal warning fails to result in the required improvement the Principal may wish to proceed with a written warning.

1. The Principal shall, in writing, outline the matter(s) of concern to the employee.
2. The employee shall be given a period of time to provide an explanation - ten working days.
3. The Principal may need to make further enquires to clarify the facts of the specific matter(s) causing concern before making a final decision.
4. If the Principal is satisfied that the matter(s) of concern are proven then he/she may issue a written warning to the employee. The written warning shall outline the corrective action required to amend their conduct and the employee be given a reasonable time frame in which to do so. The employee shall have explained to them that failure to take the corrective action will result in further disciplinary action being taken.
5. The written warning plus acknowledgment that the process has been followed is to be recorded, shown to the employee, signed by the employee and placed on the employee's personal file.

#### Step Three: Final Written Warning

Where a written warning fails to result in the required improvement the Principal may wish to proceed with a final written warning. This is to follow the procedure of Step Two, 1 - 5, but the employee must be specifically advised that continued unsatisfactory behaviour or performance will result in dismissal.

Note: In some circumstances it may be appropriate to move straight to Step Three for misconduct that does not constitute serious misconduct but is of sufficient concern to justify a final written warning. This shall occur with the authorisation of the Board.

These matters above are not an exhaustive list of serious misconduct nor is it intended that every such matter listed must always be treated as serious misconduct. Each case will be assessed on its individual merits. For all of the above steps the Principal will keep the Board informed.

### **3. Principal**

Where an allegation of misconduct is directed at the Principal the Board of Trustees will carry out the discipline procedure itself according to the process outlined in the Principal's Employment Contract.

## **22) STAFF HOURS**

1. Teaching staff are required to be at school for the length of time, prior to the arrival of their pupils, that it takes them to prepare their programme, their environment and themselves adequately.
2. All teachers are expected to be in their classrooms from 8.30 – 8.50 a.m. unless they are on duty. They are expected to attend Monday and Friday briefings at 8.05 am.
3. Teachers will be required to remain after school until all necessary duties have been completed and professional dialogue can be utilised (4.30 pm is considered to be the minimum requirement).
4. Teachers will also be responsible for duty and supervision as prescribed.
5. Support Staff, Caretaker and cleaners will negotiate their hours of work on acceptance of their position.

## **23) STAFF INDUCTION**

A staff induction programme be established that will see the following occur:

1. Upon appointment each new staff member will be provided *with a copy of*:
  - the School Vision & Charter
  - the School Prospectus
  - the Staff Handbook
  - the Board Policy Manual
  - the Departmental Manual(s) for their teaching area(s)
  - Job Description
  - Appointment letter
  - Payroll documents
  - Orientation of Library, Computer room, Gym & sports equipment, school office, Caretaker
  - Taken through procedures for recording absences, setting relief, photocopying, duty, EOTC, notification if ill, Relationship management plan (PB4L), meetings and shared decision making, teaching resources, emergency procedures and evacuation.

*Before or shortly after commencement they be*

- Introduced to the staff as a whole and to individuals that they will work with
- Provided with a "buddy" outside of their teaching area
- Given an orientation of the school which will include special attention to
  - The library
  - Computer resources
  - Gym
  - The office and Accounts Office
  - Audio Visual resources
- Shown the procedures and schedules for:
  - Recording absences
  - notifying school of personal illness and requesting leave
  - setting relief work
  - Organising an excursion
  - Typing and photocopying
  - Obtaining resources
  - Meeting and shared decision making
  - Emergency procedures and evacuations

2. That a standardised checklist be developed to record that all of the induction procedures have occurred and that a copy of this checklist be included in the new staff member's personnel file.
3. That when the checklist has been completed, each new staff member be asked to comment on the effectiveness of the programme.

## **24) STAFF LEAVE**

1. The Board will observe the current Collective Employment Agreement criteria. Leave without pay will be granted by the Principal in accordance with these regulations.
2. Application for leave will not be unreasonably withheld. All decisions made will be fair, equitable, and consistent.
3. The Principal has authority to approve discretionary leave applications up to a duration of three days with or without pay, subject to the availability of suitable relieving staff. The Board will consider applications for longer periods.
4. It is important that such leave does not unreasonably impinge upon the operational requirements of the school.
5. The RC will be responsible for the appointment of the required relievers.
6. All discretionary leave applications must be submitted in writing to the Principal in sufficient time to allow a suitable reliever to be employed.
7. Unless there are special circumstances all applications for leave, with or without pay, are to be made in writing at least 10 days before the leave is required and five days before the next Board meeting.
8. Leave for greater than three days may be granted by the Board according to the following guidelines:
  - a. In general the Board will not grant any special leave in conjunction with vacations and normally they expect teachers to arrange for private business to be conducted during vacations. There must be special circumstances for this leave to be granted during the term.
  - b. Leave may be granted if a minimum of three years continuous teaching service has been completed.
  - c. Leave may only be granted for a maximum of up to one year.
  - d. For discretionary leave for one year or longer applications must be submitted in writing to the principal by the end of term 3 the preceding year. The application will then be considered at a full Board meeting and is at the discretion of the BOT.
  - e. Leave will only be granted if suitable relieving staff can be employed.
9. Sickness leave beyond 3 days is to be supported by a medical certificate
10. Staff may receive leave for jury service.
11. Factors to be considered for leave; each case is considered on its merits, the amount of disruption to the management and organisation of the school, precedents set, leave the person has already taken, availability of a suitable reliever, affordability.
12. Abuse of leave provisions will be treated as a disciplinary matter.
13. Unforeseen circumstances may prevent strict adherence to some aspects of this procedure. In these cases the Board and / or principal will be guided by the principles of these procedures and the collective agreements in the action being taken.

## **25) TEACHER COMPETENCE**

To establish clear guidelines for dealing with complaints from students and/or parents and/or teachers regarding teacher competence and to ensure that the curriculum is delivered by suitably qualified and skilled teachers.

1. The Principal, on behalf of the Board of Trustees, should ensure that courses offered are taught by staff who have suitable qualifications and teaching skills.
2. The Principal will be in receipt of all complaints from students and/or parents and/or teachers regarding teacher competence.
3. Should such a complaint be received and should the Principal decide that the matter, as given, is of a serious nature and/or merits investigations, the member of staff concerned will be advised of the nature and substance of the complaint. Advice of relevant agencies will be sought regarding appropriate action. A meeting will be arranged between the Principal and teacher (with counsel). After discussion of the matter the Principal will decide whether the complaint is legitimate. However, if this is not the case the complaints procedure will rest there and no further action taken, beyond advising the complainant of the finding.
4. If there are grounds established that justify the complaint, based on the Principal's decision in the matter, then the process and recommendations as outlined in the collective agreements will be followed.
5. All situations that could lead to a personal grievance must be dealt with in a careful and thorough manner. The procedure to be followed will be as outlined under clauses within the relevant collective agreement.