



## **Bream Bay College**

# Policy Framework

The following documentation outlines the board's governance framework and is aligned with the school's Charter values.

The following policy framework supports our governance model that is hands off and strategic rather than hands on and operational.

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## Part A: Annually updated section

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7. Relationship between chair and principal policy	The relationship between the chair and the principal is based on trust, integrity and mutual respect.		Sept 2019	Sept 2020
8. Principal performance management policy	A fair and transparent performance management process recognises the professionalism of the principal and the accountabilities of the board.		Sept 2019	Sept 2022

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4.2 Asset protection policy	Assets of the school are utilised to maximise the best outcomes for students.	41	April 2018 June 2018	April 2021
5. Protection and sharing of intellectual property (Creative Commons) policy	The board enables and encourages sharing and collaboration between teachers by recognising and removing legal barriers that exist to the sharing of learning resources and other materials created by school staff in the course of their employment.	42	April 2018 June 2018	June 2021

6. Health and safety policy	A safe and healthy workplace is maintained by providing the information, training and supervision needed to ensure the health and safety of all students, staff and other people in the workplace.	43	June 2018	June 2021
7. Child protection policy	Students at this school thrive, belong and achieve to the best of their ability. The school is committed to the prevention of child abuse and neglect and to the protection of all children.	45	June 2018	June 2021
8. Managing challenging behaviour and physical restraint policy	To minimise the effect of challenging behaviour, the board of trustees shall ensure that effective procedures are in place around the management of student behaviour and the use of physical restraint.	47	June 2018	June 2021
9. Concerns and complaints policy	All complaints, concerns and incidents are attended to promptly, respectfully and professionally and seek to bring effective resolution to all parties concerned.	48	June 2018	Sept 2021
10. Gifts and Entertainment	To ensure that expenditure on gifts and entertainment incurred by the school must clearly be linked to the business of the school	49	June 2018	Sept 2021
11. Confidentiality Policy	To ensure that confidential matters relating to the school are not discussed in public	50	June 2018	Sept 2021
12. Protected Disclosures	To provide information and guidance to employees of the school who wish to report serious wrongdoing within the school	51	June 2018	Sept 2021
13. Fees Protection Policy – International Students	To ensure sound fiscal management of prepaid international student fees	52	June 2018	Sept 2021

## INTRODUCTION

The board of trustees of Bream Bay College is focused on the ongoing improvement of student progress and achievement. To ensure effective school performance, the board is committed to maintaining a strong and effective governance framework that incorporates legislative requirements and good practice.

The following are the board's agreed governance and management definitions which form the basis upon which both the working relationship and the board's policies are developed.

### *Governance*

The board acts in a stewardship role and is entrusted to work on behalf of all stakeholders. It is accountable for the school's performance, emphasises strategic leadership, sets the vision for the school and ensures compliance with legal and policy requirements.

Board policies are at a governance level and outline clear delegations to the principal. The board and principal form the leadership team with the role of each documented and understood. The principal reports to the board as a whole with committees used sparingly and only when a need is identified in order to contribute to board work.

The board is proactive rather than reactive in its operations and decision making and does not involve itself in the administrative details of the day to day running of the school. The ongoing improvement of student progress and achievement is the board's focus.

### *Connection to the Community*

The Board acts in trusteeship for the schools' communities and the public's interests in the assets available to the schools. The Board will at all times recognise the trust placed in it by the communities, demonstrating this by:

- gathering information from the schools' communities and other key stakeholders about their concerns, needs and aspirations;

- Reporting to parents on the achievement of their children.
- reporting to the communities, key stakeholders including the Ministry of Education, local iwi, other ethnic groups, on a regular basis on the achievement of students as a whole.

## ***Management***

- The board delegates all authority and accountability for the day-to-day operational organisation of the school to the principal who must ensure compliance with both the board's policy framework and the law of New Zealand. [For detail see Operational Policies]
- In developing the above definitions for Bream Bay College the board was mindful of the following extracts from the Education Act 1989, Section 75 and 76, and Section 65
- The legal responsibility of boards of trustees is determined by Section 75 of the Education Act 1989:
- s.75 Boards to control management of schools – except to the extent that any enactment or the general law of New Zealand provides otherwise, a school's board has complete discretion to control the management of the school as it thinks fit.
- s.76 Principals –
  - A school's principal is the board's chief executive in relation to the school's control and management.
  - Except to the extent that any enactment or the general law of New Zealand provides otherwise, the principal –
    - Shall comply with the board's general policy directions; and
    - Subject to paragraph (a), has complete discretion to manage as the principal thinks fit the school's day to day administration.
- s.65 A board may from time to time, in accordance with the State Sector Act 1988, appoint, suspend, or dismiss staff.
- In order to carry out effective governance of the school the board has developed the following policy framework:

# A: Annually updated section

## 1. Trustee Register

Approved Number of Elected Parent Representatives 6:

Name	Phone/email	Profession	Position on Board	Type	Start Date	Current Term Expires
Nick Pirihi	<a href="mailto:nickpirihi@gmail.com">nickpirihi@gmail.com</a>	Police		Elected	19/06/19	Elections 2022
Aaron Bird	<a href="mailto:aaron.bird@refiningnz.com">aaron.bird@refiningnz.com</a>	IT Consultant		Elected	19/06/19	Elections 2022
Karen Edwards	<a href="mailto:globalwahine@gmail.com">globalwahine@gmail.com</a>	Police		Elected	19/06/19	Elections 2022
Selina Gordon	<a href="mailto:selgordon69@gmail.com">selgordon69@gmail.com</a>	Police	Chair	Elected	10/06/16	Elections 2022
Heather Jacobson	<a href="mailto:heather.jacobson32@gmail.com">heather.jacobson32@gmail.com</a>	Accountant	Deputy Chair	Elected	10/06/16	Elections 2022
Penny Harris Tipoki	<a href="mailto:penants@hotmail.com">penants@hotmail.com</a> <a href="#">[Penny Tipoki Harris is no longer a member of the Board of Trustees due to missing 3 consecutive meetings. This was minuted at the March 2021 meeting]</a>	Courier Owner		Elected	19/06/19	Elections 2022
Tivaan Doak Smith	<a href="mailto:tivaankahli.13@gmail.com">tivaankahli.13@gmail.com</a>	Teacher		Co-opted	25/09/19	
Teneille Hiki	<a href="mailto:teneillehiki@breambaycollege.school.nz">teneillehiki@breambaycollege.school.nz</a>		Student Trustee	Elected	18/09/20	Sept 2022
John Cunningham	<a href="mailto:jcunningham@breambaycollege.school.nz">jcunningham@breambaycollege.school.nz</a>		Staff Trustee	Elected	25/09/19	Election 2022

Note 1: Elected, selected, co-opted, staff trustee, student trustee, proprietor's appointee, principal

## 2. Triennial Plan – See separate document

## 3. Charter Strategic Plan

Bream Bay College believes in Deep Engaging learning, that opens endless possibilities for our learners, whānau and community. We endeavour to unlock student potential by being ambitious and striving for success.

Our classrooms are full of authentic learning opportunities to develop creative, connected learners, who are confident future citizens. Teachers support our students to construct their own understanding across the curriculum, develop their learning competencies and be prepared for a changing world.

Our students build on their interests and challenge themselves to try new things. Progress is recognised and valued in students' individual learning pathways. From academic, sporting and cultural achievements, to entrepreneurial endeavours, vocational trades and the creative arts, our students are shaping their own exciting futures.

Strategic goal 1: To provide facilities that enhance deep learning and that are culturally inclusive

Strategic goal 2: Curriculum and deep learning. For students to succeed as connected, lifelong learners, through the provision of deep learning opportunities.

Strategic goal 3: For students to succeed as confident, resilient citizens, through a school culture that supports and promotes well-being

Strategic goal 4: To create a sense of Community understanding of deep learning and how the college operates

#### 4. Bream Bay College Delegations List (moved in document)

Date of Minuted Delegation	Personnel	Delegated Authority	Term of Delegation
	Delegations can be to a person or a committee. Committees must have a minimum of 2 persons, at least one of whom must be a trustee	See individual Committee Terms of Reference in the board's Governance Manual	Note: Delegation ceases at the date below, by earlier resolution of the board, or, if no date, is ongoing
Feb 2020	<p><b>Disciplinary Committee</b></p> <p>All current trustees except the principal and student trustee</p>	That all current trustees bar the principal are delegated authority to be members of the board's Disciplinary Committee acting under the Terms of Reference for this committee.	
Feb 2020	<p><b>Finance Committee</b></p> <p>2 Board members and Board Chair</p>	That the Finance Committee members are delegated authority to be members of the board's Finance Committee acting under the Terms of Reference for this committee.	
Feb 2020	<p><b>Property Committee</b></p> <p>2 Board members and Board Chair</p>	That the Property Committee members are delegated authority to be members of the board's Property Committee acting under the Terms of Reference for this committee.	
Feb 2020	<p><b>CoL Committee</b></p> <p>1 Board members and the Principal</p>	That the CoL Committee members are delegated authority to be members of the board's CoL Committee acting under the Terms of Reference for this committee.	
Feb 2020	<p><b>DP</b></p>	That the board directs that, except where the board, at its discretion, otherwise determines, the duty deputy principal in the absence of the principal from duty for periods not exceeding 2 weeks and for the full period or periods of such	

		absence, perform all the duties and powers of the principal.	
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Reviewed: February 2020

Next review: February 2021

## PART B: GOVERNANCE POLICIES

### Introduction

These governance policies outline how the board will operate and set standards and performance expectations that create the basis for the board to monitor and evaluate performance as part of its ongoing monitoring and review cycle. (See 3 year review programme p 2-4).

## B1 Board Roles and Responsibilities Policy

### Outcome statement

The board of trustees is focused on governance that fosters and supports the ongoing improvement of student progress and achievement.

### Scoping

The board is a body corporate whose policies and decisions exist in perpetuity or until such time as they are rescinded or revoked. The board sets the strategic direction for the school and governs via its policies, which it entrusts to the principal to implement.

### Delegations

Accountability rests with the whole board, with no individual trustee or committee having decision-making authority unless it has been delegated and documented.

### Expectations and limitations

Board actions		Standards
1. Sets/approves the strategic direction and long-term plans and monitors the board's progress against them.	1.1	The board leads the annual charter/strategic plan review process. Staff will be invited to produce a draft document for the board to consider as a starting place.
	1.2	The board sets/reviews the strategic aims by April each year.
	1.3	The board approves the annual plan and targets
	1.4	The board ensures the charter/strategic plan / statement of variance for the previous year is submitted to the Ministry of Education by 1 March each year.
	1.5	Regular board meetings include a report on progress towards achieving strategic aims twice year currently as per the triennial plan.
	1.6	The charter/strategic plan is the basis for all board decision making.
2. Monitors and evaluates student progress and achievement.	2.1	The board approves an annual review schedule covering curriculum and student progress and achievement reports.
	2.2	
	2.3	Reports are received at each regular board meeting from the principal on progress against the annual plan, highlighting risk/success as per the triennial plan.
	2.4	Information reported to the board is thoughtfully discussed, critiqued and challenged. Targets in the annual plan are met, the curriculum policy is implemented and there is satisfactory performance of curriculum priorities.
3. Appoints, assesses the performance of and supports the principal.	3.1	Principal's performance management system is in place and implemented.
4. Approves the budget and monitors financial management of the school.	4.1	Budget is approved by the first meeting each year.
	4.2	Satisfactory performance of financial management against budget is in evidence.

5. Effectively manages risk.	5.1 5.2 5.3 5.4	The board has an effective governance model in place. The board remains briefed on internal/external risk environments and takes action where necessary. The board identifies trouble spots in statements of audit and takes action if necessary. The board ensures the principal reports on all potential and real risks when appropriate and takes appropriate action.
6. Ensures compliance with legal requirements.	6.1 6.2 6.3 6.4 6.5 6.6	New members read and understand the governance framework including policies, the school charter/strategic plan, board induction pack and requirements and expectations of board members New and continuing members are kept aware of any changes in legal and reporting requirements for the school. The board seeks appropriate advice when necessary Accurate minutes of all board meetings are approved by the board and signed by the chair. Individual staff/student matters are always discussed in public-excluded session. Board meetings have a quorum.
7. Ensures trustees attend board meetings and take an active role.	7.1 7.2 7.3 7.4	Board meetings are effectively run. Trustees attend board meetings having read board papers and reports and are ready to discuss them. Attendance at 80% of meetings (minimum). No unexplained absences at board meetings (three consecutive absences without prior leave results in immediate step-down – refer <a href="#">Education Act 1989 s104 (1) (c)</a> )
8. Approves major policies and programme initiatives.	8.1 8.2	The board approves programme initiatives as per policies. The board monitors implementation of programme initiatives.
9. Fulfils the intent of the Treaty of Waitangi by valuing and reflecting New Zealand’s dual cultural heritage.	9.1 9.2	The Treaty of Waitangi is obviously considered in board decisions. The board, principal and staff are culturally responsive and inclusive.
10. Approves and monitors human resource policy/procedures, which ensures effective practice and contributes to its responsibilities as a good employer.	10.1 10.2 10.3	The board becomes and remains familiar with the broad employment conditions that cover employees (staff employment agreements and arrangements). The board ensures there are personnel policies in place and they are adhered to (code of behaviour). The board ensures there is ongoing monitoring and review of all personnel policies.
11. Deals with disputes and conflicts referred to the board as per the school’s concerns and complaints procedures.	11.1	Successful resolution of any disputes and conflicts referred is achieved.
12. Represents the school in a positive, professional manner.	12.1	Code of behaviour is adhered to.
13. Oversees, conserves and enhances the resource base.	13.1	Property/resources meet the needs of the student achievement aims.
14. Effectively hands over governance to new board/trustees at election time.	14.1 14.2 14.3 14.4	New trustees are provided with induction and a copy of the board’s governance manual. New trustees are fully briefed and able to govern following attendance at an orientation programme. Appropriate delegations are in place as per <a href="#">Schedule 6 (17)</a> of the Education Act. Board and trustees participate in appropriate ongoing professional development.

**Procedures/supporting documentation**

Board Triennial plan

**Monitoring**

Board Triennial plan

**Legislative compliance**

[Education Act 1989](#)

[Employment Relations Act 2000](#)

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Reviewed: April 2019

Next review: April 2022

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## **B2 Trustee Code of Behaviour Policy**

### **Outcome statement**

The board will act in an ethical and respectful manner

### **Scoping**

Every member of the board will have access to the code of behaviour and opportunities to discuss its expectations of their conduct. Board business will be conducted in an ethical and respectful manner, in accordance with legislation and board policy.

### **Expectations and limitations**

As members of an effective governance team, each member of the board of trustees shall:

1. ensure the needs of all students and their achievement is paramount
2. be loyal to the school and its mission
3. maintain and understand the values and goals of the school
4. publicly represent the school in a positive manner
5. respect the integrity of the principal and staff
6. observe the confidentiality of non-public information acquired in their role as a trustee and not disclose to any other persons such information that might be harmful to the school
7. be diligent and attend board meetings prepared for full and appropriate participation in decision making
8. ensure that individual trustees do not act independently of the board's decisions
9. speak with one voice through board policies and ensure that any disagreements with the board's stance are resolved within the board
10. in the course of board meetings, disclose any interests in a transaction or decision where they, their family and/or partner, employer or close associate will receive a benefit or gain and leave the meeting for the duration of discussion and/or voting in relation to the matter
11. recognise the lack of authority in any individual trustee or committee/working party of the board in any interaction with the principal or staff
12. recognise that only the chair (working within the board's agreed chair role description or delegation) or a delegate working under written delegation can speak for the board
13. continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
14. be available to undertake appropriate professional development.

### **Procedures/supporting documentation**

Board Triennial plan

### **Monitoring**

Board Triennial plan

### **Legislative compliance**

[Education Act 1989](#)

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Reviewed: April 2019

Next review: April 2022

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## **B3 Trustee Remuneration and Expenses Policy**

### **Outcome statement**

Remuneration and reimbursement of expenses to trustees is transparent, fair and reasonable.

### **Scoping**

The board exercises its right to set the amount that the chair and other board members are reimbursed for attendance at board meetings. These honoraria cover the expense of attending board meetings and are not payment for work undertaken.

The principal, as a member of the board, is entitled to the same payment as all other trustees except the chair.

Any other payments or reimbursements are at the discretion of the board.

## Expectations and limitations

Currently at Bream Bay College:

1. the chair receives \$100 per board meeting
2. elected board members receive \$60 per board meeting
3. there is no payment for working group/committee meetings
4. attendance fees are non-taxable within the agreed non-taxable amounts of \$605 annually for trustees and \$825 for the chair
5. costs associated with attendance at professional development sessions may be met by the board but prior approval must be sought
6. all other reimbursements are at the discretion of the board and must be approved prior to any spending occurring.

### Procedures/supporting documentation

School reimbursement claim form

### Monitoring

Board Triennial plan

### Legislative compliance

[Income Tax Act 2007](#)

[IRD Honoraria payments to school trustees](#)

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Reviewed: April 2019

Next review: June 2022

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## B4 Conflict of Interest Policy

### Outcome statement

The board effectively manages actual, potential and perceived conflicts of interest ensuring the integrity of board decisions and reputation of board members.

### Scoping

The board shall create a register of all board members detailing any interests, relationships or holdings that could potentially result in a conflict of interest. This register shall be updated whenever a board member's circumstances change or a new member joins the board. It should be reviewed at the start of each school year and following trustee elections.

Board members who have a conflict of interest shall be excluded from relevant board meetings (or relevant parts of board meetings).

### Expectations and limitations

All staff and board members will effectively manage conflicts of interest between the interests of the school on one hand and personal, professional and business interests on the other. This includes managing potential and actual conflicts of interest as well as perceptions of conflicts of interest.

Any trustee who has a pecuniary interest or any other interest that may influence them in carrying out their duties and responsibilities as a trustee must be excluded from any meeting while the board discusses, considers, considers anything relating to or decides on the matter.

Any trustee who is a member of the board's staff must be excluded from any meeting while the board discusses, considers, considers anything relating to or decides on any matter relating to their own employment or a complaint received against them.

Any trustee who is a student enrolled at the school must be excluded from any meeting while the board discusses, considers, considers anything relating to or decides on any matter relating to them as an individual student.

In the course of board meetings, board members will disclose any interests in a transaction or decision where their family and/or partner, employer or close associate will receive a benefit or gain. After disclosure, the person making the disclosure will be asked to leave the meeting for the discussion and will not be permitted to vote on the question.

### Procedures/supporting documentation

Disclosure of interest statements

### Monitoring

*Board to enter own monitoring and reporting procedures.*

### Legislative compliance

## B5 Chair Role Description Policy

### Outcome statement

The board is effectively led.

### Scoping

The chair is the leader of the board and works on behalf of the board with the principal on a day-to day basis.

The chair establishes and nurtures a positive professional working relationship with the principal.

The chair represents the board of trustees to the broader community and works in partnership with the principal to safeguard the integrity of the board's processes.

The chair often represents the board to the school and wider community and agencies such as the Ministry of Education and the Education Review Office and carries a responsibility to safeguard the integrity of the board.

The chair presides over board meetings and ensures that each trustee has a full and fair opportunity to be heard and understood by the other members of the board and that decisions that are in the best interest of the school, its students and staff are reached.

### Delegations

The board delegates management of the relationship between the board and the principal to the chair.

*Board to enter any other delegations to the chair.*

### Expectations and limitations

The chair:

1. is appointed by election at the first board meeting of the year except in a triennial trustee election year where it shall be at the first meeting of the board\*
2. acts within board policy and delegations at all times and not independently of the board
3. leads the board members and develops them as a cohesive and effective team
4. welcomes new members, ensures that disclosure of any conflicts of interest is made and the code of behaviour is understood (and signed) and leads new trustee induction
5. assists board members' understanding of their role, responsibilities and accountability, including the need to comply with the trustee code of behaviour policy
6. ensures the work of the board is completed
7. sets the board's agenda and ensures that all board members have the required information for informed discussion of the agenda items
8. ensures the meeting agenda content is only about those issues that, according to board policy, clearly belong to the board to decide
9. effectively organises and presides over board meetings, ensuring that such meetings are conducted in accordance with the Education Act 1989, the relevant sections of the Local Government Official Information and Meetings Act 1987\* and any board protocols and policies
10. ensures interactive participation by all board members
11. represents the board to external parties as an official spokesperson for the school except for those matters where this has been delegated to another person
12. is the official signatory for the board, including for annual accounts\*
13. is responsible for promoting effective communication between the board and wider community, including communicating appropriate board decisions
14. establishes and maintains a productive working relationship with the principal
15. ensures the principal's performance agreement and review are completed on an annual basis
16. ensures concerns and complaints are dealt with according to the school's concerns and complaints procedures
17. ensures any potential or real risk to the school or its name is communicated to the board. This includes any concern or complaint.

\* Legislative requirement

### Procedures/supporting documentation

Governance policies

### Monitoring

See Triennial Plan

### Legislative compliance

[Education Act 1989 Schedule 6](#)

[Local Government Official Information and Meetings Act 1987](#)

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Reviewed: March 2019

Next review: June 2022

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## B6 Student/Staff Trustee Role Description Policy

### Outcome statement

The staff/student representative brings a staff/student perspective to board discussion and decision making.

### Scoping

As a trustee, the staff/student representative is elected by their peers to serve the interests of the school at governance level. They have equal voice, vote, standing and accountability to any other board member.

### Expectations and limitations

Staff/Student measures	representative	accountability	Standard
1. To work within the board's charter/strategic plan.		1.1	The charter/strategic plan is obviously considered in board decisions.
2. To abide by the board's governance and operational policies.		2.1	The staff/student trustee has a copy of the governance manual and is familiar with all board policies.
3. The staff/student trustee is first and foremost a trustee and must act in the best interests of the students at the school at all times.		3.1 3.2	The staff/student trustee is not a staff/student advocate. The staff/student trustee does not bring staff/student concerns to the board.
4. The staff/student trustee is bound by the trustee code of behaviour.		4.1	The staff/student trustee acts within the code of behaviour.
5. It is not necessary for the staff/student trustee to prepare a verbal or written report for the board unless specifically requested to by the board.		5.1	No regular reports are received unless a request has been made by the board on a specific topic.

### Procedures/supporting documentation

NA

### Monitoring

NA

### Legislative compliance

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Review schedule: March 2019

Next review: June 2022

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## B7 Relationship between Chair and Principal Policy

### Outcome statement

The relationship between the chair and the principal is based on trust, integrity and mutual respect.

### Scoping

A positive, productive working relationship between the principal and the chair is both central and vital to the school.

The chair and principal should act as sounding boards, both supporting and challenging, in order to hold the school to account for achieving the goals and targets that have been set.

The chair has no authority except that granted by the board. The chair does not act independently of the board.

### Delegations

No extra delegations

## Expectations and limitations

1. The chair and principal must work as a team, and there should be no surprises.
2. The relationship must be professional.
3. Each must be able to counsel the other on performance concerns.
4. The chair supports the principal and vice versa as appropriate.
5. Each agrees not to undermine the other's authority.
6. There is agreement to be honest with each other.
7. Each agrees and accepts the need to follow policy and procedures.
8. Neither party will deliberately hold back important information.
9. Neither party will knowingly misinform the other.

### Procedures/supporting documentation

Meetings to occur on Wednesdays at 8.15am.

### Monitoring

See Triennial Plan

### Legislative compliance

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Reviewed: September 2019

Next review: September 2020

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## B8 Principal Performance Management Policy

### Outcome statement

A fair and transparent performance management process recognises the professionalism of the principal and the accountabilities of the board.

### Scoping

An annual performance agreement will be established between the board and principal and be in place by the end of term 1 each year.

The principal's performance against this agreement will be reviewed throughout the year, and a final report will be prepared and presented to the board at the end of term meeting in term 1.

The prime focus of the agreement will be that every student at the school is able to attain their highest possible standard in educational achievement.

A budget for professional expenses and for professional development will be established annually. . Spending within budget is with the approval of the board. Any overseas trips for professional development must be approved by the board of trustees at least one term in advance of the event.

Professional development expenses may include but are not confined to continuing education, books and periodicals, mentoring and attendance at professional conferences.

### Delegations

The chair (or personnel committee of the board) will ensure an annual performance review is carried out in accordance with this policy.

### Expectations and limitations

1. The review process will occur annually, providing a written record of how the principal has performed as per the terms of the performance agreement and identifying professional development needs.
2. The principal's performance will be formally reviewed on an annual basis by duly delegated members of the board and, optionally at the board's choice, an independent consultant who specialises in education.
3. Those delegated or contracted to perform the review process shall have written formalised instructions specifying the responsibilities of the role.
4. There will be 2 interim reviews, one each term preceding the annual formal review, between the principal and chair or delegate(s) to discuss progress.
5. The principal will be reviewed on the criteria set out in the performance agreement – performance objectives, professional standards, learning and development objectives and fulfilment of additional duties that require concurrence payment.
6. If the principal and the board disagree on the performance objectives, the board, after considering the principal's input, will amend the disputed objectives or confirm the unchanged objectives. The board's decision will be final.
7. The board chair, delegate(s) and consultant may gather information from staff, parents or any other relevant members of the larger school community who can provide feedback on how the principal has performed. Evidence may include surveys, self-review, teaching observation (if relevant), interviews, focus groups or documentary evidence.

8. The principal and delegate(s) will meet for a formal interview to discuss whether the performance agreement has been satisfied, with the principal given the opportunity to discuss and comment on each criterion before a rating is given. The results will then be drafted into a report by the delegate(s) and sent to the principal. The principal can accept the report or dispute the report. If the report is disputed, the delegate(s) will consider the principal's views before deciding to either amend the report in accordance with the principal's views or let the report stand with the principal's comments attached.
9. The chair/delegate(s)/consultant will present the final report/summary back to the board with the result of the review. The principal may/may not be present at the presentation and/but will have the opportunity to address the board. The principal will then exit, and further discussion may continue among the board.
10. The principal will be informed personally and in writing of the final outcome following the report discussion.
11. The performance agreement and results of the review are confidential to the principal, the board and their agents unless both parties agree to wider distribution.

#### Procedures/supporting documentation

NA

#### Monitoring

Triennial plan

#### Legislative compliance

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Reviewed: September 2019

Next review: September 2022

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## Part C: Governance Processes and Procedures – ways in which we ensure effective governance

### C1 Meeting protocols

The board of trustees of Bream Bay College School is committed to effective and efficient meetings and, to this end, sets out the following guidelines for the conduct of board meetings.

#### Timing of meetings

1. Dates and times of meetings will be set in the board workplan *starting at 7.00pm and finishing no later than 10.30pm*.
2. A resolution for an extension of time may be moved but will not normally exceed 30 minutes.
3. Any business remaining on the agenda at the conclusion of the meeting is transferred to the following meeting

#### Agenda and meeting papers

1. The chair is responsible, in liaison with the principal, for the preparation of an agenda prior to each meeting.
2. The principal is to ensure that secretarial services are provided to the board.
3. Agenda items are to be notified to the chair 7 days prior to the meeting.
4. The agenda and board papers will be circulated to board members at least 3 days prior to the meeting.
5. The board should have access to all correspondence. Correspondence that requires the board to take some action should be photocopied/scanned and distributed prior to the meeting. Other correspondence can be listed and tabled so that trustees can read it if required.
6. The agenda for the part of each meeting that is open to the public will be posted on the board's section of the school website at least 48 hours prior to the meeting and copies made available at the meeting place for any members of the public.
7. Late items will only be accepted with the approval of the board and in rare circumstances where a decision is urgent.
8. The order of the agenda may be varied by resolution at the meeting.
9. All items in the agenda are to carry a recommended course of action and where appropriate be supplemented by supporting material in the meeting documentation.
10. The agenda is to be collated with the items placed in order and marked with an agenda item number.
11. Papers requiring reading and consideration will not normally be accepted if tabled at the meeting.

#### Public participation

1. The board meeting is a meeting open to the public rather than a public meeting.
2. Only trustees have automatic speaking rights.
3. Public participation is at the discretion of the board.
4. Public attending the meeting, including staff members not elected as the staff representative, are given a notice about their rights regarding attendance at the meeting – see C1.1 Public attending board meetings.

## Exclusion of the public

1. The meeting may, by resolution, exclude the public (going into committee) and news media from the whole or part of the proceedings in accordance with the Local Government Official Information and Meetings Act 1987. The wording to be used in the motion to exclude the public is found in Schedule 2A of the Act. The board must make the reasons for excluding the public clear. Excluding the public is most often used to ensure privacy of individuals or financially sensitive issues.\*
2. Persons may be asked to remain after the public has been excluded because they possess knowledge that will be of assistance in relation to the matter to be discussed. The board must pass a resolution that they may remain.

## Conduct of meetings

1. A quorum of more than half the members currently holding office is required.\*
2. Trustees will declare any conflict of interest at the beginning of the meeting.
3. Any trustees with a conflict or pecuniary interest in any issue shall not take part in any debate on such issues and may be asked to leave the meeting for the duration of the debate.\* A pecuniary interest arises when a trustee may be financially advantaged or disadvantaged as a result of decisions made by the board (contracts, pay and conditions). A conflict of interest is when an individual trustee could have or could be thought to have a personal stake in matters to be considered by the board.
4. The chair shall be appointed by election at the first meeting of the year except in the triennial election year where it will be at the first meeting of the newly elected board.\*
5. The elected chair (or, in their absence, a non-school-based trustee) presides at meetings.
6. Only apologies received from those who cannot be present must be recorded. Trustees who miss three consecutive meetings without the prior leave of the board cease to be members. An apology does not meet the requirement of prior leave. To obtain prior leave, a trustee must request leave from the board at a board meeting, and the board must make a decision whether or not to grant it.\*
7. Points of order are questions directed to the chair that require an answer or a ruling. They are not open to debate and usually relate to the rules for the running of a meeting.
8. The board's normal meeting procedures may be suspended by resolution of the meeting.

## Decision-making process

1. All decisions are to be taken by open voting by all trustee's present.
2. In the event of tied voting on a resolution, the chair may exercise a casting vote in addition to their deliberative vote.\*
3. A motion is a formal proposal for consideration. All motions and amendments moved in debate must be seconded unless moved by the chair and are then open for discussion.
4. Motions and amendments once proposed and accepted may not be withdrawn without the consent of the meeting.
5. No further amendments may be accepted until the first one is disposed of.
6. The mover of a motion has right of reply.
7. A matter already discussed may not be reintroduced at the same meeting in any guise or by way of an amendment.
8. When a matter cannot be resolved or when further information is necessary before a decision can be made, the matter can be left unresolved for future discussion.

## Minutes

1. Board meeting minutes will be taken by a contracted, paid minute secretary who is not a member of the board.
2. The minutes are to clearly show resolutions and action points and who is to complete the action.
3. Minutes are sent to the chair for checking within 3 working days and distributed electronically to the board within 7 working days. Requests for corrections or amendments should be submitted by email to the chair as soon as possible to ensure accurate minutes can be confirmed at the next meeting.
4. Minutes to be tabled for approval should be included in documentation made available to all board members prior to the meeting.

## Special meetings\*

1. A special meeting may be called by delivery of notice to the chair signed by at least one-third of trustees currently holding office.
2. Meetings can be held via audio, audio and visual or electronic communication providing:
  - a. all trustees who wish to participate in the meeting have access to the technology needed to participate, and
  - b. a quorum of members can simultaneously communicate with each other throughout the meeting.

\* Legislative requirement

## C1.1 Public attending board meetings

The board of trustees welcomes public presence at board meetings and hopes that members of the public enjoy their time observing board meetings. Members of the public include staff, students and parents of the school who are not trustees on the board.

These procedures will be provided to members of the public attending meetings so that they understand the rules that apply and will be followed unless otherwise authorised by the board:

1. Board meetings are not public meetings but meetings held in public.
2. If the meeting moves to exclude the public (usually to protect the privacy of individuals), members of the public will be asked to leave the meeting until this aspect of business has been concluded.
3. Members of the public may request speaking rights on a particular subject that is on the agenda. Preferably, this request has been made in advance. Public participation is at the discretion of the board.
4. Speakers shall be restricted to a maximum of 3 minutes each per subject, with a time limit of 15 minutes per interest group.
5. No more than 2 speakers on any one topic.
6. Speakers are not to question the board and must speak to the topic.
7. Board members will not address questions or statements to speakers.
8. Speakers shall not be disrespectful or offensive or make malicious statements or claims.
9. If the chair believes that any of these have occurred or the speaker has gone over time, they will be asked to finish.

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Reviewed: September 2020	Next review: April 2023
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## C1.2 Meeting Agenda:

A typical agenda is as follows:

**BREAM BAY COLLEGE BOARD OF TRUSTEES  
AGENDA  
MEETING xxx, 20xx**

	<b>Timeframe</b>
Karakia	7.00pm
Apologies	
Confirmation of Agenda Items	7.05pm
1) Decisions	
2) BOT Work plan / Policies items:	
Item 1	7.05pm
Item 2	xx pm
Item 3	xx pm
Item 4	xx pm
3) Principal's Report - taken as read	8.30pm
Motions	
Possible discussion areas	
Any questions	
4) Financial Report	8.40pm
Month End Approvals	
Motions	
Balance Sheet – possible discussion	
Supporting Detail and Evidence – possible discussion	
Financial Detailed Information - if required	
5) Correspondence:	8.50pm
Inwards	
Outwards	
6) Minutes:	9.00pm
Board Meeting Minutes to be approved	
Matters Arising:	
7) Triennial Workplan: Update / Agenda setting / Evaluation	9.00 9-10pm
8) General Business	

Review schedule: September 2020

Next review: April 2023

In-committee Meeting Agenda:

A typical agenda is as follows:

**BREAM BAY COLLEGE BOARD OF TRUSTEES**  
**In-committee AGENDA**  
**MEETING xxx, 20xx**

	<b>Timeframe</b>
<b>Confirmation of Agenda Items</b>	<b>9.15pm</b>
<b>1) BOT Work plan / Policies items</b>	xx pm
<b>2) Principal's Report</b> - taken as read	9.17pm
Things to do	
Attachments	
Requests for leave > 5 days	
Staff absences > 5 days	
Number of stand-downs / suspensions	
Police Vetting details	
International Students	
Appointments	
Resignations	
Maternity Leave	
Staffing	
Vacancies	
<b>3) Financial Report</b>	xx pm
<b>4) Correspondence:</b>	xx pm
Inwards	
Outwards	
<b>5) Minutes:</b>	xx pm
Board Meeting Minutes to be approved	
Matters Arising:	

**In Committee**

*"The Board RESOLVED that in terms of Section 47 of the Local Government Official Information and Meetings Act 1987 the public be excluded from the remainder of the meeting because it wished to discuss matters relating to the Minutes of a Disciplinary Committee meeting and personal staff matters for the reason that discussion of these matter in public would infringe the privacy of a natural persons under Section 9(s)(a) of the Official Information Act 1982."*

Review schedule: September 2020

Next review: April 2023

## C1.3 Meeting checklist

### C1.4 Evaluation of Meeting:

This will be completed as prescribed in the Triennial plan.

Meeting held on: (date) Chaired by (name)

- 1 How well did we accomplish the results we expected from this meeting based on the set agenda?

**Not at all**

**Very well**

**1 2 3 4 5**

**Comment:**

- 2 How satisfied are you with how the team worked as a group?

**Not at all**

**Very well**

**1 2 3 4 5**

**Comment:**

- 3 How satisfied are you with your participation and contribution as an individual?

**Not at all**

**Very well**

**1 2 3 4 5**

**Comment:**

- 4 Is there anything that you believe would improve our meeting process?

Name: (Optional).....

Review schedule: September 2020

Next review: April 2023

## C2. Committee Principles

The board may set up committees/working parties to assist the board carry out its responsibilities and due process (e.g., staff appointments, finance, property, disciplinary).

### Education Act 1989, section 66

Section 66 gives the board the authority to delegate any of its powers to a special committee, except the power to borrow money. Refer to Section 66 for further information.

Board committees:

1. Are to be used sparingly to preserve the board functioning as a whole when other methods have been deemed inadequate.
2. Can consist of non-trustees. Committees must have a minimum number of 2 persons, at least one of whom must be a trustee.

3. May not speak or act for the board except when formally given such authority for specific and time-limited purposes. Such authority will be carefully stated in order not to conflict with authority delegated to the principal or the chair.
4. Help the board (not the staff) do its work.
5. Other than the board discipline committee must act through the board and therefore can only recommend courses of action to the board and have no authority to act without the delegated authority of the board.
6. Assist the board chiefly by preparing policy alternatives and implications for board deliberation. Board committees are not to be created by the board to advise staff.
7. Are to have terms of reference drawn up as required. It is suggested that these contain information about the following:
  - purpose
  - committee members
  - delegated authority

The following committees are currently established:

Review Sub Committee if needed  
 Finance Sub Committee  
 Discipline Sub Committee  
 Property Sub Committee  
 CoL Sub Committee

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Review schedule: September 2020

Next review: June 2023

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## C2.1 Review Committee: Terms of Reference

### Purpose

To monitor, on the board's behalf, compliance with board policies and external legislation. This includes:

1. Supporting the board to review the effectiveness of the board's governance processes.
2. Reviewing the effectiveness of systems for the assessment and management of areas of risk.
3. Verifying that mechanisms are in place to ensure compliance with statutory requirements, financial and other.
4. Commissioning reviews of specific controls and procedures (financial or non-financial) where so requested by the board.
5. Reporting any problems or reservations arising from the external auditors/reviewer's work and any other matters that the external auditors/reviewers note to the attention of the board.
6. Ensuring implementation of the triennial review programme.

### Committee members

At least one trustee who should not be either the board chair or principal.

### Meets

As required. The chair of this committee will report to the board as appropriate on the areas covered by the terms of reference and the triennial review programme.

### Delegated authority

The review committee is formally constituted as a committee of the board within these approved terms of reference and the delegated authority re the delegations list.

The committee shall be appointed by the board. The board may co-opt additional trustees to the committee as and when required.

Members of the management team shall attend meetings when requested. A representative of the external auditors may be requested to attend meetings when appropriate.

The committee is authorised by the board to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any trustee or employee and all trustees and employees are requested to co-operate with any request made by the committee. The principal will be informed in advance of any such requests.

The committee may recommend that external and independent advice is sought. If the advice is likely to incur costs prior approval must be sought from the board.

[**Note:** NZSTA provides free and confidential advisory services via its helpdesk, human resource and industrial advisors free to trustees and boards.]

No individual member of the review committee can act without the directive of the committee as a whole.

Review schedule: September 2020	Next review: June 2023
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## C2.2 Student Behaviour Management Committee: Terms of Reference

### Purpose

To ensure that all processes relating to the suspension of students adhere to the requirements of the Education Act 1989, Education Rules 1999 and Ministry of Education guidelines.

### Committee members

All members of the board excluding the principal and the student trustee. The chair of the committee is the board chair or, in the chair's absence, will be determined by the committee. The quorum for the committee shall be two trustees.

### Delegated authority

Under Schedule 6 section 17 of the Education Act 1989, certain powers of the board shall be delegated to the student disciplinary committee of the board of trustees. The committee will:

1. act in fairness, without bias or prejudice and with confidentiality
2. act within legislation and the Ministry of Education guidelines
3. act only on written and agreed information, not verbal hearsay
4. use processes of natural justice in discipline hearing procedures
5. make recommendations on discipline matters to the board as necessary, or
6. decide the outcome of any student disciplinary meeting.

The board will be kept informed by the principal of the number of stand-downs, suspensions, exclusions and expulsions at each board meeting.

Review schedule: September 2020	Next review: June 2023
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## C2.3 Finance Committee: Terms of Reference

### Purpose

The finance committee is formed to provide guidance to the principal in the financial management of the school.

### Scoping

The board of trustees has overall responsibility for the financial management of the school but delegates the day-to-day management of the school's finances and budget to the principal.

As a committee of the board, the finance committee is responsible for providing guidance to the principal on financial matters.

### Delegated authority

The finance committee is responsible to the board for:

1. recommending, in association with the principal, an annual operating and capital budget, including professional development budget allocation for the principal and the staff
2. determining the level of budgetary discretion available to the principal
3. monitoring and reporting on the annual budget via the principal

4. reviewing on behalf of the board accounts passed for payment by the school
5. advising on additional funding sources
6. assisting the principal to prepare a financial results report, where appropriate, which is to be provided to the board by the principal at every board meeting
7. recommending changes to financial policy
8. overseeing the preparation of the annual accounts for board approval
9. assisting the principal in reporting financial performance to parents and the community
10. providing input into the school's strategic plan
11. preparing special reports for consideration by the board
12. annually reviewing the school's risk management needs and insurance cover
13. assessing and making recommendations to the board on requests for spending on individual items outside of budget.

## Finance committee annual calendar

Date	Action required
Each meeting	Budget to be monitored Payments to be approved Accounts and authorities approved
April	Budget approved Accounts approved to be sent to the auditor Capital budget approved
June	Ensure any issues raised by the auditor have been addressed
September	Annual review of risk management needs and insurances
October	Following year budget cycle begins Finance officer creates roll over budget HOD's submit requests Principal / Finance officer - meeting
November	Finance subcommittee meeting to approve a draft budget for submission to BOT
December	Draft budget submitted to BOT

Review schedule: September 2020

Next review: June 2023

## C2.4 Property Committee Terms of Reference:

### 1. Responsibility of the Board:

The board of trustees has overall responsibility for the property management of the school but delegates the day-to-day management of the school's property and maintenance to the principal.

The property committee as a committee of the board is responsible for providing guidance to the principal on property matters.

### 2. Purpose of the Property Committee:

The property committee was formed to provide guidance to the principal in the management of the school's property.

### 3. Delegated Authority:

The property committee is responsible to the board for:

1. Completing one school wide property inspection per year of existing property.
2. Representing the board to ensure consultation on design of roll growth property
3. Recommending the 5YA plan for Board approval
4. Monitoring and reporting on property via the principal.
5. Recommending changes to property management.
6. Providing input into the school's property strategic plan.
7. Preparing special property reports for consideration by the board.
8. Quarterly reviewing the school's H&S risk through the principal
9. Assessing and making recommendations to the board on requests for new capital works.

#### 4. Compliance Reporting:

The principal is responsible for property reporting and demonstrating property compliance. Where there is non-compliance, variances are to be reported to the board, with recommendations on the actions required to meet compliance.

#### 5. Property Committee Annual Calendar:

Date	Action Required
Each meeting	
April	
June	
September	
October	
November	
December	

Review schedule: September 2020

Next review: June 2023

### C2.5 Community of Learning (CoL) Committee Terms of Reference:

#### 1. Responsibility of the Board:

The board of trustees has overall responsibility for the learning of all students in the school but delegates the management of the CoL and the agreed achievement challenges to the CoL committee and the principal.

The CoL committee as a committee of the board is responsible for providing guidance to the principal and board on CoL matters.

#### 2. Purpose of the CoL Committee:

The CoL committee was formed to provide guidance to the principal and board in the setup of the CoL and ongoing running on the CoL.

#### 3. Delegated Authority:

The CoL committee is responsible to the board for:

- a) Formulating the agreed learning challenges
- b) Choosing two representatives to participate as part of the super CoL structure
- c) Monitoring and reporting on the CoL via the principal.
- d) Recommending changes to CoL management.
- e) Providing input into the school's strategic plan in relation to learning challenges.
- f) Preparing special CoL reports as needed for consideration by the board.
- g) Quarterly reviewing the CoL's performance and reporting this through the principal
- h) Recommending the CoL appointments committee for board approval

#### 4. Compliance Reporting:

The principal is responsible for CoL reporting and demonstrating CoL progress. Where there is non-compliance, variances are to be reported to the board, with recommendations on the actions required to meet compliance.

## 5. Committee composition

- The committee will be made up of the Principal of each CoL school and one elected trustee from the schools board of trustees.
- The Committee may suggest co-option of members, but these must be ratified by the CoL school's boards
- The committee will select 2 representatives to participate in the super cluster steering group

## 6. CoL Committee Annual Calendar:

Date	Action Required
Setup – As and When required	Form a committee to establish the CoL Establish the CoL Learning targets Appoint the CoL Leader of Learning Appoint across CoL teachers Setup super CoL participation
Each meeting	???
Term 1 start	Confirm the learning target goals
Term 2 Start	Report on progress towards the targets Submit proposals for joint collaboration under the super CoL
Term 3 Start	Report on progress towards the targets Ensure participation in the Super Cluster CoL sharing
Term 4 start	Report on progress towards the targets Construct suitable learning targets for the following year and identify the relevant students

Review schedule: September 2020

Next review: June 2023

## C3 Board Induction

The board is committed to ensuring continuity of business and a smooth transition when trustees join the board. New trustees will receive a welcome letter on their joining the board which includes:

- Will be given the link to the shared information on google drive
- The suggested date of the induction
- The date of the next board meeting
- Chair and principal contact details

New trustees will be issued with a governance folder containing copies of the school's:

- Charter – including the strategic and annual/operational plans
- Policies
- The current budget
- The last ERO report
- Last two sets of BOT general minutes
- The last annual report
- The triennial review programme
- Any other relevant material

The chairperson or delegate will meet with new board members to explain board policy and other material in the governance manual.

The principal and chairperson or delegate, will brief all new members on the organisational structure of the school.

The principal will provide a site visit of the school to new members.

New board members are to be advised of the professional development that is available from NZSTA and other relevant providers.

After three months on the board, the effectiveness of the induction process is to be reviewed by the chairperson with the new members. The review will include the following aspects:

**Did you feel welcomed onto the board?**

Very welcome

Welcome

Not very welcome

Comment:

**Did you receive all necessary information in a timely manner?**

Very timely

Timely

Not very timely

Comment:

**Did you find the induction with principal and board chair to be effective?**

Very effective

Effective

Not very effective

Comment:

**Please comment on how we could improve this induction process:**

8. Induction is provided on the school flavours after the triennial election

## C4 Concerns & Complaints Procedures

All stakeholders in the school need to be able to direct complaints through recognised channels and be reassured that their complaints have been listened to and acted upon appropriately. In particular, all stakeholders should be able to seek resolution of their complaints without recourse to formal litigation. This policy will not apply where a specific policy has been written (eg assessment complaints).

### General principles for formal complaints:

- Insofar as it is possible complaints should be dealt with in confidence
- Formal complaints involving staff should be dealt with according to procedures set out in the relevant employment agreements
- The principles of natural justice must be applied in all cases
- Affected parties may bring support personnel to meetings
- In instances of serious complaint, the BOT/Principal will seek advice from the appropriate agency (ie MOE/NZSTA)
- The College complaints processes guide will be supplied to complainants

### A. Complaints by students about staff

1. Students should take complaints in the first instance to an appropriate mediator or a staff member. This might be the subject teacher, the Head of Department, the Whanau teacher, or a year-level Dean.
2. If the student is not then satisfied the complaint may be taken to the Guidance Counsellor, the DP's.
3. If the student is again not satisfied the complaint should be made in writing to the Principal.
4. If the student is still not satisfied the complaint should be made in writing to the Board Chairperson through the Secretary of the Board of Trustees.
5. In each of the above instances, the person receiving the complaint shall investigate it and make an appropriate response to the student.
6. Where appropriate, a mediator or facilitator should be employed to assist in the resolution of the complaint.
7. In the instance of a serious complaint a staff member notified of the incident by a student would refer the matter immediately to the Principal.

## **B. Complaints by parents about staff**

1. Parents should take complaints in the first instance to an appropriate teacher (as above).
2. If the parent is not then satisfied the complaint should be referred to the Principal. According to the seriousness of the complaint the Principal may request that it be made in writing.
3. If the parent is still not satisfied the complaint should be made in writing to the Board Chairperson through the Secretary of the Board of Trustees.
4. In each of the above instances the person receiving the complaint shall investigate it and make an appropriate response to the parent.
5. Where appropriate a mediator or facilitator should be employed to assist in the resolution of the complaint.

## **C. Complaints by staff about staff**

1. Staff should take complaints in the first instance to an appropriate staff member.
2. If the staff member is not then satisfied the complaint should be referred to the Principal.
3. If the complaint is about the Principal or if the staff member is still not satisfied (in staff vs staff complaint) the complaint should be made in writing to the Board Chairperson through the Secretary of the Board of Trustees.
4. In each of the above instances the person receiving the complaint shall investigate it and make an appropriate response to the staff member.
5. Where appropriate a mediator or facilitator should be employed to assist in the resolution of the complaint.

## **D. Complaints about staff by Trustees and vice versa**

1. In the first instance such complaints should be made to the Principal.
2. If the person complaining is not then satisfied the complaint should be made to the Board Chairperson through the Secretary of the Board of Trustees.
3. In each of the above instances the person receiving the complaint shall investigate it and make an appropriate response to the complainant.

## **E. Complaints about the Principal by Trustees and vice versa**

1. In the first instance, the person/s complaining should seek to achieve an amicable resolution by private discussion with the other party.
2. If the person complaining is not then satisfied the procedures outlined in Schedule D of the Principal's Contract of Service must be followed. A formal letter of complaint should be first presented to the Board Chair in this instance.

## **F. Complaint about a Student by Staff**

1. To Dean, Senior Management Team
2. Principal
3. Complaint to Board of Trustees about Dean, Senior Management person or Principal and the way it was handled.

## **G. Complaint about the Board Secretary**

1. To Principal or
2. Board Chairperson

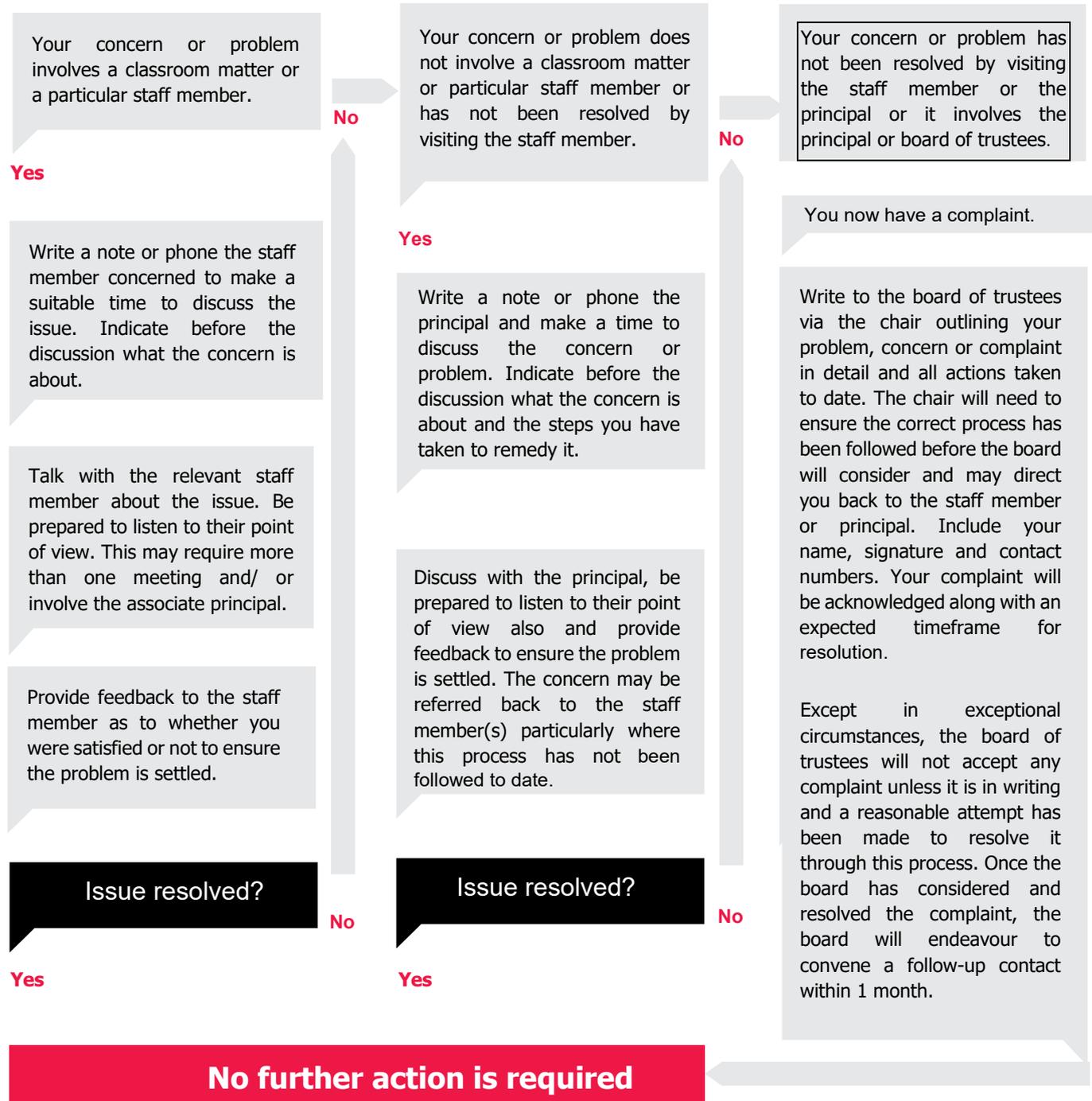
H. In complaints of a serious matter the college will seek advice and inform their insurers.

## Bream Bay College Complaints Procedures

Complaint		Who to see
by	about	
Student	Student	Mediator
		Dean/Guidance counsellor
		DP
		Principal
		Student Board Rep
		Board Chairperson
Student	Staff	The teacher
		Dean / Guidance counsellor
		DP
		Principal
		Student Board Rep
		Board Chairperson
Staff	Staff	Staff member
		DP Principal
		In writing to the Board Chairperson
Staff	Student	Dean
		DP
		Principal
		Complaint to BOT about way it has been handled
Staff	Principal	Principal
		In writing to the Board Chairperson
Parent	Staff	Staff member
		DP
		Principal
		In writing to the Board Chairperson
Parent	Board Member	Principal
		In writing to the Board Chairperson
Parent	Principal	Principal
		In writing to the Board Chairperson
Parent	Board Chairperson	Board Chairperson
		Principal
		Open letter to the board
	Board Secretary	Board Chairperson
		Principal
In all circumstances if a complainant sends a letter to the local ministry of education or the minister of education, they will refer the complaint back to the school to see if the school has had an opportunity to deal with the complaint first.		

# Concerns and Complaints process

## Starting point



Review schedule: September 2020

Next review: Sept 2023

## C4.1 Board Complaints checklist

Once a letter of complaint has been received, the board chair should ensure the following process is followed:

	Notes/date completed
1. Ensure the process has been followed as outlined in the concerns and complaints procedure or is a genuine complaint against the principal or board.	
2. Verify with the principal that any staff (or others) identified in the complaint are aware of the situation and that there has been discussion and attempts to reconcile.	
3. If the complaint or action is employment related or has potential industrial relations implications, contact the NZSTA employment advisory and support centre. For all other complaints, contact the NZSTA governance advisory and support centre.	
4. Alert the school's insurance broker.	
5. Acknowledge the letter of complaint within 7 days and advise the board process, or redirect the complainant to principal, syndicate leader or staff member as appropriate. Report to the board without names or detail at the next meeting.	
6. Once confirmed as a complaint, forward it confidentially to all trustees for consideration.	
7. Board request to principal to present full written report outlining all actions taken, advice received, meetings held and justified decisions made.	
8. Board determines whether the above fully satisfies them of full and fair process. If so, the board supports the principal and advises the complainant.	
9. If not satisfied, the board meets and discusses in committee, determines whether to formally meet the complainant and delegates responsibility to trustee(s) as deemed appropriate.	
10. Board delegates meet with the complainant and discuss the complaint more fully, verifies, investigates and clarifies. Support persons should be confirmed as welcome to attend.	
11. Board delegates report back to full board and recommend actions/decisions.	
12. Board takes appropriate actions, records and formally minutes decisions.	
13. Board advises complainant in writing of its provisional decisions and factors considered in reaching them, within 21 days of complaint receipt, unless otherwise agreed by all parties. Complainant is given opportunity to comment before the board's final decision is reached and given.	
14. Board endeavours to convene follow-up meeting within 1 month of step 9.	

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Review schedule: September 2020

Next review: Sept 2023

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## C5 Internal Evaluation process

A planned process for internal review enables continuous improvement in the governance and performance of the school.

The board's triennial review schedule is based on annually updated workplans.

A copy of the current workplan will be considered at each board meeting to ensure the evaluation cycle is on track.

Performance for each area itemised on the review schedule will be evaluated against evidence that includes but is not limited to:

1. the annual report including the AoV/SoV and audited financial statements
2. student achievement data
3. Education Review Office (ERO) reports
4. NZSTA Internal Evaluation Tool (IET)
5. feedback from parents, caregivers and staff
6. student voice
7. principal performance review
8. any other means deemed appropriate by the board.

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Review schedule: September 2020

Next review: September 2023

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## Part D: Operational Policies – board expectations for the control and management of the school

### D1 Responsibilities of the principal policy

#### Outcome statement

Authority and accountability for the day-to-day running/operation of the school is delegated to the principal.

#### Scoping

The principal is the professional leader of the school and the board's chief executive working in partnership with the board of trustees. The board is responsible for the governance of the school, including setting the policies by which the school is to be controlled and managed. The principal is responsible for the implementation of these policies including the charter/strategic plan.

The relationship between the board and principal is based on mutual respect, trust, integrity and support with both parties working to ensure no surprises.

#### Delegations

Authority and accountability for the day-to-day running of the school is delegated to the principal. Reference in documentation to the school, management and staff is to be read as "principal" for responsibility for implementation.

Only decisions made by the board acting as a board are binding on the principal unless specific delegations to the chair, individual board members, committee chairs or committees of the board are in place.

The board chair/personnel committee has responsibility for the principal's performance review.

Signing of declarations on behalf of the Board in relation to information required by the Ministry of Education, overseas students, property or other matters

To act on behalf of the board to manage the transport network

#### Expectations and limitations

The principal shall not cause or allow any practice, activity or decision that is unethical, unlawful or imprudent or that violates the board's expressed values, its charter/strategic plan or commonly held professional ethic.

The responsibilities of the principal are set out in the board's operational policies and include the following:

1. Meet the requirements of their current job description and employment agreement including the four areas of practice from the Professional Standards for Primary/Secondary Principals.
2. Participate in the development and implementation of their annual performance agreement and participate in their annual review process.

3. Act as the educational leader and day-to-day manager of the school within the law and in line with board policies.
4. Develop, seek board approval for and implement an annual plan that is aligned with the board's strategic plan, meets legislative requirements and gives priority to improved student progress and achievement.
5. Use resources efficiently and effectively and preserve assets (financial and property).
6. Operate within the board's approved annual budget.
7. Give effect to good employer policies and practices through effective procedures, instructions or guidelines.
8. Employ, deploy and terminate staff positions in line with board policy and legislative requirements.
9. Communicate with the community on operational matters as and where appropriate.
10. Refrain from unauthorised public statements about the official position of the board on social, political and/or educational issues that are or have the potential to be controversial.
11. Keep the board informed of all information relevant to its governance role and report this in accordance with the requirements set out under Monitoring below.
12. Act as protected disclosures officer and ensure procedures are in place to meet the requirements of the Protected Disclosures Act 2000.
13. Appoint, on behalf of the board, the privacy officer and EEO officer.
14. Ensure school procedures meet the legislative statutes and regulations as set down in the appropriate Acts, Ministry of Education circulars and Education Gazette.
15. Ensure systems are developed and implemented to support the smooth running of the school in regards to surrender and retention of property and searches of students. Written records and storage of items must be consistent with legislative requirements and associated rules and guidelines.

The principal is not restricted from using the expert knowledge of individual board members acting as community experts.

A budget for professional expenses and for professional development will be established annually and be included in the budget. Spending within budget occurs at the discretion of the principal except in the case of overseas professional development. All overseas trips for professional development must be approved first by the board of trustees in advance of the event.

## Procedures/supporting documentation

Board's governance and management definitions

Principal's job description

Principal's employment agreement including relevant Principal Professional Standards

Principal's performance agreement and review report

Annual implementation plan and budget

Personnel-related policy and procedures including appointments and performance management

## Monitoring

The board will review the principal's performance in line with its policy on principal performance review.

Evidence gathered for the review will include principal reporting to the board in line with the board's annual workplan and that addresses all matters having real or potential legal considerations and risk for the school including significant trends, implications of board decisions, issues or risk to policy compliance or changes to the basis upon which the board's strategic aims have been developed.

The principal will prepare (or, where appropriate, delegate, coordinate and approve) a report for every board meeting that:

1. is timely, accurate and presents information in an understandable form that is not too complex or lengthy
2. includes data and analysis on curriculum delivery, student progress and achievement
3. tracks progress and variance towards strategic aims and key performance indicators
4. informs the board of any significant changes in staffing, programmes, plans or processes that are under consideration
5. outlines financial income and expenditure and explains any variance against budget
6. summarises and highlights any risks associated with the fortnightly staff usage and expenditure (SUE) report
7. identifies the number of stand-downs, suspensions, exclusions and expulsions during the period and highlights trends over time
8. identifies the instances of physical restraint
9. includes information of any actual or potential risks to health and safety
10. specifies current roll numbers and explains any roll variance against year levels
11. recommends changes in board policies when the need for them becomes known
12. highlights areas of possible adverse publicity or community dissatisfaction
13. addresses any other matter requested by the board within a reasonable, specified timeframe.

## Legislative compliance

[Education Act 1989](#)

[Privacy Act 1993](#)

[Protected Disclosures Act 2000](#)

[Collective Employment Agreement for Principals](#)

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Reviewed: April 2018  
June 2018

Next review: April 2021

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## D2 Curriculum Delivery Policy

### Outcome statement

Curriculum delivery reflects charter/strategic plan aims and meets legislative requirements.

### Scoping

The board's primary objective is to ensure that every student at the school is able to attain his or her highest possible standard in educational achievement.

### Delegations

As the professional leader of the school, the principal is responsible for fostering quality teaching and learning outcomes.

### Expectations and limitations

The principal must ensure:

1. an annual plan is developed setting out how progress will be made towards the achievement of charter/strategic aims and targets and is approved by the board
2. the school curriculum is based on the vision, values, principles and key competencies of the New Zealand Curriculum (or Te Marautanga o Aotearoa)
3. school programmes provide students in years 1–10 with opportunities to learn in all areas of the national curriculum and for students in years 11–13 to continue to learn in their specialised areas of learning
4. there is a focus on the national priority groups of Māori, Pasifika and students with special learning needs in school planning and reporting\*
5. assessment practices enable the engagement, progress and achievement of students to be monitored and reported
6. board approval is sought before changes to the school curriculum requiring increased expenditure or significant changes to programmes or staffing are made.

### Procedures/supporting documentation

Curriculum planning

Assessment cycle

### Monitoring

The principal will prepare (or, where appropriate, delegate, co-ordinate and approve) a report for board meetings as per the triennial plan that:

1. include data and analysis on curriculum delivery, student progress and achievement
2. track progress and variance towards strategic aims and key performance indicators
3. inform the board of any significant changes in staffing, programmes, plans or processes that are under consideration.

### Legislative compliance

[Education Act 1989](#)

[New Zealand Curriculum/Te Marautanga o Aotearoa](#)

\*National Education and Learning Priorities (from 2019)

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Reviewed: April 2018  
June 2018

Next review: April 2021

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## D3 Personnel (NAG3) policy

### Outcome statement

The obligations and responsibilities of being a good employer are met.

### Scoping

The board recognises its responsibilities and accountabilities to its employees are achieved through its chief executive.

### Delegations

The board delegates responsibility to the principal on all matters relating to the management of staff in the expectation that they will be managed in a sound, fair and respectful manner in accordance with the current terms of employment documents and identified good practice.

Mandatory reports to the Teachers' Council

## Expectations and limitations

The principal must ensure:

1. all employment-related legislative requirements are applied
2. all employees' understand their rights to personal dignity and safety and ensure that matters are resolved in an appropriate and fair manner
3. a smoke-free environment is provided
4. employment records are maintained and all employees have written employment agreements
5. management pay units for appropriate positions are allocated in a fair, transparent manner
6. employee leave is effectively managed and reported so that:
  - a. the risk of financial liability is minimised, operational needs are met and the needs of individual staff are considered
  - b. board approval is sought for any requests for discretionary staff leave with pay >2 days
  - c. board approval is sought for any requests for discretionary staff leave without pay of longer than 5 days
  - d. board approval is sought for any requests for staff travelling overseas on school business
  - e. the board is advised of any staff absences longer than 5 school days
  - f. a medical certificate for an absence on sick leave in excess of five days is obtained and delegates that the Principal may request a medical certificate for leave less than 5 days if considered warranted
7. effective and robust performance management systems are in place for all staff that include performance management reviews, attestations for salary increases and staff professional development
8. a suitable professional development programme, which takes into consideration the requirements of the strategic and annual plans, is provided as part of each employee's performance agreement
9. the requirements of the Health and Safety at Work Act 2015 are met
10. advice is sought as necessary from NZSTA advisers where employment issues arise and the school's insurer is notified.

## Procedures/supporting documentation

Staff leave form

Staff leave procedure

Staff performance review

Professional development

Storage of confidential information

## Monitoring

*As per the triennial plan*

## Legislative compliance

[State Sector Act 1988](#) [Employment Relations Act 2000](#) [Privacy Act 1993](#)

[Health and Safety at Work Act 2015](#) [Collective employment agreements](#)

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Reviewed:	April 2018 June 2018
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Next review:	April 2021
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## D3.1 Appointments Policy

### Outcome statement

The best applicants are appointed through a fair, rigorous appointments process.

### Scoping

To assist in the appointment of quality staff to any vacancy that may arise, appointment committees with expertise relevant to the vacancy will be selected to carry out the appropriate appointment procedures. In accordance with the regulatory requirements for safety checking under the Vulnerable Children Act 2014, we demonstrate our commitment to the safety of children by adopting appropriate safety checking practices when employing school staff, whether core workers, volunteers or other. This policy is used in conjunction with Bream Bay College procedures on safety checking, Police vetting and screening.

### Delegations

The board delegate's authority to determine the composition of the various appointment committees according to the schedule outlined below. Appointment of the principal is the responsibility of the board, which will determine the process and seek NZSTA advice.

### Expectations and limitations

The principal must ensure that:

1. appointment of deputy principals, head of departments/senior teachers will involve an appointment committee consisting of the principal, the board chair and, at the discretion of the board, a further trustee
2. unless determined otherwise by the board, appointment of all other teachers, part-time teachers, long-term relieving teachers and non-teaching staff will be the responsibility of the principal in consultation with the board chair or delegate where deemed necessary
3. procedures are in place and fully implemented that meet all legislative requirements regarding safety checking, Police vetting and screening of all staff.
4. For the appointment of specialist teachers of Te Reo Māori:
  - Two representatives from Patuharakeke Iwi will be invited to be members of the Appointment Committee.
  - Duties will include:
    - C.V. Viewing
    - Shortlisting
    - Interviewing
    - Appointment of a suitable candidate

### Procedures/supporting documentation

Police vetting procedure

Safety checklist

Templates – application form, shortlisting matrix, interview matrix, reference checking matrix etc.

### Monitoring

As per the triennial plan

Police vetting report to the board in-committee

### Legislative compliance

[Collective employment agreements](#)

[Employment Relations Act 2000](#)

[Vulnerable Children Act 2014](#)

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Reviewed:	April 2018 June 2018	Next review:	April 2021
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## D4.1 Financial Planning and Condition

### Outcome statement

The school is financially viable, manages risks effectively and resources are targeted to where they make the most difference to outcomes for students.

### Scoping

The board of trustees has overall responsibility for the financial management of the school. The principal is the day-to-day manager of the school and responsible for achieving legislative requirements and charter/strategic aims and targets within board policy objectives.

The financial viability of the school must be protected at all times, and every practicable effort is made to eliminate the risk of theft or fraud.

### Delegations

The principal, in association with the finance committee, is responsible for recommending an annual operating and capital budget to the board within the timelines specified in the finance committee terms of reference.

The board delegates the day-to-day management of the school's finances and budget to the principal.

The principal is required to ensure robust, clear procedures are in place to safeguard the integrity of financial management.

### Expectations and limitations

Budgeting shall not fail to reflect the annual plan, risk financial jeopardy nor fail to show a generally acceptable level of foresight. The budget should:

1. reflect the results sought by the board
2. reflect the priorities as established by the board
3. comply where the board's requirement is for a balanced budget
4. demonstrate an appropriate degree of conservatism in all estimates.

The principal must ensure:

1. unauthorised debt or liability is not incurred
2. generally accepted accounting practices or principles are not violated
3. tagged/committed funds are not used for purposes other than those approved
4. more funds than have been allocated in the fiscal year are not spent without prior board approval
5. all money owed to the school is collected in a timely manner
6. timely payment to staff and other creditors is made
7. unauthorised property is not sold or purchased
8. all relevant government returns are completed on time
9. no one person has complete authority over the school's financial transactions
10. when making any purchase:
  - a. of over \$10,000 comparative prices are sought
  - b. of over \$10,000 an adequate review of ongoing costs, value and reliability is undertaken
  - c. of over \$10,000 on a single item, board approval is first sought
  - d. effective systems are in place to meet the requirements of the payroll system.
11. Authorising expenditure/payments up to a value of \$200,000 per day
12. Applying for funds, sponsorship or other monies up to a value of \$2,000,000

### Procedures/supporting documentation

Annual budget

Month End approvals report

Air NZ card report

Visa Cards report

Financial Bank rec report

Balance sheet

Curriculum report

Profit and Loss detailed report

Star cards report

BP cards report

Trading report  
Salaries from bulk grant approval  
Variance report

## Monitoring

The principal is responsible for financial reporting and demonstrating budget compliance. Where there is non-compliance, variances are to be reported to the board with recommendations on the actions required to meet compliance.

*As per the triennial plan*

## Legislative compliance

Refer to the Ministry of Education website for information on managing school finances and the [Financial Information for Schools Handbook \(FISH\)](#).

Reviewed: April 2018 June 2018	Next review: April 2021
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## D4.2 Asset Protection Policy

### Outcome statement

Assets of the school are utilised to maximise the best outcomes for students.

### Scoping

Assets may not be unprotected, inadequately maintained or unnecessarily risked.

### Delegations

The principal is delegated day-to-day responsibility for ensuring that the programming and funding of general maintenance of the school grounds, buildings, facilities and other assets occurs in order to provide a clean, safe, tidy and hygienic work and learning environment for students and staff.

### Expectations and limitations

The principal must:

1. ensure all board assets are insured
2. not allow unauthorised personnel or groups to handle funds or school property
3. not subject plant and equipment to improper wear and tear or insufficient maintenance or inappropriate use
4. maintain an up-to-date asset register for all items of furnishing, plant machinery, equipment, text and library books costing more than \$1000
5. ensure the implementation of the 10-year property maintenance plan
6. engage sufficient property maintenance staff for the school within budget limitations
7. receive board approval for maintenance contracts over \$10,000 for any one contract
8. conduct competitive tenders for all contracting
9. protect intellectual property, information and files from loss or significant damage or unauthorised access or duplication
10. not receive, process or disburse funds under controls that are insufficient to meet the board-appointed auditor's standards
11. not invest or hold operating capital in insecure accounts or in non-interest-bearing accounts except where necessary to facilitate ease in operational transactions.

### Procedures/supporting documentation

Capital report  
Sale/disposal of capital items report

## Monitoring

*As per the triennial plan*

## Legislative compliance

Refer to the Ministry of Education website for information on managing school finances and the [Financial Information for Schools Handbook \(FISH\)](#).

## D5 Protection and sharing of Intellectual Property (Creative Commons) Policy

### Outcome statement

The board enables and encourages sharing and collaboration between teachers by recognising and removing legal barriers that exist to the sharing of learning resources and other materials created by school staff in the course of their employment.

### Scoping

The New Zealand Copyright Act 1994 Section 21 (2) recognises the copyright ownership rights of board of trustees of works produced by their employees in the course of their employment.

By licensing its copyright, the board is giving permission in advance for others to copy and share learning resources developed by its employees and owned by the board.

### Delegations/responsibility

The board delegates to the principal the responsibility to:

1. apply by default a Creative Commons Attribution Licence to all teaching materials and policies in which the board of trustees owns copyright
2. transfer to the original creator the copyright in created works licensed by the school under a Creative Commons Attribution or Creative Commons Share-Alike licence
3. ensure that all staff are aware of the terms of this policy and how it relates to teaching resources they develop in the course of their employment at the school.

### Limitations and expectations

The board:

1. does not make any claim over the ownership of copyright works produced by students – the copyright to these works remains with the creator
2. recognises that this policy only applies to copyright works and not to any other forms of intellectual property
3. recognises that the copyright in works produced by an employee other than in the course of their employment by the board of trustees remains the property of that employee – where this is unclear, the process for dispute resolution outlined below shall apply.

### Resolution of disputed copyright ownership

Where the first ownership of copyright in a given work is disputed or unclear, the following process will apply:

1. In the first instance, the dispute should be documented and presented to the school principal.
2. If the dispute is still not resolved, the documentation should be presented to the board chair.
3. If the dispute is still not resolved following steps 1 and 2, mediation with an appropriate authority will be undertaken.

Steps 1 and 2 should be replaced with the school's dispute resolution process, where appropriate.

### Definitions

**Creative Commons Aotearoa:** The New Zealand affiliate of an international non-profit movement that provides free open licences that copyright holders can use to share their work.

**Teaching materials:** Copyright works produced by employees of the school for the purposes of teaching.

### Associated legislation

[The New Zealand Copyright Act 1994](#)

### Associated procedures

Dispute resolution process

### Monitoring

The board will review the processes if dispute arise

## D6 Health and Safety Policy

### Outcome statement

A safe and healthy workplace is maintained by providing the information, training and supervision needed to ensure the health and safety of all students, staff and other people in the workplace.

### Scoping

The board is responsible for ensuring health and safety procedures are developed and implemented. However, employees need to be aware of their responsibilities and comply with the board's health and safety policy and school procedures.

### Delegations

The board delegates to the principal as officer the responsibility to:

- develop and implement health and safety procedures
- ensure employees have the information they need in order to comply with policy and procedures.

### Expectations and limitations

The board will, as far as is reasonably practicable,<sup>1</sup> comply with the provisions of legislation dealing with health and safety in the workplace by:

1. providing a safe physical and emotional learning environment
2. ensuring a health and safety workplace committee strategy/plan is in place and engagement and consultation on the health and safety strategy occurs with workers and the school community
3. ensuring there are procedures in place regarding the sale, supply and consumption of alcohol and that these are aligned with the protection of students, staff and visitors to the school procedures and comply with the [Sale and Supply of Alcohol Act 2012](#)
4. providing adequate facilities, including ensuring access and ensuring property and equipment is safe to use and students and workers are not exposed to hazards
5. ensuring there is an effective method in place for identifying, assessing and controlling hazards, which includes recording and investigating injuries and reporting serious harm incidents
6. having a commitment to a culture of continuous improvement.
7. The principal, as officer, has responsibility for implementing this policy and therefore must exercise due diligence in accordance with the provisions of the health and safety legislation and in particular the six due diligence obligations<sup>2</sup>
8. take all reasonable steps to protect students, staff and visitors to the school from unsafe or unhealthy conditions or practices
9. ensure the staff code of conduct is implemented effectively
10. take a zero tolerance approach to unacceptable behaviour, such as bullying, and ensure that there are effective processes in place
11. provide a smoke-free environment
12. ensure a risk analysis management system (RAMS) is in place and carried out
13. seek approval for overnight stays/camps/visits attesting first to their compliance with above
14. consult with the community every 2 years regarding the health programme being delivered to students
15. provide information and training opportunities to employees
16. advise the board chair of any emergency situations as soon as possible
17. ensure all employees and other workers at the school will take reasonable care to:
18. cooperate with school health and safety procedures
19. comply with the health and safety legislation and duties of workers
  - a. ensure their own safety at work
  - b. promote and contribute to a safety-conscious culture at the school

1. **Reasonably practicable** means what is or was reasonably able to be done at a particular time to ensure health and safety, taking into account and weighing up all relevant matters.

2. These are to:

- know about work health and safety matters and keep up to date
- gain an understanding of the operations of the organisation and the hazards and risks generally associated with those operations
- ensure the person conducting a business or undertaking (PCBU) has appropriate resources and processes to eliminate or minimise those risks
- ensure the PCBU has appropriate processes for receiving information about incidents, hazards and risks and for responding

to that information

- ensure there are processes for complying with any duty and that these are implemented
- verify that these resources and processes are in place and being used.

## Procedures/supporting documentation

1. Staff induction
2. Education outside the classroom, RAMS
3. Health and safety register
4. Hazard register
5. Hazard assessment register
6. Injury and incident reporting (procedure, checklist, board report, investigation form)
7. Emergency procedures, including for shut-down and evacuation
8. Administering medication
9. Accident management
10. Alcohol, smoking and drugs
11. Behaviour management – managing challenging behaviour and physical restraint (policy and procedures)
12. Civil defence and crisis procedures
13. Collection, storage and access to personal information
14. Concerns and complaints
15. Court orders against parents/caregivers
16. Cyber safety
17. First aid and infection (pandemic plan)
18. Healthy eating
19. Parent helpers
20. Adult behaviour at school (adult conduct at school)
21. Playground supervision
22. Police vetting
23. Protected disclosures
24. Sexual harassment
25. Sun smart (sun safety)
26. Transporting children
- 27.

## Monitoring

Board to enter own monitoring and reporting procedures.

As per the triennial plan

## Legislative compliance

[Health and Safety at Work Act 2015](#)

[Vulnerable Children Act 2014](#)

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Reviewed:	June 2018
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Next review:	June 2021
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## D7 Child Protection Policy

### Outcome statement

Students at this school thrive, belong and achieve to the best of their ability. The school is committed to the prevention of child abuse and neglect and to the protection of all children.

### Scoping

All staff members (including contractors and volunteers) are expected to be familiar with this policy, its associated procedures and protocols and abide by them.

Advice will be sought through appropriate agencies in all cases of suspected or alleged abuse.

In line with Section 15 of the [Oranga Tamariki Act 1989](#), any person in our school/kura who believes that any child or young person has been or is likely to be harmed (whether physically, emotionally or sexually), ill treated, abused, neglected or deprived must follow school procedures and may also report the matter to a social worker or the local Police.

## Delegations

Although ultimate accountability sits with the board, the board delegates responsibility to the principal to ensure that all child safety procedures are implemented and available to all staff, contractors, volunteers and parents.

## Expectations and limitations

The principal must:

1. develop appropriate procedures to meet child safety requirements as required and appropriate to the school
2. comply with relevant legislative requirements and responsibilities
3. make this policy available on the school's internet site or available on request
4. ensure that every contract or funding arrangement that the school enters into requires the adoption of child protection policies where required
5. ensure the interests and protection of the child are paramount in all circumstances
6. recognise the rights of family/whānau to participate in the decision making about their children
7. ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and deal with disclosures by children and allegations against staff members and are able to take appropriate action in response
8. support all staff to work in accordance with this policy to work with partner agencies and organisations to ensure child protection procedures are understood and implemented
9. promote a culture where staff feel confident they can constructively challenge poor practice or raise issues of concern without fear of reprisal
10. consult, discuss and share relevant information with the board or designated person in line with our commitment to confidentiality and information-sharing protocols in a timely way regarding any concerns about an individual child
11. seek advice as necessary from NZSTA advisers on employment matters and other relevant agencies where child safety issues arise
12. make available professional development, resources and/or advice to ensure all staff can carry out their roles in terms of this policy
13. ensure that this policy forms part of the initial staff induction programme for each staff member.

## Procedures/supporting documentation

Definitions

Identification and reporting of child abuse and neglect

1. Four categories of abuse (emotional, physical, sexual and neglect)
2. How to respond to suspected abuse or neglect
3. How to respond to disclosures made by a child
4. Recording a disclosure
5. Reporting suspected child abuse and neglect
6. Confidentiality, information sharing and recording
7. Safety checking – safety checklist
8. Staff capability and professional development
9. Safe at work practices
10. Physical contact with children
11. Working one on one with children
12. Transporting children
13. Overnight stays/camps
14. Social media and technology (internet protection, photo storage)
15. Parent help
16. Visitors on site
17. External contractors
18. Billeting
19. Socialising with children
20. Gifts and rewards
21. Intimate care – toileting
22. Application of medication and sunscreen

- 23. Managing challenging behaviour and physical restraint policy
- 24. Allegations against staff

## Monitoring

*As per the triennial plan*

## Legislative compliance

<http://www.nzsta.org.nz/> – further information including frequently asked questions

<http://www.education.govt.nz/>

[Vulnerable Children Act 2014](#)

[Oranga Tamariki Ministry for Children](#) – further information and sample child protection templates

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Reviewed: June 2018	Next review: June 2021
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# D8 Managing Challenging Behaviour and Physical Restraint Policy

## Outcome statement

To minimise the effect of challenging behaviour, the board of trustees shall ensure that effective procedures are in place around the management of student behaviour and the use of physical restraint.

## Scoping

This policy applies throughout the school.

All staff are required to familiarise themselves with Ministry of Education guidelines for registered schools in New Zealand on the use of physical restraint and to undertake appropriate professional development.

The board will ensure that any incident of physical restraint is notified to parents or caregivers and reported to the Ministry of Education. The board will ensure that parents or caregivers are notified if physical restraint is an element in a student's individual behaviour plan.

Complainants with concerns regarding use of physical restraint must follow the school's prescribed concerns and complaints procedure.

## Delegations

The board delegates to the principal:

1. responsibility for ensuring that adequate staff training and support is in place
2. the reporting of incidents of physical restraint to parents, caregivers and the Ministry of Education
3. notification to parents and caregivers if an element of physical restraint is in a student's individual behaviour plan.

## Limitations and expectations

1. Physical restraint is defined as using force to prevent, restrict or subdue the movement of a student's body or part of the student's body and is a serious intervention.
2. Staff shall be well versed in prevention and de-escalation strategies used to limit the need to physically restrain a student.
3. Use of physical restraint is limited to teachers or authorised staff members and only where:
  - a. there are reasonable grounds to believe that there is a serious and imminent risk to the safety of a student or of any other person
  - b. the restraint used is reasonable and proportionate in the circumstances.
4. Authorised staff are employees authorised by their employer (the board of trustees) to use physical restraint.
5. Teachers and staff members who are authorised to physically restrain students shall receive suitable training and support.
6. Seclusion of students is prohibited. Seclusion of students is defined as placing a child or student in a room involuntarily, alone and from which they cannot (or believe they cannot) freely exit.

## Associated legislation

[Education Act 1989](#)

[Education \(Physical Restraint\) Rules 2017](#) [Health and Safety at Work Act 2015](#)

## Associated procedures

*School to enter appropriate procedures.*

## Monitoring

Instances, matters or risks in relation to this policy shall form part of the principal's report to every board meeting, taking care that individual students cannot be identified.

The board shall monitor the use of physical restraint, looking for trends and any action that could be taken at governance level to support reducing such incidents.

*School to enter own monitoring and reporting procedures.*

Reviewed: June 2018	Next review: June 2021
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## D9 Concerns and Complaints Policy

### Outcome statement

All complaints, concerns and incidents are attended to promptly, respectfully and professionally and seek to bring effective resolution to all parties concerned.

### Scoping

In order to maintain a safe and comfortable environment for all students, staff and visitors, an accessible procedure for handling complaints and grievances will be implemented and maintained to provide an open and fair way of resolving issues and will comply with all relevant legislation.

### Delegations

The board delegates to the principal full responsibility of ensuring processes are in place and operating effectively and adequately. In the event of a complaint or grievance concerning the principal, responsibility lies with the board.

### Expectations and limitations

In complying with the policy, the principal shall not fail to:

- implement and maintain robust procedures to meet the policy requirements
- ensure that the process for complaints or grievances is clearly communicated
- report to the board as follows:
  - When receiving a complaint, the board must ensure that the complainant has previously followed the school's concerns and complaints procedure and that the complaint has been escalated to board level correctly.
  - Should the board receive a complaint regarding the principal or determine that any policy violation may have occurred, the board in the first instance will consider whether this may be dealt with in an informal manner (as per the employment agreement provisions that apply to the principal).
  - Where the board considers the degree and seriousness of the concern or any violation sufficient to warrant initiating a disciplinary or competency process, the board shall seek the support and advice in the first instance from an NZSTA adviser to ensure due process is followed.

### Procedures/supporting documentation

Parent/whānau concerns and complaints procedure

Staff concerns and complaints procedure

### Monitoring

The principal shall maintain a register of complaints and resolutions and report to the board at least quarterly per annum outlining numbers of complaints, resolution success figures and any areas of concern for board deliberation.

### Legislative compliance

Reviewed: June 2018	Next review: Sept 2021
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## D10 Gifts and Entertainment

The principal must ensure that expenditure on gifts and entertainment incurred by the school must clearly be linked to the business of the school.

The purpose of all purchases should be transparent and the amount expended able to be demonstrated as reasonable and appropriate.

### 1. Entertainment expenditure in general will be for the following purposes:

- Representation of the school in a social situation
- Hospitality provided in the course of school business to external parties
- Internal social functions

### 2. School Events and Staff Meetings:

- This includes conferences, seminars, workshops, training courses and meetings
- When deciding on a venue, teachers should take into account location, accommodation standard and tariff rates. They should give due consideration to the nature of the event, total cost, expectations of participants and their home locations. When deciding upon catering, teachers should take into account the nature of the event and the quality of food required

### 3. Alcohol Purchases:

- Purchases are usually for the consumption by staff and guests at school hosted events. The amount expended needs to be demonstrably reasonable and appropriate for the event and should be sufficient for moderate consumption only
- Alcohol purchases can only be made by the Principal through his/her entertainment account

### 4. Giving Gifts:

- All gifts should be purchased through the school's normal purchase procedures
- The cost of a gift should be reasonable and appropriately reflect the benefit received

### 5. Receiving Gifts:

- Gifts should not be accepted if there is concern that their acceptance could be seen by others as an inducement or a reward that might place the staff member under obligation
- If the gift arises from an employee's role as an employee of the Board, then the gift remains the property of the Board. Receipt of the gift should be declared to the Principal

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## D11 Confidentiality Policy

Any activities relating to staff or students of Bream Bay College are confidential to Bream Bay College and should not be discussed or alluded to outside the school in general conversation, no matter how relaxed the company. A number of comments can be made in an off-handed fashion that can have the most serious consequences and it is imperative that comments relating to particular staff members or students are simply not made at all.

This Policy provides guidelines for all staff and Board of Trustees Members:

1. They are expected to conduct themselves in a professional manner as befitting their employee or employer role. This Protocol will be followed with common sense and honesty
2. The only person to speak to the media about any issue will be the Principal (in the absence of the Principal the duty Deputy Principal), or the Chairperson of the Board of Trustees. It is vital that if staff or board members are contacted by the media regarding any school-related issue, they make a polite but firm "no comment" and refer the matter to the appropriate person
3. Certain staff may be delegated by the Principal or Chairperson to liaise with the media with relation to specific issues (e.g. coaches or managers with cancellations etc.)

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# D12 Protected Disclosures Policy

## Introduction:

The purpose of this policy is to provide information and guidance to employees of the school who wish to report serious wrongdoing within the school.

This policy is issued in compliance with of the Protected Disclosures Act 2000 The policy consists of:

1. A definition of a protected disclosure
2. A definition of serious wrongdoing that can be the basis for a protected disclosure by an employee
3. Conditions for disclosure
4. Information on who can make a disclosure
5. Protections for employees making disclosures
6. A procedure by which an employee can make a disclosure

### **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.

### **Definition of Serious Wrongdoing:**

Serious wrongdoing includes any serious wrongdoing of any of the following types:

1. an unlawful, corrupt, or irregular use of funds or resources of a public sector organisation
2. an act or omission or course of conduct that constitutes a serious risk to public health or public safety or the environment
3. 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 fair trial
4. an act, omission, or course of conduct that constitutes an offence
5. an act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory, grossly negligent, or that constitutes gross mismanagement

### **Conditions for Disclosure:**

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

1. the information is about serious wrongdoing in or by the school
2. the employee believes on reasonable grounds the information to be true or is likely to be true
3. the employee wishes the wrongdoing to be investigated and
4. the employee wishes the disclosure to be protected

### **Who can make a disclosure:**

Any employee of the school can make a disclosure. For the purposes of this policy an employee includes:

1. current employees and principal
2. former employees and principals
3. contractors supplying services to the school

### **Protection of employees making disclosures:**

An employee who makes a disclosure and who has acted in accordance with the procedure outlined in this policy will have the following protections:

1. may bring a personal grievance in respect of retaliatory action from their employers
2. may access the anti-discrimination provisions of the Human Rights Act in respect of retaliatory action from their employers
3. are not liable for any civil or criminal proceedings, or to a disciplinary hearing by reason of having made or referred to a disclosure and
4. will, subject to Clause 5 of the Procedure, have their disclosure treated with the utmost confidentiality

*These protections provided in this section will not be available to employees making allegations they know to be false or where they have acted in bad faith.*

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### **D13 Fees Protection Policy – International Students**

To ensure sound fiscal management of prepaid international student fees the following measures will be applied:

1. These fees are to be separately coded and audited
2. These fees are not to be spent in advance on the premise that future students will attend the College
3. The Board will always have sufficient reserves to be able to return to the students their fees in the event of a student refund being required or because the College is unable to provide or continue a course or programme.
4. All students attending the College must have insurance. The insurance would include health and travel.

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