



# **Governance Kaupapa and Policies**

(2022)



# Pukekohe High School Governance Framework

## A. Introduction, with key legislative requirements, to board governance framework

The board of Pukekohe High School is focused on the ongoing improvement of student progress and achievement within an environment that provides inclusive education. Refer to the *New Zealand Curriculum, Te Tiriti o Waitangi, New Zealand Bill of Rights Act 1990, Human Rights Act 1993, New Zealand Disability Strategy and United Nations Convention on the Rights of Persons with Disabilities.*

To ensure effective school performance, the board is committed to maintaining a strong and effective governance framework that incorporates legislative requirements and good practice.

### Governance and management

The following are the board’s agreed governance and management definitions, which form the basis of its working relationships, policy and processes.

Governance	Management
<ul style="list-style-type: none"> <li>• The ongoing improvement of student progress and achievement; that the school is an inclusive and safe place for all students and staff; that the school gives effect to Te Tiriti o Waitangi are the board’s primary objectives.</li> <li>• The board acts in a stewardship role and is entrusted to work on behalf of all stakeholders. It is accountable for the school’s performance, emphasises strategic leadership, sets the vision for the school and ensures compliance with legal and policy requirements.</li> <li>• Board policies are at a governance level and outline clear delegations to the principal. The board and principal form the leadership, with the role of each documented and understood. The principal reports to the board as a whole with committees used sparingly and only when a need is identified in order to contribute to board work.</li> <li>• The board is proactive rather than reactive in its operations and decision making and does not involve itself in the administrative details of the day-to-day running of the school.</li> </ul>	<ul style="list-style-type: none"> <li>• The board delegates all authority and accountability for the day-to-day operational organisation of the school to the principal who must ensure compliance with both the board’s policy framework and the law of New Zealand (for detail, see operational policies).</li> </ul>

### Education & Training Act 2020

In developing the above definitions for Pukekohe High School, the board is mindful of the sections of the **Education & Training Act 2020** and the **Education (School Board) Regulations 2020** set out below.

The Education & Training Act 2020 came into force on 1 August 2020 and clarifies the governance role of the school board and its primary objectives. Most of the powers and functions of boards are now set out in the Education (School Boards) Regulations 2020, Part B Governance policies



with the principal's role as chief executive specified in section 130 of the Act.

## Education & Training Act 2020 – School boards

### 125 Board is the governing body

- (1) A board is the governing body of its school.
- (2) A board is responsible for the governance of the school, including setting the policies by which the school is to be controlled and managed.
- (3) Under section 130, the school's principal is the board's chief executive in relation to the school's control and management.

### 126 Bylaws

- (1) A board may make bylaws that the board thinks necessary or desirable for the control and management of the school.
- (2) Before making a bylaw, the board must consult its staff, its students (to the extent that the board considers appropriate), and the school community regarding the proposed bylaw.

### 127 Objectives of boards in governing schools

- (1) A board's primary objectives in governing a school are to ensure that—
  - (a) every student at the school is able to attain their highest possible standard in educational achievement; and
  - (b) the school—
    - (i) is a physically and emotionally safe place for all students and staff; and
    - (ii) gives effect to relevant student rights set out in this Act, the [New Zealand Bill of Rights Act 1990](#), and the [Human Rights Act 1993](#); and
    - (iii) takes all reasonable steps to eliminate racism, stigma, bullying, and any other forms of discrimination within the school; and
  - (c) the school is inclusive of, and caters for, students with differing needs; and
  - (d) the school gives effect to Te Tiriti o Waitangi, including by—
    - (i) working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
    - (ii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and
    - (iii) achieving equitable outcomes for Māori students.
- (2) To meet the primary objectives, the board must—
  - (a) have particular regard to the statement of national education and learning priorities issued under [section 5](#); and
  - (b) give effect to its obligations in relation to—
    - (i) any foundation curriculum statements, national curriculum statements, and national performance measures; and
    - (ii) teaching and learning programmes; and
    - (iii) monitoring and reporting students' progress; and
  - (c) perform its functions and exercise its powers in a way that is financially responsible; and
  - (d) if the school is a member of a community of learning that has a community of learning agreement under [clause 2](#) of Schedule 5, comply with its obligations under the agreement; and
  - (e) comply with all of its other obligations under this or any other Act.

### 128 Staff

A board may, in accordance with the [Public Service Act 2020](#), appoint, suspend, or dismiss school staff.

### 131 Board has complete discretion

- (1) A board has complete discretion to perform its functions and exercise its powers as it thinks fit
- (2) Subsection (1) is subject to this Act, any other enactment, and the general law of New Zealand.

## Education (School Boards) Regulations 2020

### 8 Delegation

- (1) A board may, by resolution and in writing either generally or specifically, delegate any of the functions or powers of the board or of a board member to any of the following persons:
  - (a) a board member or members:
  - (b) the principal or any other employee or office holder of the board:



- (c) a committee consisting of at least 2 persons at least 1 of whom is a board member:
  - (d) a person approved by the Minister:
  - (e) any class of persons that comprises any of the persons listed in paragraphs (a) to (d).
- (2) Subclause (1) does not apply to any functions or powers specified in the Act as not being capable of delegation.
- (3) The board must not delegate the general power of delegation.
- (4) A person to whom any function or power is delegated may perform the function or exercise the power in the same manner and with the same effect as if the person were the board or board member (subject to any restrictions or conditions imposed by the board).
- (5) A person purporting to act under a delegation—
- (a) is, in the absence of proof to the contrary, presumed to be acting in accordance with the delegation; and
  - (b) must produce evidence of the person's authority to do so if reasonably requested to do so.
- (6) A person to whom any function or power is delegated may delegate that function or power only—
- (a) with the prior written consent of the board; and
  - (b) subject to the same restrictions, and with the same effect, as if the subdelegate were the delegate.
- (7) A delegation under subclause (1)—
- (a) is revocable at will by resolution of the board and written notice to the delegate (or by any other method provided for in the delegation):
  - (b) does not prevent the board or the board member performing the functions or the exercising the powers:
  - (c) does not affect the responsibility of the board for the actions of any delegate acting under the delegation:
  - (d) is not affected by any change in the membership of the board or of any committee or class of persons.

## Education & Training Act 2020 - Control and management of State schools

### 130 Principal is chief executive of the board in relation to school's control and management

- (1) A school's principal is the board's chief executive in relation to the school's control and management.
- (2) Except to the extent that any enactment, or the general law of New Zealand, provides otherwise, the principal—
  - (a) must comply with the board's general policy directions; and
  - (b) subject to paragraph (a), has complete discretion to manage the school's day-to-day administration as they think fit.



# Pukekohe High School Governance Framework

## Part B: Governance policies - How we work as a board

	Outcome statements	Approved/ reviewed	Next review
1. Board roles and responsibilities policy	The board of trustees is focused on governance that fosters and supports the ongoing improvement of student progress and achievement.	March 2022	Triannually
2. Trustee code of behaviour policy	The board will act in an ethical and respectful manner.	March 2022	Triannually
3. Trustee remuneration and expenses policy	Remuneration and reimbursement of expenses to trustees is transparent, fair and reasonable.	March 2022	Triannually
4. Conflict of interest policy	The board effectively manages actual, potential and perceived conflicts of interest ensuring the integrity of board decisions and reputation of board members.	March 2022	Triannually
5. Chair role description policy	The board is effectively led.	March 2022	Triannually
6. Staff trustee role description policy	The staff representative brings a staff perspective to board discussion and decision making.	March 2022	Triannually
7. Relationship between chair and principal policy	The relationship between the chair and the principal is based on trust, integrity and mutual respect.	March 2022	Triannually
8. Principal performance management policy	A fair and transparent performance management process recognises the professionalism of the principal and the accountabilities of the board.	March 2022	Triannually



# 1. Board roles and responsibilities policy

## Outcome statement

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

## Scoping

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

## Delegations

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

## Expectations and limitations

Board actions		Standards
1. Sets the strategic direction and long-term plans and monitors the board's progress against them.	1.1	The board leads the annual charter/strategic plan review process
	1.2	The board sets/reviews the strategic aims by December
	1.3	The board approves the annual plan and targets and ensures the charter/strategic plan is submitted to the Ministry of Education by 1 March each year
	1.4	Regular board meetings include a report on progress towards achieving strategic aims
	1.5	The charter/strategic plan is the basis for all board decision making
2. Monitors and evaluates student progress and achievement, including students with differing needs.	2.1	The board approves an annual review schedule covering curriculum and student progress and achievement reports
	2.2	Reports are received at each regular board meeting from the principal on progress against the annual plan, highlighting risk/success
	2.3	Information reported to the board is thoughtfully discussed, critiqued and challenged
	2.4	Targets in the annual plan are met, the curriculum policy is implemented and there is satisfactory performance of curriculum priorities
3. Ensures that the school is a safe place for all students and staff.	3.1	All reasonable steps are taken to eliminate racism, stigma, bullying and any other forms of discrimination
	3.2	Students' rights under the <a href="#">Education &amp; Training Act 2020</a> , the <a href="#">New Zealand Bill of Rights Act 1990</a> and the <a href="#">Human Rights Act 1993</a> are honoured
4. Ensures the school gives effect to Te Tiriti o Waitangi	4.1	Plans, policies and local curriculum reflect local tikanga Māori, mātauranga Māori and te ao Māori
	4.2	All reasonable steps are taken to make instruction available in tikanga Māori and te reo Māori
	4.3	Māori students achieve equitable outcomes
5. Protects the special character of the school (State integrated schools/special character schools).  Protects the different character of the school (designated character	5.1	Special character /different character / principle of Te Aho Matua and any special characteristics is obviously considered in all board decisions
	5.2	Special character / different character / principles of Te Aho Matua and any special characteristics report is included at every board meeting as part of the principal's report



schools) Protects the principles of Te Aho Matua and any special characteristics (Kura Kaupapa Māori)		
6. Appoints, assesses the performance of and supports the principal.	6.1	Principal's performance management system is in place and implemented
7. Approves the budget and monitors financial management of the school.	7.1	Budget is approved by the first meeting each year
	7.2	Satisfactory performance of financial management against budget is in evidence
8. Effectively manages risk.	8.1	The board has an effective governance model in place
	8.2	The board remains briefed on internal/external risk environments and takes action where necessary
	8.3	The board identifies trouble spots in statements of audit and takes action if necessary
	8.4	The board ensures the principal reports on all potential and real risks when appropriate and takes appropriate action
9. Ensures compliance with legal requirements.	9.1	New members read and understand the governance framework including policies, the school charter/strategic plan, board induction pack and requirements and expectations of board members
	9.2	New and continuing members are kept aware of any changes in legal and reporting requirements for the school
	9.3	The board seeks appropriate advice when necessary
	9.4	Accurate minutes of all board meetings are approved by the board and signed by the presiding member
	9.5	Individual staff/student matters are always discussed in public-excluded session
	9.6	Board meetings have a quorum
10. Ensures board members attend board meetings and take an active role.	10.1	Board meetings are effectively run
	10.2	Members attend board meetings having read board papers and reports and are ready to discuss them
	10.3	Attendance at 80% of meetings (minimum)
	10.4	No unexplained absences at board meetings (three consecutive absences without prior leave results in immediate step-down – refer <a href="#">Education &amp; Training Act 2020, schedule 23, clause 12 (1) (c)</a> )
11. Approves major policies and programme initiatives.	11.1	The board approves programme initiatives as per policies
	11.2	The board monitors implementation of programme initiatives
12. Approves and monitors human resource policy/procedures, which ensures effective practice and contributes to its responsibilities as a good employer.	12.1	The board becomes and remains familiar with the broad employment conditions that cover employees (staff employment agreements and arrangements)
	12.2	The board ensures there are personnel policies in place and they are adhered to
	12.3	The board ensures there is ongoing monitoring and review of all personnel policies
	12.4	The board reports annually on compliance with its personnel policy on being a good employer (including the equal employment opportunities programme)
13. Deals with disputes and conflicts referred to the board as per the	13.1	Successful resolution of any disputes and conflicts referred is achieved



school's concerns and complaints procedures.		
14. Represents the school in a positive, professional manner.	14.1	Code of conduct is adhered to
15. Oversees, conserves and enhances the resource base.	15.1	Property/resources meet the needs of the school's aims
16. Effectively hands over governance to new board members at election time.	16.1	New board members are provided with induction and a copy of the board's governance manual
	16.2	New board members are fully briefed and able to govern following attendance at an orientation programme
	16.3	Appropriate delegations are in place as per the <a href="#">Education (School Boards) Regulations 2020, regulation 8</a>
	16.4	Board and board members participate in appropriate ongoing professional development

## Legislative compliance

[Education & Training Act 2020](#)

[Education \(School Boards\) Regulations 2020](#)

[Human Rights Act 1993](#)

[New Zealand Bill of Rights Act 1990](#)

[Employment Relations Act 2000](#)

[Public Service Act 2020](#)

[Privacy Act 2020](#)

Reviewed: *March 2022*

Next review: March 2025





## 2. Trustee Code of Behaviour Policy

### Outcome statement

The board will act in an ethical and respectful manner

### Scoping

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

### Expectations and limitations

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

- ensure the needs of all students and their achievement is paramount
- show commitment to school and its vision
- maintain and understand the values and goals of the school
- protect the special character of the school
- publicly represent the school in a professional manner
- act as good employer
- respect the integrity of the principal and staff
- observe the confidentiality of non-public information acquired in their role as a trustee and not disclose to any other persons
- be diligent and attend board meetings prepared for full and appropriate participation in decision making
- ensure that individual trustees do not act independently of the board's decisions
- speak publicly with one voice through board policies and endeavour to ensure that any disagreements with the board's stance are resolved within the board
- in the course of board meetings, disclose any interests in a transaction or decision where they, their family and/or partner, employer or close associate may receive a benefit or gain and leave the meeting for the duration of discussion and/or voting in relation to the matter
- recognise the lack of authority in any individual trustee or committee/working party of the board in any interaction with the principal or staff
- recognise that only the chair (working within the board's agreed chair role description or delegation) or a delegate working under written delegation can speak for the board
- continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
- be open to receiving appropriate professional development.

### Legislative compliance

[Education & Training Act 2020](#)

Reviewed: *March 2022*

Next review: Annually - March 2025



## 3. Trustee Remuneration and Expenses Policy

### Outcome statement

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

### Scoping

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

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

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

### Expectations and limitations

Currently at Pukekohe High School:

- the chair receives \$75 per board meeting
- elected board members receive \$55 per board meeting
- there is no payment for working group/committee meetings
- these honoraria are non-taxable within the agreed "allowed exemptions". Payments of up to \$55.00 for a board member and \$75.00 for the presiding member to attend a board meeting are defined as "expenditure incurred in the production of the payment" and are exempt from withholding tax
- there is a limit on the number of payments for attending meetings in any one year that are exempt from withholding tax. Annual "allowed exemptions" are \$605 per board member (equivalent to 11 meetings per school year at \$55.00 a meeting) and \$825 for the chair (equivalent to 11 meetings at \$75.00 a meeting).
- costs associated with attendance at professional development sessions may be met by the board but prior approval must be sought
- all other reimbursements are at the discretion of the board and must be approved prior to any spending occurring.

### Compliance

[Income Tax Act 2007](#)

[IRD Honoraria payments to school trustees](#)

Reviewed: *March 2022*

Next review: *March 2025*



## 4. Conflict of Interest Policy

### Outcome statement

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

### Scoping

The board shall document and detail any interests, relationships or holdings that could potentially result in a conflict of interest.

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

### Expectations and limitations

All staff and board members will effectively manage conflicts of interest between the interests of the school on one hand and personal, professional and business interests on the other. This includes managing potential and actual conflicts of interest as well as perceptions of conflicts of interest. If a Trustee could have, or could be perceived to have, a conflict of interest in relation to an agenda item, they must declare such conflict or potential conflict at the start of the meeting

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

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

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

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

If so many board members are conflicted that a quorum cannot be formed, the board will form a committee of non-conflicted members with appropriate delegation.

### Procedures/supporting documentation

Financial policies

### Monitoring

Monitored during the Board decision making process. Conflicts of interests declared.

### Legislative compliance

[Education \(School boards\) Regulations 2020](#)

Reviewed: *March 2022*

Next review: *March 2025*



## 5. Chair Role Description Policy

### Outcome statement

The board is effectively led.

### Scoping

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

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

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

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

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

### Delegations

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

In the absence of the chair, the expectations and roles will be delegated to the deputy chair.

### Expectations and limitations

The chair:

- is appointed by election at the first board meeting of the year except in a triennial board election year where it shall be at the first meeting of the board held after the election\*
- acts within board policy and delegations at all times and not independently of the board. The Chair will inform the Board of the decision and reasoning for the decision as soon as practically possible.
- works with the board to develop a cohesive and effective team
- welcomes new board members, ensures that disclosure of any conflicts of interest is made and the code of conduct is understood (and signed) and leads new member induction
- assists board members' understanding of their role, responsibilities and accountability, including the need to comply with the board code of conduct policy
- ensures the work of the board is completed
- sets the board's meeting agenda and ensures that all board members have the required information for informed discussion of the agenda items
- ensures the meeting agenda content is only about those issues that, according to board policy, clearly belong to the board to decide
- effectively organises and presides over board meetings, ensuring that such meetings are conducted in accordance with the Education & Training Act 2020, the Education (School Boards) Regulations 2020, the relevant sections of the Local Government Official Information and Meetings Act 1987 and any board policies and protocols\*
- ensures interactive participation by all board members
- represents the board to external parties as an official spokesperson for the school except for those matters where this has been delegated to another person
- is the official signatory for the board, including for annual accounts\*
- is responsible for promoting effective communication between the board and wider community, including communicating appropriate board decisions
- establishes and maintains a productive working relationship with the principal
- ensures the principal's performance agreement and review are completed on an annual basis
- ensures concerns and complaints are dealt with at the appropriate level, according to the school's concerns and complaints procedures
- ensures any potential or real risk to the school or its name is communicated to the board. This includes any concern or complaint.



\* Legislative requirement

## Procedures/supporting documentation

Governance policies and protocols

Board code of conduct

School delegations list

## Monitoring

Role description reviewed at start of each year and before Chair appointed.

## Legislative compliance

[Education & Training Act 2020](#)

[Education \(School boards\) Regulations 2020](#)

[Local Government Official Information and](#)

[Meetings Act 1987](#)

[Official Information Act 1982](#)

[Privacy Act 2020](#)

Reviewed: *March 2022*

Next review: Month prior to meeting when chair is elected



## 6. Staff/ Student Trustee Role Description Policy

### Outcome statement

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

### Scoping

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

### Expectations and limitations

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

### Procedures/supporting documentation

### Monitoring

### Legislative compliance

Review schedule: Triennially	March 2025
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# 7. Relationship between Chair and Principal Policy

## Outcome statement

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

## Scoping

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

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

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

## Delegations

In the absence of the chair, the expectations and roles will be delegated to the deputy chair.

## Expectations and limitations

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

## Procedures/supporting documentation

## Monitoring

Ongoing monitoring. Reviewed as part of annual Principal appraisal programme.

## Legislative compliance

Reviewed: Triannually

Next review: *March 2025*



## 8. Principal Performance Management Policy

### Outcome statement

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

### Scoping

An annual performance agreement will be established between the board and principal and be in place at the beginning of each school year.

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

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

A budget for professional expenses and for professional development will be established annually in accordance with the principal's professional development plan contained in their performance agreement and be included in the budget. Allocation of funds to this budget will be within the context of the overall annual budget and financial position. Spending within budget is with the approval of the board. Any overseas trips for professional development must be approved by the board of trustees at least one term in advance of the event.

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

### Delegations

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

### Expectations and limitations

- The review process will occur annually, providing a written record of how the principal has performed as per the terms of the performance agreement and identifying professional development needs.
- The principal's performance will be formally reviewed on an annual basis by duly delegated members of the board and, optionally at the board's choice, an independent consultant who specialises in education.
- Those delegated or contracted to perform the review process shall have written formalised instructions specifying the responsibilities of the role.
- There will be three interim reviews, one each term preceding the annual formal review, between the principal and chair or delegate(s) to discuss progress.
- The principal will be reviewed on the criteria set out in the performance agreement – performance objectives, professional standards, learning and development objectives, execution of budget and fulfilment of additional duties that require concurrence payment.
- If the principal and the board disagree on the performance objectives, the board, after considering the principal's input, will amend the disputed objectives or confirm the unchanged objectives. The board's decision will be final.
- A Board decision is made at the end of the year to decide on the cycle for the Principal's Performance Management, to include employment of an external consultant or provider to work with the board on the nature of the process for the following year. The Principal & Board Chair put forward three options for an external consultant including fees, with a recommendation. The Board will then vote on which external consultant or provider to use.
- The process through the performance management cycle will be transparent and seeks feedback from all stakeholders – the whole board, school community, staff and students.
- The final report will be shared in committee with the whole board and frames the direction for goals for the following year. The chair/delegate(s)/consultant will present the final report/summary back to the board with the result of the review. The principal





may/may not be present at the presentation and/but will have the opportunity to address the board. The principal will then exit, and further discussion may continue among the board.

- The principal will be informed personally and in writing of the final outcome following the report discussion.
- The performance agreement and results of the review are confidential to the principal, the board and their agents unless both parties agree to wider distribution.
- The Performance Management Policy reflects and includes the Professional Growth Cycle for principals

## Procedures/supporting documentation

Principal performance agreement

Primary Principals Collective Agreement

## Monitoring

Annual appraisal programme

## Legislative compliance

[Education and Training Act 2020](#) – sections 127 & 130

Reviewed: Triannually

Next review: March 2025



# Part C: Governance Processes and Procedures

## *Ways in which we ensure effective governance*

	Approval date	Reviewed	Next review
<b>1. Meeting protocols</b>	March 2022		
1.1 Public attending board meetings	March 2022		
<b>2. Committee principles</b>	March 2022		
2.1 Student behaviour management committee terms of reference	March 2022		
2.1 Finance committee terms of reference and annual calendar	March 2022		
Human Resources (HR) terms of reference	March 2022		
<b>3. Trustee induction process</b>	-		



## **c1 Meeting protocols**

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

### **Timing of meetings**

- Dates and times of meetings will be set in the board workplan and usually held on the last Tuesday of the month, starting at 6:00pm and finishing no later than 8:30pm.
- A resolution for an extension of time may be moved but will not normally exceed 30 minutes.
- Any business remaining on the agenda at the conclusion of the meeting is transferred to the following meeting

### **Agenda and meeting papers**

- The chair is responsible, in liaison with the principal, for the preparation of an agenda prior to each meeting. The chair will ensure all board members have the opportunity to place items on the agenda.
- The principal is to ensure that secretarial services are provided to the board.
- Agenda items are to be notified to the chair by 9am on the Friday prior to the meeting.
- The agenda and board papers will be circulated to board members on the Friday afternoon prior to the meeting.
- The board should have access to all correspondence. Correspondence that requires the board to take some action should be photocopied/scanned and distributed prior to the meeting. Other correspondence can be listed and tabled so that trustees can read it if required.
- Copies of the agenda for the part of each meeting that is open to the public should be made available at the meeting place for any members of the public.
- Late items will only be accepted with the approval of the board and in rare circumstances where a decision is urgent.
- The order of the agenda may be varied by resolution at the meeting.
- All items in the agenda are to carry a recommended course of action and where appropriate be supplemented by supporting material in the meeting documentation.
- The agenda is to be collated with the items placed in order and marked with an agenda item number.
- Papers requiring reading and consideration will not normally be accepted if tabled at the meeting.

### **Public participation**

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

### **Electronic Meetings**

Regulation 12(3) of the Education (School Boards) Regulations 2020 allows school boards to hold meetings via audio, audio-visual, or electronic communication providing: a. all of the board members who wish to participate in the meeting have access to the technology needed to participate, and b. a quorum of members can simultaneously communicate with each other throughout the meeting. As board meetings are held in public the board will need to ensure community members can access the meetings to observe/ listen.



## Exclusion of the public

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

## Conduct of meetings

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

## Decision-making process

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

## Board resolutions via electronic means (e-resolutions)

Regulation 17 of the Education (School Boards) Regulations 2020 allows school boards to pass resolutions by post, delivery, or electronic communication (email). This can be used by the board to make a resolution where they otherwise would have been unable to meet. Resolutions passed in this way must be unanimously agreed to by all board members currently in office.

If the board is passing a resolution by email, emails from board members assenting to the resolution should be from board members'



known email addresses. This would provide sufficient proof of identification and agreement with the resolution from the board member concerned. It would not be necessary to provide an actual “electronic signature”. Unanimous resolutions passed by electronic means should be included in the schedule of correspondence at the next board meeting. This then becomes part of the board’s official written record and avoids the danger of a resolution being filed away and forgotten about or lost.

## Minutes

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

## Special meetings\*

- A special meeting may be called by delivery of notice to the chair signed by at least one-third of trustees currently holding office.
- A special meeting can be requested by the Chair. This must be supported by at least one-third of the trustees currently holding office and where a conflict of interest is not present.
- Meetings can be held via audio, audio and visual or electronic communication providing:
  - all trustees who wish to participate in the meeting have access to the technology needed to participate, and
  - a quorum of members can simultaneously communicate with each other throughout the meeting.

\* Legislative requirement

## C1.1 Public attending Board Meetings

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

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

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

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This procedure approved by the board of trustees on March 2022:

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## c.2 Committee Principles

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

The Education Act 1989 Schedule 6 (17) gives the board the authority to delegate any of its powers to a special committee, except the power to borrow money.

Board committees:

- are to be used sparingly to preserve the board functioning as a whole when other methods have been deemed inadequate
- can include non-board members but at least one must be a trustee
- may not speak or act for the board except when formally given such authority for specific and time-limited purposes – such authority will be carefully stated in order not to conflict with authority delegated to the principal or the chair
- assist the board chiefly by preparing policy alternatives and implications for board deliberation
- are intended to assist the board and not to advise or carry out the work of staff
- must act through the board and can only recommend courses of action unless they hold delegated authority to act on the board's behalf
- are to have terms of reference drawn up as required, usually containing information as to their:
  - purpose
  - membership
  - delegated authority.

The board of Pukekohe High School currently has the following standing committees

- Disciplinary committee
- Finance
- Human Resources (HR)

Any other committees established for special purposes should conform to the above principles.

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This procedure approved by the board of trustees on March 2022:

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# c2.1 Student Behaviour Management Committee Terms of Reference

## Purpose

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

## Committee members

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

## Delegated authority

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

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

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

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Review schedule: Triennially

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## **c2.2 Finance Committee Terms of Reference**

### **Purpose**

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

### **Scoping**

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

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

### **Delegated authority**

The finance committee is responsible to the board for:

- recommending, in association with the principal, an annual operating and capital budgets
- determining the level of budgetary discretion available to the principal
- monitoring and reporting on the annual budget via the principal
- reviewing on behalf of the board accounts passed for payment by the school
- advising on additional funding sources
- assisting the principal to prepare a financial results report, where appropriate, which is to be provided to the board by the principal at every board meeting
- recommending changes to financial policy
- overseeing the preparation of the annual accounts for board approval
- assisting the principal in reporting financial performance to parents and the community
- providing input into the school's strategic plan
- preparing special reports for consideration by the board
- annually reviewing the school's risk management needs and insurance cover
- assessing and making recommendations to the board on requests for spending on individual items outside of budget.

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Review schedule: Triennially

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## Finance committee annual calendar

Date	Action required
28 February	Finance committee self-review and plan for the year.
31 March	Annual accounts prepared and forwarded to the auditors.
30 April	Annual review of 10-year property plan completed by the property committee and available as an input document for budgeting purposes. Note that this should also encompass normal cyclical maintenance and capital works.
31 May	Community reporting on financial performance.
30 June	Ensure any issues raised by the auditor have been addressed.
31 August	Annual review of risk management needs and insurances.
30 September	Annual plan available as an input document for preparation of the budget.
31 October	Initial annual budget recommendations submitted to the board.
30 November	Revised annual budget (if required) submitted to the board for approval.

Review schedule: Triennially



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## **c2.3 Human Resources (HR) Committee Terms of Reference**

### **Purpose**

The HR committee is formed to ensure that the board manages its responsibilities as an employer and shall have the power to meet and consider any serious conduct issues that are referred to it by the Principal under clause 3.4.3 of the STCA

### **Scoping**

The board of trustees has overall responsibility for the employment and management of human resources for the school but delegates the day-to-day management to the principal. The HR sub-committee shall have the power to meet and consider any teaching staff complaints that are referred to it by the Principal under Part 10 & 11 of the Primary Teachers Collective Agreement. The staff representative is ineligible to be member of this Committee.

### **Delegated authority**

The finance committee is responsible to the board for:

- The HR Committee may also review any penalties imposed on a staff member, at the request of that staff member or their representative.
- The HR Committee may commence disciplinary procedures, including an investigation, convene a disciplinary hearing, and issue sanctions including warnings or the termination of employment, without further recourse to the Board.
- The Committee may also suspend staff during an investigation or disciplinary process, or review the suspensions of staff by the Principal, and decide to confirm, revoke or otherwise deal with the suspension.
- The HR Committee will report to the Board.

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Review schedule: Triennially

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# Trustee Induction Process

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

- where and when they can pick up their governance folder
- the suggested date of the induction
- an outline of what will be covered in the induction meeting
- the date of the next board meeting
- chair and principal contact details.

New trustees will be issued with a governance manual (either electronically or in hard copy) containing copies of the school's:

- strategic and annual implementation plans
- policies
- current budget and capital budgets
- last ERO report
- last annual report
- triennial board workplan
- minutes of the last three open board meetings
- any other relevant material.

New trustees will be invited to attend an induction, facilitated by the chair or delegate, which will include:

- explaining board policy and other material in the governance folder
- code of behaviour – trustees to sign and agree to work within the board's code
- overview of the requirements of the board chair role with reference to policy
- introduction to the strategic plan and explanation of its importance
- summary of any opportunities or risks facing the board
- professional development from NZSTA
- overview of first board meeting – election of board chair, delegations.
- Introduction to financial management from the school's financial services provider.

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

The principal will conduct a site visit of the school.

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

After 3 months on the board, the effectiveness of the induction process is to be reviewed by the chair with the new members. The review will include the following aspects:

- Did you feel welcomed onto the board?
- Did you receive all necessary information in a timely manner?
- Did you find the induction with the principal and chair to be effective?
- How we could improve this induction process: