

PPTA

NEW ZEALAND POST PRIMARY
TEACHERS' ASSOCIATION

TE WEHENGARUA

www.ppta.org.nz



NZSTA

E tipu e rea...

Guidelines to Assist Boards of Trustees to Meet Their Good Employer Obligations to Māori

*“Ko te mātauranga te puna o te ao mārama. He kaihihi i te manawanui ki
te whakakotahi i ngā iwi o te motu.”*

Rangatira o Te Tai Tokerau, a Tā Hēmi Henare.

*“Knowledge is the dawn of understanding, understanding is the first sign
of tolerance, tolerance is the bright light of racial understanding.”*

Sir James Clendon Tau Henare, Te Tai Tokerau (1911 – 1989)

May 2015



**Guidelines to Assist Boards of Trustees
to Meet Their Good Employer Obligations
to Māori**

May 2015

ISBN: 978-0-473-32321-9

© NZPPTA/NZSTA

This material is copyright to NZPPTA/NZSTA. No part of the Guidelines to assist Boards of Trustees to meet their good employer obligations to Māori may be reproduced or transmitted in any form or by any means without the express permission of the General Secretary, NZPPTA, PO Box 2119, Wellington, ph: (04) 384 9964, fax: (04) 382 8763, email: gensec@ppta.org.nz AND the Service Delivery Manager, NZSTA, PO Box 5123, Wellington, ph: (04) 473 4955, fax: (04) 471 6412, email: cdavies@nzsta.org.nz.



**Guidelines to Assist Boards of Trustees
to Meet Their Good Employer Obligations
to Māori**

May 2015

ISBN: 978-0-473-32321-9

© NZPPTA/NZSTA

This material is copyright to NZPPTA/NZSTA. No part of the Guidelines to assist Boards of Trustees to meet their good employer obligations to Māori may be reproduced or transmitted in any form or by any means without the express permission of the General Secretary, NZPPTA, PO Box 2119, Wellington, ph: (04) 384 9964, fax: (04) 382 8763, email: gensec@ppta.org.nz AND the Service Delivery Manager, NZSTA, PO Box 5123, Wellington, ph: (04) 473 4955, fax: (04) 471 6412, email: cdavies@nzsta.org.nz.

This material is copyright to NZPPTA/NZSTA. No part of the *Guidelines to assist Boards of Trustees to meet their good employer obligations to Māori* may be reproduced or transmitted in any form or by any means without the express permission of the General Secretary, NZPPTA, PO Box 2119, Wellington, ph: (04) 384 9964, fax: (04) 382 8763, email: gensec@ppta.org.nz AND the Manager Service Delivery, NZSTA, PO Box 5123, Wellington, ph: (04) 473 4955, fax: (04) 471 6412, email: cdavies@nzsta.org.nz

Contents

Introduction	1
PART A: Good Employer Obligations	2
Good Employer Statutory Obligations	2
Good Employer Provisions Specific to the Māori People	2
Consultation	3
Te Reo Māori	7
Employment requirements of the Māori people	11
Staffing/Appointments/EEO	13
Health and Safety	21
Professional Development	24
Employee Relations	25
Leave	30
Remuneration	35
PART B: The Treaty of Waitangi and Relevant Matters	40
Section One: The Treaty of Waitangi	40
Section Two: Working in partnership to overcome barriers	43
Section Three: Racial Discrimination	44
Section Four: Bill of Rights	45
PART C: Funding	47
APPENDIX ONE - Papakupu (glossary)	50
APPENDIX TWO - Checklist	53

Introduction

This document contains updated guidelines developed as a result of the Memorandum agreed between New Zealand School Trustees Association Te Whakaroputanga Kaitiaki Kura o Aotearoa (NZSTA) and New Zealand Post Primary Teachers' Association Te Wehengarua (NZPPTA) to assist boards of trustees ("boards") to meet their good employer obligations to Māori.

Boards should note that the Government, as a Treaty partner, cannot devolve its Treaty responsibilities to boards, but has a role in monitoring boards as part of the fulfilment of its partnership obligations.

These guidelines aim to:

- explain the good employer legislation so that boards are clear about their authority to act in respect of Māori;
- assist in creating and maintaining a good and healthy working environment for Māori teachers. This includes:
 - establishing a relationship with the local Māori community, hapu, and iwi;
 - the recognition and use of Te Reo Māori [the Māori language] and Tikanga Māori [Māori culture] in the wider life of the school;
- detail the specific employment requirements of Māori which include the employment agreement provisions;
- provide guidelines on applying the principles contained in the Treaty of Waitangi.

Boards have a right to govern schools and principals have a right to manage schools within legal requirements and board policy. These guidelines suggest ways of working with Māori teachers and communities to give practical effect to legislative and other requirements. The New Zealand School Trustees Association Te Whakaroputanga Kaitiaki Kura o Aotearoa (NZSTA) and the New Zealand Post Primary Teachers' Association Te Wehengarua (NZPPTA) support the incorporation of these suggestions in to the operation of schools. The guidelines do not provide conditions of employment beyond those already provided within legislation and the employment agreement.

The guidelines make recommendations boards can apply. Depending on the responsibilities delegated to the principal, many of the actions or processes are most likely to be managed by the principal as the chief executive of the school. Boards have the responsibility to monitor that actions are taken where required.

PART A: Good Employer Obligations

Good Employer Statutory Obligations

The statutory obligations of a “good employer” derive from Part 7A of the *State Sector Act* 1988. Of particular importance to boards are the principles of the Act and the definition of a good employer

- d) Recognition of -
 - (i) the aims and aspirations of the Māori people; and
 - (ii) the employment requirements of the Māori people; and
 - (iii) the need for the greater involvement of the Māori people in the education service; and
- (f) Recognition of the aims and aspirations and employment requirements, and the cultural differences, of ethnic or minority groups; and

Good Employer Provisions Specific to the Māori People

- d) (i) Aims and aspirations of the Māori people
- (iii) Greater involvement of the Māori people in the education service. The most effective way for boards to ensure that they understand the aims and aspirations of the Māori people in the school community with respect to education is through consultation with the local Māori communities, hapū and iwi.

If boards follow the recommendations made in these guidelines, particularly in the following community consultation section, the Māori people in the school community will have an opportunity for involvement in the education provided at their school.

Consultation

The board has a responsibility, irrespective of its makeup, to establish a meaningful and ongoing relationship with the local Māori communities, hapū, iwi and with Māori employees so that proper consultation may take place.

Establishing a relationship with local Māori communities, hapū, and iwi

This may be accomplished by:

- ensuring that at least two or more Māori are members of the board, either through election or co-option; and/or
- establishing a Māori committee of the board or a Māori advisory group to the board; and/or
- establishing a kaumātua for the school using a local kaumātua

In so doing, the board will need to liaise closely with and take advice from the local iwi to make sure the board is fully aware of the role of a kaumātua and what the board's responsibilities are in relation to the establishment of a kaumātua position.

Where no local Māori people are members of the board, the chairperson should consult with the principal to work out a strategy for making contact with Māori.

The initial contact may be made through:

- a Māori teacher on the staff
- parents/caregivers of Māori children
- other Māori known to either of them
- a visit by the principal and/or board chairperson to the local marae

Efforts can be made to overcome difficulties which may arise. There needs to be an awareness that:

- it may be difficult for a non-Māori board chairperson and/or principal to attend a function at the marae;
- it may be equally difficult for Māori to put themselves forward for election to the board;
- one request from the board chairperson and principal to the local iwi may not get an immediate response. The board should not be discouraged by this, but should persevere

An alternative approach that the board can take is to find out who the local pakeke or kaumātua are, choose one and make a direct approach to that person for assistance in establishing a relationship with local iwi.

Māori representation on the board

In 2013, the number of Māori parent representatives on boards fairly reflected Māori student numbers in 39.6% of schools. The percentage in secondary schools was 47.2%. Boards need to continue to work to ensure that Māori are fairly represented on their board.¹

Where only one Māori person is elected to a board, tremendous pressure can be placed on him/her not only in terms of the board's expectations, but also in respect of the Māori and non-Māori community's expectations. The board can endeavour to ensure that tangible support is provided (for example, by the Māori community) to help overcome the potential isolation of the Māori trustee, or his/her contribution could be reduced to the level of tokenism.

A Māori komiti of the board or a Māori advisory or whanāu support group can be established to promote that support. Most schools will have sufficient Māori parents to form such a group, leading to a strengthening of the Māori trustee's contribution.

The whānau support group and/or kaumātua can have an integral part to play in the functioning of the school. Their meaningful participation should be encouraged. They are the appropriate people to advise the board where there are issues that affect Māori or which involve tikanga Māori. For instance, establishing protocol and culturally sensitive processes such as in the welcoming and farewelling of visitors to the school.

¹ Māori parent representation on the boards of trustees, Education Counts, Ministry of Education, Updated January 2014, <http://www.educationcounts.govt.nz/indicators/main/quality-education-provider/2015>

POINTS FOR BOARDS TO CONSIDER

Profile

1. What proportion of the total student roll is Māori?
2. Does the board reflect this same proportion?
3. How many kōhanga reo graduates do we have?
4. Do we have a list of tribal affiliations for our students, teachers, and board members?
5. How many Māori teachers do we have?

Consultation/Community Involvement

1. Do we have effective communication links and consultation processes through hui with the Māori community?
2. Do we consult with the Māori community and staff about Māori representation on the board?
3. Do Māori parents/caregivers actively support the school and Māori programmes?
4. Do Māori parents/caregivers visit the school often?
5. Do Māori staff and/or the Māori community have an input into who is co-opted to the board in terms of Māori representation?
6. Do we make provision for and encourage extended family representation when there is a problem affecting a Māori child?
7. Does the school have any of the following?
 - a Māori network?
 - a komiti Māori?
 - a Māori parent support group?
 - whānau āwhina?
 - Māori advisory resource people?
8. Regarding the above, are those assisting recognised or rewarded in any way?

9. Do Māori have input into policies regarding
 - te reo Māori?
 - tikanga Māori?
 - Māori students?
 - Māori staff?
 - Māori education?
10. Do Māori parents regularly attend parent report evenings?
11. Do we visit our local marae?
12. Do we hold some board meetings on a marae?
13. Are there role models for Māori students on the staff, as guest speakers, and/or on the board?
14. Do we make provision for younger and less able students to interact with older and more able students (for example, tuakana-teina, and peer tutoring)?
15. Does our school have its own marae?
16. Do we have an expectation that Māori students will achieve well at school?
17. Is the school's physical environment bi-cultural?

Te Reo Māori

Recognition of te reo Māori

Critical to the aims and aspirations of Māori is te reo Māori. One way of recognising this is for boards to establish a policy which enhances and strengthens te reo Māori as an integral part of the school's culture and life. In so doing, it is useful to take into consideration the *Māori Language Act 1987* which recognises te reo Māori as an official language of New Zealand. The Act refers to the Treaty of Waitangi in which the Crown confirmed and guaranteed to Māori all their taonga, of which te reo Māori is one. It gives individuals the right to speak Māori in legal proceedings whether or not they can understand or communicate in English or any other language. While the Act does not refer to the use of Māori as an official language other than in legal proceedings, the underlying principle can be adopted in schools, should boards wish. Boards can establish policy which gives effect to the recognition of Māori as an official language to be used in the school, and which promotes its use as a living language and as an ordinary means of communication.

Use of te reo Māori and tikanga Māori in schools

Boards of trustees are strongly encouraged to develop policy in consultation with Māori employees and the Māori community about the use of te reo Māori in the school. Section 60A (National Education Guidelines) of the *Education Act 1989* provides that the national administration guidelines (NAGs) may² set out requirements relating to planning and reporting including³ ... the broad requirements to ensure that boards take all reasonable steps to discover and consider the views and concerns of Māori communities living in the geographical area of the school, in the development of a school charter.

Section 61 of the *Education Act 1989* provides that school charters must contain a section that includes the aim "...of developing...policies and practices that reflect New Zealand's cultural diversity, and the unique position of the Māori culture"; and "... of ensuring that all reasonable steps are taken to provide instruction in tikanga Māori...and te reo Māori...for full-time students whose parents ask for it". This is reinforced by Goals 9 of the National Education Goals: "Increased participation and success by Māori through the advancement of Māori education initiatives, including education in te reo Māori, consistent with the principles of the Treaty of Waitangi".

² Part 7 Section 60A(1)(c) of the *Education Act 1989*

Te Reo Māori policy

A board's policy which recognises and promotes the use of te reo Māori as an official language of the school would assist in fulfilling those commitments/aims. The policy could include the following:

Curriculum issues

- the provision of te reo Māori classes irrespective of student numbers
- the study of te reo Māori as a core requirement
- the provision of effective te reo Māori learning opportunities for Māori and non-Māori students
- ensuring that timetabled class time is sufficient for each level of te reo Māori
- incorporating tikanga Māori in all other curriculum areas

The wider life of the school

- the use of te reo and tikanga Māori in the school environment and at school events
- the provision of Māori resources throughout the school (for example, on video, for computers)
- establishing the school's own marae
- having a school/staff waiata
- encouraging participation in Ngā Manu Kōrero, cultural festivals and competitions; providing support by granting sufficient release time to staff involved and by sending a group to support competitors (in addition to Māori language teachers and tutors)

Communication

- accepting that school reports are able to be written in Māori for Māori language students and Māori parents/caregivers
- in considering this matter, factors to be taken into account include the board's obligation to ensure that parents/caregivers understand the communication. Where the caregivers understand Māori, no further information is needed. Where they are not speakers of Māori, a separate sheet with a translation could be provided.
- ensuring that communications on official documents and letters to the public are written in Māori and English

³ Part 7 Section 60A(1)(c)(ii)(C) of *the Education Act 1989*

- using Māori on public/formal occasions and at assemblies encouraging non-Māori to understand/speak Māori
- providing training in the pronunciation of Māori names/places

The extent to which a board includes in its policy any of the above, which may be additional to the legislative requirements, will depend on both feasibility and cost at the school level.

POINTS FOR BOARDS TO CONSIDER

1. Is Māori language used regularly?
 - by office/ancillary/support staff?
 - by teachers?
 - by the principal?
 - by the board?
 - in assemblies?
 - in all classrooms?
 - in newsletters?
 - in public documents?
 - in school reports?
 - at meetings?
 - on signs at school?
2. Are written translations of material provided by the school?
3. Is the correct pronunciation of te reo Māori part of the school culture?
4. Does the board/school as a whole offer a Māori language programme?
5. If the school has kōhanga reo graduates, have we made efforts to continue the students' language with bilingual classes/total immersion classes?
6. Does the board have a policy to meet the needs of students and parents wanting Māori language?
7. Does the board have a policy to meet the needs of students requesting bilingual and total immersion programmes?
8. Is te reo Māori a core subject?
9. Is the timetable structured so that it is easy for Māori students to study te reo Māori?
10. Do school reports allow sufficient space for comments in te reo Māori and English?
11. Is Māori content spread throughout the curriculum in all classrooms?
12. Does our resource material reflect Māori perspectives and language
 - in the library?
 - in curriculum areas?
 - on videos?
 - in computer programmes?

Employment requirements of the Māori people

Tikanga

Tikanga Māori is not a definitive term with a specific meaning. Tikanga Māori embraces all things Māori.

Tikanga is a vital concept for boards to consider in their governance and provision of a good and healthy working environment for Māori teachers. Tikanga encompasses the protocols specific to Māori custom which makes the working environment for Māori teachers culturally safe. Part A, Section 2, Cultural Understanding of this document highlights to boards the desirability of demonstrating their understanding and respect for the cultural heritage of Māori employees and of finding appropriate people from the community to support the board in its monitoring of Māori teachers' working environment.

Māori teachers have a need to balance their professional approach to their job with their cultural identity. By and large, Māori teachers, whether they teach te reo Māori or other subjects, have an inherently bicultural approach to their work. Boards need to be aware that a purely mono-cultural outlook could lead to unnecessary misunderstandings. Boards should acknowledge this and seek meaningful consultation and advice when areas of conflict arise.

POINTS FOR BOARDS TO CONSIDER

1. Do we welcome visitors according to Māori custom (for example, by including karakia, mihi, kai)?
2. Does the wider school population participate in powhiri/welcomes?
3. Do we make provision for food and drink for visitors?
4. Are the costs of welcomes/hospitality funded by the school?
5. Do the school entrances and environment reflect New Zealand's dual cultural heritage?
6. Do office/ancillary/support staff greet people in person or on the phone in Māori?
7. Do we recognise kaumātua and whāea?
8. Are Māori teachers given release time to carry out cultural obligations?
9. Do we encourage students to learn the values of their Māori ancestry?
10. Is training available for all staff in the areas of cultural awareness and sensitivity?

Staffing/Appointments/EEO

Staffing is one of the most critical areas for schools, affecting both the learning of students and the workloads of teachers. It is of particular importance for Māori teachers, as there is an acknowledged need for greater numbers of Māori secondary school teachers.

With respect to sections 77A and 77D of the State Sector Act 1988, an equal employment opportunities (EEO) programme means:

“a programme that is aimed at the identification and elimination of all aspects of policies, procedures, and other institutional barriers that cause or perpetuate, or tend to cause or perpetuate, inequality in respect to the employment of any persons or group of persons.”⁴

Sources of legal obligations

The power of boards to advertise and make appointments is contained in the *State Sector Act* 1988 and in the *Education Act* 1989. In addition, boards must comply with the requirements of other relevant legislation such as the *Human Rights Act* 1993 and the *Privacy Act* 1993. Specific requirements are spelled out in clauses 3.1 and 3.2 of the Secondary Teachers' Collective Agreement – 16 January 2013 – 30 June 2015 (STCA)

Of particular importance are the obligations to provide for the impartial selection of suitably qualified staff, to recognise the employment requirements of Māori, women, and people with disabilities and to make appointments on merit, giving preference to the applicant best suited to the position (Sections 77A(2) and 77G of the *State Sector Act* 1988).

One of the most important responsibilities of a board is to ensure that the school is staffed with skilled teachers to meet students' needs. Each board needs to develop a sound appointments policy and to implement that policy.

⁴ Part & 7A Section 77A(2) of the *State Sector Act* 1998

Content of an appointments policy

It is important that the board's appointments policy and procedures be fair and are seen to be fair. The following should be included in the policy and procedures:

- delegation of responsibilities in making appointments
- composition of the appointments committee (avoiding conflict of interest)
- the use of referees' reports
- interviewing:
 - venue
 - format
 - preparation of questions, and
 - cultural considerations

Boards need to ensure that both the policy and procedures are implemented appropriately in each appointment.

Cultural considerations may include the following:

- Are Māori consulted about qualities needed for positions and the appointments criteria and process to be used?
- Are advertisements written in a way which encourages Māori to apply for positions?
- Are Māori represented equitably on the appointments committee?
- Is the venue one where Māori will be comfortable? (For example, for some appointments the interviewing process might best be done on the marae.)
- Is there a pōwhiri/mihi for applicants at the interview?
- Are applicants invited to bring whānau to the interview? If so, is hospitality (for example, food) provided? Do whānau participate in the interview?

Using staffing to help create a supportive workplace for Māori

The STCA states that in appointing the person best suited to the job, the board must consider the experience, qualifications, and abilities relevant to the position, and such other relevant matters as it determines. The "best" person is not necessarily the one with the highest academic qualifications. Knowledge of te reo and tikanga Māori, commitment to the Treaty of Waitangi, and the ability to relate to students and staff of diverse ethnic backgrounds can be recognised as important factors in determining the best person for the position.

Expectations

Boards and management teams need to have realistic expectations of Māori teachers from the time of appointment. Expectations such as "the teacher will be responsible for the self-esteem/welfare of Māori students" are unrealistic, and can lead to conflict or legal disputes, as they are impossible for the teacher to fulfil.

Roles of Māori women and men

In making appointments, boards need to consider that the roles of Māori women and men are complementary, not competitive. The roles should not be judged by the employer in terms of perceived importance, for example, with the role of men (who play a visible speaking role in a marae context) being considered to have greater value than the role of women.

In making an appointment to a te reo Māori position, the best applicant should be appointed to the position. It is appropriate to appoint either a male or a female to the position of Head of the Māori Language Department.

Consultation with the head of department/kaumātua/whāea provides the opportunity of ensuring that tikanga is followed when making appointments, to be certain that the appropriate roles of men and women are carried out.

In making appointments, the board must bear in mind its EEO⁵ obligations to women as well as to Māori.

EEO principles, including criteria for the job and the procedures to be used, should be applied. The board must be certain that there are no barriers to appointment and promotion for Māori, taking account of the particular needs of Māori women and Māori with disabilities.

Employing sufficient numbers of Māori teachers

A board may be able to provide a supportive environment that minimises the isolation and stress of Māori teachers by employing more than one Māori language teacher, consistent with the need to employ the best person for the job. This would assist in avoiding the situation where one Māori teacher bears responsibility for everything Māori in the school. Boards could also employ Māori teachers in other curriculum areas and/or in pastoral roles. This would increase the range of role models for Māori and non-Māori and enable Māori teachers to:

- share curriculum, departmental, and pastoral responsibilities
- have support in incorporating tikanga Māori into the wider school environment
- have assistance with community liaison
- receive encouragement to remain in the profession

⁵ Equal Employment Opportunities

Advertising

In seeking the best person for the job, boards need to ensure that vacancies are advertised in a manner which will encourage suitably qualified persons from the Māori community to apply for the position.

The STCA⁶ states that boards must advertise in the Education Gazette all permanent full-time and part-time positions, and in addition, long-term relieving and fixed-term full-time positions of more than one term. Boards have the option of also advertising in newspapers and/or forums where Māori are likely to become aware of vacancies.

The way positions are advertised is important. Before determining positions to be advertised and appointments to be made, the board should refer to its EEO policy and programme and its most recent annual report, which must include the extent of compliance with its EEO programme.⁷ EEO principles, including criteria for the job and the procedures to be used, should be applied. The board must be certain that there are no barriers to appointment and promotion for Māori, taking account of the particular needs of Māori women and Māori with disabilities.

Interviews

Boards must ensure that the interview process is appropriate for Māori candidates so that they are not at a disadvantage. This may include the involvement of the kaumātua and whāea on the interview committee, and offering applicants the possibility of whānau participation in the interview process.

EEO and appointments⁸

Clause 3.2.1 In appointing the person best suited to the position the employer will have regard to the experience, qualifications and abilities relevant to the position and such other relevant matters as it determines. Good employer and equal employment opportunities principles and responsibilities shall be applied and demonstrated in appointment procedures.

In appointing teachers to permanent positions the STCA requires that boards only employ those teachers eligible to be appointed. This means teachers must be registered to be employed in schools. That is, to be employed as a teacher for more than 10 half days per year.

It is important for the status of te reo, that teachers are employed on a permanent basis. In employing teachers on a fixed-term basis, the employer must have a genuine reason to do so, as per the requirements of section 66 of the *Employment Relations Act 2000* and clause 3.2.3 of the STCA and must communicate the reason

⁶ Part 3, section 3.2.2 of the *Secondary Teachers Collective Agreement*

⁷ Part 7A, Section 77A(1)(c) of the *State Sector Act 1988*.

⁸ Part 3, section 3.2 of the *Secondary Teachers Collective Agreement*

to the teacher concerned. Consultation and agreement with the individual teacher about when/how the position will end is important in establishing good faith employment relationships.

When employing a teacher on a fixed term basis, a letter of appointment must be provided. The fixed term appointment must be based on reasonable grounds with a specific end date. The employee must understand and agree to the reason why the appointment should end at a particular time or at the end of an event or project and how it will end. This agreement must be put in writing. The employment agreements set out the expectations for part-time and fixed-term teachers.

For teachers of te reo Māori, training and qualifications may be accepted for registration which are more varied than for other positions, in order to recognise the special skills needed and the special skills acquired by the Māori applicant. An example is the recognition given through an iwi attesting to the knowledge and expertise of a prospective teacher. The teacher then applies to the Māori section of the Ministry of Education and will be awarded He Tohu Mātauranga Māori.

Formalising the appointment

Once the board has made a verbal offer which has been accepted by the applicant, the offer is binding.

If the employee is already a member of a union, the collective agreement applies to the employee from the date of appointment.

If the employee is not already a member of a union, they have the option of joining the union and being covered by the terms and conditions of the collective agreement. If they wish to join the union, they should contact their local union representative.

Joining this or any other union is the choice of the employee. The collective agreement will apply to the employee as long as they remain a union member.

The board should follow up with a formal letter of appointment including details such as:

- the title/description of the position
- any units and/or Middle Management Allowances (MMAs) and/or Senior Management Allowances (SMAs) attached with the specific responsibilities
- tenure, including in the case of fixed-term positions the reason that the position is fixed-term
- starting date
- finishing date/when the position will end (if the position is not permanent)
- hours per week (if the position is part-time)
- salary
- a reference to the employment agreement the teacher is covered by
- other relevant conditions

Units

The employer must consult with staff about the use of permanent and fixed-term units and MMAs and with the senior management team about the use of permanent and fixed-term SMAs. The employer can choose whether or not to advertise fixed-term units in the Education Gazette. Boards may advertise fixed-term units within the school so that interested teachers may apply and the employer has a pool from which to select the best applicant.

It is possible and important to give recognition and status to Māori language teachers for their role and level of responsibility and to demonstrate recognition of the importance of te reo Māori and tikanga Māori. Providing appropriate units as per the STCA is a way of demonstrating this recognition.

Middle Management Allowances (MMAs)

Similarly, it is possible and important to allocate MMAs as per clause 4.3A of the Agreement to demonstrate recognition **of the importance of te reo Māori** and tikanga Māori and the work done by teachers in those areas.

Senior Management Allowances (SMAs)

In the case of a Māori deputy principal or assistant principal who meets the criteria, recognition for the role can be enhanced by awarding an SMA as per clause 4.3B of the STCA.

Timetabling

Where there are insufficient numbers of te reo Māori classes, the principal needs to ensure that any other subject which may be given to the te reo Māori teacher to teach is one which s/he is able to teach. Principals can assist in the process by providing the opportunity for professional development so that the teacher can develop new areas of expertise or enhance his/her skills. If this does not occur there is a risk that the teacher's competence may be questioned and students' learning hindered. The teacher could be encouraged to apply for a study grant as per the STCA⁹

It is important that sufficient time is given to te reo Māori classes at all levels, even when classes are small. Because of the importance of the oral/aural components and assessment requirements, and because of the difficulty of the subject, student learning is impaired and teachers are under great pressure where classes of different levels (for example, Year 11 and 12) are taught together. Putting language students on correspondence lessons does not give as much recognition to the importance of the spoken language as is desirable, and should be avoided wherever possible, and used only as a last resort (for example, if no teacher is available).

⁹ Secondary Teachers Collective Agreement clause 6.6.6A

Principals are encouraged to:

- establish the principle that Māori language classes will be allowed to continue regardless of small class size
- provide time for Māori cultural activities (for example, cultural group practices) within the timetabled day to recognise the status of tikanga Māori
- give recognition to Māori teachers who regularly put in additional hours on marae live-ins and cultural practices. This could be done by providing time and/or financial rewards (for example, units and MMAs)
- provide sufficient non-contact time for Māori language teachers, particularly those in sole charge of the area, to allow for the greater amount of resource preparation. They may need to visit teachers in other schools for professional development and resource-sharing
- consider employing members of the community to assist teachers with cultural groups, tikanga Māori and te reo Māori.

Establishing a relationship with Māori teachers

Boards can establish contact with Māori teachers in a positive way. A greeting in Māori is always a good way to make Māori feel comfortable. The use of “kia ora” is welcomed. This could be followed by a hongi. Whatever the situation, boards should be conscious of not knowingly or unwittingly “trampling on the mana” of the individual.

That is:

“Kaua e takahi i te mana o te tangata”.

The board or principal needs to check with the Māori teacher as to whether any proposed public acknowledgement involving the Māori teacher could create whakamā or embarrassment.

POINTS FOR BOARDS TO CONSIDER

1. Are Māori teachers with responsibility for te reo Māori, tikanga, and pastoral care considered for units, MMAs and for appointment to senior positions?
2. Does the board's appointments policy provide for Māori input into the positions?
3. Do we implement our EEO programme on an ongoing basis?
4. Is EEO taken into account in making each appointment?
5. Are candidates applying for any new positions questioned on their:
 - knowledge of the Treaty?
 - knowledge of Māori language?
 - knowledge of things Māori in particular subject areas?

Health and Safety

Legal obligations

Under the Health and Safety in Employment Act 1992 the board has an obligation to provide as far as practicable, a healthy and safe workplace for employees and others.

In 2014 the Health and Safety Reform Bill was introduced to Parliament. The Health and Safety Reform Bill will create the new Health and Safety at Work Act, replacing the Health and Safety in Employment Act 1992. For more information refer to the Health and Safety Reform Bill 192-1 (2014).

The STCA repeats the *State Sector Act* 1988 provisions, Part Twelve (Health and Safety) refers to mutual obligations under the *Health and Safety in Employment Act* 1992 and to relevant Codes of Practice.

The Ministry of Education Code of Practice (the Code) confirms boards' responsibilities to employees, students, parents, health workers, tradespeople and visitors who come into the school with board permission. It is mandatory as it has been notified under section 70 of the *Education Act* 1989.

Cultural understanding

The following can assist in providing a culturally aware and safe environment:

- recognising and practising tikanga Māori or tangihanga cultural practices
- being familiar with the concepts of mihi, hongī, mana, aroha, āwhina, whakamā, manākitanga and tangihana and how these concepts singularly or in combination impact upon Māori.
- being familiar with the concept of “te whare tapu” for Māori teachers.

Te whare tapu explains the four corner post elements which make up an individual. Te taha tinana is the physical dimension, te taha hinengaro is the psychological dimension, te taha wairua is the spiritual dimension, and te taha whānau is the family and support system dimension. These are the essential elements which make up an individual.

Boards are advised to discuss with their Māori teachers what their needs are in relation to these concepts.

There is an implied duty of trust and cooperation in the employment relationship. Boards must not behave in such a way as to destroy or similarly damage the relationship of trust and confidence between the employer and employee without reasonable cause. In addition, there is a statutory obligation for parties to an

employment relationship to deal with each other in good faith¹⁰. By supporting Māori teachers as in the examples listed above, boards will be seen to be working towards meeting Māori teacher needs, engendering trust and confidence and helping to build and maintain a good faith relationship.

Cultural factors and differences can be a major source of stress and conflict between Māori teachers, their colleagues, their students, and their employer. A way to work towards avoiding conflict is to ensure that training and education are provided to all staff and that support systems are operating so that cultural factors and differences do not become an isolating factor for Māori teachers in the school environment.

Workload

Boards should ensure that the job expectations for Māori teachers are very clear. There should not be an expectation that a Māori teacher will fulfil his/her teaching responsibilities and be solely responsible for all things Māori in the school community where this results in the teacher being placed in an impossible situation of attempting to manage these two roles.

Unrealistic expectations over and above teacher duties should not be placed on Māori teachers. Some unrealistic expectations may be that a Māori teacher will:

- deal with all Māori students (including difficult students)
- participate in community and school/community events
- take cultural groups and sports teams
- welcome visitors and provide hospitality
- fulfil whānau obligations.

The board can review the time, resources, and support given to Māori teachers to ensure they carry out their job description responsibilities whilst protecting their physical and psychological health. This may include teachers sharing responsibility for any of the above and, in particular, for Māori students and difficult students.

Sexual/Racial Harassment and Discrimination

Good practice applied through policies and processes can ensure that the board has provided as far as practicable a good and healthy working environment for Māori teachers in which they will not be subject to sexual or racial harassment or discrimination. Should an employee believe that she/he has a case for sexual harassment or has been discriminated against in her/his employment, she/he can take a case under either the *Human Rights Act 1993* or *Employment Relations Act 2000*.

¹⁰ Part 1 Section (4) of the *Employment Relations Act 2000*

The *Human Rights Act* 1993 prohibits discrimination on the following grounds:

- sex, marital, and family status
- religious, ethical, or political belief
- race, colour, ethnic, or national origins
- disability
- age
- employment status
- sexual orientation

Racial disharmony is where it is unlawful for any person to:

- publish or distribute written matter which is threatening, abusive, or insulting
- use words in a public place which are threatening, abusive, or insulting, and are likely to excite hostility against or bring into contempt any group of persons in New Zealand on grounds of race, colour, ethnic, or national origins.

Racial harassment is where it is unlawful for any person to use language (written or spoken) or visual material or physical behaviour which:

- expresses hostility against
- brings into contempt or ridicule anyone on the above-mentioned grounds
- is hurtful or offensive to that other person
- is repeated or of such a significant nature that it has a detrimental effect on that other person.

Boards need to be aware that for any types of discrimination covered in Part 2 (Unlawful Discrimination) of the *Human Rights Act* 1993, anything done or omitted by an employee of the board will be treated as if the board and the employee breached the Act. A board would need to prove that it took such steps as were reasonable and practicable to prevent the employee from doing that act.

Professional Development

Clause 3.1.1 (b) (iii) of the STCA states that

Recognition of-

- a) The aims and aspirations of Māori people; and*
- b) The employment requirements of the Māori people; and*
- c) The need for greater involvement of the Māori people in the education service*

In addition, to help provide opportunities for the enhancement of the abilities of individual teachers, boards are required to have processes in place to ensure the provision of appropriate professional development, support, attestation, and appraisal for all teachers. The system should meet the specific needs of Māori teachers.

Boards can consider the following:

- How does the board provide quality advice and guidance for Māori teachers and teachers of Māori?
- How does the board provide ongoing support and professional development for Māori staff?
- How does the board provide Māori teachers opportunity to have input into decisions allocating funding and resourcing for te reo programmes and departments?
- Do the appraisal criteria recognise the Māori teacher's contribution to the school and involvement with Māori?
- Does the employer consult Māori teachers about the development/review of appropriate appraisal systems?

Ministry of Education's Study Awards in Māori and Pasifika Education Research

The Study Awards in Māori and Pasifika Education Research 2014 aim to assist emerging education researchers to complete research-based postgraduate study in Māori and Pasifika Education. Those who are applying must be people who are undertaking or wish to undertake full-time study at the postgraduate level.

- Each year the Ministry of Education offers one Study Award in Māori Education Research and one Study Award in Pasifika Education Research, each worth \$5,000.00.
- These awards will be available for study at any tertiary education institution.
- Applicants must be permanent residents or New Zealand citizens.

Employee Relations

The following are key provisions to consider regarding employee relations, however this is an area with many aspects to take into account and it is important to seek advice if there are any concerns.

In resolving employment relationship problems, employees and employers should first make a reasonable effort to discuss the problem and resolve it by mutual agreement. Boards are advised to seek NZSTA Te Whakaroputanga Kaitiaki Kura o Aotearoa assistance if they believe there may be an employment relations issue.

Teacher Competence

The process outlined below needs to be undertaken in a way which protects the mana and dignity of the teacher concerned and allows the teacher to seek whānau, family, professional, and/or NZPPTA Te Wehengarua (the Association) support.

Where competence procedures are initiated as per clause 3.3.3(a), the board is required to ensure that an appropriate assistance and personal guidance programme is put in place. The principal as professional leader of the school usually coordinates the process. The principal/board should consult with the teacher and his/her advocate as to what they consider constitutes appropriate assistance.

Clause 3.3.1¹¹ Questions of competence should be handled in a manner which seeks to protect the mana and dignity of the teacher concerned.

Clause 3.3.3(b)¹² The teacher shall be advised of her/his right to seek whānau, family, professional, and/or Association support in relation to matters of competence and to be represented at any stage.

Before implementing a process of competence as per clause 3.3.3(a), the principal will need to have planned, documented, and provided "...reasonable opportunities for the appropriate and effective professional development" for the teacher concerned. This could have occurred as part of the appraisal process. Where the teacher is Māori, this may have included providing support for the teacher in his/her unique role as a Māori teacher in the school community.

Where there are ongoing concerns about a teacher's competence and the competence procedures are to be put in place, the board is required to ensure that each step is undertaken as per the Agreement. The aim of the process is to assist the teacher to gain a satisfactory level of competence.

¹¹ Part 3 of the *Secondary Teachers Collective Agreement*

¹² Part 3 of the *Secondary Teachers Collective Agreement*

Where the assistance does not produce the desired result, as per clause 3.3.5, the board must ensure that the teacher is provided with guidance or monitoring for a reasonable period (usually 10 school weeks) to reach competency. If after completing the programme a satisfactory level of competence is not reached the board may choose to offer further advice and guidance or may dismiss the teacher. The board must be certain that the process has been carried out as required for the dismissal to be justified.

Teacher Conduct and Discipline

The process outlined below needs to be undertaken in a way which protects the mana and dignity of the teacher concerned and allows the teacher to seek whānau, family, professional, and/or NZPPTA Te Wehengarua (the Association) support. It could for example incorporate into the process tikanga Māori, should the teacher and principal/board so wish.

The principles underlying the process to be followed where there is an allegation of misconduct against a teacher are outlined in clauses 3.4.1 to 3.4.4 of the STCA. This may include the assistance of the local whānau early in the process to assist in resolving matters. There are ways that boards can facilitate this without compromising the entitlements of the teacher or the legal requirements placed on boards.

One way of achieving this is for the board not to accept the teacher's first response if s/he declines assistance out of whakamā, but to continue to encourage the teacher to accept assistance.

Boards may consider:

- the racial composition/ethnicity of any committee/person making initial enquiries or undertaking a formal disciplinary investigation
- accepting an offer made by an individual/people acceptable to both parties to attempt to resolve the matter in a way which is culturally appropriate, for example, mediation.

Establishing a culturally appropriate process which may lead to an acceptable resolution/outcome may be achieved by early contact with the teacher and his/her representative.

Disobedience of lawful orders or instructions¹³

Differing cultural expectations can give rise to a situation where a Māori teacher can be seen to be refusing to obey a lawful order/instruction given by the principal/board. At times Māori teachers may feel that they have to choose between what they perceive to be the welfare of the students and doing what is required of them by the principal/board. If they choose to ignore the latter, they may face disciplinary procedures as a consequence of the expectations placed on them by the Māori

¹³ Part 3, section 3.4.5(a) of the *Secondary Teachers Collective Agreement*

community in terms of culturally appropriate ways to do things for Māori students. The principal/board may need to work with Māori parents and teachers to avoid and resolve such situations.

Prior to concluding that the matter is simply one of “disobedience”, the principal should consider whether or not the school’s systems and processes have contributed unwittingly to the problem.

Tikanga and dispute resolution

Discussion in Māori settings [ngā tikanga kōrerorero] like all tikanga Māori, are grounded in basic Māori values, with particular emphasis on wairua (spirit) whakapapa and whānaungatanga (family, genealogy and relationships), whēnua (land), aroha (affection), manaaki ki te tangata (care for others) rangimarie (peace) and kotahitanga (unity).

Resolving disputes or reaching a consensus is achieved through a process that practices goodwill, patience, and freedom from time constraints. Māori dispute resolution needs to also include the following features:

- Community input and responsibility –participants to the discussion need to own and define the process and have input into its outcomes.
- Interchange and balance – once decisions are made all parties must work together to implement the decisions.
- Process – kotahitanga (inclusiveness) empowers those involved to take responsibility for the future.
- Environment – the physical environment is important and it may be appropriate for a dispute resolution to be offered to be held on a marae. Both parties need to agree to that location.
- Representation and leadership – it is essential for the effective resolution of any dispute, particularly in respect to the enforceability and acceptability of any outcome, that those with grievances are represented appropriately. It is also important that those who lead the process have the proper mandate to do so.

Resolving Conflict in a Māori Context ¹⁴

Ngā Kōrero me ngā Tikanga

Me tuku reta atu ki te kaimahi hei whakamārama atu i ngā raruraru kua puta noa. Mehemea he pai ki te kaimahi rāua tahi ko tona tumuaki, e āhei ana ki te whakahaere tonutia ngā whakaritenga i raro i nga tikanga Māori. Anei ra ātahi momo tikanga hei kōwhiringa mā rātou:

He huihuinga kei te marae;

He whakawhiti kōrero kanohi ki te kanohi;

Ka hui mai te whānau hei tuarā mō te katoa; ā

Ka hui mai ngā kaumātua kuia hei arahi hei tohutohu i rātou katoa.

Mēnā ka whakaaetia te kaimahi rāua ko tōna tumuaki o rāua kaihautū rānei, kia oti pai ai te kaupapa, mā rāua mā ngā kaihautu rānei e hainatia ngā whakaaetanga i tūhia. Makaia atu tētahi kape o ngā whakaetanga nei ki te kōnae o te kaimahi.

He māmānoa iho ēnei whakawhiringa mehemea hiahia ana tētahi taha kia waiho tārewa ake ngā tikanga Māori kia huri ke ia ki ēthai (te katoa rānei) o nga whakaritenga, arā 3.3 me 3.4 e whai ake nei. Engari, mehemea ka huri kē atu i ngā tikanga Māori, ehara tērā i te tino raruraru kia oti hē rawa ngā whakaritenga katoa. Ina hoki kia tahuri mai tētahi taha ki ēnei ki 3.3 me 3.4 i raro nei, me tuhituhi hei whakamārama ki tērā atu taha.

Discussions in a Māori Context

The teacher must be advised in writing of the specific matter(s) causing concern. The teacher and employer may, depending on the nature of the complaint, agree to attempt to deal with a complaint by it being heard in a Māori context and manner.

- *A Māori context and manner relates to the following:*
- *Meetings can be held on marae;*
- *There is face to face engagement;*
- *There can be whānau support for all involved; and*
- *Guidance and advice is often provided by kaumātua and kuia for all involved.*

¹⁴ Part 3, section 3.5 of the *Secondary Teachers Collective Agreement*

Should the teacher and employer, or their representatives on their behalf, agree to a resolution of the matter, then this shall be recorded in writing and signed by both parties and/or their representatives on their behalf. A copy of this agreement will be placed on the teacher's personal file.

This is a discretionary option and either party may withdraw at any time, and nothing in this section prevents the employer or the teacher deciding at any time that any or all of the procedures in parts 3.3 or 3.4 will be used. Where either party decides to withdraw from this process, such a decision will not of itself give rise to any claim of procedural deficiency or unfairness. The decision to withdraw from this process and/or for the employer to use any or all the procedures in clauses 3.3, and/or 3.4 will be notified in writing to the other party.

Personal Grievance¹⁵

A personal grievance is a type of employment relationship problem. It must be raised with the employer within 90 days of the date on which the action alleged to amount to a personal grievance occurred or came to the notice of the employee, whichever is later, unless the employer consents to the personal grievance being raised after the expiration of that period.

Part 9 of the Employment Relations Act 2000 makes explicit the grounds which could lead to legal action (a personal grievance) being taken by a teacher against a board. These include unjustifiable dismissal, actions that cause disadvantage (during the teacher's employment), discrimination (by reason of colour, race, ethnic or national origins, sex, sexual orientation, marital status, religious or ethical belief of that teacher, family responsibilities, disability, age, political opinion, employment status, or family status), sexual harassment or duress (on grounds of membership or non-membership of an employee organisation). Personal grievances must be resolved under Part 9 of the Employment Relations Act 2000.

¹⁵ Part 9, section 9.2 of the Secondary Teachers Collective Agreement

Leave

Bereavement/Tangihanga Leave for Death in New Zealand or Overseas¹⁶

Ngā Whakarite Tuku Tangihanga

6.4.1 *Mo te mate i roto o Aotearoa, ki tāwāhi rānei.*

6.4.2 *Ka taea te tuku i tētahi kaiako me te utu anō hoki, kia wātea ki te whakarite i ngā āhukatanga ki te whakatakoto i tōna aroha rānei ki tētahi tupapaku, i tino tata atu mōhiotia hoki e ia. Tērā pea nōna ake, he whanaunga tonu rānei, i raro i ngā āhukatanga a iwi rānei kia tae atu ki tētahi wāhanga, ki te katoa rānei o te wā o te tangihanga, hura kōhatu, ētahi atu tikanga a rite rānei.*

6.4.3 *Nō reira mo tēnei tu ahua tuku, me te roa o te tuku kia wātea, me whai i ngā āhukatanga e whai ake nei:*

- a. *Te tata atu o te kaiako ki te tupapaku (kia mōhio: tēnei tata e kī ana me toto tonu nōu);*
- b. *Mehemea he wāhanga nui tā te kaimahi ki te whakahaere, kāore rānei, i ngā whakariterite mo te tangihanga;*
- c. *Te wā tuku kia wātea e hiahiatia ana, mo ēnei whakahaere, whakariterite hei mahi māna;*
- d. *Me whakaaetia tētahi wā e tika ana mo te haere atu hoki mai, engari mēnā he haere ki tāwāhi kāore pea e whakaritea mo te katoa o te haere, hoki mai anō hoki;*
- e. *Kia tere tonu te whakatau i te tono kia tere ai te wātea o te kaiako ki te whakariterite i ngā mea katoa e pā ana ki a ia. I te nuinga o ēnei tū āhukatanga ka hoatu tonutia te whakaae, engari i etahi wā, kua tae kua hoki mai kē te kaimahi ki te tangihanga, i mua o te hoatutanga i te whakaae mēnā e tika ana;*
- f. *Mehemea kāore e tika ana kia whiwhi i tēnei tuku whakawātea me te utu hoki, tērā pea ka whakaaetia kia tangohia atu i o whakawātea (hararei) a tau, whakawātea mo te kore utu rānei, engari koinei te mutunga.*

6.4.4 *Mehemea ka pā mai he aituā ki tētahi kaiako i te wā o tāna whakawātea a tau, o tāna whakawātea a turoro (me te utu), o ētahi atu whakawātea hirahira (me te utu) rānei, ka taea te whakatārewa i taua whakawātea, kia pai ai te tuku whakawātea tangihanga ki a ia i raro o te ture 6.4.1–6.4.2 i runga ake nei. Kāore tēnei whakaarotanga e tukuna mehemea kāore te kaiako i te utua mo te wā whakawātea.*

Clause 6.4.1 Teachers shall be granted leave with pay to allow a reasonable opportunity to discharge their obligations and/or to pay their respects to a deceased person with whom they have had a close association. Such obligations may exist because of blood or family ties or because of particular cultural requirements such as attendance at all or part of a tangihanga (or its equivalent).

¹⁶ Part 6, section 6.4 of the Secondary Teachers Collective Agreement

Clause 6.4.2 In granting time off therefore, and for how long, the following points must be taken into account:

- (a) The closeness of the association between the teacher and the deceased;
(Note: This association need not be a blood relationship).*
- (b) Whether the teacher has to take significant responsibility for any or all of the arrangements to do with the ceremonies resulting from the death;*
- (c) The amount of time needed to discharge properly any responsibilities or obligations;*
- (d) Reasonable travelling time should be allowed, but for cases involving overseas travel that may not be the full period of travel;*
- (e) A decision must be made as quickly as possible so that the teacher is given maximum time possible to make any arrangements necessary. In most cases the necessary approval will be given immediately, but may be given retrospectively where necessary;*
- (f) If paid special leave is not appropriate then leave without pay should be granted.*

Clause 6.4.3 If a bereavement occurs while a teacher is absent on annual leave, sick leave with pay, or other special leave with pay, such leave may be interrupted and bereavement leave granted in terms of clauses 6.4.1 and 6.4.2 above. This provision will not apply if the teacher is on leave without pay.

These provisions provide for all teachers, regardless of cultural origin, with reasonable time off to meet their cultural and/or family responsibilities. In the case of Māori teachers, it is often necessary to go to the place of death and/or the place where the deceased is lying in state, and to accompany the whānau on their journey home to the ancestral marae, often stopping at marae on the way if the deceased was well known to different communities, prior to the actual tangi taking place. Cultural obligations may include attendance at kawē mate and/or unveiling ceremonies [hura pōhatu] which occur subsequent to the tangi.

Leave for family reasons

A teacher may be granted leave for family reasons subject to meeting the requirements as provided for in clauses 6.5.2–6.5.5 of the STCA.

This leave may be for serious illness, sickness in the home, recurring serious illness or important family or other occasion. The definition of which family members are included and the number of days available depending on the circumstances are included in the STCA.

Cultural Leave¹⁷

Where such leave is approved by the employer teachers participating in recognised cultural activities within New Zealand or outside New Zealand are entitled to leave with pay on the same conditions as for sports leave.

Provided that relieving teachers, except those employed on a casual basis for only a few days at a time, may apply for leave to be granted as for permanent teachers.

Where the board approves leave for Māori or other teachers to participate in such cultural events, leave is on pay. Payment for the relief teacher is paid by the Ministry of Education where the cultural tour is international (an overseas tour or an international event in New Zealand), where the activity is a significant event in an international context and is organised by a recognised national body. Selection should be on a national basis. No additional relief teacher funding will be made available for events where competition does not take place. Boards of trustees must apply to the Ministry in advance with respect to eligibility for reimbursement of salary for the relief teacher.

Study Leave¹⁸

Māori teachers can be encouraged to apply for study leave in order to enhance their skills and gain new areas of expertise. This may enable te reo Māori teachers to acquire knowledge and skills to teach additional subjects where there are insufficient numbers of te reo Māori classes to make up a full-time teacher's programme.

Meetings of Statutory and Local Authorities¹⁹

This clause provides that the employer may grant leave for teachers to attend meetings of statutory, local, Māori and other authorities, such as the New Zealand Māori Council, Māori Women's Welfare League, Tribal Trust Boards, Iwi authorities, and Runanga-A-Iwi. This list is not exclusive and does not define the local and statutory Māori bodies, which can include health, Māori Land Court, Waitangi Tribunal, and other bodies. The board may grant teachers leave with pay plus necessary travelling to attend such meetings. In some circumstances, leave without pay may be granted.

¹⁷ Part 6, section 6.6.5 of the *Secondary Teachers Collective Agreement*

¹⁸ Part 6, section 6.6.6 of the *Secondary Teachers Collective Agreement*

¹⁹ Part 3, section 6.6.8 of the *Secondary Teachers Collective Agreement*

Refreshment Leave²⁰

Full time registered teachers who have attained the Experienced Classroom Teacher level of the Professional Standards shall be entitled (subject to 6.7.2) to take unpaid refreshment leave of one school term after three years in the school or up to one school year after five years in the school.

When a period of refreshment leave has been taken, a further period of qualifying service in the school, from the date of return from leave, is required before the teacher may be considered for further refreshment leave.

Ngā Manu Kōrero²¹

Clause 3.6.1 Ngā whakataetae mō ngā manu kōrero mō ngā kura tuarua. There is a national entitlement of 350 Teacher Relief Days to run the contests together with a national travel provision of \$5,000.00. Travelling time may be allowed in terms of clause 6.9 of this Agreement for teachers attending.

Boards should be aware of the importance to Māori of Ngā Manu Kōrero [the National Māori Speech Competitions] which are organised by Te Huarahi Māori Motuhake [the Māori executive of NZPPTA Te Wehengarua]. There are up to 350 days paid relief for teachers involved in the running of the contests, together with a national travel provision to enable them to attend. Boards can demonstrate support for Māori by ensuring adequate support for teachers involved in the competition. They could promote interest in the competitions by providing support for other Māori and non-Māori teachers to attend the regional competitions as part of professional development

²⁰ Part 6, section 6.7.1 of the *Secondary Teachers Collective Agreement*

²¹ Part 3, section 3.6.1 of the *Secondary Teachers Collective Agreement*

Kapa Haka and Polyfest Relief Provisions²²

Provision is made for staff to attend the prestigious annual Kapa Haka Kura Tuarua National competitions and Polyfest, the largest annual Polynesian Festival. These are important cultural events and significant mana is attached to participating in these events

*Clause 3.6A.1 Kapa Haka Kura Tuarua
Ngā whakataetae mō ngā kapa haka kura tuarua. There is a national biennial entitlement of 100 teacher relief days to organise and coordinate the national biennial contest.*

*Clause 3.6A.2 Kapa Haka and Polyfest Cultural Competitions
Ngā whakataetae mō ngā kapa haka kura tuarua me ngā iwi o Moananui-a-Kiwa*

- (a) From the start of the 2012 school year an additional 30 teacher relief days will be made available annually for teachers to attend Polyfest competitions to support students participating in the competitions.*
- (b) From the start of the 2012 school year an additional 70 teacher relief days will be made available biennially for teachers to attend Kapa Haka competitions to support students participating in the competitions.*

²² Part 3, section 3.6A of the *Secondary Teachers Collective Agreement*

Remuneration

Where a Māori teacher voluntarily relinquishes units which have responsibilities attached to them, it follows that the teacher concerned will no longer carry out those responsibilities.

Māori Immersion Teacher Allowance²³

Clause 4.18.1 All teachers required to use Te Reo Māori, for at least six hours per week, in approved Māori immersion programmes at levels 1, 2 or 3, shall receive an allowance based on the equivalent value of one unit per annum as established by 4.1.1B. This allowance shall be pro-rated for part-time teachers (based on the teacher's total hours).

Clause 4.18.2 The employer shall attest to the eligibility for this allowance according to the Ministry of Education's Māori language resourcing criteria.

Boards will need to attest that Māori is the exclusive language of instruction and communication for a minimum 6 hours weekly, at levels 1, 2 or 3 of the immersion programme, for that teacher to be eligible for the MITA (Māori Immersion Teacher Allowance).

Beginning Teacher Time Allowance²⁴

When a Māori language teacher is in her/his first and second year of teaching, the focus is on practical teaching experience with advice and guidance. A board should not expect her/him to take on the role of appointed or de facto Head of the Māori Department or sole teacher in charge of Māori. If the beginning teacher is the only Māori teacher in the school, it is unacceptable to put the teacher in a position where s/he feels s/he has to take on full responsibility for Māori language and culture in her/his first two years of teaching.

Boards should also ensure that beginning Māori teachers in other subject areas are not placed under pressure to take on additional responsibility for tikanga Māori or pastoral care of Māori students.

Heads of departments beginning teacher time allowance²⁵

Heads of departments have one hour of non-teaching time available per week for each first year teacher to provide curriculum-specific advice, guidance and support. This does not include form time, duty or meetings as they are not considered contact time unless actual teaching of students takes place.

²³ Part 4, section 4.18 of the *Secondary Teachers Collective Agreement*

²⁴ Part 3, section 3.8 of the *Secondary Teachers Collective Agreement*

²⁵ Part 3, section 3.8A of the *Secondary Teachers Collective Agreement*

Specialist Classroom Teacher Allowance²⁶

This role provides professional learning support to teachers in the school that focuses on mentoring and supporting beginning teachers. The purpose is to encourage quality teaching practices. A specialist classroom teacher or specialist teacher (area school) should be a permanently appointed teacher, have at least 6 years teaching experience and have had three successive successful attestations against the professional standards in the relevant Teachers Collective Agreement or overseas equivalent.

Medical retirement²⁷

If a secondary or area school teacher, or a principal in a secondary, primary or area school has a terminal or serious illness that means they can no longer work as a teacher or a principal, they may be eligible for medical retirement. This may be initiated by the employee or the employer.

Retirement savings scheme²⁸

When an employee starts a new job they need to be automatically enrolled in KiwiSaver if they are not already a member and are eligible

Eligibility is as follows:

- aged from 18 to 64 years, full-time
- permanent part-time
- a temporary contract for more than 28 days, or
- as a casual agricultural worker for more than 3 months.

Salary credits for calculating equivalent service²⁹

Salary on appointment depends on qualifications and on credit given for previous service. A teacher's qualification determines the entry point into the salary scale. Service credits are then added to that entry point to determine the teacher's salary on appointment. Teachers may request assessment of improved or additional qualification(s) and/or additional service for salary credit they have completed.

²⁶ Part 3, section 3.8B of the *Secondary Teachers Collective Agreement*

²⁷ Part 3, section 3.12 of the *Secondary Teachers Collective Agreement*

²⁸ Part 3, section 3.13 of the *Secondary Teachers Collective Agreement*

²⁹ Appendix A of the *Secondary Teachers Collective Agreement*

Māori Language Trainees and Te Atākura Graduates³⁰

Boards need to ensure that trained Māori language teachers are paid at the correct salary level, taking into account special service credit, if applicable. Special service credit is given on the basis of one full year's salary credit for every four years from the date the teacher completed his/her compulsory schooling to entry into a recognised teacher training programme. Boards need to ensure that teachers who demonstrate that they are entitled to special salary credit receive it.

Te Atākura Time Allowance³¹

Clause 3.7.1 Te Atākura graduates trained in 1987, 1988, 1989, and 1991 and 1992:

(a) Shall be allocated a time allowance of up to 0.5 FTTE as a special allowance for teachers trained under Te Atākura scheme for the use of their special skills in the areas of Taha Māori, of support for Māori students and for liaison between the school and the Māori community; and at least 0.5 FTTE from the school's normal staffing entitlement.

(b) For clarity, these allowances are in addition to those provided under 5.2.

Te Atākura teachers are allocated up to a 0.5 FTTE (2.5 days per week) time allowance to carry out their Te Atākura responsibilities in the areas of taha Māori, support of Māori students, and liaison with the Māori community. A board receives additional staffing (0.5 of a full-time teacher) for each full-time Te Atākura teacher employed at the school.

The way in which the time allowance for Te Atākura responsibilities is used should be determined through the principal consulting in accordance with tikanga with the teacher and the head of te reo and tikanga Māori. Wider consultation can include the board, a whanau support group, and the Māori community.

Surplus staffing procedures³²

Where the board is required to disestablish teaching positions because of a falling roll, the criteria to be applied is set out in Appendix H³³. The first criterion is "*the curriculum balance and pastoral care considerations*". If a teacher has specific responsibilities in a curriculum area for the learning of Māori students and those responsibilities are part of a stated equal educational opportunity policy or a staffing policy, those responsibilities should be taken into account under the curriculum and pastoral needs criterion.

³⁰ Appendix A, section 1.6 of the *Secondary Teachers Collective Agreement*

³¹ Part 3, section 3.7 of the *Secondary Teachers Collective Agreement*

³² Appendix H of the *Secondary Teachers Collective Agreement*

When the board needs to reduce units, the first criterion to be applied is “*the balance of the distribution of the units within the school*”...taking cognisance of “...*the administrative, curricular and pastoral needs of the school*”.³⁴ Care needs to be taken to ensure that all responsibilities of the unit holders, including those of Māori teachers who hold units, are accurately described on the Curriculum and Pastoral Needs Analysis (CAPNA). The gender and ethnic balance of unit holders may be taken into account if the school has stated policy on the need for this in the particular area under consideration, for example deans’ or guidance positions, or in its Māori language policy or equal employment opportunities programme.

When the board needs to reduce Middle Management Allowances (MMAs), while this is not referred to in Appendix H, the process used in reducing units should be followed. However, the first criterion to be used for MMAs is in most cases *designated curriculum or pastoral management responsibilities*. As with units, care must be taken to ensure that all of the designated curriculum and/or pastoral management responsibilities of teachers, including those of Māori teachers, are listed accurately on the CAPNA.

Similarly, when the board needs to reduce Senior Management Allowances (SMAs), while this is not referred to in Appendix H, the process used in reducing units should be followed. However, the first criterion to be used for SMAs is in most cases *designated curriculum, or pastoral or administrative management responsibilities*. As with units, care must be taken to ensure that all of the designated management responsibilities of teachers, including those of Māori teachers, are listed accurately on the CAPNA.

Note: There is reference to MMAs and Surplus Staffing in Clause 4.3A.9 of the STCA and to SMAs and Surplus Staffing in Clause 4.3B.7.

³³ Appendix H, 1.3(b)(i) of the *Secondary Teachers Collective Agreement*

³⁴ Appendix H, 1.3(b)(i) of the *Secondary Teachers Collective Agreement*

POINTS FOR BOARDS TO CONSIDER

1. Are we confident that all health and safety obligations have been addressed?
2. Have professional development opportunities been considered?
3. Are there robust processes in place to manage conflict?
4. Does the board take into consideration the different leave options and their importance?
5. Is the board aware of processes linked to remuneration and the range of allowances available to staff?

PART B: The Treaty of Waitangi and Relevant Matters

Section One: The Treaty of Waitangi

The Treaty of Waitangi is the keystone to the partnership between Māori and Pākehā in education as in all things. The Government, as a Treaty partner, cannot devolve its Treaty responsibilities to boards, but has a role in monitoring boards as part of the fulfilment of its partnership obligations.

Treaty Articles which have relevance to education are:

ARTICLE TWO, which guarantees to Māori, tino rangatiratanga and the protection of taonga. For Māori, one of these taonga is education. Others are tikanga and te reo Māori.

ARTICLE THREE, which guarantees Māori the rights of British subjects. One of these rights is the right to education.

ARTICLE FOUR, which guarantees the protection of Māori custom. A way of protecting custom includes an appropriate education system which provides avenues for the protection and survival of the Māori language and culture.

In carrying out their good employer obligations, boards of trustees need to take into account the Treaty of Waitangi which guarantees the place of taonga. For Māori, taonga includes language, education, and culture.

Boards should ensure that there is active involvement and participation of Māori in all aspects of school life by ensuring that the values and perspectives of Māori are included in schools and that there is full and proper consultation in policy formation and decision-making. This is to ensure success by Māori through the advancement of Māori education initiatives, including education in te reo Māori, consistent with the principles of the Treaty of Waitangi as required by National Education Goal 9.

Implementation of the Treaty of Waitangi may be demonstrated by:

- consulting with Māori when making policy, to ensure that the values and perspectives of Māori are included in the implementation of policy
- providing an environment where Māori can share in the planning for the education of the students of the school community
- providing equal access to and ensuring to Māori the right to be provided with all educational amenities, resources, and quality teaching
- using methods of teaching and learning which reflect the needs of both cultures
- actively protecting the Māori language and culture, and providing learning opportunities in te reo me ōna tikanga Māori for students and staff.

The following can be considered when employing Māori teachers:

- acknowledging the inseparable relationship that exists between Māori teachers, their hapu and iwi, and the need for the employer to provide the appropriate support
- providing a working environment that promotes understanding, supports and validates the cultural beliefs, aspirations, and practices of the Māori teachers
- maintaining structures and initiatives within the school which provide cultural affirmation of Māori teachers
- providing a cultural training course for all staff which assists in helping non-Māori staff identify the special place Māori hold in New Zealand
- providing opportunities and encouragement for Māori teachers to undertake further training to enable them to seek/attain promotion
- implementing EEO and affirmative action policies
- ensuring that no Māori is victimised or subject to duress for asserting his/her Māoriness.

These suggestions will help boards meet their obligations regarding the aims, aspirations, and the employment requirements of the Māori people, and create greater involvement of the Māori people.

POINTS FOR BOARDS TO CONSIDER

1. Have the staff read the Treaty and worked on understanding its relevance to education?
2. Have the staff and board had training on the Treaty?
3. Do our mission statement and charter reflect partnership goals?

Section Two: Working in partnership to overcome barriers

National Education Goal 2 requires boards of trustees to ensure “...equality of educational opportunity for all New Zealanders, by identifying and removing barriers to achievement”. By working in partnership with the Māori community, hapu, iwi, Māori and non-Māori teachers, boards can identify barriers and work towards eliminating them. In particular, Māori teachers feel a responsibility to help Māori students overcome barriers. When boards meet their obligations to Māori students, they assist Māori teachers by reducing pressure on them.

To identify what the barriers for Māori students are, boards can consult with their Māori community, hapu/iwi, and teachers to identify and analyse barriers to learning and achievement, and develop strategies which address identified learning needs.

Barriers for Māori students may be:

- a school culture and curriculum not reflective of Māori
- teaching and learning which do not accommodate Māori needs
- being a minority in the school population
- acceptance of Māori language and culture at a superficial level (for example, using te reo Māori only at sports and cultural events)
- management processes which assume the right of non-Māori to define which aspects of Māori culture are acceptable, when they will be included, and how they will be implemented
- lack of consultation, or consultation in areas deemed appropriate by non-Māori
- lack of understanding of cultural differences by students and non-Māori colleagues
- student health
- quality of teachers
- racial discrimination

Further barriers to student learning may result from Māori teachers:

- leaving the teaching profession, thereby increasing the shortfall of Māori teachers
- having high workload pressures (perhaps as a consequence of Māori teachers working with problem students who may be placed in the bilingual unit or in Māori language classes, not necessarily because they want to learn Māori but because they are Māori)
- isolation
- being stressed and fatigued
- having unrealistic expectations placed on them by colleagues, senior management, boards of trustees, and the parent community
- being racially discriminated against
- not being consulted

Section Three: Racial Discrimination

Boards should be aware of the types of racial discrimination which exist so that they can develop policies and practices to prevent it from occurring as far as practicable.

Definition of racism

Definition from Human Rights Commission website

“uses biological differences, whether imagined or real, to assert superiority of one group over another – devaluing the ‘other’ – to justify aggression or privilege”³⁵

Types of racism

Institutional racism

Racial discrimination occurs in institutions such as schools where the dominant group is viewed as “normal” and other groups are seen as “abnormal” or “inferior”. Boards need to take care that non-Māori monocultural structures and processes are not viewed as “normal” or “mainstream”, while Māori processes are seen as peripheral or less significant and are, therefore, able to be disregarded.

Collective racism

The existence of group norms which reinforce the idea that anything falling outside the group is “abnormal”. The acceptance of such norms gives rise in schools to unacceptable behaviours such as name-calling.

Individual racism

The beliefs of an individual which lead to discriminatory behaviour towards members of a racial group seen as inferior. This type of racism may exist amongst students, teachers, senior management, and/or board members. Boards need to be vigilant in identifying and eliminating any of the types of racism which occur in the school.

³⁵ De Diop, as cited in UNAIDS/World Health Organisation, 2001, p.10

Section Four: Bill of Rights

In meeting their good employer obligations, boards need to ensure that the rights and freedoms provided in the *New Zealand Bill of Rights Act 1990* are upheld with respect to their Māori employees. The Act applies to the New Zealand Government or any person or body (such as a board of trustees) in the performance of any public function, power, or duty conferred or imposed on it.³⁶

RIGHTS OF PARTICULAR IMPORTANCE TO MĀORI EMPLOYED IN SCHOOLS

1. Democratic and civil rights

(a) **Freedom of thought, conscience and religion**³⁷

"Everyone has the right to freedom of thought, conscience, religion, and belief, including the right to adopt and to hold opinions without interference."

(b) **Freedom of expression**³⁸

"Everyone has the right to freedom of expression, including the freedom to seek, receive and impart information and opinions of any kind in any form."

(c) **Manifestation of religion and belief**³⁹

"Every person has the right to manifest that person's religion or belief in worship, observance, practice or teaching, either individually or in community with others, and either in public or in private."

It is important that Māori are not pressured by boards to alter beliefs and opinions which differ from those of non-Māori.

Different cultural views may lead to misunderstandings between the principal/board and Māori. There needs to be discussion in order to reach a satisfactory outcome. An example of this can be seen in the following incident. A student was found smoking on a marae live-in. Board policy was that students found smoking on a school trip were to be sent home. The teacher in charge decided that the student should be sent home from the marae. Failure to do this could result in disciplinary action against the teacher.

Marae policy was that no one was sent off the marae. Matters were to be sorted out on the marae. The teacher's decision to send the student home offended against marae protocol and put in jeopardy future live-ins on the marae. Resolution was achieved through discussions, with the board policy being amended.

³⁶ Where there are inconsistencies between provisions of the *Bill of Rights Act 1990* and other Acts, the provisions of other Acts take precedence.

³⁷ Part 2, section 13, *New Zealand Bill of Rights Act 1990*

³⁸ Part 2, Section 14, *New Zealand Bill of Rights Act 1990*

³⁹ Part 2, Section 15, *New Zealand Bill of Rights Act 1990*

2. Non-discrimination and minority rights

(a) Freedom from discrimination

- (i) *"Everyone has the right to freedom from discrimination on the grounds of discrimination in the Human Rights Act 1993."⁴⁰*
- (ii) *"Measures taken in good faith for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination that is unlawful by virtue of Part 2 of the Human Rights Act 1993 do not constitute discrimination."⁴¹*

These rights are based on those provided in the *Human Rights Act 1993* and give support to providing positive measures to advance and/or assist minority groups. While the weaker provisions of EEO apply with respect to the employment of teachers, some boards have developed more positive measures to assist Māori, through commitment to the Treaty, provisions in the Charter, and policies which include equal educational opportunity.

(b) Rights of minorities

"A person who belongs to an ethnic, religious, or linguistic minority in New Zealand shall not be denied the right, in community with other members of that minority, to enjoy the culture, to profess and practise the religion, or to use the language of that minority."⁴²

This is an important provision which confirms the right of Māori not to be denied the right to use te reo with other Māori. This would support the right of Māori teachers to write report comments in Māori to Māori students/parents/caregivers.

⁴⁰ Part 2, New Zealand Human Rights Act 1993

⁴¹ Part 2, Section 19, *New Zealand Bill of Rights Act 1990*

⁴² Part 2, Section 20, *New Zealand Bill of Rights Act 1990*

PART C: Funding

Boards should allocate available funding in order to fulfil their policies and their *State Sector Act* 1988 obligations (as outlined in previous parts of these guidelines).

Boards need to ensure that their school receives all funding to which it is entitled from the Ministry of Education. To do this, principals need to ensure they have the necessary documentation and meet deadlines in applying for discretionary funding. The major source of funding is the operations grant. There are other sources of funding which may be available. The resourcing division of the Ministry of Education will be able to help with this.

Operations grant

When budgeting, boards can consider allocating funds from within their operations grant to assist in meeting their obligations to Māori.

Targeted Funding For Educational Achievement (TFEA)

Funding is provided on the basis of socio-economic deciles 1 - 9, with schools identified as decile 1 being the most significantly disadvantaged and those identified as decile 9 being significantly more advantaged. The purpose of the funding is to assist boards to lower barriers to learning faced by students from low socio-economic communities.

Ministry of Education 2013 statistics⁴³ show that approximately 43% of Māori students attended decile 1 - 3 schools and around 17% attended decile 8 – 10 schools, with approximately 5% in decile 10 schools. By contrast, approximately 59% of Pasifika students attended decile 1 – 3 schools and around 13% attended decile 8 – 10 schools. Approximately 8% of European/pākehā attended decile 1 – 3 schools, with around 51% attending decile 8 – 10 schools.

⁴³ Extrapolated from Roll by Decile & Ethnic Group – 1 July 2013, Education Counts 2013, Ministry of Education,, http://www.educationcounts.govt.nz/statistics/maori_education/schooling/6028. The above figures are as at August 2013, and are subject to change by the Ministry of Education

Māori Language Programme Funding [MLP]

Boards are initially funded for the number of students predicted by the school in each Māori Language Programme level. Funding is recalculated once actual numbers of students taught at each level have become available. Language verifiers visit a sample of schools receiving Māori Language Programme funding each year to ensure programmes are funded at the correct level.

Boards of trustees need to ensure that MLP money is used to benefit students in Māori language programmes. Making specific budget provision for Māori language programmes will assist boards with their annual reporting to the Ministry of Education on progress towards meeting their targets for improving Māori education outcomes. Consultation with Māori teachers and the community is desirable in considering these issues.

Investing in Educational Success (IES)

Research has shown that, within schools, the quality of teaching has the biggest influence on student achievement. The IES initiative is designed with this in mind and is intended to help raise achievement by:

- improving teaching practice across New Zealand
- enabling teachers to work together and benefit from each other's knowledge and experience
- helping all children benefit from the skills and knowledge of great teachers from across a group of schools
- helping schools work together so it's easier for children to move through the education system.

Investing in Educational Success is also intended to provide new career opportunities for teachers and principals.

The Ministry of Education will be able to provide more information on how this may be beneficial for your school.

POINTS FOR BOARDS TO CONSIDER

1. Do we monitor how much money the students generate in Māori Language Programme funding?
2. Are Māori language programmes getting an equitable share of funding?
3. Do we consult with Māori about the use of Māori Language Programme funding?

APPENDIX ONE - Papakupu (glossary)

Important Māori concepts - relevant in the employment situation

Aroha (<i>n</i>)	the usual translation <i>love</i> is not an exact equivalent for aroha. Its primary reference is caring, compassionate love for others, especially love for relatives. It is also used to convey sympathy for those in sorrow or trouble; gratitude; and approval.
Āwhina (<i>v.t</i>)	assist; <i>n.</i> assistance, contribution, donation.
Hapū (<i>n</i>)	kinship group, clan, tribe, subtribe - section of a large kinship group.
Hongi (<i>v</i>)	to press noses in greeting, smell, sniff
Iwi (<i>n</i>)	a people, as in te iwi Māori (the Māori people); a large-scale socio-political grouping defined by descent from a named ancestor and usually translated as tribe; bone.
Kaumātua (<i>n</i>)	adult, elder, elderly man, elderly woman, old man
Komiti (<i>v</i>)	to discuss in a committee, form a committee, meet in a committee
Kia ora (<i>int</i>)	hello, cheers, good luck, best wishes
Kapa haka (<i>n</i>)	concert party, haka group, Māori cultural group, Māori performing group
Kotahitanga (<i>n</i>)	unity, togetherness, solidarity
Kōrero (<i>v</i>)	tell, say, speak, read, talk, address
Mana (<i>n</i>)	spiritual power, authority stemming from the indwelling of spiritual power, prestige, the ability to do and get things done

Manaaki (<i>v.t</i>)	show respect or kindness to; care for, look after, especially guests; <i>n.</i> caring in the fullest sense of the word, the expression of aroha.
Manaaki ki te tangata	care for others
Mihi (<i>v</i>)	to greet, pay tribute, acknowledge, thank
Ngā tikanga kōrerorero	discussion in Māori settings
Pākeke (<i>n</i>)	adult, maturity
Pōwhiri (<i>v</i>)	to welcome, invite, beckon, wave, invitation, rituals of encounter, welcome ceremony on a marae, welcome
Rangimarie (<i>s</i>)	to be quiet, peaceful
Reo (<i>n</i>)	voice, language, dialect, tongue, speech
Taha (<i>n</i>)	side, dimension; <i>taha tinana</i> , <i>taha wairua</i> , the physical, this worldly dimension and the spiritual, other-worldly dimension
Tānga (<i>n</i>)	circumstance, time
Tangi/tangihanga (<i>v</i>)	farewelling the dead, process of mourning, to cry, mourn, weep over.
Taonga (<i>n</i>)	treasure, something highly prized, tangible and intangible, animate and inanimate, passed down the generations.
Tikanga Māori (<i>n</i>)	the right Māori ways, rules or guidelines for living generally accepted as tika (straight, direct, just, fair, right, correct)
Tino rangatiratanga (<i>n</i>)	self-determination, sovereignty, domination, rule, control, power.
Waiata (<i>n</i>)	song, chant, psalm.

Wairua (<i>n</i>)	spirit, soul - spirit of a person which exists beyond death. It is the non-physical spirit
Whakamā (<i>a</i>)	used to describe a range of feelings from shyness through embarrassment to shame and behaviour involving varying degrees of withdrawal and unresponsiveness.
Whakapapa (<i>n</i>)	genealogy, genealogical table, lineage, descent
Whānaungatanga (<i>n</i>)	relationship, kinship, sense of family connection - a relationship through shared experiences and working together which provides people with a sense of belonging
Whāea (plural) (<i>n</i>)	
Whaea (singular)	mother, aunt, aunty
Whānau (<i>n</i>)	extended family, family group, a familiar term of address to a number of people - the primary economic unit of traditional Māori society. In the modern context the term is sometimes used to include friends who may not have any kinship ties to other members.
Whēnua (<i>n</i>)	country, land, nation, state

The definitions are a compilation from a number of sources to convey the range of meanings that can be applied to the words in this appendix.

APPENDIX TWO - Checklist

A checklist for the implementation of good employer responsibilities in schools

What follows is a checklist the board may wish to utilise in considering how well the board is carrying out its good employer obligations to Māori. The object is, firstly, to find out where the school is on the continuum of implementation of the Treaty, and secondly, to determine what needs to be done so that the board can meet its responsibilities to Māori.

Consultation and the greater involvement of the Māori people

Profile	
1. What proportion of the total student roll is Māori?	
2. Does the board reflect this same proportion? (See Section 99, <i>Education Act</i> 1989).	
3. How many kōhanga reo graduates do we have?	
4. Do we have a list of tribal affiliations for our students, teachers, and board members?	
5. How many Māori teachers do we have?	
6. What is our style of communication when consulting with Māori?	

Consultation/Community Involvement

	Yes	Action needed?	If so, What kind?
1. Do we have effective communication links and consultation processes through hui with the Māori community?			
2. Do we consult with the Māori community and staff about Māori representation on the board?			
3. Do Māori parents actively support the school and Māori programmes?			
4. Do Māori parents visit the school often?			
5. Do Māori staff and/or the Māori community have an input into who is co-opted to the board in terms of Māori representation?			
6. Do we make provision for and encourage extended family representation when there is a problem affecting a Māori child?			
7. Does the school have any of the following: <ul style="list-style-type: none"> • a Māori network? • a komiti Māori? • a Māori parent support group? • whānau āwhina? • Māori advisory resource people? 			
8. Regarding question 7, are those assisting recognised or rewarded in any way?			
9. Do Māori have input into policies regarding: <ul style="list-style-type: none"> • te reo Māori? • tikanga Māori? • Māori students? • Māori staff? • Māori education? 			

	Yes	Action needed?	If so, What kind?
10. Do Māori parents regularly attend parent report evenings?			
11. Do we visit our local marae?			
12. Do we hold some board meetings on a marae?			
13. Are there role models for Māori students <ul style="list-style-type: none"> • on the staff? • as guest speakers? • on the board? 			
14. Do we make provision for younger and less able students to interact with older and more able students (for example, tuakana-teina, peer tutoring)?			
15. Does our school have its own marae?			
16. Do we have an expectation that Māori students will achieve well at school?			
17. Is the school's physical environment bi-cultural?			

Te reo Māori

	Yes	Action needed?	If so, What kind?
1. Is Māori language used regularly? <ul style="list-style-type: none"> • by office/ancillary/support staff? • by teachers? • by the principal? • by the board? • in assemblies? • in all classrooms? • in newsletters • in public documents? • in school reports? • at meetings? • on signs at school? 			

	Yes	Action needed?	If so, What kind?
2. Are written translations of material provided by the school?			
3. Is the correct pronunciation of te reo Māori part of the school culture?			
4. Does the board/school as a whole offer a Māori language programme?			
5. If the school has kōhanga reo graduates, have we made efforts to continue the students' language with bi-lingual classes/total immersion classes?			
6. Does the board have a policy to meet the needs of students and parents wanting Māori language?			
7. Does the board have a policy to meet the needs of students requesting bi-lingual and total immersion programmes?			
8. Is te reo Māori a core subject?			
9. Is the timetable structured so that it is easy for Māori students to study te reo Māori?			
10. Do school reports allow sufficient space for comments in te reo Māori and English?			
11. Is Māori content spread throughout the curriculum in all classrooms?			
12. Does our resource material reflect Māori perspectives and language: <ul style="list-style-type: none"> • in the library? • in curriculum areas? • on videos? • in computer programmes? 			

Tikanga

	Yes	Action needed?	If so, What kind?
1. Do we welcome visitors according to Māori custom (for example, by including karakia, mihi, kai)?			
2. Does the wider school population participate in pōwhiri/welcomes?			
3. Do we make provision for food and drink for visitors?			
4. Are the costs of welcomes/hospitality funded by the school?			
5. Do the school entrance and environment reflect New Zealand's dual cultural heritage?			
6. Do office/ancillary/support staff greet people in person or on the phone in Māori?			
7. Do we recognise kaumātua and whāea?			
8. Are Māori teachers given release time to carry out cultural obligations?			
9. Do we encourage students to learn the values of their Māori ancestry?			
10. Do we resolve disputes or reach consensus through a process that practices goodwill, patience, and freedom from time constraints.			
11. Is training available for all staff in the areas of cultural awareness and sensitivity?			

Staffing/Appointments/EEO

	Yes	Action needed?	If so, What kind?
1. Are Māori with responsibility for te reo Māori, tikanga, and pastoral care considered for units, MMAs and for appointment to senior positions?			
2. Does the board's appointments policy provide for Māori input into the positions?			
3. Do we implement our EEO programme on an ongoing basis?			
4. Is EEO taken into account in making each appointment?			
5. Are all candidates applying for new positions questioned on their: <ul style="list-style-type: none"> • knowledge of the Treaty? • knowledge of Māori language? • knowledge of things Māori, in particular subject areas? 			
6. Are the expectations of Māori teachers realistic?			

Treaty of Waitangi

	Yes	Action needed?	If so, What kind?
1. Have the staff read the Treaty and worked on understanding its relevance to education?			
2. Have the staff and board had training on the Treaty?			
3. Do our mission statement and charter reflect partnership goals?			

Funding

	Yes	Action needed?	If so, What kind?
1. Do we monitor how much money the students generate in Māori Language Programme funding?			
2. Are Māori language programmes getting an equitable share of funding?			
3. Do we consult with Māori about the use of Māori Language Programme funding?			