



## Employer Responsibility Policy

This policy documents how Tahakopa School Board of Trustees will ensure that it meets its obligations under NAG3 to:

- i. Develop and implement personnel and industrial policies, within policy and procedural frameworks set by the government from time to time, which promote high levels of staff performance, use educational resources effectively and recognise the needs of students;
- ii. Be a good employer as defined in the State Sector Act 1988 and comply with the conditions contained in employment contracts applying to teaching and non-teaching staff.

### **In order to meet these requirements:**

#### **The Board of Trustees develop and implement procedures for:**

- Staff appointment
- Staff appraisal
- Equal employment opportunities (EEO)
- Complaints
- Police vetting
- Protected Disclosure
- Staff Discretionary Leave

#### **The Principal and Staff (*management*) develop and implement:**

- Staff Professional Development
- Staff Appraisal

Date: .....

Chairperson: .....

Principal:.....

### **Staff Appointments Procedure**

**Procedures to follow when appointing staff.** Once a vacancy is established within the school, the board will discuss:

- A timetable to be drawn up with key dates for:
    - closing date for Educational Gazette notice
    - closing date for applications
    - shortlisting meeting
    - interviews
    - notification of successful applicant /unsuccessful applicants
  - The package to be emailed out to prospective applicants will include:
    - covering letter
    - job description
    - description of the school and community
    - application forms
1. Applicants have up to three weeks to apply for the vacancy
  2. As each application is received, the applicant will be notified that they will be contacted in due course.
  3. Once applications have closed the board (or principal in the case of a teacher position) will shortlist the candidates.
  4. The board (or principal in the case of a teacher position) will notify the applicants of their shortlisting and of the date and venue of their interview.
  5. All candidates not shortlisted will be notified that their application was unsuccessful.
  6. The board will draw up a list of interview questions.
  7. The board will assign a time restriction for the interview.
  8. The chairperson (or principal in the case of a teacher position) will notify the successful applicant as soon as possible by telephone.
  9. The successful applicant will have three working days in which to accept the position.
  10. After acceptance, a letter of confirmation will be sent to the successful applicant who will return a confirmation letter in writing.
  11. If the successful applicant does not accept the position, the full board will decide whether the applicant deemed to be second in terms of suitability, will be appointed or whether to re-advertise the position.

### **Appraisal Procedure**

**Procedures to follow for teacher and principal appraisals.**

1. Every staff member will have a Job Description that will be an essential part of the appraisal.
2. The Principal will have an appraiser who is appointed by the Board, who will appraise the Principal against the Professional Standards and the Practising Teacher Criteria.
3. Performance will be appraised in the form of mutually negotiated goals which will be established between the appraisee and appraiser
4. The performance appraisal will be a part of the school's annual plan and as such will be carried out at regular intervals
5. Appraisal of the staff will be the responsibility of the Principal.
6. Appraisal will assist identifying areas for personal development, and be supported by school organisation and budgeting.
7. Staff members will be entitled to assistance to address any areas identified as problem areas in the appraisal
8. All appraisals are confidential to the appraisee, the appraiser and the Principal. The final stage will consist of a signing off sheet which will indicate all of the steps covered and will note key points.
9. The Principal will report to the Board of Trustees on the processes used and outcomes of the Appraisal process.
10. The performance Appraisal system used will be supported by Guidelines outlining the processes involved.
11. Where concerns are raised about competency and the concerns are not overcome, the Principal will instigate appropriate assistance and guidance to help the employee. If this does not lead to a remedy then provisions based on the collective contract will be instigated.

## **Equal Employment Opportunities**

### **Procedures to follow to ensure equal employment opportunities.**

- Vacant staff positions will be advertised as widely as possible through local newspapers and/or an appropriate educational publication so that members of all groups have equal access to recruitment and selection
- Where a panel for selection is appropriate, the membership will be in keeping with the Board's policy by including a racial and gender mix that reflects the local community.
- Interviews will be conducted with sensitivity to any particular individual differences of applicants.
- If they so desire, applicants may have whanau in attendance.
- The most suitable person for the position will be selected after the skills, qualifications, abilities, and aptitudes of each applicant have been measured against the job descriptions and specifications.

### **Complaints Procedure**

#### **Procedures to follow when making a complaint.**

1. All complaints in the first instance should be directed to the Principal or BoT chairperson. These people will endeavor to resolve the complaint.
2. If no satisfactory conclusion is reached the complaint should be submitted in writing to the Board of Trustees.
3. The Board of Trustees will use the guidelines as set out in the Teachers Employment Contract and the NZSTA handbook to ensure that the complaint is investigated thoroughly. Emphasis will be on the following:
  - the need to get both sides of the story
  - the need to establish facts
  - the need to come to a fair decision
4. Parents who have made written complaints will be advised in writing of the Board's findings.  
or  
If necessary, parents who have made written complaints may be invited to meet informally with the Board (or personnel sub committee) to discuss the complaint and action that will be taken.

### **Police Vetting/ Child Protection Procedure**

#### **Procedures to follow for police vetting.**

1. The Education Council checks teachers every three years when they renew their practicing certificate.
2. From 1 July 2015 core workers will be safety checked when they are appointed, and then every three years.  
Volunteers will be safety checked if they might be left alone with children.  
Parents who volunteer to transport students on day trips will also be police vetted
3. From 1 July 2016, new non-core workers starting a job/contract will be safety checked. This includes contactors (and their employees) who work at the school during school hours. (It is expected this is done by their employers, rather than the school. Bus drivers are already vetted by their employing company as are Bible in School teachers.)  
By 1 July 2019 existing non-core workers will have been safety checked, eg the caretaker.
4. The school will ensure that confidentiality is observed. The only person who will read the police vet is the Principal.
5. The Principal will ensure that the subject of the police vet is informed of the results of his/her police vetting. If anything is adverse the subject will be given a reasonable opportunity to validate the information before any action is taken.
6. Any parent not vetted will only be able to have contact with their own child/children unless a vetted adult is present.

### **Protected Disclosures Procedure**

1. If you believe you have information that a serious wrongdoing is occurring (or may occur) within the school and you wish to disclose that information so that it can be investigated you can make a protected disclosure to the Principal.
2. This can be done verbally or in writing. You should identify that the disclosure is being made under the Protected Disclosures Act and provide detail of the complaint (disclosure) and who the complaint is against.

3. If you believe that the Principal is involved in the wrong doing, or has an association with the person committing the wrong doing that would make it inappropriate to disclose to them, then you can make the disclosure to the Chairperson of the Board of Trustees.
4. It is then up to the person you disclose to, to decide if the disclosure constitutes a serious wrongdoing, and that the allegations need investigating. They can decide:
  - a) To investigate the disclosure themselves
  - b) To forward the disclosure to the board or a committee of the board to investigate
  - c) Whether it needs to be passed on to an **appropriate authority**, they will advise that they are investigating the complaint.
5. If you believe that both the Principal and the Board Chair may be party to the wrongdoing or in close relationship with the person/s involved in the wrongdoing you can approach an external "appropriate authority" direct yourself.
6. As noted above, in some circumstances yourself or the person to whom you have made the disclosure could make the disclosure to an appropriate authority. An "appropriate authority" is defined in the Act as including, but not limited to:
  - a)
    - Commissioner of Police
    - Controller and Auditor General
    - Director of the Serious Fraud Office
    - Inspector general of Intelligence and Security
    - Ombudsman
    - Parliamentary Commissioner for the Environment
    - Police Complaints Authority
    - Solicitor General
    - State Service Commissioner
    - Health & Disability Commissioner and
  - b) Includes the head of every public sector organization, whether or not mentioned in paragraph a)
7. Clause b) can mean that in certain circumstances the appropriate authority could be the secretary for Education of the Ministry of Education or the Chief Review Officer of the Education Review Office (ERO).
8. There are three circumstances when you can go directly to the appropriate authority:
  - a) When you believe that the head of the organization is also party to the wrongdoing or has an association with the person, which would make it inappropriate for them to investigate.
  - b) If the matter needs urgent attention or there are other exceptional circumstances.
  - c) If after 20 working days there has been no action or recommended action on the matter to which the disclosure related.

Otherwise you need to go through the internal processes.
9. If the appropriate authority does nothing you could then make the disclosure to the Ombudsman (unless they were the authority you have already disclosed to) or a Minister of the Crown.
10. The Act does not protect you if you disclose information to the media or a member of parliament other than a Minister of the Crown in the circumstances referred to above.
11. If you notify the Office of the Ombudsman verbally or in writing, that you have disclosed or are considering a disclosure under this Act, they must provide information and guidance on a number of matters including those discussed here and the protections and remedies available under the Human Rights Act 1993 if the disclosure leads to victimisation.

### **Staff Discretionary Leave**

#### **Procedures to follow for discretionary leave of staff.**

1. All applications for leave are submitted to the Principal in writing so that the Principal can make a recommendation to the board.
2. All staff members consult their employment contract before making an application
3. Applications for leave for periods of less than five days, which can be reasonably foreseen, are submitted to the Principal at least one month in advance. Leave for periods of five days or more, which can be reasonably foreseen, are submitted to the board through the Principal at least two months in advance. On occasions when this is not possible e.g. sudden serious illness of partner or dependent, the Principal will exercise discretion.
4. Wherever possible, long-term leave of absence commences or ceases at the end of a term

5. When considering discretionary leave, the Principal's recommendation takes account of such issues as the running of the school and past precedent.
6. All decisions are made in a manner that is consistent, and treats all staff fairly and equitably.
7. The maximum leave available to a staff member is one year. Staff not intending to return to school after one year's leave, inform the board of their intention to resign by the end of term three in their year of absence.
8. Extended leave for professional or personal reasons is considered on the merits of the application and the needs of the school.

#### **Staff Development Programme**

- Staff are required to have negotiated and signed job descriptions relevant to the current year.
- The school forward plans on an annual basis and requires setting of staff goals relevant to the school.
- Staff will conduct planning sessions during the year and taking into account needs within the school draw attention to courses they would regard as profitable.
- The number of staff development initiatives is dependent on the allocated budget and the creative thinking of the staff
- Staff Development is designed to enhance the learning opportunities for pupils at our school. The school expects to receive value for its investment.
- The Board of Trustees may approve Teacher Only Days, providing the school is open for the required half days each year.