

NZSPC

NEW ZEALAND SECONDARY PRINCIPALS' COUNCIL
OF THE POST PRIMARY TEACHERS' ASSOCIATION

Principals' Handbook



Revised January 2009

NZPPTA SECONDARY PRINCIPALS' COUNCIL HANDBOOK

CONTENTS

PREAMBLE

REFERENCE/URL FOR VALUABLE WEBSITES

SECTION A – SUPPORT FOR PRINCIPALS

- A1 Secondary Principals' Council
- A2 Legal advice
- A3 Professional growth
- A4 Principal appraisal

SECTION B – WORKING WITH THE BOARD

- B1 Governance and management, delegations, reporting to the board
- B2 Planning and official reporting
- B3 Resourcing and financial management
- B4 Staffing and timetabling policy
- B5 Surplus staffing
- B6 Consultation
- B7 Property
- B8 Compliance

SECTION C - WORKING WITH STUDENTS

- C1 Special education
- C2 Buses
- C3 Stand downs, suspensions and expulsions
- C4 Safe schools
- C5 Exemptions and Alternative Education

SECTION D - WORKING WITH STAFF

- D1 Principal – staff relationships
- D2 Recruitment and appointments
- D3 Employment issues for staff
- D4 Performance management
- D5 Competence
- D6 Discipline

ACKNOWLEDGEMENTS

The advice given in this document has been derived from information from the publications and websites listed in the web links and help and advice sections.

We are indebted to NZEI Te Rui Roa for allowing us to adapt some sections from their Principals' Kit, in particular on Property and Special Education.

Important note

Links to websites/web pages and email addresses are underlined and in blue text, as per the standard format. These have all been carefully checked but can change at any time and we welcome feedback if you find any that any are not working.

It is intended that the guide will be updated as legislation and information changes.

Any suggestions or comments on content can be emailed to tbleakley@ppta.org.nz

KŌRERO WHAKATAKI **FOREWORD**

Ma tini mano ka rapa te wai

E kore e mahana, he iti-iti o te Puheru

(This whakataukākī is stating in essence that small numbers of individuals are ineffective and co-operation and unity is the best strategy.)

Principals have a complex job – we have to lead the learning, lead towards the future, maximise student achievement, work well with people and manage the business, among many other things.

These core demands depict the ongoing challenge of juggling these various roles and the potential role conflicts of being employer and employee, CEO and professional leader, adviser and performance reviewer, colleague and manager, innovative and compliance driven, collaborative and competitive...the contradictions go on. You can also add to this complexity the increasing number of statutory requirements for compliance as well as the ever-present public scrutiny.

We have a responsibility to create the optimum conditions for learning and achievement, yet to achieve this we need to work through others, especially teachers in their classrooms.

All teachers are leaders of learning so developing leadership across the school, at all levels, and using effective delegation to empower these leaders is vital. Excellent communication and relationships, building teams/professional learning communities and setting high expectations for these leaders are also critical to us being effective leaders ourselves.

The NZSPC has developed this handbook as a resource for all principals in their daily job to help with managing the complexity. We hope this will be a speedy and valuable way to access important information when you need it.

While we have tried to be comprehensive, we inevitably will have missed something out. For that I apologise, but this handbook will be refined and evolve and will be regularly updated online at the PPTA website. Please contact us if you have suggestions for improvement to this manual!

Best wishes as you undertake one of the most challenging, exciting and satisfying jobs in the world.

Arthur Graves
Chairperson
Secondary Principals' Council

REFERENCE/URL FOR VALUABLE WEBSITES

www.leadspace.govt.nz

Leadspace is a dedicated website for principals and contains a wide range of information on leadership, management and professional development. There is a secure online 'community' area where principals can share ideas, issues and problems with their colleagues.

www.minedu.govt.nz

The Ministry of Education website has similar material but is more comprehensive and complex. You need to click on the side bar of the homepage (e.g. School Management and Administration) and then scroll down the page that comes up until you see the relevant side heading and click on that.

www.ppta.org.nz

The public site has detailed information about secondary education issues, including collective agreements and comments on them. For access to the members' section you need login details. You can obtain these by going to 'Members login' and then to 'Login help' at the bottom of the little green card.

www.nzsta.org.nz

The New Zealand School Trustees' Association website has comprehensive information on collective employment agreements and services available to schools in the employment of teachers and support staff.

www.ero.govt.nz

Education Review Office (ERO) handbook and ERO guidelines (click on Handbooks) provide a comprehensive, authoritative and easily accessible guide to all aspects of **compliance** in running a successful school, and performance indicators for quality.

www.nzqa.govt.nz

This site contains qualifications information and the compliance requirements for schools to offer these qualifications.

www.tki.org.nz

Te Kete Ipurangi contains a wealth of curriculum-related material and is a good back-up to the other sites.

<http://nzplc.massey.ac.nz/>

The New Zealand Principal and Leadership Centre has a section on legal literacy as a means of building school principal legal literacy and providing legal advice to secondary and primary school principals.

A1 THE NEW ZEALAND SECONDARY PRINCIPALS' COUNCIL

The New Zealand Secondary Principals' Council is a national, representative council of secondary and area school principals committed to the support of principals through

- providing strong, effective leadership
- actively contributing to high quality public education
- promoting collaboration among secondary and area school principals
- providing professional, legal and industrial advocacy
- providing advice to PPTA

NOTE: You can find an up-to-date-list of [members of the council](#) on the Secondary Principals' Council page of the login section of www.ppta.org.nz.

A2 LEGAL ADVICE

PPTA is concerned that principal members of the association feel supported by the organisation, particularly in today's increasingly litigious environment.

Good practice is to seek advice early, especially when legal action looks possible. An ounce of prevention is worth a ton of cure!

1. If your problem is related to your position **as an employee**, including if your board acts against you in respect of actions you may have taken in your employer role, you can look to PPTA for support. Talk to your SPC representative and/or Deputy General Secretary, Colin Moore (04 913 4225), in the first instance. They will advise you how to proceed. This support will include advice and/or representation as appropriate, including legal advice or representation if necessary. This costs you nothing other than your PPTA subscription.
2. In some cases the matter might be one calling for mediation between members. PPTA can and does support both or all members in these situations.
3. If the problem relates to your role **as an employer** on behalf of the board, it is your board's responsibility to support you. The following steps may be necessary:
 - Contact your local STA field officer. NZSTA works to represent you and the board, while PPTA or NZEI represents the staff member. There is no cost to you if your board belongs to STA. Call free on 0800 782 435.
 - Contact your board chair.
 - Contact your school's insurance company.
 - Your board, or its insurer, obtains legal advice or representation if appropriate. You need to let your insurer know about the issue or potential issue before you take action and you must have contacted STA about the matter if your school is a member.
 - Follow legislation, regulations, employment agreements and any applicable school procedures exactly.
 - Remember always to uphold the principles of good faith and natural justice. You will be judged on the quality of your process.

Although the Education Act covers a great deal on how schools operate there are many acts that cover employment and personnel alone eg. State Sector Act, good employer provisions in the Employment Relations Act, Equal Employment Opportunities legislation, Smoke Free laws, Parental Leave and Employment Act, Income Tax regulations, Protected Disclosure Act to name a few. For finance and property there is a long list of further legislation. All of these acts are accessible from Leadspace and a school's compliance requirements are also on the ERO site.

The New Zealand Principal and Leadership Centre Legal Website <http://nzplc.massey.ac.nz/legal/default.asp?page> - has been set up as an ongoing collaborative contract between the Ministry of Education and the New Zealand Principals' Leadership Centre. The site includes case studies, articles, suggestions, policies as well as a larger study each term of one area in more detail - under the heading "Termly Folio". Just a few examples from this helpful resource are: legally based articles on wide ranging personnel issues eg. Natural Justice, [Alcohol and Drug testing in Schools of Staff](#); [Appointing the Best person for the Job](#); [Boundary between teacher/students relationships](#); Fixed Term Agreement.; [Intellectual property of school/staff](#); M unit during surplus Staffing; [OSH and Stress. Policy of dissuading employees from having own children at the school.](#)

There are also advisory articles on student matters, on resource management and on board management.

Web links

Summary of NZ legislation relating to education
www.legislation.co.nz

[ERO Handbooks](#)

[The New Zealand Principal and Leadership Centre Legal Website](#)

www.ppta.org.nz

www.nzsta.org.nz

See also [Schools Go To Court – Education Case Law for New Zealand Schools](#) by Patrick Walsh and Josephine Ruth Bartley

A3 PRINCIPAL PROFESSIONAL GROWTH

The Best Evidence Synthesis sets out the characteristics of effective professional development as professional learning that:

- incorporates participants' own aspirations, skills, knowledge, and understanding in a the learning context
- provides theoretical knowledge, content knowledge and knowledge and information about alternative practices
- involves investigating pedagogy within our own settings
- uses advisers to assist in data collection and ongoing critique.(In Critical Friend exchanges this is another practising principal)
- uses analysis of data from own settings against national or other pre- set targets to reveal and understand gaps that need attention
- involves critical reflection enabling participants to investigate and challenge assumptions and extend their thinking. (This is a core aspect.)
- supports good educational practice
- helps principals, teachers and educators to change leadership of pedagogical practice, their knowledge, and beliefs, and
- helps principals, teachers and educators to gain awareness of their own thinking, actions, and influence.

Mentoring and coaching with or without the use of a **critical friend** has increasingly been seen as an effective and relevant means of support and professional growth for principals. Research suggests it to be an effective form of helping teachers and principals improve their professional knowledge and practice.

Mentoring is an integral part of the **First Time Principals' course** available free of charge and run through the School Leadership Centre at Auckland University.

Coaching is still in its infancy as a professional development tool but it is used quite extensively at the National College for School Leadership in the UK and has a strong focus on developing the interpersonal skills needed for leadership of schools.

See the [National College for School Leadership](#)

Critical friend exchanges

These take place between two practising principals and involve a reciprocal exchange where each visiting principal becomes the critical friend of the other, collecting data using action research techniques on a schooling improvement project that the principal in the host school has chosen. Principals are trained in the techniques before they go into each other's schools and provide a written report on their findings to the host principal. Reports are descriptive rather than judgmental;

the host school principal takes action as he/she thinks fit based on the information gathered usually from staff, students and parents.
Contact the Far North Principals' Leadership Centre acollett@xtra.co.nz

Professional development and planning centres (PDPC)

These are held in Wellington several times a year. They are advertised in the Gazette in advance and principals apply to attend them. They last for a week and during that time principals interact with other principals doing group and individual tasks while facilitators observe them and rate their performance against a set of indicators that assess their strengths and weaknesses. The report that is provided to them at the end of the week leads to a professional development plan that principals can use to gain the skills they feel they need. Between \$2,000 and \$5,000 is available to each principal to implement the plan. Contact keriana.tawhiwhirangi@minedu.govt.nz

Leadspace

The leadership area of Leadspace is an excellent resource for principals' professional development. It has readings and case studies of good practice from a range of sources. Go to www.leadspace.govt.nz/leadership

Principals' professional learning circles are groups of principals that meet in local areas to discuss professional readings from Leadspace and to share issues common to their schools. Links are made via the Leadspace website.

Tertiary study in school leadership

Degree courses in school leadership up to doctorate level are available at all New Zealand universities and in some cases are provided extramurally or online with block courses in the holidays. See www.kiwiquals.govt.nz or individual university websites.

Web links

[Mentoring and coaching](#)

[Best Evidence Synthesis](#)

The Best Evidence Synthesis is a research-based document outlining good teaching practice standards.

A4 PRINCIPAL APPRAISAL

You as principal are required to meet the professional standards set out in your collective employment agreement and to implement objectives negotiated between you and the board or their delegated appraiser (often relating to the school's annual plan) as part of your performance agreement. The processes are similar to those for all other staff but because the board is your direct employer, it is quite common for them to receive a summary report of your performance, agreed between you and your appraiser, at a board meeting.

ERO requires the board to have a separate documented policy on the appraisal of the principal's performance that specifies the:

1. Person(s) responsible for the implementation of the appraisal policy and process.
2. Process for the appraisal of performance.
3. Process for dealing with disputes.
4. Requirements for confidentiality.

Boards of trustees may conduct the appraisal themselves usually through the board chair or a small sub-committee. However, many boards use an outside appraiser. Principals and others can now receive training from School Support services agencies (e.g. Auckland Principals' Centre). A list of such people is available from your local Ministry office. The board or their delegate is responsible for ensuring that the appraisal process includes the following elements:

- documented performance expectations developed in consultation with you
- identification and written specification of one or more development objectives to be achieved during the period for which the performance expectations apply
- identification and written specification of the assistance or support to be provided for you to achieve the development objectives agreed
- a signed annual performance agreement
- observation of teaching (for those with teaching responsibilities)
- self-appraisal by you as principal
- an opportunity for you to discuss your achievement of the performance expectations and the development objective(s) with your appraiser, and
- an appraisal report prepared and discussed in consultation with you the principal.

Principal's salary grade

As your salary and grading are roll dependent as well as decile dependent, your salary grade is recalculated every year using the 1 March roll and for ORRS, the numbers at 1 July of the previous year.

NB Should you negotiate any extra emolument this must gain the concurrence of the Ministry of Education and comply with tax regulations.

If your salary grading drops you are entitled to salary protection under the terms and conditions of the [Secondary Principals' Collective Agreement \(SPCA\)](#) or the [Area School Principals' Collective Agreement \(ASPCA\)](#).

Web links

[Secondary Teachers' Collective Agreement](#)

[Area Teachers' Collective Agreement](#)

[Ministry of Education Funding, Staffing and Allowances Handbook](#)

Refer to [Chapter 2 Section 2.5](#) for information on principals' salary grading.

B1 GOVERNANCE & MANAGEMENT, DELEGATIONS, REPORTING TO THE BOARD

“The relationship between the Board and the principal is intended as a partnership (Tomorrow’s Schools, 1988).”

“It is recognised that the Board has the overall responsibility for the school, but to enable a school to function effectively, Boards of Trustees and Principals must work together in a climate of mutual goodwill, respect, trust and cooperation.” (Principals’ Implementation Taskforce, 1990)

Section 75 of the Education Act 1989 states that a school's Board “has complete discretion to control the management of the school as it thinks fit.”

Section 76 of the Act refers to the principal as the Board's chief executive officer.. The principal is expected to act in accordance with legislation and the board’s policy directions and be accountable to the board for the results, activities or outputs of those policies, but he/she has “complete discretion to manage the school’s day-to-day administration.”

It is the board’s responsibility in its governance role and through its charter, to establish school goals by developing policies and plans in consultation with the principal, staff and school community. The board must also monitor and evaluate the results of the policies and review them regularly.

The principal needs to:

- keep the board well informed of the school's activities and ongoing issues
- regularly discuss respective roles and expectations with the board chairperson to clarify overlap and build up trust, and
- work with the board and staff in strategic planning, policy development and review.

Goodwill, mutual respect and an open and supportive working relationship between you and your board are essential for good governance and management of the school.

Board’s responsibilities as a good employer

When you are working with the board it is the only time in your job when your status as an employee comes into focus. Just as an employer for staff you must act in good faith and in a manner befitting a good employer, so must the board act in a similar manner to you.

It is really important that you receive all of the conditions of service available to you in your agreement and that the board provides you with opportunities for professional development.

As an employee, if you are a PPTA member you have access to help and support through PPTA. Under health and safety legislation the board has a responsibility to help you manage workload and stress. For example, it is really important that you have time out with your family without feeling guilty if you miss Saturday sport occasionally and that you have access to a mentor or a qualified supervisor paid for by the board (such as is offered for guidance counsellors) if you feel you need it. A supportive board that appreciates your efforts and acts as a good employer will give you just as much of a boost as you do for your staff when you show appreciation and demonstrate good employer principles.

Delegating powers of boards

Alterations to Section 66 of the Education Act 1989 introduced in early 2005 have widened the provisions for boards to delegate their powers to non board members.

The governing body of a BOT may delegate its powers to others providing it follows s66-66A of the Education Act 1989.

That is:

66. Delegations —

1. The governing board of a school may delegate any of the functions or powers of the board or the governing board, either generally or specifically, to any of the following persons by resolution and written notice to the person or persons:
 - a. a trustee or trustees
 - b. the principal or any other employee or employees, or office holder or holders, of the board
 - c. a committee consisting of at least two persons, at least one of whom is a trustee, and
 - d. any other person or persons approved by the board's responsible Minister.
- Your board can now delegate its powers/functions to committees consisting of non-trustees. Committees must have a minimum number of 2 persons, at least one of whom must be a trustee. Committees may also consist of a person or persons approved by the Minister of Education
 - Delegations must be by way of resolution and written notice to the person or persons. The delegate must not sub-delegate his or her power or function without the written consent of the board
 - The board is not able to delegate the general power of delegation.
 - A delegation can be revoked at any time by resolution and written notice to the delegate(s) or by any other method provided for in the delegation

- If a board has an established committee that has been dealing with matters such as personnel or student discipline (suspensions/expulsions etc), it should ensure that there is a clear written delegation by way of resolution to the committee. Delegation of powers/functions can be general or specific. This would minimise the risk of any legal action being brought against the board or committee for acting without authority
- Before a person is elected, co-opted, or appointed as a trustee, the person must confirm to the board that he or she is, to the best of his or her knowledge, eligible to be a trustee under s103 of the Education Act. A form has been developed that potential trustees or delegates not on the staff must sign. Entitled "Application for consideration for appointment or co-option as a trustee" this form is available at www.nzsta.org.nz
- Contrary to what some believe, a delegation continues in force until it is revoked and does not have to be renewed each year. This is the case even if the membership of the board changes. However, it would be good practice for a schedule of all the delegations made by the board to be tabled at the first meeting of the board each year or following an election. This is so that all trustees are aware of them and any changes, if felt necessary, can be discussed.

Typical delegations

1. Board subcommittees for finance, property, appointments, stand-downs and suspensions, policies and procedures, international students, student hostels, health and safety, attached units.
2. Common delegations to the principal from the board are curriculum (delivery and assessment) administration (day to day management), personnel (eg professional development and performance management) and finance matters (spending the budget and keeping within budget spending). The board supports the principal's management role by providing these delegated authorities to allow the principal to manage effectively by working through the board's policies and procedures.
3. Delegations can be operated through policies set up by the board.

Reporting to the board of trustees

1. Principals are expected to report in writing to the board at each BOT meeting. The NAGs and/or annual plan goals can be used to organise your report.
2. As principal you should give regular reports to board meetings about your delegations. In carrying out management duties you need to assure the board that appropriate legal requirements and school policy directions are complied with.
3. Reporting to the board is the best way to ensure that board members know what is going on. The better the communication, the more the board will trust your judgment and the less likely they are to move into management areas of the school.

Web links

[Ministry circular 2005/17 – Crown Entities Act - Governance](#)

[ERO Handbook section A1](#)

[Constitution of Boards of State Schools](#)

B2 PLANNING AND OFFICIAL REPORTING

Amendments to the Education Act in October 2001 changed the way schools plan and report to their communities and the government. Schools' annual charters have to contain long-term and annually updated sections describing the school's priorities for improvement. Also schools must report on progress against their targets in the Analysis of Variance section of their annual report.

Specific requirements for Planning and reporting are set out in Part 7 – Control and Management of State Schools of the Education Act 1989 sections [61, 62, 63, 63A and 63B](#) of the Act.

As part of the changes to planning and reporting requirements all boards and schools have had to review their charters, set goals and specific targets for student achievement, gather student data and do a variance analysis comparing actual student achievements each year with the student achievement targets set. Charters and annual plans are submitted each year usually in electronic form to the local Ministry of Education Office where they are checked for compliance and returned. Comprehensive guidelines and FAQs, charters, annual plans and reports, and sample variance reports are available on the Ministry of Education website (see Web links below).

Web links

[Education Standards Act 2001 – sections 61-63B](#)

[The Planning and Reporting Legislation](#)

[Planning and Reporting – Changes to legislative requirements.](#)

[The Smart Charter Template](#)

[Sample variance report](#)

B3 RESOURCING AND FINANCIAL MANAGEMENT

The board of trustees is responsible for the oversight of financial statements for the school. You, as chief executive, have a responsibility to ensure that the school is well managed. This includes ensuring that a budget is set and followed and that a record of spending and income is kept and audited.

Budget

The purpose of a budget is to provide direction for spending over a school year. The budget quantifies and is based on the school's annual plan. It allows for the cost of maintaining Charter objectives and school policies. It is a monitoring device, providing a check against what is spent and received. An essential tool for long term planning, it records who is able to commit the school to spending money and to what level.

In planning a budget, you and the board should consider all areas that will need funding such as:

- the staff development plan
- the longer term strategic plan and annual plan
- your own professional development needs
- students' learning and teaching needs
- administrative needs
- likely replacement of resources
- upgrading of resources and facilities
- property maintenance and management
- staff and principal expenses, and
- any special resources like the library, special programmes, special needs, extra curricular activities, school camps, fundraising, and salaries.

Budget timetable

Planning should begin in September/October to give plenty of time for consultation.

Suggested timeline:

September - principal consults with budget holders e.g. HoDs. The following year's objectives and initiatives are costed. Staff make their requests.

October - using the written advice from consultation and the principal's other knowledge and experience, principal and executive officer/finance manager draft the budget. A spreadsheet programme is useful for this work.

November - Copies of the draft are given to trustees well before a full board meeting, including summary of main issues and considerations.

December - Draft budget is adopted or amended by the full board. A copy of the full budget is attached to the minute book. The principal is authorised by a minuted resolution to spend the budget. The staff is presented with a copy.

Regular financial reports

These reports contain the figures needed to monitor actual results against the budget: income, operating expenditure, capital expenditure, cash movements etc. The reporting process depends on accurate, timely and up-to-date data contained in the general ledger. There is a statement of financial performance that shows in summary form how the school is performing in a particular year and there is a statement of financial position that shows what is owned (assets) and what is owed (liabilities). It is good practice for the finance committee to meet in good time before the board meeting to review the data and compare actual expenditure and income with budget figures, make notes, anticipate obvious questions from trustees, prepare to speak to the report and make any recommendations necessary to amend the budget in the light of significant changes in circumstance, perhaps revise forecasts.

Good computerised reporting programmes are available and used in most schools. Service centres can also provide this information for your school.

Timeline for reporting

- by 31 March, financial statements to auditor
- by 30 April (or within 30 days of receipt) the auditor must complete audit and return the audited reports to the board of trustees, and
- by 31 May the board must send four copies of its annual report to its local Ministry management centre.

Annual reporting requirements (Under Section 87 of the Education Act 1989 Amendment October 2001)

The annual report provides an opportunity for your board to report to your community - parents, students, and Parliament - and account for the ways the board has used resources provided by the Government and earned by the school for the education of students.

Content of Annual Reports

Your annual report should include the following:

Narrative statements

- Names of all the board's elected trustees, appointed trustees and co-opted trustees, and the date on which each trustee goes out of office

- Analysis of Variance/Outcomes Report: a discussion of what the school has achieved compared to the board's annual plan for the year.

Financial statements

- statement of responsibility
- statement of accounting policies
- statement of financial position
- statement of financial performance
- statement of movements in equity
- statement of cash-flows (only required for large schools¹)
- statement of commitments
- statement of contingent liabilities
- notes to the financial statements², and
- Auditor's report.

Optional

- performance graphs
- statement of resources
- separate chairperson's report
- separate principal's report

The annual financial statements must be accompanied by a statement of responsibility signed by the board chair and principal, as required by section 42 of the Public Finance Act 1989.

Web links

[Ministry Circular 2005/20](#)

Keep an eye on these because requirements change!

[Analysis of variance sample report](#)

The June 2005 *Planning for Better Student Outcomes* newsletter (on Annual Reports) contains a section on the analysis of variance. The September 2005 newsletter describes how the analysis of student achievement data can inform your plans.

¹ Large schools are defined as having at least 2 of the following:

- Total revenue (including teacher salaries) is more than \$20,000,000
- Total assets are more than \$10,000,000

The number of full-time equivalent paid employees is 50 or more

² Including reporting on principal's remuneration and cessation payments to trustees, committee members and employees.

[Annual report samples](#)

[ERO Handbook of Contractual Obligations and Undertakings section F](#)

[Ministry Funding, Staffing and Allowances Handbook \(also known as Resourcing Handbook\)](#)

See chapter 6 - Financial Management

www.leadspace.govt.nz/knowledge has links to all sites and checklists concerning financial management.

Other help and resources

The local Ministry of Education office has financial advisers who are available to assist boards.

[Financial Management for School Trustees - a Practical Approach](#) Garry Whincop
1996

[School Accounting and Reporting Requirements](#) (1997) Ministry of Education.

Local teacher support services and/or universities regularly run courses on school finances and accounting practices.

B4 STAFFING

The information in this section is a brief summary of [Chapter 2](#) of the [Ministry of Education's Funding, Staffing and Allowances Handbook \(also known as Resourcing Handbook\)](#). This version is updated on an ongoing basis as changes occur.

It has to be emphasised that how the staffing resource of a school is actually used has a pre-eminent bearing on the working conditions and morale of all the teachers on the staff. The Secondary Teachers' Collective Agreement and the Area School Teachers' Collective Agreement contain negotiated provisions that must be observed.

Work has been done by the PPTA and the School Trustees Association in association with the Ministry of Education to arrive at agreed understandings about how new clauses to do with staffing should be applied and these are set out in two documents on the PPTA website. [It's about Time 2005](#) contains guidelines for implementing the guaranteed non-contact time and timetable policy provisions of the 2004 STCA, and [Guidelines for Implementing Middle Management Allowances](#) is also very useful.

New Zealand secondary and area school staffing levels are established by government through the school staffing orders in council and through negotiated collective agreements between the Ministry of Education, NZSTA and the PPTA. A checklist for compliance with the most recent (2007) settlement is included in this section.

Over recent years schools have been able to use staffing more flexibly by having the option of paying for teaching positions either out of the teachers' salary line (funded directly by the Ministry) or the bulk grant (the operations grant the board pays for everything else with). Teachers can be moved between TS and BG for payment purposes. However, with such flexibility we need to be aware that if any teacher is employed from the BG the cost of all the remuneration will come from that grant e.g. sick leave, ACC. While it may be sensible to have the least expensive teachers paid from BG (if the school is employing over-entitlement), provisionally registered teachers must be paid from TS in order for the school to access the Ministry-funded teacher time allowances.

Checklist for compliance with Section 5 of STCA

If the answers to all of the eight questions on this page are 'yes' then the school is compliant with part 5 of the Secondary Teachers' Collective Agreement.

1. **Do you have a timetable policy?**

2. **Was it developed in consultation with the teaching staff?**

3. **Did the consultation meet Judge Goddard's definition?**
 - Genuine effort was made to accommodate the views of the teachers
 - There was more than mere prior notification
 - It involved a proposal not yet finally decided, listening to what people had to say, considering their responses, and then deciding what would be done
 - Any working plan was approached with an open mind and preparedness to change or even start afresh
 - There was sufficiently precise information given to enable the teachers to state a view
 - It was not treated perfunctorily or as a mere formality.
 - Teachers had ample and sufficient opportunity to express views or identify problems or difficulties
 - Sufficient time was allowed for the process

4. **Does the policy include at least all of the following components?**
 - The minimum non-contact provisions (See below)
 - The 'endeavour' non-contact provisions (See below)
 - The 'endeavour average class size of 26 or less' provision (See below)
 - Reference to class size
 - Reference to duty outside timetabled time
 - An agreed process for how teachers covered by the STCA will be compensated if they agree to temporarily forgo minimum non-contact entitlements or if they are assigned classes averaging over 26

5. **When seeking agreement to temporarily forgo minimum non-contact entitlements or assigning to individuals classes averaging over 26, is the agreed compensatory procedure applied?**

6. **Does the school meet the test below for endeavouring to provide the additional non-contact and the maximum average class size?**
 - a) All options are genuinely considered, within resources available, with aim of meeting the provision; and
 - b) Proposals put forward by employee(s) affected are genuinely considered; and
 - c) When the provision cannot be met in whole or part, it is explained, with genuine reason, why options aren't possible and why the provision can't be met at that time; and
 - d) Where provision isn't met, and it is related to minimum non-contact provision or average class size, the agreed compensatory mechanism(s) has been applied.

7. **Are there statements on class size?** (Other than those on average maximum class size)
8. **Are there statements on duties?** (*General tasks keeping school functioning administratively or students safe out of class*)

Minimum provisions for teachers covered by the STCA:

- No teacher is timetabled for more than 25 hours per week
- No teacher is timetabled for more than 20 hours contact time per week.
- Full time first year teachers are timetabled for no more than 15 contact hours per week.
- Full time second year teachers are timetabled for no more than 17.5 contact hours per week.
- An additional one-hour non-contact per week is provided for each of the first three permanent units.
- The minimum level of non-contact is provided for part timer employed for 18+ hours per week (*See table on next page*)
- 'For-purpose' individual time allowances of the Agreement are provided in addition to the above.

Endeavour provisions for teachers covered by the STCA (see 6 above for test):

- Endeavour one hour per unit per week for each of the permanent units above the third.
- Endeavour pro-rated non-contact time for part time teachers employed for 12+ hours per week.
- Endeavour for each teacher with 2 or more classes an average class size of no more than 26, calculated on the sum of the formal roll of each class times the contact hours for each class divided by the total hours of contact.

PART TIME TEACHER HOURS:

FTTE	Total Hours	Maximum Teaching hours	Endeavour Teaching hours
0.89	22.25	19.25	17.80
0.88	22.00	19.25	17.60
0.86	21.50	19.25	17.20
0.84	21.00	19.25	16.80
0.82	20.50	19.25	16.40
0.80	20.00	19.00	16.00
0.78	19.50	18.50	15.60
0.76	19.00	18.00	15.20
0.74	18.50	17.50	14.80
0.72	18.00	17.50	14.40
0.71	17.75	17.75	14.20
0.70	17.50	17.50	14.00
0.68	17.00	17.00	13.60
0.66	16.50	16.50	13.20
0.64	16.00	16.00	12.80
0.62	15.50	15.50	12.40
0.60	15.00	15.00	12.00
0.58	14.50	14.50	11.60

0.56	14.00	14.00	11.20
0.54	13.50	13.50	10.80
0.52	13.00	13.00	10.40
0.50	12.50	12.50	10.00
0.48	12.00	12.00	9.60

Checklist for compliance with Section 4 of ASTCA

If the answers to all of the eight questions on this page are 'yes' then the school is compliant with part 4 of the Area School Teachers' Collective Agreement.

1. **Do you have a timetable policy?**
2. **Was it developed in consultation with the teaching staff?**
3. **Did the consultation meet Judge Goddard's definition?**
 - Genuine effort was made to accommodate the views of the teachers
 - There was more than mere prior notification
 - It involved a proposal not yet finally decided, listening to what people had to say, considering their responses, and then deciding what would be done
 - Any working plan was approached with an open mind and preparedness to change or even start afresh
 - There was sufficiently precise information given to enable the teachers to state a view
 - It was not treated perfunctorily or as a mere formality.
 - Teachers had ample and sufficient opportunity to express views or identify problems or difficulties
 - Sufficient time was allowed for the process
4. **Does the policy include at least the following components?**
 - Maximum Timetabled Classroom Teaching Time
 - Reference to class size
 - Reference to duty outside timetabled time
 - An agreed process for how teachers covered by the ASTCA will be compensated if they agree to temporarily forgo minimum non-contact entitlements
5. **When seeking agreement to temporarily forgo minimum non-contact entitlements, is the agreed compensatory procedure applied?**
6. **Does the school meet the test below for endeavouring to provide the additional non-contact for unit holders teaching less than 80% of their time in years 7-13?**

All options are genuinely considered, within resources available, with aim of meeting the provision;

 - d
 - b) Proposals put forward by employee(s) affected are genuinely considered; and
 - c) When the provision cannot be met in whole or part, it is explained, with genuine reason, why options aren't possible and why the provision can't be met at that time.
7. **Are there statements on class size?**
8. **Are there statements on duties?** (*General tasks keeping school functioning administratively or students safe out of class*)

Maximum contact provisions:

Teachers teaching 80% or more of their time per week in year 7-13 classes

- No teacher is timetabled for more than 20 hours contact time per week
- Full time first year teachers have no more than 15 hours contact time per week
- Full time second year teachers have no more than 17.5 hours contact time per week
- For the first three permanent units held, a teacher's maximum contact time is reduced by one hour per week for each unit.
- Part time teachers employed for 0.72 FTTE and more (18+ hours per week) are not timetabled for more than the maximum contact hours (*See table next page*).
- 'For-purpose' individual time allowances of the Agreement reduce the maximum contact times

Teachers teaching less than 80% of their time per week in year 7-13 classes

- **No full time teacher is timetabled over any term for an average of more than 24 hours contact time per week**
- Full time first year teachers are timetabled over each term for an average of no more than 19 contact time per week
- Full time second year teachers are timetabled over each term for an average of no more than 21.5 contact time per week
- Maximum contact for part timers employed 18+ hours per week is 94% of their total timetabled hours *(See table next page)*
- 'For-purpose' individual time allowances of the Agreement are provided in addition to the above.
- The employer will endeavour to reduce the teaching hours of those holding units.

PART TIME TEACHER HOURS:

FTTE	Total Hours	Maximum Contact hours 80+% teaching year 7-13	Maximum Contact hours Less than 80% teaching year 7-13
0.89	22.25	19.25	20.92
0.88	22.00	19.25	20.68
0.86	21.50	19.25	20.21
0.84	21.00	19.25	19.74
0.82	20.50	19.25	19.27
0.80	20.00	19.00	18.80
0.78	19.50	18.50	18.33
0.76	19.00	18.00	17.86
0.74	18.50	17.50	17.39
0.72	18.00	17.50	16.92
0.71	17.75	17.75	17.75
0.70	17.50	17.50	17.50
0.68	17.00	17.00	17.00
0.66	16.50	16.50	16.50
0.64	16.00	16.00	16.00
0.62	15.50	15.50	15.50
0.60	15.00	15.00	15.00
0.58	14.50	14.50	14.50
0.56	14.00	14.00	14.00
0.54	13.50	13.50	13.50
0.52	13.00	13.00	13.00
0.50	12.50	12.50	12.50
0.48	12.00	12.00	12.00

Components of school staffing

(Major reference: Funding, Staffing and Allowances Handbook, Chapter 2)

School staffing is roll related and made up of up to six components. Each school's maximum allowable staffing - derived from a July 1 (provisional roll GMFS), and March 1 (confirmed roll) census each year - consists of **Entitlement Staffing** and, depending on the make up of your teaching staff and student roll, **Special Education Staffing** (ORRS and some **Additional Staffing**). The most commonly allocated types of additional staffing are **teacher specific time allowances** e.g. beginning teacher time allowance; 0.5 FTTE for Te Ata Kura trained teachers; **itinerant music teacher time; staffing for attached units or attached teachers** e.g. RTLB, RTLiteracy, Activity Centre etc. See below for the full list.

NB: Fee-paying international student numbers are excluded from calculations for staffing or resourcing your school.

1. Entitlement staffing

Entitlement staffing is made up of five components:

- a. Curriculum Time Allowance – your school's component for teaching and learning calculated on the number of Maori students in immersion classes plus the number of all other students on the roll at each level each year. For example 20 students in Maori immersion education generate one full time teacher equivalent in Years 1 to 11. In classes other than Maori immersion, student- teacher ratios vary between class levels. The highest ratio of students to staff 1:29 is in Years 4 to 8 and the lowest, 1:17, is at Year 13. Tables in the Ministry document set out ratios for each year level and for technology education.
- b. Base Management Time Allowance and Management Staffing
- c. Guidance Base Staffing
- d. Entitlement Salary Units, and
- e. Middle Management Allowances.

Entitlement allowances (b) to (e) allow professional time and remuneration for managing curriculum, the running of the school and the pastoral care of students and staff.

2. Special education staffing

ORRS students studying as 'regular students' in mainstream schools generate curriculum and management time allowances, and salary units.

ORRS students enrolled at a school and verified by GSE as having high or very high ongoing special education needs, will generate a staffing entitlement

of 0.1 and 0.2 FTTEs respectively for the period they are enrolled at the school. The **ORRS Management Time Allowance** - generated by ORRS staffing is calculated and identified separately as ORRS Management Time Allowance on staffing notices using a set formula.

3. Additional staffing

- a. **Instrumental and vocal tuition time allowance** – usually used so that the school can employ specialist music teachers for individual or small groups of students in Years 9 to 13 to receive tuition in playing musical instruments and/or in singing.
- b. **Reading recovery time allowance** – Area Schools only.
- c. **Programme maintenance allowance (PMA)** - If your school is deemed to be in need of staffing protection you may qualify for a PMA due to your entitlement staffing having fallen by one FTTE or more. Your board may apply to the Resourcing Division for this allowance. Applications are considered by the Ministry only after the provisional staffing (GMFS) is established and after the reduction in permanent staffing has been achieved through completion of a Curriculum and Pastoral Needs Analysis (CAPNA)
- d. **Additional staffing for special reasons time allowance** – for small, specified area schools only. The Ministry notifies you.
- e. **co-ordination time allowance for full-time permanently appointed teachers of instrumental music**
- f. **Discretionary special reasons staffing allowance**
- g. **Short term emergency staffing** provided to deal with trauma, fire, flood or other exceptional and unusual circumstances.
- h. **Staffing transfer** – this gives your board the opportunity to make use of the specialist staff in other schools by enabling you in consultation with the other school(s) to use the services of specialist teachers employed by them and to transfer your staffing used for this purpose to them. An annually reviewed and updated memorandum of understanding to cover this usage should be drawn up between the schools and submitted to the Ministry with your roll returns.
- i. **Teacher-specific staffing allowances** – This element of staffing provides specific staffing allowances for boards employing individual teachers who have specified workloads or entitlements under the terms and conditions of the applicable teachers' Collective Agreement.
 - i. Beginning, second year, retrained, and overseas teacher time

Time allowances for the advice and guidance of teachers new or returning to the profession after a break in service or who come from overseas. These time allowances are to foster the growth in professional knowledge and expertise of the teachers concerned so that they can achieve full registration. All such teachers must have a mentor assigned to them who is a fully registered teacher.

ii. Te Atakura time allowance – (0.5 FTTE)

Teachers of Māori language formerly trained in colleges of education under the now discontinued Te Atakura Scheme, were also trained 'to provide guidance, support, and positive role models for Māori students; to provide liaison between the school and the Māori community; and to assist in the development and implementation of taha Māori in school programmes and act as a resource person for the staff of the school'. The 0.5 a time allowance is provided for them to achieve this part of their role.

iii. Supernumerary teacher allowance

If a permanently appointed teacher's position is disestablished either through the closure or reorganisation of a school, or through falling school rolls resulting from a change in the school's demographics and your board has met the Ministry's requirements, (see Surplus Staffing Section), that teacher should be eligible to access the surplus staffing provisions of his/her collective agreement.

In the case of teachers undertaking supernumerary employment or retraining, the period of employment is for a maximum of 40 school weeks under the STCA, the SPCA, the ASTCA and the ASPCA. Teachers who opt for training do not need to be on site while they receive their training and teachers who are supernumerary should be given duties that allow them to look at other schools and attend courses to enhance their employment opportunities. They can opt to be supernumerary in other schools. If they gain a position during the year, the school loses the supernumerary staffing.

j. **Staffing for attached units or attached teachers**

- i. Activity Centres, Teen Parent Units, Kura Teina
- ii. Special purpose units - tagged in accordance with a special agreement, usually as the result of a specific ministerial approval
- iii. Resource teachers of Māori (RTM) - included in the formula for calculating management time allowance and salary units in the schools they are attached to
- iv. Resource teachers of learning and behaviour (RTLB). Each full RTLB position attached to a school entitles that school to additional staffing of 0.05 FTTE. This is identified on staffing notices as 'Support Time Allowance'. An RTLB is entitled to the

payment of an additional unit. This will also be identified on the entitlement notice

- v. Resource teachers of literacy (RTLit) and literacy Māori (RTLitM) - Each full RTLit/RTLitM position attached to a school entitles that school to additional staffing of 0.05 FTTE. This is identified on staffing notices as 'Support Time Allowance'. Where an attached teacher is entitled to the payment of an additional unit, this will be identified on the entitlement notice

4. Banking staffing

[Banking staffing](#) allows your school to employ up to 10% more or fewer teachers than your entitlement at any time during the school year or shift a teacher's salary payment from Teachers Salaries (TS) to Bulk Grant (BG), or vice versa, for any pay period.

The advantages of banking staffing occur when entitlement staffing is unused because of unplanned circumstances i.e. not being able to appoint to a position. Unused staffing is credited to the school staffing bank instead of 'disappearing'. Banking staffing can work to the advantage of the school but only if staffing usage is monitored carefully through studying every SUE (staff usage) and banked staffing report for each pay period.

Overall staffing usage must be monitored carefully at the school level as the board has the responsibility of making sure that, by the end of the school year, the entitlement has not been exceeded. If the entitlement has been exceeded, the Ministry charges over-use to the school's operations grant and the cost is calculated at the top of the basic salary scale. Schools now have until the last three pay periods PP23 to 26 (about the end of term one) in the following year to adjust staffing usage so that the entitlement is in balance.

Principals or their delegates need to:

- ensure all decisions on banking staffing as agreed by the board are minuted
- check that all information going to payroll is accurate and the salary source for teachers (Teacher Salaries or Bulk Grant) is identified
- check that every Ministry banking staffing report (issued fortnightly at the end of the SUE report) is correct before signing and, if incorrect, follow up anomalies quickly by informing payroll immediately of the adjustments required to fix errors
- inform payroll if there is a change to the salary source of any teacher
- inform the resourcing division of the Ministry immediately if adjustments to the usage are required or there has been a difficulty sorting out a payroll mistake
- use the [Ministry website spreadsheet](#) to explore possible banking staffing options;

- seriously consider whether trying to use small amounts of banked staffing is worth the bother
- minimise the cost of over-usage by switching payment of less experienced teachers from Teachers Salaries to the Bulk Grant
- log phone calls and file all correspondence on banking staffing so that a "history" of communications can be traced if necessary
- be aware that holiday pay and ACC can cause variations to the staffing balance. Check with the Ministry when these sorts of variations are noted, and
- be aware that banking staffing information is financial information and it will be audited. The documentation must be kept for seven years.

Web links

[Funding, Staffing and Allowances Handbook – Chapter 2](#)

[Banking staffing](#)

[Banking staffing spreadsheet \(read only\)](#)

If in doubt seek additional advice from your payroll service manager, Ministry Resourcing Division help desk and circulars, STA help desk and local Ministry office, School Support officer or your local Principals' Council representative.

B5 SURPLUS STAFFING

Your school's staffing is decided each year by a roll census process that begins with the July 1 return of the previous year and ends in April with your confirmed roll derived from the March 1 return. This process is known as the **school's staffing cycle**.

Summary of the School Staffing Cycle

When	Event
1 July	School boards complete roll return and send to Ministry. Return includes a prediction for the following year based on the latest March 1 figures and comparisons with previous year's March 1 return.
15 September	Ministry sends all school boards a provisional staffing entitlement notice that contains a guaranteed minimum level of staffing for the following year. This is the Guaranteed Minimum Formula Staffing (GMFS) If the notice shows a reduction of 1.00 FTTE or more from the current staffing roll, the board may need to conduct a curriculum needs analysis and disestablish position/s. The procedures for doing this are in the current STCA Appendix H and the ASTCA .
15 October	School boards may request a review of their provisional resourcing roll by 15 October. Complete the Provisional Staffing Roll Review form at www.minedu.govt.nz/goto/resourcingforms .
1 March	School completes roll return and sends it to the Ministry Resourcing Division.
1 April	Ministry recalculates staffing for all schools using 1 March roll and sends confirmed staffing entitlement notice for the year. Staffing for the year is the greater of the GMFS or roll-based staffing.

(Adapted from Ministry of Education [Staffing, Funding and Allowances Handbook Chapter 2 Appendix 2](#))

Reducing surplus staffing is a board responsibility and it is triggered when your school's provisional staffing notice indicates a staffing reduction of 1.0 or more full time teacher equivalents (FTTE) in which case your school's roll becomes 'protected'. This means that the Ministry of Education expects you to reduce the school's surplus staffing so that the number of teaching staff falls within its new, reduced roll-related entitlement. In establishing whether or not to reduce the number of permanent teachers, the Ministry advises boards to look at 'all options and resources available to the board such as the projected use of operational funding and the options available under banking staffing'.

Schools notified as being in need of staffing 'protection' (over staffed by at least 1.0 FTTE) are recommended to undertake a full curriculum and pastoral needs analysis (CAPNA) for the coming year if they believe they need to disestablish any permanent staffing positions as a result of a drop or projected drop in roll. Any analysis must include all teaching staff employed from both Teachers' Salaries (TS) and the board's Bulk Grant (BG). Under collective agreement provisions in the STCA, ASTCA, SPCA and the ASPCA staff are entitled to redundancy provisions that the Ministry of Education will pay only if certain conditions are met.

In summary the Ministry's conditions are that:

- the position(s) involved are full time and permanent whether funded from teacher salaries or bulk grant
- the school is deemed to be in 'protection'
- a full curriculum and pastoral needs analysis has taken place
- the process used to disestablish positions complies fully with the relevant STCA, ASTCA, SPCA or ASPCA
- attrition was considered by the board as a means of reducing staffing, and
- no permanent appointments were made during the 'protected' period without prior permission in writing from the Ministry Resourcing Division.

If your Board is dissatisfied with your provisional resourcing roll, you may apply in writing for a review, as the Ministry's criteria for calculating provisional rolls may not have taken all factors into account. The application for a review has to be done in writing and then only if you can establish that the Ministry's estimate is at least 5% at variance with your estimate. The Ministry requires 'clear and unequivocal evidence establishing this variance' before it will consider approving a change and will not accept a list of projected enrolments alone as providing sufficient evidence. Forms are available on the Ministry website.

Responsibility for implementing the staffing reduction process lies with school boards and agreement provisions must be carefully followed, most importantly by consulting staff when doing a CAPNA. You should not attempt this without outside help as a personal grievance may arise. **Further assistance should be sought from NZSTA and your local PPTA field officer.**

Web links

[STCA APPENDIX H Surplus Staffing](#)

[ASTCA Surplus Staffing](#)

[Resourcing forms](#)

B6 CONSULTATION

Legal Definition of Consultation³

The views in Wellington International Airport [1993] 1 NZLR 671 (CA) were adopted by Goddard CJ in Communication and Energy Workers Union v Telecom NZ Ltd [1993] 2 ERNZ 429, an application for an interim injunction. The Chief Judge restated (at pp 455-456) several propositions as a guide to employers and employees:

- “(1) The word ‘consultation’ does not require that there be agreement.
- “(2) On the other hand it clearly requires more than mere prior notification.
- “(3) If there is a proposal to make a change, and such change requires to be preceded by consultation, it must not be made until after consultation with those required to be consulted. They ‘must know what is proposed before they can be expected to give their views’...
- “(4) This does not involve a right to demand assurances but there must be sufficiently precise information given to enable the person to be consulted to state a view together with a reasonable opportunity to do so. This may include an opportunity to state views in writing or orally.
- “(5) The requirement for consultation is never to be treated perfunctorily or as a mere formality. The person or body to be consulted must be given a reasonably ample and sufficient opportunity to express views or to point to problems or difficulties...
- “(6) Consultation must be allowed sufficient time...
- “(7) Genuine effort must be made to accommodate the views of those being consulted; consultation is to be a reality, not a charade...
- “(8) Consultation does not necessarily involve negotiation towards an agreement, but this not uncommonly can follow, as the tendency in consultation is to seek at least consensus
- “(9) Consulting involves the statement of a proposal not yet finally decided upon, listening to what others have to say, considering their responses, and then deciding what will be done...
- “(10) The party obliged to consult, while quite entitled to have a working plan already in mind, must keep its mind open and be ready to change and even start afresh...

³ PPTA and NZSTA believe that the definition of consultation given here was developed under the Employment Contracts Act 1991. The current employment legislation, the Employment Relations Act 2000, expects good faith behaviour and the development of mutual trust and confidence between the employer and the employees in their employment relationships. This implies mutual responsibility to seek ways to make the working environment operate effectively, which will guide the staff and employer towards agreed outcomes.

“(11) There are no universal requirements as to form or as to duration of consultation.

“(12) Consultation cannot be equated with negotiation in the sense of a process which has, as its object, arriving at agreement.”

Community consultation

Forming and building relationships with stakeholders is important for schools but it is not without its challenges.

The term ‘community’ implies homogeneity between groups local to individual schools that rarely exists. Such communities might be as diverse as families/whanau, businesses, local agencies, community and church groups, other schools close by, local iwi, Pasifika, Asian and other ethnic communities, each with its own stake in the school.

‘...schools need the outside world to get the job done. These external forces, however, do not come in helpful packages; they are an amalgam of complex and uncoordinated phenomena. The work of the school is to figure out how to make its relationship with them a productive one.’

– Michael Fullan 2000

Schools have a statutory requirement to consult their communities for their charter and strategic plans every three years with Maori and on the health curriculum every two years.

A key role for school leaders is surveying this complexity and understanding and discovering how to form and manage the relationships in ways that are beneficial for the school and its students. The only way to build relationships with our diverse communities is to ask each group how they want to be consulted. No one process will suit all groups. The process is time consuming and progress often seems slow. The [Leadspace website](#) has case studies of successful practice on consulting parents and involving them in teaching and learning programmes ([Southern Cross Campus Parental involvement](#); [Oranga School – Involvement of Pasifika parents](#); [Cobden School, Greymouth](#); [Finlayson Park School, Auckland](#)).

Consultation with Maori – Ministry of Education expectations

‘Iwi, hapu, and whānau have their own aspirations for what the educational system can deliver to them.’ The regulations require all educational providers and schools to “tap into this thinking to build on the good things that are already happening and to help te iwi Māori to realise their visions.’ (‘Sharpening the Focus’, Ministry of Education).

The Ministry has produced [Better relationships for better learning](#), a print and online resource that gives information on strategies for consulting with Maori and a Pacific Island Consultation Guidelines booklet for the consultation strategies for this group. PPTA has a pamphlet on the [teaching of Pacific Island students](#).

Web links

[Leadspace digital stories](#)

For example Southern Cross Campus Parental involvement

Oranga School – Involvement of Pasifika parents

Cobden School, Greymouth

Finlayson Park School

[ERO Handbooks](#)

[Better relationships for better learning](#)

[Sharpening the Focus](http://www.tki.org.nz/r/governance/sharpening/issue2_e.php) http://www.tki.org.nz/r/governance/sharpening/issue2_e.php

[Pacific Islands consultation guidelines](#)

Publications

[Maori Parents and Education](#) - Sheridan McKinley, Adapted by Anne Else, NZCER, PO Box 3237, Wellington.

The complexity of community and family Influences on children's achievement in New Zealand: In Best Evidence Synthesis - Ministry of Education: Wellington

B7 PROPERTY

The principal is responsible for property management and the implementation of school property programmes. The MOE recommends that boards of trustees appoint project managers and the local MOE will have lists of qualified people you can recommend to the BOT. The wise spending of millions of dollars of the 5 Year Property Plan or roll growth money is surrounded by regulation. But remember that no-one knows better than the principal what the school actually needs.

Daily operational and administrative tasks should be delegated to staff such as the caretaker or administrative staff.

School development plan

School development plans are an agreed concept of how your school will develop to meet your administrative and curriculum needs. An effective plan will be the result of consultation with all those affected and will include the views of staff, parents and community. The plan, once developed, aims to ensure a degree of continuity and encourages cost-effective decision-making.

Five-year property programmes and 10-year property plans

A new way of programming school capital works was introduced in 2000 by the Ministry of Education. All schools are now part of a five-year property programme which is based on [10-year BOT-developed property plans](#) that record Board assets and priorities for capital works over a 10-year period for all property more than 10 years old. The 10-year plan and the five-year programmes include projects for modernisation and projections of changes that could affect property usage in that ten-year time span.

The five-year programme allocates a budget to each school based on a set amount of money per square metre. See Ministry Circular 2000/21.

Maintenance programmes

The programmes cover day-to-day maintenance, long-term and cyclical maintenance and preventative maintenance. Boards are funded for these through the operational grant. Cyclical maintenance such as painting must be budgeted for. Some schools use companies like [Programmed Maintenance Services](#) to paint their entire school and then use their cyclical maintenance money to pay off the work done over a 10 to 12 year period.

Disaster recovery

What will your school do following a fire, flood or other disaster? Up to date detailed records will not replace years of work but they will help when replacing equipment and administrative records. Keep regular computer backups offsite and ensure that the inventory of equipment and resources is accurate.

All the rules and regulations relating to property including five and 10-year property and maintenance plans (e.g. the Property Management Guidelines, Property Management Information System, School Housing, Swimming Pool Guidelines, drinking water quality and Environmental Best Practice Guidelines are available on the Ministry of Education website (see below).

Web links

[Managing school property](#)

[10-year property plan – guidelines](#)

[10-year property plans – download](#)

B8 COMPLIANCE

There is an ever-increasing number of compliance requirements being introduced through legislation.

This is an area where the school's executive officer or an interested board member could monitor new requirements for you and obtain the necessary information. Ministry of Education circulars and local Ministry school support officers will also have information. In terms of being sure that you are complying with most if not all that you need to comply with, information supplied in the regularly updated [ERO Handbook of Contractual Obligations and Undertakings: Schools](#) is an excellent start. In it are excerpts from 23 acts, all of the regulations, the staffing orders, the Health and Safety code for schools, and the Education Gazette inserts.

ERO's site also contains [Evaluation indicators for education reviews in schools](#) (see below) and online [Board Assurance statement and self-audit checklist](#) for boards to complete annually.

[Leadspace](#) lists all the Acts and regulations relating to personnel that need to be complied with in schools.

[The NZ Principal and Leadership Centre Legal Website](#) has a wealth of advice tested through the court system here and overseas on how to handle issues of compliance and other legal issues. The site also seeks feedback on what other legal topics principals would like to have available on the website.

The New Zealand Qualifications Authority sets out the compliance requirements and the processes for gaining accreditation to offer New Zealand school qualifications. [The Quality Assurance Standard for Accreditation of Secondary Schools](#) can be downloaded from the [NZQA website](#). Also on the NZQA website are the [Assessment and Certification Rules and Procedures](#) for secondary schools. These rules should be well known by every principal's nominee in the country.

The [Tertiary Education Commission](#) will have specific compliance requirements in relation to its several programmes: Training Opportunities Programmes (TOPS), Youth Training, Gateway, and its adult and community education programmes.

Web links

[Board Assurance and Self Audit Checklists](#)

[ERO handbooks](#)

[Evaluation indicators for education reviews in schools](#)

Student Achievement

[Student Achievement \(Outcome Indicators\)](#)

Student Engagement with Learning

[Student Engagement with Learning \(Outcome Indicators\)](#)

- [Quality of Teaching \(Process Indicators\)](#)
- [Assessing and Feeding Back \(Process Indicators\)](#)
- [Nurturing Student Well-being \(Process Indicators\)](#)
- [Linking School and Home \(Process Indicators\)](#)

Knowledge, Skills and Values

- [Knowledge, Skills and Values \(Outcome Indicators\)](#)
- [Delivering the New Zealand Curriculum \(Process Indicators\)](#)
- [Curriculum Design and Access \(Process Indicators\)](#)

Governing and Managing the School

- [Governing and Managing the School \(Process Indicators\)](#)

[NZQA Assessment and Certification Rules and Procedures](#)

[NZ Principal and Leadership Centre website](#)

Health and safety compliance

[Worksafe at Schools](#) is a Ministry of Education document that outlines the requirements of the Health and Safety Act and its impact on schools. It is comprised of an overview ("Getting Started") followed by eight sections known as Action Guides. Each section deals with a different requirement under the Health and Safety in Employment Amendment Act 2002. Use the box below to visit the relevant action guide. At the end of each section there are a number of Toolkits (checklists and templates) that can be downloaded and integrated into existing systems, or used to create new procedures within the school. As there are no copyright issues around the use of these documents schools are encouraged to use them wherever applicable.

Action Guide	Description	Toolkit
1. Creating A Health And Safety Framework for Schools	Outlines the requirements for the Board of Trustees and Principal to develop a policy on health and safety within the school.	4-4A
2. Emergency Management	Provides templates for developing plans for reacting to emergency situations including fire, floods, earthquakes, chemical spills, gas leaks, volcanic eruptions, bomb or arson threats, armed intruders, and missing children.	5A-W
3. Planning, Review And Evaluation of Health And Safety	Establishes a framework for setting health and safety objectives for continuous improvement.	6A-B
4. Hazard Management	Explains how to identify and assess hazards. Contains a number of template hazard registers with examples to help staff identify and assess hazards.	7A-C

5. Information and Training	Provides guidance on the types of information and training that need to be considered for staff.	8A-D
6. Staff Participation in Health And Safety Management	A process of consulting with staff on health and safety matters and establishing a Health and Safety committee.	9A-F
7. Injury And Incident Reporting	Explains the importance of recording incidents and injuries. Provides a template injury register for adoption by schools.	10-10F
8. Protection Of Staff, Students, Visitors And Contractors	Outlines the roles and responsibilities of contractors and visitors to schools. Provides processes for managing different types of school visitors.	11-11B

Web links:

[Worksafe at schools](#)

[Health and Safety in Employment Act](#)

[NZSTA memos](#)

[ERO handbooks](#)

[ERO board assurance statements and self-audit checklists](#)

[Evaluation indicators for education reviews in schools](#)

Pandemic Planning – See Ministry of Education Pandemic Planning – Ministry website

Further help and support

- Local field officers of PPTA and NZSTA
- Ministry school support officer
- Secondary Principals' Council representative
- School Support leadership facilitator/ adviser -attached to your closest university or college of education.
- Your regional principals' association
- A principal you know and trust
- NZQA relationship managers
- Local Tertiary Education Commission office
- Your territorial land authority

The STA 0800 Helpdesk – 0800 STA HELP (0800 782 435) is a toll free helpline for principals and boards that gives general and confidential assistance and handles enquiries on topics such as:

- Elections and casual vacancies
- Trustees roles and responsibilities
- Meeting procedures
- Student suspension procedures
- Meeting NAG responsibilities
- Planning self-review charters and policies
- Community consultation
- Finance and property
- Health and safety
- General legislation
- Privacy Issues and official information requests
- Insurance, and
- Bus transport issues.

C1 SPECIAL EDUCATION

(Adapted from the NZEI Te Riu Roa Principals' Council Principals' Kit)

Special Education students have the same rights as other students to be enrolled at state funded schools. The Ministry assists students with special needs in the following ways.

Special education grant (SEG)

Introduced in 1997 to enable schools to provide assistance and support to students with mild to moderate learning and/or behaviour problems. The grant is paid on a per capita basis according to the total roll of the school and varies according to decile rating.

A base special education grant is also paid to each school as part of the operations grant, with the intention that it should be spent specifically to assist children with moderate special education needs. The funding levels can be found in the [Funding, Staffing and Allowances Handbook](#).

Parents should be consulted on the work to be done with their children and the board must have policy guidelines on how the grant is to be used. The Ministry also requires an annual report on how the grant is used and so it is important to report regularly on this and to record details in the minutes. These requirements and the use of the grant are also checked by ERO in their regular reviews of schools.

Ongoing and reviewable resourcing scheme (ORRS)

The ongoing and reviewable resourcing schemes provide resources for students with very high, high or combined moderate needs that are likely to be ongoing through their school years.

Schools apply (usually through their RTLB or SEG co-ordinator) to the chief verifier at the Ministry of Education for students to be verified onto the schemes. Parents or caregivers must be involved in the application process. If an application is not successful a school may request as many reviews as it wishes.

Schools with ORRS students also receive an administration and material grant for each verified student. In addition to funding, ORRS students generate 0.1-0.2 FTTE entitlement staffing for their school. Although this is a component of a school's entitlement staffing it is tagged specifically to provide extra teaching for the students generating it.

Resource teachers learning and behaviour (RTLB)

The RTLB service was introduced in 1999 and provides approximately 750 teachers to work with schools to improve the learning and behaviour of referred students. A small number of RTLB are employed as RTLB (Māori). They have the same role as other RTLBs but focus on the education of Māori students and often work across clusters.

RTLBs are usually employed by a designated host school and a cluster of schools administers their work. The exception is in large secondary schools whose student numbers are large enough to warrant a full-time RTLB. RTLBs work with regular teachers of the student and if appropriate the wider staff to ensure school structures, policies and support systems are appropriate to deal with students at risk.

The RTLB also works with individual and/or groups of students to enhance learning and modify the behaviour of referred students. Some work with homes/caregivers will be important.

Severe behaviour initiative

Behaviour Support Teams provide advice and specialist support for students with severe behaviour difficulties. These specialist teams work with students, staff, homes and community agencies as appropriate. Schools should contact these teams through their local Group Special Education (GSE) office (formerly SES).

Communication initiative

This initiative is designed to remedy severe communication difficulties of some students (not ESOL) and improve the awareness and skill level of teachers to deal with students who have a communication difficulty.

Students are referred to GSE speech language therapists for assessment and treatment. GSE may provide communication support workers to assist the student between sessions with the therapist.

School high health needs fund

This fund was introduced in 2001 as a result of the review of SE2000. It provides funding for teacher aides for students who because of their high health needs require help to attend school safely. They have no special education needs. It is expected that over time the student will be able to self-manage this high health need.

Other agencies that may be able to help are Child Youth and Family, Accident Compensation Commission, and regional health schools.

Web links

[Special education services and funding](#)

[Managing the Special Education Grant - handbook](#)

C2 BUSES

Secondary and Area School students who are over 10 and who do not have suitable public transport available to them are entitled to a place on a school bus if they live more than 4.8 kilometres from their nearest school (3.2km if student is over 5 and under 10).

Many schools' students share buses with students from other schools and the Ministry bulk funds school clusters that wish to administer their own bus transport network. Network committees consist of boards and staff from a number of adjacent schools and Ministry representatives and/or contracted service centre staff. The committees decide how many bus routes to run and what routes the buses will follow. Day-to-day management of school transport is delegated by the committee to a paid, shared bus controller, usually a teacher from one of the schools backed up by the principals (or their delegate) of schools in the bus network.

The bus controller has the responsibility of maintaining regular communication with all the schools in the network and the administrative tasks associated with bus transport such as maintaining up-to-date bus rolls, liaising with the contracted bus companies, organising changes to bus runs, and getting buses to schools in emergency situations such as flooding. The bus controller also implements bus safety policies of the cluster, notifying parties of breakdowns, incidents on a bus and s/he may also write accident reports if any accidents occur.

Problems can arise when a student uses the bus system to bypass the nearest school and attend another school. When this happens buses become a political issue. Some schools provide free buses to students who want to attend a school other than the closest school. However, this practice should be entered into with caution as it can affect the roll of other schools and lead to bad feeling.

Web links

[Ministry school transport fact sheets](#)

Individual fact sheets

[Fact Sheet 1:](#) Who is eligible for school transport assistance?

[Fact Sheet 2:](#) What if a student doesn't attend the nearest school?

[Fact Sheet 3:](#) What if the nearest school doesn't offer education in the desired language?

[Fact Sheet 4:](#) What types of assistance can a student get?

[Fact Sheet 5:](#) How is transport assistance provided for students with special needs?

[Fact Sheet 6:](#) What should I know about school bus services?

[Fact Sheet 7:](#) Student behaviour on buses: What is expected?

[Fact Sheet 8:](#) What is good practice for school bus safety?

[Fact Sheet 9:](#) Who has a responsibility for school bus safety?

[Fact Sheet 10:](#) What is a Conveyance Allowance and who can receive it?

[Fact Sheet 11:](#) Who can I contact about school transport?

[Safe Behaviour on Buses](#)

C3 STAND-DOWNS, SUSPENSIONS AND EXPULSIONS

The process set out in the official Ministry of Education rules should be followed. (See web link at end of this section.)

Definitions

Stand-down means the formal removal of a student from school for a specified period. Stand-downs of a particular student can total no more than five school days in a term or 10 school days in a year.

Suspension means the formal removal of a student from school until the board of trustees decides the outcome at a suspension meeting.

Exclusion means the formal removal of a student aged under 16 from the school and the requirement that the student enrol elsewhere.

Expulsion means the formal removal of a student aged 16 or over from the school. If the student wishes to continue schooling, he or she may enrol elsewhere.

Exclusion and expulsion are for the most serious cases only. Gross misconduct must be striking and reprehensible to a high degree and sufficient to justify removal.

As principal of the school, or in your absence, a person directed in writing by the board of trustees under Section 77 of the State Sector Act 1988 to act as principal (usually the DP) you are the only person who can make the decision to stand-down or suspend a student from the school under Section 14(1) of the Education Act 1989.

Stand downs

Immediately after a student is stood down under section 14, you must tell the Secretary for Education by notifying the local Ministry office (forms are available for this) and a parent of the student (form letters available in Ministry kit) that the student has been stood down, why you made this decision and the length of time of the stand down period. It is a good idea to phone the student's family so that they know as soon as possible and can collect the student from the school.

Suspensions

The same requirements apply for suspensions but you must also notify the board chair and inform the student and parents that there will be a meeting with the board within seven school days at which the board will make a decision on the student's future. All students and their families are required to receive a written copy of your report at least 48 hours before the meeting.

Principals can suspend students on health grounds, eg communicable disease risk.

The student's rights

A student who has been stood down or suspended is entitled to natural justice and the Ministry's expectations are that the student has the right to:

- remain on the school's register (in the case of suspension) until the board decides to exclude, expel or extend the suspension
- have the stand-down/suspension procedures consistently applied
- be given notice of possible outcomes (as this could help determine the nature of representation)
- know the reason for the stand-down/suspension (know the case or charge)
- know all the information (evidence) on which the principal's decision to suspend was based
- be able to comment or/challenge that information (be heard)
- be able to correct adverse or biased material and challenge irrelevant material (defend oneself), and
- have time to prepare a response to the information – be represented at any meeting about the stand-down or suspension.

Other considerations to guarantee students receive natural justice are to:

- ensure prior to the meeting that they will have the support of adult family members or whanau at the meeting, and
- try to have a multi-cultural spread of board members that is representative of the school's population on the disciplinary committee. For students who are from a race not represented on the disciplinary committee, discuss this with the family and do your best to see that a person with whom they feel culturally safe is available.

The board's actions

Following suspension, the board must meet (or its disciplinary committee as set out in the board's policy) to decide what the outcome will be. Parents should be given copies of any board policies relating to the suspension.

The board of trustees must also act fairly and reasonably. The board must receive the principal's report and hear with an open mind what the student/parent/representative has to say. The chairperson must be prepared to rule whether specific information or material presented by either the principal or the student/parent/representative is relevant in considering the suspension.

The rules allow for the board to decide on the process it will use to arrive at its decision on the outcome of a suspensions meeting but, to meet the principle of natural justice that the person "bringing the charge" (the principal who suspended the student) shall not also be the final arbiter, **the board should make its decision without the recommendation or vote of the principal.** The principal may be

asked to leave the meeting while the board makes its decision. If the principal stays however, the student and family may stay.

Web links

[ERO Handbook Section A9](#)

[Ministry of Education \(Stand-down, Suspension, Exclusion and Expulsion\) Rules](#)

NB Recent court rulings have had major implications for the process of suspension and expulsion, eg the Lynfield College case of 2007. Principals are strongly advised to check the current situation carefully beforehand, with any/all of NZPPTA, NZSTA, the Ministry or your NZSPC representative. The Ministry guidelines should be closely adhered to.

C4 SAFE SCHOOLS

NAG 5

Each Board of Trustees is required to:

1. Provide a safe physical and emotional environment for students
2. Comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees

Schools require policies that address bullying and harassment. While physical, verbal and indirect/emotional bullying is generally recognised and acknowledged recent research suggests that homophobic bullying is not. Homophobic bullying is defined as bullying that is directed at students because of their actual or perceived sexual orientation. While there are often overlaps between one kind of bullying and another, e.g. between sexual harassment and homophobic bullying, or racism or bullying of students with special needs and homophobic bullying, there is evidence that all of these kinds of bullying occur in New Zealand schools.

Affirmation of diversity is a fundamental value that must underpin the culture of a school, because without it conflict is inevitable and a school is no longer a safe and affirming place for all members of its community. Commitment to valuing diversity should be demonstrated in the board's policies and other documentation (mission statement, strategic and annual plan, EEO policy). However schools should remember that documentation, however good, is no substitute for action.

Schools' obligations come from a range of rules and regulations, such as international conventions, the Bill of Rights and Human Rights Acts, common law, the State Sector Act, the Health and Safety in Employment Act, the National Education goals and National Administration Guidelines, the Health and Physical Education curriculum, and the Professional Standards for Teachers. (These are outlined in more detail on pages 5 to 10 of [PPTA's Guidelines Affirming Diversity of Sexualities In the School Community](#).⁴)

Advice and resources

The [PPTA Guidelines](#) (see above) contain helpful advice to schools, as does a more recent kit published by the NZ Aids Foundation, Rainbow Youth and Out There titled *Safety in Our Schools*. (Contact Out There, PO Box 9247, Marion Square, Wellington, or outthere@nzaf.org.nz for copies.)

[STOP BULLYING! Guidelines for Schools](#)

Other sources:

⁴ NZPPTA (2003) *Affirming Diversity of Sexualities in the School Community: Guidelines*. Available on the PPTA website at <http://www.ppta.org.nz/cms/imagelibrary/100135.doc>

- Fenaughty, J.F. (2000). *Life on the Seesaw – An Assessment of Suicide Risk and Resilience for Bisexual and Gay Male Youth in Aotearoa/New Zealand*. A thesis submitted in partial fulfilment of the requirements for the degree of Master of Arts (Psychology), University of Auckland
- Plummer, D. (2001). Policing manhood: new theories about the social significance of homophobia. In C. Wood (ed.) *Sexual Positions: An Australian View*, Melbourne: Hill of Content/Collins
- Warwick, I., Aggleton, P. and Douglas, N. (2001). Playing it safe: addressing the emotional and physical health of lesbian and gay pupils in the U.K. In *Journal of Adolescence*, No.24, pp.129-140
- Human Rights Watch (2001). [Hatred in the Hallways – Violence and Discrimination Against Lesbian, Gay, Bisexual, and Transgender Students in US Schools](#)

The Ministry of Education is seeking to respond to the need to provide advice and support to schools working to address the issues raised here. Your regional Ministry office should be able to refer you to someone who can help.

There are also non-government and voluntary organisations working on these issues, including:

- [New Zealand Association for Adolescent Health and Development](#) (NZAHD), a national network organisation for people who work with young people (aged from 12 to 25).
- [Agender](#), a national network offering social support and information in the area of gender identity.
- SS4Q, a national coalition of groups working to make schools safer for GLBTI students. These groups include Out There, the NZ Aids Foundation, Rainbow Youth, the Family Planning Association, PPTA, and the Human Rights Commission. SS4Q can be contacted through Judie Alison at PPTA, jalison@ppta.org.nz.

C5 EXEMPTIONS AND ALTERNATIVE EDUCATION

Early leaving exemptions

A care-giver/parent/whanau may request an early leaving exemption from compulsory schooling for their child before the child's sixteenth birthday.

There is a well-defined process by which parents make the request on one form and the school makes its response to this request on another form. Both forms have to be sent to the local MOE office which decides whether to approve or reject the application.

Principals need to be aware that parents have the right to make this request and that the MOE, while having responsibility for the decision, will rely heavily on the school's advice in making its decision.

Alternative Education

Alternative Education exists to provide opportunities for students alienated from mainstream education.

There are several hundred Alternative Education places distributed by need across the country. These places are funded separately by the MOE, enabling programmes to be set up by a variety of providers. For a student to be enrolled in an AE programme he/she has to be verified by your local MOE office as to whether they are alienated or not.

The most common definitions of alienation include exclusion from more than one school, a period of extended truancy (usually a term), or non-enrolled truancy.

A family/whanau conference can be used to facilitate entry into an Alternative Education programme where exclusion may be an inappropriate response.

D1 PRINCIPAL-STAFF RELATIONSHIPS

“The soft stuff is the hard stuff.”

Michael Fullan, *Leading in a Culture of Change*, p39

“School leaders do not work in isolation, they build capacity by collaborating, consulting, motivating, inspiring, listening, and cooperating with the staff and their school communities to improve student learning outcomes. They do this through developing excellent working relationships that are built on trust, a shared sense of purpose, and a commitment to developing the capabilities of others.” Edwards 2001.

As principals we need to try to stay issue-centred in the way we work with others. This becomes crucial if conflicts arise. In heated situations we should try to describe rather than act out our emotions, and look for “win-win” solutions. If an impasse appears to be developing between the principal and a staff member, it is wise not to get into a public argument with him/her about it. Make a time to meet in private and use conflict resolution methods to stop the issue escalating.

When considering a conflict resolution meeting:

- recognise the power imbalance
- notify the reason for the meeting in writing beforehand
- consider meeting on neutral ground
- allow a support person for the teacher and someone for you, too
- show respect for the person
- each describe how you are feeling now
- listen to see that you are both coming from the same frame of reference
- each state your needs by exploring all possible options and try to establish common ground and/or what needs to be mutually agreed on so that you both can move forward, and
- focus on what each of you will do “more of “ or “less of” in the future.

Principals need to ensure that they have an adequate complaints policy and protected disclosures policy, and that the staff are aware of these. Staff should be advised to use union support where necessary.

Despite the fact that principals have a right to attend PPTA branch meetings, many choose to attend only now and then. Allowing the staff their opportunity to air their concerns freely is healthy. Maintaining healthy lines of communication with the branch chair and the local field officer enables the principal to deal with issues more efficiently as they arise, before problems become more difficult to solve.

D2 RECRUITMENT AND APPOINTMENTS

Starting Point

You need to ensure that:

- you have delegated authority from your Board of Trustees to make appointments
- you have an appointments policy (or equivalent) that sets out the process for recruiting and appointing staff.

Appointments Policy/Process

This needs to ensure your process covers the following:

- application package documentation and procedures
- Employment Relations Act requirements
- collective agreement requirements (Secondary Teachers', support staff, cleaners and caretakers, ground staff)
- equal employment opportunity requirements
- vetting applications for all non-teaching positions
- advertising
- who is involved in shortlisting and Interviewing
- shortlisting procedures
- staff consultation procedures
- interview guidelines
- appointment guidelines
- induction expectations.

Application Package

It is recommended that this include:

- an application form
- an Equal Employment Opportunity statement
- a Privacy Act Declaration
- a statement that there will be an annual performance review
- a requirement for declarations on suitability with regard to health and criminal records
- a position description
- person specifications
- purpose of the position and line(s) of accountability and authority

- blank referees' reports (two or three)
- a letter outlining the appointments process and timeline.

Advertising

It is compulsory to use the Education Gazette and/or a national daily to advertise teaching positions. The Education Gazette is used in most cases because of its wider access to teachers, its instant advertising on line, its traditional dominance and its free service. For short term relieving, part time and non-teaching positions it is usual to use local media.

Staff Consultation

For senior positions, eg HOD and above it is important to gain input into the person specifications for that position.

Receiving Applications

It is good practice to:

- check out accuracy of CVs
- carry out referee checks
- ring the principal of the applicant's last school (if not a referee)
- keep all documentation confidential.

Shortlisting

This process involves the principal establishing an appointments committee to shortlist, interview and recommend for appointment. The membership of this committee should vary according to the position being filled. The immediate supervisor of the position being filled should be involved. The Principal may delegate her/his role for some positions, eg support staff.

Interviews

These need to be conducted in such a way that all interviewees receive the same treatment, get a fair hearing and that EEO principles are adhered to.

1. Interviewees are entitled to support at an interview (usually one person)
2. Interviewees should be given the opportunity to address the committee and ask questions.
3. There should be no surprises for interviews:
 - i. outline the interview's structure
 - ii. any changes to position should be outlined at beginning
 - iii. questions should be relevant to the position and documentation received by both parties

- iv. questions must not be 'loaded' or discriminatory.
4. Let the interviewee know when they will be told the result of their interview.

Making the Appointment

A paperwork process needs to be established here:

1. The appointments committee make their recommendation (in almost all cases to the principal).
2. You must be able to justify your decision if challenged by one of the candidates. It is sensible to keep a summary of the appointments committee findings and criteria for making a decision.
3. All interview candidates should be communicated with, the successful one first, by telephone if possible.
4. All applicants should be written to and informed of the outcome.
5. The letter to the successful candidate should:
 - be subject to successful vetting/registration where relevant
 - be deemed to be confirmation of acceptance of the position
 - include Employment Relations Act requirements regarding membership of the relevant union
 - include conditions of employment
 - include the title of the position and its responsibilities
 - include the starting date (and finishing date if a relieving or fixed term position)

It would also be appropriate to include applicants' original documentation. You should also notify your Board of Trustee Chairperson of the appointment (or difficulties if any have arisen). Do not appoint if none of your candidates is suitable. It is hard to be short of a staff member but it is much harder for much longer if you employ the wrong person.

Induction

The arrival in the school of your new staff member needs to be managed well. Schools usually use:

- an appropriate welcome – most schools use formal welcomes like powhiri or mihi whakatau at the beginning of the year.
- a comprehensive induction programme to familiarise the new staff member with their duties, school expectations and culture, school facilities and systems, health and safety requirements, colleagues and key personnel.
- a comprehensive in-service advice and guidance programme for provisionally registered teachers. This is a requirement and is audited by both ERO and the Teachers Council. Some schools include all new teachers in this process to help with their familiarisation.

This process is possibly the most important influence you can have on student outcomes and your school's culture.

D3 EMPLOYMENT ISSUES FOR STAFF

Staff have the right to expect that the principal and the board will act as a good employer to them and act in good faith in their interactions and transactions with staff.

Good faith means dealing with each other honestly and openly.

This also applies between an employer and a union.

It is important for us to recognise the rights that teachers and support staff have to the negotiated pay and conditions of service in their current collective agreement. The full Secondary Teachers' Collective Agreement (STCA) and Area School Teachers' Collective Agreement (ASTCA) are on the PPTA website which also provides [STCA / ASTCA guide books](#) to assist with the interpretation of many provisions of the teacher collective agreements. Topics include:

[Beginning teachers](#)

[Employment relations problems/Personal grievances](#)

[Guidance for teachers in their relationships with students](#)

[Guidance for teachers working with Pacific students in secondary schools](#)

[Overseas teachers](#)

[Parental leave](#)

[Part-time teachers](#)

[Teacher competence](#)

[Teacher conduct and discipline](#)

[Teachers' salary guide: secondary schools](#)

NB. Under the collective agreement it is a requirement that staff be consulted before decisions about **non-contact time, units and middle management allowances are made.**

Consultation definition – ERO Handbook

"If the party having the power to make a decision after consultation holds meetings with the parties it is required to consult, provides those parties with relevant information and with such further information as they request, enters the meetings with an open mind, takes due notice of what is said, and waits until they have had their say before making a decision, then the decision is properly described as having been made after consultation."

*See also the full definition of Consultation of Goddard CJ Wellington International Airport (1993), upon which the ERO decision is based, at the beginning of section **B6 - CONSULTATION.**

Advice and guidance – beginning teachers

All teachers in their first or second year must receive a programme of advice and guidance and their appropriate allocated Beginning Teacher Time Allowance. See section 3.8 of the STCA.

Appraisals should take place well before teachers are due to be attested for a pay increment. This gives them sufficient time to put right any issues of competence.

Section 77A of the State Sector Act – good employer

1. Every employer in the education service must operate a personnel policy that complies with the principle of being a good employer, make that policy (including the equal employment opportunities programme) available to its employees, ensure its compliance with that policy (including its equal employment opportunities programme) and report in its annual report on the extent of its compliance.
2. For the purposes of this section a "good employer" is an employer who operates a personnel policy containing provisions generally accepted as necessary for the fair and proper treatment of employees in all aspects of their employment, including provisions requiring good and safe working conditions, an equal employment opportunities programme, the impartial selection of suitably qualified persons for appointment, and recognition of the aims and aspirations of the Māori people their employment requirements and of the need for greater involvement of Māori people in the Education service.

Induction of new staff

Because all schools are at different stages of the school development cycle and have different clientele and different emphases, it is important not to assume that teachers new to the school will be able to slot easily and automatically into the school. They need extra support through a structured induction programme supported by a buddy and a school support services staff member if necessary. Even experienced teachers can benefit from induction when they go into a new school. A well-targeted induction programme (ask last year's new teachers what was valuable!) will ensure the teacher is able to be effective in his/her new environment in the shortest possible time.

A safe emotional school climate

Factors that contribute to a favourable climate are:

- an open management style
- the valuing of individuals' contributions
- shared understanding of effective classroom teaching and learning, and
- commitment from all staff.

See section C4 for more on safe schools or visit the [PPTA website](#).

Professional development

Professional development programmes may:

- provide professional development on changes to teaching practice expected in the school's annual plan and from the teacher's appraisal
- offer on-the-job training as well as courses
- give regular time for PD reflection, interviews and meetings with colleagues to share practice
- give time and funding for preparation of resources
- emphasise coaching, mentoring and a critical friend approach, and
- have clearly stated expectations and specific outcomes for improvement.

Web links

[STCA / ASTCA guide books](#)

[NZSTA employment forms and templates](#)

[Police vetting](#)

[Holidays Act 2003 Information](#)

[Minimum Wage effective 1 April 2004](#)

[Datacom Payroll Services](#)

[Safe schools](#)

D4 PERFORMANCE MANAGEMENT

Performance appraisal

“The process of identifying, evaluating and developing the work performance of employees in the organisation, so that organisational goals and objectives are more effectively achieved, while at the same time benefiting employees in terms of recognition, receiving feedback, catering for individual work needs and offering career advice”

-*Human Resources Management* p273 quoted from **STA Handbook: Managing Principal Appraisal**, p8 (available from NZSTA website)

It is a legal requirement for the school to have a performance management system. Such a system should be based on the principles underpinning all the policies and processes relating to personnel management.

The principles are that:

1. Performance systems should lead to ongoing improvement in performance.
2. Good performance management systems are informed and shaped by all of the other policies, legislation and regulations relating to personnel management (eg Good Employer, EEO, Treaty of Waitangi, Employment Relations, Health and safety) and the terms and conditions of collective employment agreements relating to secondary and area school teachers, principals and support staff.
3. Boards use approved processes to appoint staff with the knowledge, qualifications and experience that most closely match the needs of the school and its students.
4. From the outset all staff know clearly what they need to do (up-to-date job descriptions) and the standard of performance expected (specifications of expected performance and outcomes). These are available for teachers in the Professional Standards for Beginning, Classroom, Experienced teachers and unit holders, DPs, APs, and Principals in the STCA, SPCA, ASTCA, and ASPCA appendices as well as from the NZSTA, PPTA and Ministry websites.
5. Induction programmes and regular and timely professional development are routinely used to ensure staff continue to develop the skills necessary to perform well.
6. Appraisal processes are open and transparent and developed in consultation with all the staff concerned, appraisals are timely and helpful with a strong focus on enhancing professional growth and individual capability.
7. Confidentiality is important.
8. All teachers, managers and support staff must be appraised and attested annually. The principal must be appraised annually.

Appraisal

The board must have an appraisal policy that

- identifies a professional (usually the principal) who is responsible for implementing the appraisal policy
- formally delegates the appraisal process to this person
- identifies the appraisal processes to be completed with each teacher every 12 months, and
- states how compliance with the policy will be ensured.

The policy must also include a statement of confidentiality, and specify a process for reviews of appraisals where the appraiser and staff member disagree over the outcome of an appraisal.

Appraisal procedures must include the following elements:

- the identification of an appraiser, in consultation with the staff member concerned
- a performance agreement – a written statement of performance expectations formulated in consultation with each staff member that specifies one or more development objectives to be achieved during the year
- for each development objective, the identification of the assistance or support to be provided. The development objectives should arise out of areas identified for improvement in the appraisal process and/or school or curriculum development goals from the annual plan
- performance agreements should also contain the professional standards for each category of teacher (beginning, classroom or experienced) and for unit holders
- these agreements should be negotiated and signed by the staff member and the appraiser at the beginning and end of the cycle so that, for staff members not at the top of the pay scale, attestation can take place
- observation of teaching (for those with teaching responsibilities)
- self-appraisal and self reflection by the staff member
- an opportunity for the staff member to discuss their achievement of the performance expectations and the development objective(s) with their appraiser, and
- an appraisal report prepared and discussed by the appraiser in consultation with the staff member

The process could also include a 360-degree evaluation where the staff member, (including the principal) chooses three or four colleagues, students or board members to give stakeholder opinions on his/ her performance to the appraiser.

These could be incorporated in the appraisal report or given to the staff member for their information.

The aspects of teachers' performance that should be appraised are as contained within the relevant professional standards.

All other staff working in schools are to be appraised annually to provide feedback and identify training needs so that their knowledge and experience can grow. Conditions in the relevant employment agreements need to be taken into account.

Web links

[Secondary Teachers' Collective Agreement](#)

[Performance management systems](#)

[ERO handbook section E](#)

D5 COMPETENCE

Definition of Competence

Generally speaking teachers must perform to a level of competency to implement the curriculum satisfactorily. This means demonstrating a sufficient level of knowledge, skill and motivation to meet the demands and requirements of the teaching job as set out in the Teachers Council's [competence rules](#) or in the appropriate level of the professional standards ([Supplement 1 of the Secondary Teachers' Collective Agreement](#) or at the end of the [Area School Teachers' Collective Agreement](#)).

Try to avoid the need for competence procedures

1. Investigate all potential appointees thoroughly before you appoint. Always check references and if in doubt don't appoint even if there is only one candidate – re-advertise.
2. Have a sound performance management system and a professional development programme that is relevant to the needs of your teachers. Do not assume you know what they need – ask them by doing a survey so that you will have a record for each person of their stated needs and be able to meet them.
3. Convince your board that teachers are the school's most valuable resource and that their professional growth through relevant professional learning will gain more leverage in improving student achievement than anything else.
4. Establish and maintain an ongoing induction programme that clearly outlines school procedures, potential barriers to success and gives insight into the school culture for all teachers new to the school, and a robust system of formal and informal, ongoing support, advice and guidance for all teachers.

Invoking the competence procedures in the Secondary or Area School Teachers' Collective Agreement is a difficult and stressful decision for any principal. You do not have to do it on your own! Mandatory procedures need to be followed. Contact STA field officers and your school's insurance company before you do anything.

If the procedures are to benefit the teacher and the school then they must be applied as soon as the concerns arise. Where the problems have been ignored for a substantial period of time a win-win outcome is far less likely.

You need to be well prepared.

1. Read carefully section 3.3 of the STCA or section 2.3 of the ASTCA and the [Teacher competence in secondary and area schools](#) pamphlet.
2. Decide whether your concerns about the teacher's actions are competence or discipline related. If your concerns are about competence has the teacher been receiving regular and ongoing professional development as part of the school's annual PD plan and advice and guidance from you or colleagues? If not it is unreasonable to go straight to competence procedures.

3. If a previously competent teacher is causing concern, find out if there is any extenuating circumstance or a crisis that makes it appropriate to take action other than competency procedures eg granting a period of stress leave.
4. Having considered the above, if competence procedures still seem in order, consult an STA field officer for an informal discussion at an early stage. It is better to address any concerns early when you have a better chance of helping the teacher to address their competency. Such a consultation does not commit you to proceed.
5. The STA field officer's role in competence is to see that the procedures under the Agreement are followed, and to support you and your board as employers by advising of the correct way of putting these procedures in place and by participating in the process. Field officers have valuable experience of these procedures.
6. If competency proceedings are undertaken, you should have documented evidence of the reasons for this. The teacher is entitled to have a PPTA field officer present at the initial meeting and any thereafter, and must be advised of this. At these meetings you should also have your STA field officer present to support and advise you.

If competency procedures are necessary, work with your STA field officer to inform the teacher in writing:

- of matters causing concern and about the specific areas of their practice that do not meet the professional standards
- that competence procedures are to be put in place
- that a meeting will be held at which they are entitled to **“whanau, family, professional and/or Association support in relation to matters of competence and to be represented at any stage of the process”**, and
- that an initial 10 week programme of advice and guidance aimed at improving their practice in specified areas of their work will be put in place.

At the meeting the entire competence process should be explained so that a teacher facing competence proceedings is clear that if after the programme of advice and guidance the issues are not remedied, they will move into the second stage - a further 10 week period to improve their practice in the specified areas.

If, at the end of this stage the situation has still not been remedied, they will face dismissal without notice and be given one month's pay in lieu. In the case of unit holders they may face a reduction in units if the specific areas of competence relate to management rather than teaching matters.

Competence procedures must be conducted in a manner that protects the mana and dignity of the teacher and respects his/her right to natural justice. The

matter must be treated with confidentiality and all reports about the teacher's competence must be in writing and made available to the teacher before the report recommendations are acted upon. This includes the reports that must go to the Teachers Council to notify them that the teacher is going through a competence process and of the outcome at the end of the process.

Planning a programme of advice and guidance (Initial Stage)

It is important to arrange the best possible programme of advice and guidance. Although the procedures do have dismissal as one possible outcome, the guiding principle behind the initial stage is the rehabilitation of the teacher. Involve yourself and/or a senior colleague, and taking into consideration any advice on process offered by the STA Field Officer, plan the programme.

It is good practice to negotiate the final programme with the teacher concerned. Draw up an action plan with goals that clearly set out what the teacher will be expected to achieve and how particular parts of the programme will contribute to achieving these goals. Field officers from PPTA for the teacher and STA for the board could also be involved as they may have knowledge of sources of assistance beyond the school that may become necessary if the school is small, or if the teacher causing concern is a unit holder or senior staff member.

Implementing the programme

Once the programme is up and running you should limit your role to the overseeing of its operation and the assessment of its results.

You can do this on your own or you could set up a small support team. Such a team may help convince the teacher that the school's aim is rehabilitation. Their role will be to document the programme, keep to the outline of its main elements, minute the meetings between the teacher and his or her supervisors, provide written appraisal, advice and feedback during the programme and report regularly to the principal about the teacher's progress.

Based on information supplied from the support team, you will need to make an assessment as to whether the teacher's performance has improved to an acceptable standard (as previously stated in the action plan). The final decision in such cases will be up to you but with such high stakes it would be a good idea to discuss this with the support group first. Where there is uncertainty, and even if this has not been done earlier, it may be wise at this time to seek assistance with appraisal from outside the school.

The procedures are not negated if the teacher refuses to accept such a programme: it is enough for the school to be able to establish that the programme was offered in good faith.

As many cases are resolved in the initial stage, it is not inevitable that the whole competence process as set out in the agreement will have to be carried out. Either the teacher's performance significantly improves or the teacher may resign before the initial 10-week period concludes. If the latter occurs the board must inform the Teachers Council that the teacher resigned before the second stage of the process was completed.

Web links

[Teachers Council Competence Rules](#)

[Professional Standards for Secondary Teachers – Criteria for Quality Teaching](#)

[Teacher competence in secondary and area schools](#)

D6 DISCIPLINE

Definition of Discipline

If you are considering disciplinary action as the employer, it would be wise to seek advice from STA.

Disciplinary action may be needed if a teacher's actions appear to constitute a deliberate and particular breach of teacher conduct i.e. "adversely affects or is likely to adversely affect students, reflects adversely on the teacher's fitness to be a teacher; and is of a character or severity under Rule 9 that meets the Teachers Council's criteria for reporting".

Source: [Teachers Council \(Conduct\) Rules](#)

It is imperative to inform your school's insurer once this process has started.

Matters that may warrant disciplinary action

(from 3.4.5 of STCA and 2.4.7 of ASTCA)

"The following are examples of matters that may warrant disciplinary action. This is not an exhaustive list, nor is it intended that every such matter listed here must always be treated as a disciplinary matter. Each case must be assessed on its individual merits:

- a. disobedience of lawful orders or instructions
- b. negligence, carelessness or indolence in carrying out her/his duties as a teacher
- c. gross inefficiency as a teacher
- d. misuse or failure to take proper care of school property or equipment in her/his custody or charge
- e. absence from duty without valid excuse, and
- f. conduct in her/his capacity as a teacher or otherwise which is unbecoming to a member of the teaching service."

General guidelines for dealing with complaints

The Privacy Act requires that matters such as complaints must be processed confidentially. Staff must be certain that any discussion will follow a fair and open process that ensures that natural justice prevails and that insures the protection of their reputation/mana.

Low key resolution

Most complaints will be able to be resolved by discussion between the principal and staff member concerned without needing to take the matter any further. Try to resolve complaints in this manner in the first instance.

During low key resolution:

- staff members have the right to be represented or supported by their union, colleagues or friends at any time
- all complaints should be acknowledged
- all complaints should be referred directly to the principal
- complaints about the principal should be first referred to the principal and then if they cannot be resolved, to the board chair
- the principal may receive personally presented verbal complaints
- the principal should ask for the complaint to be put in writing
- written complaints should be signed and dated by the complainant
- unsigned or anonymous complaints should be disregarded
- parents, community and staff need to understand the school policy and procedures for complaints, and
- the teacher concerned should be given a copy of all documents promptly.

Disciplinary action

Where a breach of discipline appears to have occurred, you need to decide which procedures should be initiated. Refer to the STCA or ASTCA provisions, the school's complaints policy and guidelines for action, contact the STA field officer, the board chair and the school's insurance company.

1. Inform the teacher of the allegations and of his/her right to have PPTA representation.
2. Advise the teacher in writing of the allegations and invite him/her to respond in writing.
3. Initiate an initial investigation and hold a meeting at which the teacher concerned attends to make a statement about the matter either personally or through a representative. A team approach is needed because the person or persons involved in the initial investigation cannot be involved in any further disciplinary action if such action takes place.
4. In cases where you believe the welfare of any student or employee at your school will be compromised by the teacher continuing to carry out his/her responsibilities, the teacher can be suspended (usually on full pay) or transferred to other duties while the disciplinary matter is being investigated. If subsequently a breach of discipline is held to have occurred you cannot impose

any penalty without giving the teacher a chance to respond and without taking into account any period of suspension already imposed.

5. If the initial investigation finds that the teacher has a case to answer and the disciplinary proceedings are invoked, a new person or persons not involved in the initial investigation must conduct the disciplinary process. If subsequently the case against the teacher is found to have not been proved, the teacher will be able to resume duties immediately. If a finding of serious misconduct eventuates the employer is able to dismiss the teacher without notice.
6. It is important to follow all processes set out in the relevant collective agreement closely to avoid the possibility of personal grievances and to ensure that the teacher or other staff member is treated fairly.
7. During the process, all actions must be documented. The documentation must be sighted and signed by all parties to give confidence that procedures are being followed in a fair manner. All documentation needs to remain secure during the process. Agreement may be reached whereby all documentation is either given to the teacher or destroyed at the end of the process.

Reporting to the Teachers Council

Since 1 September 2004, all employers have been required to immediately report to the NZ Teachers Council when:

- they dismiss a teacher (s139AK(1))
- a teacher resigns, if within the previous 12 months, the employer had advised the teacher that it was dissatisfied with, or intended to investigate, any aspect of the conduct of the teacher, or the teacher's competence (s139AK(2))
- they receive a complaint about the teacher's conduct or competence within 12 months after he or she has left (s139AL)
- they have reason to believe that the teacher has engaged in serious misconduct (s139AM), or
- they are satisfied that despite undertaking competency procedures with the teacher, the teacher has not reached the required level of competence (s139AN)

Making a mandatory report

All mandatory reports must be made in writing, and must contain the following information:

- the name and address of the employer making the report
- the date of the report
- the teacher's full name and any former names
- the teacher's date of birth

- the teacher's registration number (NOT the teacher's MoE number), and
- the teacher's last known address

Mandatory reports must also be accompanied by copies of all relevant documentation. Depending on the circumstances, this may include:

- statements by the complainant and any witnesses
- letters of complaint received by the employer about the teacher
- recent performance appraisals and classroom observations of the teacher
- reports of independent investigators or appraisers
- letters between the employer, or the professional leader, and the teacher, concerning the complaint or matter of concern
- any statement or responses received from the teacher or their advocate
- the teacher's letter of resignation
- minutes of Board meetings at which the matter was discussed, and
- information provided by the police, or any other person or agency

Please note that all information you send to the Teachers Council will be copied to the teacher concerned. The Complaints Assessment Committee and the Teachers Council cannot take into account any information that has not been sent to the teacher for comment.

Web links

[New Zealand Teachers Council rules](#)

[New Zealand Teachers Council \(Conduct\) Rules](#)

[New Zealand Teachers Council \(Competence\) Rules](#)

[New Zealand Teachers Council \(Making Reports and Complaints\) Rules](#)

[Mandatory Reporting](#)

Mandatory reporting templates

[Template letter for making a mandatory report about the dismissal of a teacher](#)

[Template letter for making a mandatory report about the resignation of a teacher](#)

[Template letter for making a mandatory report when a complaint is received about a former teacher](#)

[Template letter for making a mandatory report about possible serious misconduct by a teacher](#)

[Template letter for making a mandatory report about a teacher's failure to reach the required level of competence](#)

