



## **NOTICE OF MEETING 2022**

**A meeting of the Pukekohe High School Board of Trustees  
will be held at 6pm, 21 November 2022 in the staff room**

# **AGENDA**

## **OPEN MEETING**

### **Welcome from Principal and Karakia**

- |   |               |
|---|---------------|
| <b>1 Apologies</b>  | <b>2 min</b>  |
| <b>2 Declaration of Conflict of Interest</b>  | <b>2 min</b>  |
| <b>3 Confirmation of Previous Minutes</b><br><i>Minutes of the Pukekohe High School Board of Trustees dated 25 October 2022 have been circulated to all Trustees.</i>                             | <b>3 min</b>  |
| <b>4 Correspondence</b><br>Nil  | <b>2 min</b>  |
| <b>5 Extraordinary Business</b><br>Nil  | <b>2 min</b>  |
| <b>6 Standing Items</b>   | <b>20 min</b> |
| <b>6.1 Financial Report</b>   |               |
| <b>6.2 Principal's Report</b><br><br>Recommendation:<br><i>'That the Pukekohe High School Board of Trustees provides a letter in support of the development of a whare-kura within Pukekohe.'</i> |               |
| <b>6.3 Property, Health and Safety Report</b>   |               |
| <b>6.4 Staff Representative Verbal Report</b>   |               |
| <b>6.5 Student Representative Verbal Report</b>   |               |
| <b>7.0 Items for Decision</b>   | <b>20min</b>  |
| <b>7.1 Policy Review Cycle</b><br>Recommendation:<br><i>'That the Pukekohe High School Board of Trustees endorse the attached policy structure and plan for review of individual policies'.</i>   |               |
| <b>7.2 Complaints Policy</b><br>Recommendation:<br><i>'That the Pukekohe High School Board of Trustees endorse the attached policy structure and plan for review of individual policies'.</i>     |               |

### **7.3 Discipline Process Review**

Recommendation:

*'That the Pukekohe High School Board of Trustees:*

- *Organise a student disciplinary committee training activity involving senior staff and Trustees.*
- *Requests that the Principal, work with senior management to review the history of all students suspended and allowed to return to school with conditions; and report back in early-2023 with data about the following:*
  - *Conditions that were effective.*
  - *Conditions that are supported by staff.*
  - *Conditions that were not effective or were unenforceable.*
  - *Confirmation of compliance with conditions.'*

### **8 Items for Information**

Nil

**2 min**

### **9 Meeting Closes approx.**

**8.00pm**

**Next Meeting: 19 December 2022**

## **6 Standing Items**

### **6.1 Financial Report**

#### **Commentary on October 2022 Financial Statements**

1. Below are the October 2022 income & expenditure statement, balance sheet and 3 graphs showing surplus vs budget, working capital vs budget and the staff banking figure as at 30 September 2022.
2. In summary the month's YTD surplus is \$93,244 (September \$88,513) against budgeted surplus of \$72,734.
3. Variances to budget worth noting are:

#### **Income**

##### **Government Grants**

Teachers Salary Grant still up on budget but matched by extra Teachers Salary and relievers costs. Operations Grant got a huge boost with extra funding to pay for the Admin staff equity pay claim. The money went on rather large increases in Admin staff pays and backpay for one year back to August 2021. The backpay alone was \$100k.

##### **Sports net income.**

We are chasing up sports fees for quite a number of students. We paid entry fees out front as usual to enter summer tournaments etc and the money is coming in now. November should show a better figure.

##### **Expenditure**

Staffing costs are well above budget but matched by Government Grants mentioned above.

##### **Staff banking.**

Staff banking is now down to \$73k in our favour from over \$100k but heading down to zero by year end as it should.

#### **4. Balance Sheet**

Working capital is well down on last month's figure of \$585k mainly because in October we paid out \$160k for computers which the Board approved a couple of meetings ago. This is a lot more than the \$40k or so we usually pay out for fixed assets each month.

#### **5. 2023 Draft Budget**

The Draft 2023 Annual Budget and set of notes is included as Attachment A. The budget is not confirmed yet and this an opportunity for Trustees to review it and to ask questions.

## Income and Expenditure Report

### For the 10 months ended 30 October 2022

	Actual May \$	Actual YTD \$	YTD Budget \$	Variance Actual \$	Variance %
<b>Income</b>					
<b>Government Grants</b>					
Operations Grant	614,300	4,272,979	3,836,690	436,289	11
Teachers Salary Grant	755,647	8,050,694	7,753,850	296,844	4
Use of land & buildings	266,667	2,666,670	2,666,670	-	-
	<b>1,636,614</b>	<b>14,990,343</b>	<b>14,257,210</b>	<b>733,133</b>	<b>5</b>
<b>Locally Raised funds</b>					
Donations/Fundraising/Activities	(1,593)	5,152	3,580	1,572	44
Sport Income/exp	(1,431)	(28,505)	707	(29,212)	4,132
Other activities inc/exp	22,677	140,666	140,414	252	(0)
	<b>19,653</b>	<b>117,313</b>	<b>144,701</b>	<b>(27,388)</b>	<b>(19)</b>
			-		
<b>International Students</b>	<b>(4,379)</b>	<b>20,499</b>	<b>56,238</b>	<b>(35,739)</b>	<b>(64)</b>
<b>Investment income</b>	<b>1,377</b>	<b>5,926</b>	<b>4,170</b>	<b>1,756</b>	<b>42</b>
<b>Total Income</b>	<b>1,653,265</b>	<b>15,134,081</b>	<b>14,462,319</b>	<b>671,762</b>	<b>5</b>
<b>Less expenses</b>					
<b>Learning Resources</b>					
Staff Expenses	201,315	1,947,379	1,580,846	366,533	23
Teachers Salary-MOE funded	795,429	7,977,461	7,753,850	223,611	3
Curricula	34,413	398,648	458,790	(60,142)	(13)
Curricular Other	24,080	50,596	42,153	8,443	20
	<b>1,055,237</b>	<b>10,374,084</b>	<b>9,835,639</b>	<b>538,445</b>	<b>5</b>
<b>Administration</b>					
Staff expenses	122,436	654,594	552,287	102,307	19
ICT	21,607	213,813	198,840	14,973	8
General/Consumables/Legal	250	27,013	28,790	(1,777)	(6)
BOT Expenses	3,410	24,768	29,220	(4,452)	(15)
Communication	1,297	29,717	33,670	(3,953)	(12)
Audit/Accounting	-	1,880	10,239	(8,359)	(82)
Risk Management	3,915	22,547	17,630	4,917	28
	<b>152,915</b>	<b>974,332</b>	<b>870,676</b>	<b>103,656</b>	<b>12</b>
<b>Property</b>					
Use of land & buildings	266,667	2,666,670	2,666,670	-	-
Caretaking/Cleaning	17,392	176,714	162,160	14,554	9
Staff expenses	12,315	155,588	165,750	(10,162)	(6)
R&M/Cyclical Maintenance	12,561	127,350	135,480	(8,130)	(6)
Heat, Light and Water	22,132	124,082	104,500	19,582	19
Grounds	7,689	41,127	41,760	(633)	(2)

Security	2,595	14,498	15,450	(952)	(6)
	<b>341,351</b>	<b>3,306,029</b>	<b>3,291,770</b>	<b>14,259</b>	<b>0</b>
<b>Finance Costs</b>	<b>762</b>	<b>9,823</b>	<b>6,160</b>	<b>3,663</b>	<b>59</b>
<b>Depreciation</b>	<b>39,570</b>	<b>376,569</b>	<b>385,340</b>	<b>(8,771)</b>	<b>(2)</b>
	<b>40,332</b>	<b>386,392</b>	<b>391,500</b>	<b>(5,108)</b>	<b>(1)</b>
				-	
<b>Total Expenditure</b>	<b>1,589,835</b>	<b>15,040,837</b>	<b>14,389,585</b>	<b>651,252</b>	<b>5</b>
				-	
<b>Surplus/(Deficit)</b>	<b>63,430</b>	<b>93,244</b>	<b>72,734</b>	<b>20,510</b>	<b>28</b>

## Pukekohe High School

### Statement of Financial Position As at 30 October 2022

	<b>2022 Actual \$</b>	<b>2022 Budget \$</b>	<b>Sep Actual \$</b>
<b>Current Assets</b>			
Cash and Cash Equivalents	1,880,131	817,201	913,966
Accounts Receivable	117,668	140,938	132,889
Investments	85,357	85,573	85,644
Receivables salary grant	73,233		100,682
Prepayments	13,386	10,032	11,398
GST	0	28,758	11,603
Inventories	3,797	3,797	3,797
	<b>2,173,572</b>	<b>1,086,299</b>	<b>1,259,979</b>
<b>Current Liabilities</b>			
Govt Grants in Advance	719,070		56,935
Accounts Payable	152,944	51,509	67,902
GST payable	143,387		
International Student Funds	81,635	149,993	85,686
Student Funds received in Advance	37,410	22,646	36,098
Provision for Cyclical Maintenance-Current	91,799	80,102	86,509
Finance Lease Liability - Current	100,983	92,327	103,088
MOE Property Projects	333,639	(20,267)	200,704
Wages leave accrual/learning account/Banked staffing	37,771	37,771	37,771
	<b>1,698,638</b>	<b>414,081</b>	<b>674,693</b>
<b>Working Capital Surplus/(Deficit)</b>	<b>474,934</b>	<b>672,218</b>	<b>585,286</b>
<b>Non-current Assets</b>			
Property, Plant and Equipment	2,430,513	2,126,142	2,331,404
	<b>2,430,513</b>	<b>2,126,142</b>	<b>2,331,404</b>

**Non-current Liabilities**

Provision for Cyclical Maintenance	190,706	190,706	190,706
Finance Lease Liability	117,804	172,481	133,783

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	308,510	363,187	324,489
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**Net Assets**

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	<b>2,596,937</b>	<b>2,435,173</b>	<b>2,592,201</b>
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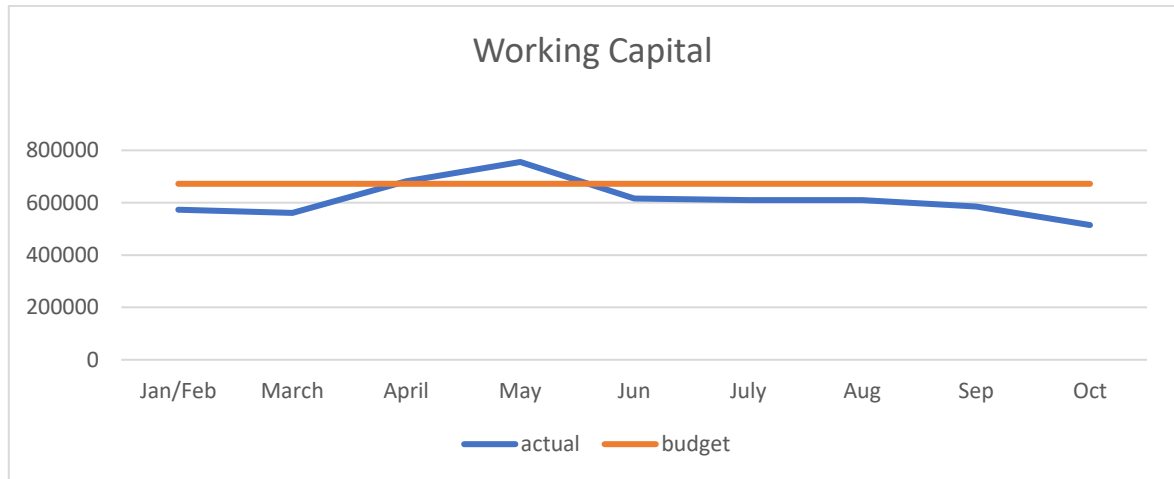
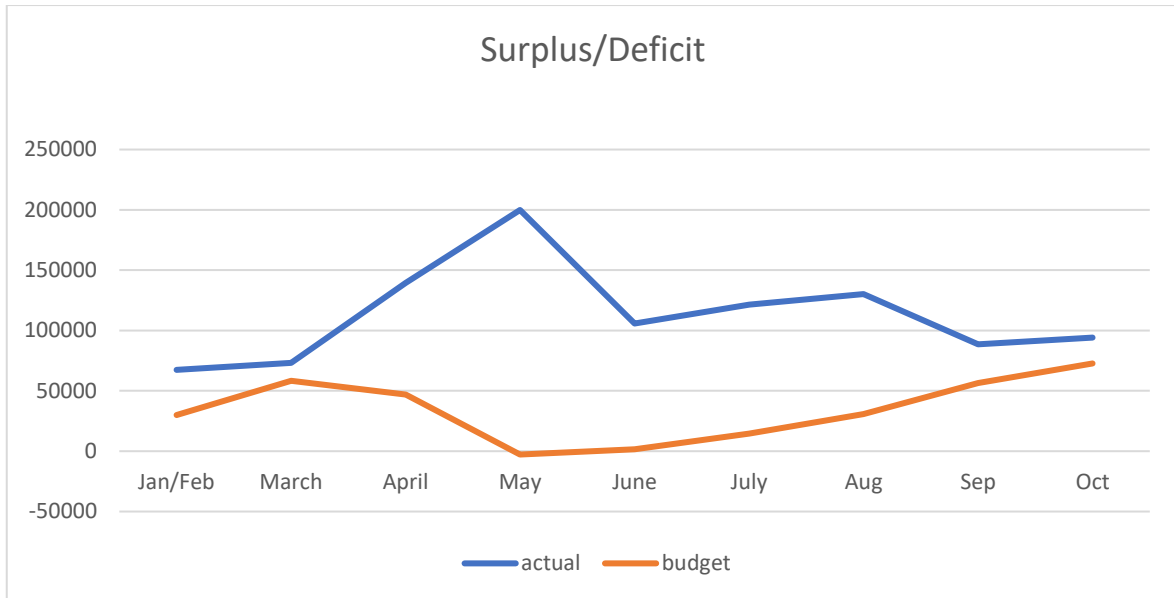
**Equity**

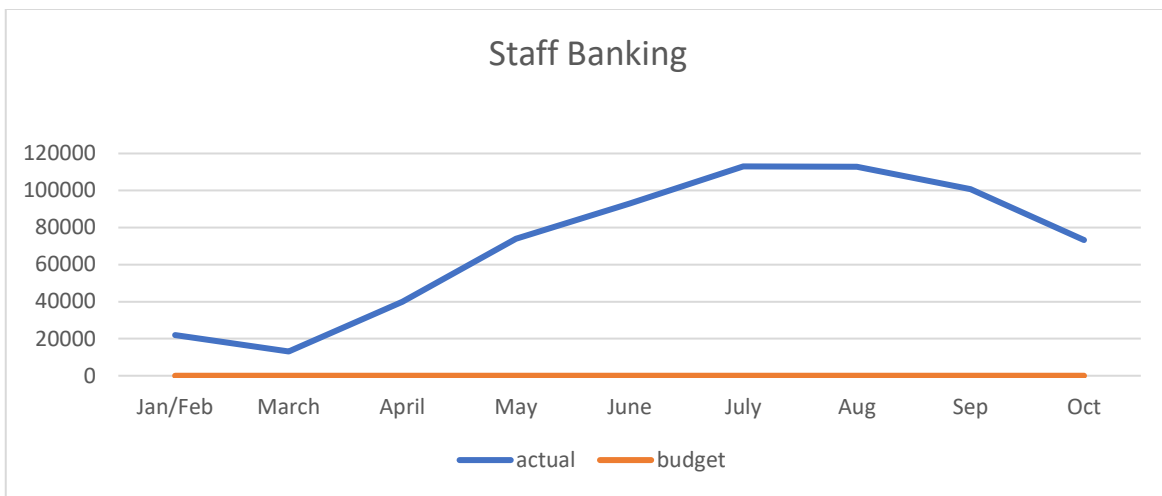
Accumulated Funds	2,344,340	2,381,820	2,344,335
Furniture Grant	159,353	50,000	159,353
Surplus/(deficit)	93,244	3,353	88,513

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	<b>2,596,937</b>	<b>2,435,173</b>	<b>2,592,201</b>
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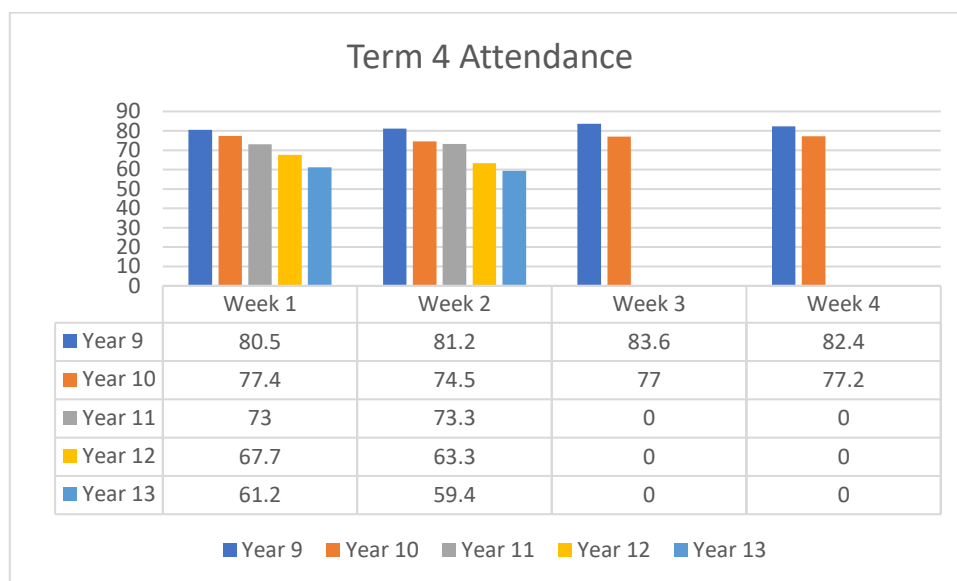
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## 6.2 Principal's Report

### Attendance



Years 11, 12 and 13 students' study leave commenced at the end of week two on 28th October. Week 3 of the Term consisted of a study hub programme of extra tutorials for Senior students in preparation for their NCEA examinations.

### Learning without Limits: Impactful Partnerships

#### Senior Prizegiving

Our Senior Prizegiving was held on Thursday 3rd November in the Pukekohe War Memorial Town Hall. This was the first time this event has been able to be held since 2019 due to COVID-19. The event was well-attended by our students and whānau, with the venue full to its capacity of 800 people. Having an opportunity to celebrate the success of our Senior students with their whānau was an important step to re-establishing connection post lockdowns and restrictions.

#### Music Showcase

On Wednesday 26<sup>th</sup> October, our music faculty held a showcase performance for whānau and community of the wide variety of talent, groups and opportunities available for our students at Pukekohe High School. This was held in the school hall, and was well attended by whānau of our students.

## **Unveiling of pou and new House names**

On Tuesday 8<sup>th</sup> November, we had a dawn ceremony to unveil five pou, each one representative of a school house. They were carved by Master carver Ted Ngataki (Order of Merit). This was a culmination of a two-year process of planning and consultation. The new House names are Puuriri, Maatai, Tiitoki, Maahoe, Maanuka. These are trees that were plentiful within our rich Pukekohe soils. Each tree has specific properties and strengths which we will build on to create the identity of each House.

## **Ngā Kura ā Iwi o Ngā Hau e Whā**

I met with Charlie Tuhua, who is leading a committee attempting to establish a whare-kura in Pukekohe. Currently there is no Māori Medium Pathway for students within Pukekohe beyond Year 8. He is putting together a proposal for the Minister of Education and is seeking support from local High Schools.

## **Learning without Limits: Inspiring Environment**

### **School Spirit**

Now that we have been gifted new House names, the process of deciding which name fits each House colour is taking place. This is involving student research into the properties of each tree, and student/staff/community ideas. This decision will be made before the school term ends so that in 2023 we can launch the new Houses with our students and focus on House and school pride and events. Our Amokura/Head students were announced at Senior Prizegiving. We have also introduced a system of student House Leaders, and have elevated those leadership positions to provide opportunities for our students to drive school spirit.

### **Glasgow Road Lease**

Our Business Manager and myself met with the Ministry of Education Property Manager for our area. We have submitted the Third Party License to Occupy application to the Ministry of Education and are waiting for the outcome.

### **Strategic Grants**

We are working to develop our strategy to secure community grants and funding in order to increase revenue to enable us to provide additional campus and curriculum resources. We have established an internal role of Grants Officer on a part-time basis. This person is working to develop a cohesive strategy and has been investigating the use of external support in the process of applying for and accessing both government and philanthropic grants.

## **Learning without Limits: Empowering Curriculum**

### **Teacher Accord Days**

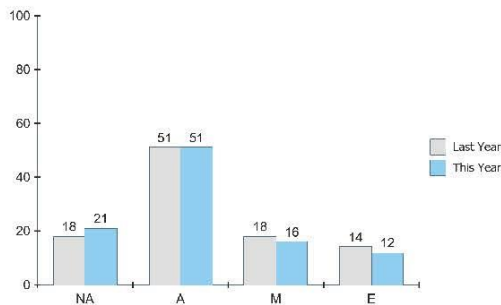
On Friday 4<sup>th</sup> and 11<sup>th</sup> October we had the last of our PPTA Accord days. During this day, staff attended professional learning sessions regarding Mana Orite and upcoming changes to the NZ curriculum. Sessions were led by Dr Robert Bartholomew, Matua Ted Ngataki, and the Ngāti Tamaoho Education department. Our Literacy lead team have also been developing our whole-school approach to the teaching of literacy skills in preparation for the new literacy standards which will be introduced in 2024.



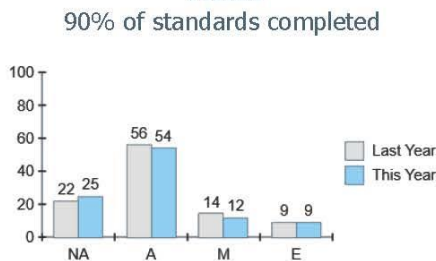
# NCEA achievement data

## NCEA Data Analysis 2022 Internals

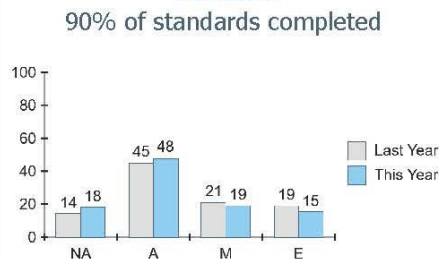
### All Students 90% of standards completed



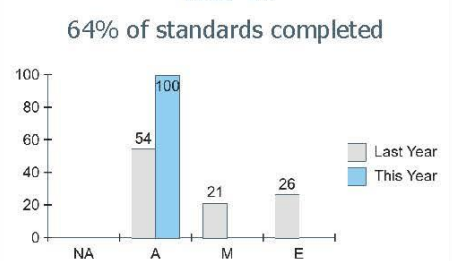
### Males 90% of standards completed



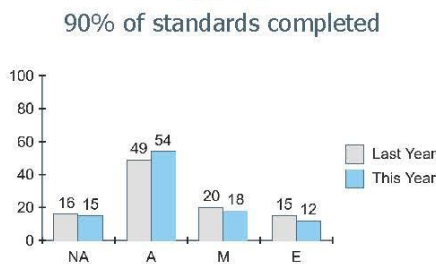
### Females 90% of standards completed



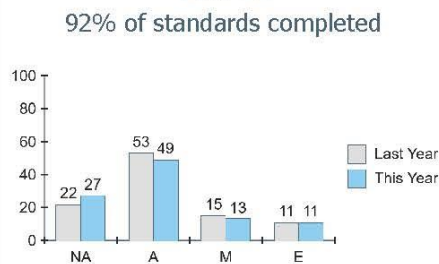
### Year 10 64% of standards completed



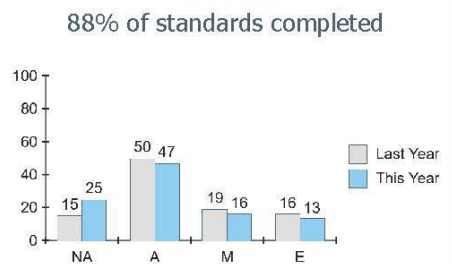
### Year 11 90% of standards completed



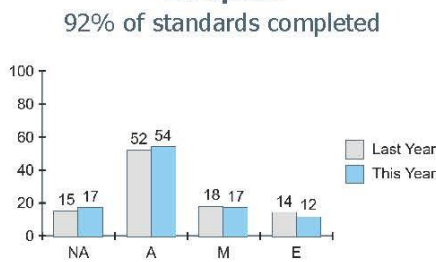
### Year 12 92% of standards completed



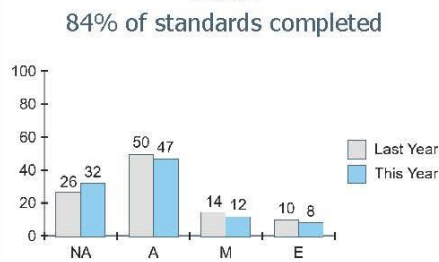
### Year 13 88% of standards completed



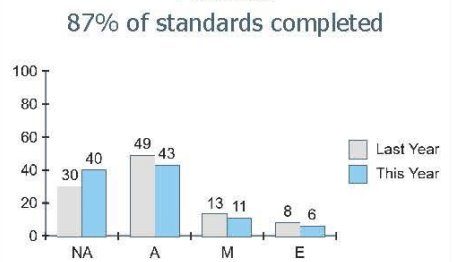
### European 92% of standards completed



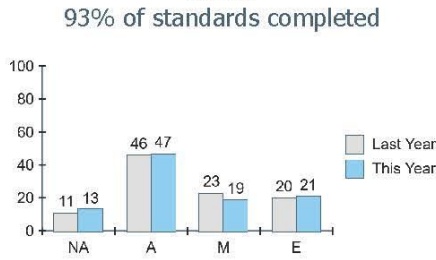
### Maori 84% of standards completed



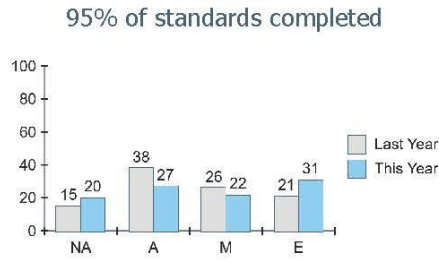
### Pasifika 87% of standards completed



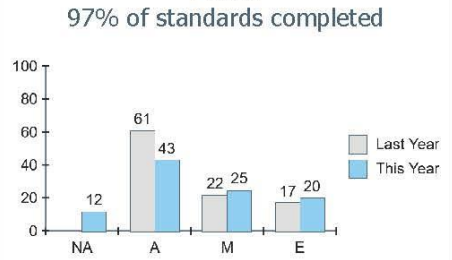
### Asian 93% of standards completed



### MELAA 95% of standards completed



### Other 97% of standards completed



## 6.3 Property Health & Safety Report

### Property, Health & Safety Report September 2022

#### PROPERTY

##### **New courts project.**

The new metalled carpark is in place and remedial work to surrounding field is just about complete.

##### **Massey Block Roof Project.**

As per previous months we are still waiting for final payment for this.

##### **New 10YPP.**

- Massey Block toilets. We had to defer the meeting with the architects due to Richard's absence.
- Electrical upgrade. The engineer has drawn up the plans and is also coming back in late December to test the system particularly in the Masse block. That will then give certainty as to the capacity of the system. We have had a lot of requests for heat pumps for classrooms in the block and the test will let us know how many if any we can install.

##### **Glasgow Road.**

Rachel and I met with Brenda Roberts, MOE Property Advisor to discuss the school's condition assessment and Glasgow Rd. We have filled out a new Licence to Occupy form and sent in to MOE for approval. Brenda said she supports the request so that will help our cause.

#### HEALTH & SAFETY

- There have been no major injuries since the last report.

## 7.1 Policy Review Cycle

<b>Title</b>	<b>Policy Review Cycle</b>
<b>Date</b>	<b>18 November 2022</b>
<b>Prepared By</b>	<b>Simon Williams</b>
<b>Approved By</b>	<b>Ben Stallworthy, Chair</b>
<b>Recommendation</b>	<b>That the Pukekohe High School Board of Trustees endorse the attached policy structure and plan for review of individual policies</b>

#### **Introduction**

Good governance is a key objective of the Pukekohe High School Board (the Board) and this report provides an overview of the school's policy framework and a plan for review of its policies during the Board's term.

#### **Analysis**

All school boards have a responsibility to regularly review their policies. A robust review process includes ensuring that staff, students and the school community:

- **Understand how policies support the school's objectives and integrate with each other.** This information is provided in Attachment A to this report titled 'Pukekohe High School – Policy Structure'. The document lists the school's active policies and shows how they National Administration Guidelines (NAG).
- **Can participate in reviewing policies.** Attachment B titled 'Pukekohe High School – Policy Review Cycle' provides a plan for reviewing and updating policies. The information allows Trustees and members of the school community to plan ahead and consider their positions on policy matters before the Board discusses a specific policy.

The overall aim is that the School improves the quality of consideration when reviewing its policies. An additional benefit is that the people effected by School policies (staff, students) are engaged in the process and are well-informed about their obligations and responsibilities.

## 7.1 Attachment A Policy Structure

# Pukekohe High School -Policy Structure



Pukekohe High School governance framework and charter are key documents that set both the model of governance to be implemented as well as the schools strategic direction. The following policies at the operations policies that the board wishes to have some control over.

NAG 1- Curriculum	NAG 2 - Self Review	NAG 3- Personnel	NAG 4 - Property & Financial	NAG 5 - Health & Safety	Legislation
<b>Policies</b>					
<b>Curriculum delivery</b> (2020)	<b>Planning &amp; Reporting</b> (2021)	<b>Personnel</b> (2021)	<b>Financial Planning &amp; Condition</b> (2020)	<b>Health &amp; Safety</b> (2020)	<b>Enrolment</b> (2021)
<b>Student Devices</b> (2021)	<b>Conflicts of Interest</b> (2021)	<b>Appointments</b> (2021)	<b>Theft &amp; Fraud prevention</b> (2020)	<b>Education Outside the Classroom</b> (2022)	<b>Uniform</b> (2021)
<b>Staff Devices</b> (2021)		<b>Principal Responsibilities</b> (2022)	<b>Asset Protection</b> (2020)	<b>Child Protection</b> (2020)	International Students
		<b>Performance management &amp; Professional Growth</b> (2022)	<b>Credit card</b> (2020)	<b>Concerns &amp; Complaints</b> (2020)	<b>Attendance</b> (2021)
		<b>Timetable</b> (2022)	<b>Sensitive Expenditure</b> (2020)	<b>Protected Disclosures</b> (2021)	
			<b>Protection and sharing of intellectual property (Creative Commons)</b> (2021)	<b>Manakitanga</b> - Bullying - Restraint - Search	
			<b>Conflict of Interest</b> (2021)	<b>Anti Bullying &amp; Anti Harassment</b> (2021)	

## 7.1 Attachment B Policy Review Cycle

### Pukekohe High School -Policy Review Cycle

*Procedures in italics are to be reviewed annually*

	Term 1	Term 1	Term 2	Term 2	Term 3	Term 3	Term 4
	<b>Annual</b>	<b>Self Review / Curriculum</b>	<b>Personnel</b>	<b>Property &amp; Finance</b>	<b>Health and Safety</b>	<b>Legislative</b>	<b>Reporting to board of trustees</b>
<b>2023</b>	<i>-Job descriptions -Appraisal process -Performance agreements -Strategic/Annual plan</i>	<b>Planning &amp; Reporting</b> (2021)  <b>Curriculum delivery</b> (2020)	<b>Personnel</b> (2021)	<b>Asset Protection</b> (2020)  <b>Financial Planning &amp; Condition</b> (2020)  <b>Theft &amp; Fraud prevention</b> (2020)  <b>Credit card</b> (2020)  <b>Sensitive Expenditure</b> (2020)	<b>Child Protection</b> (2020)  <b>Health &amp; Safety</b> (2020)	<b>Uniform</b> (2021)	<i>-Analysis of variance -Budget -Governance Kaupapa</i>
	<b>Annual</b>	<b>Self Review / Curriculum</b>	<b>Personnel</b>	<b>Property &amp; Finance</b>	<b>Health and Safety</b>	<b>Legislative</b>	<b>Reporting to board of trustees</b>
<b>2024</b>	<i>-Job descriptions -Appraisal process -Performance agreements -Strategic/Annual plan</i>	<b>Staff Devices</b> (2021)  <b>Student Devices</b> (2021)	<b>Appointments</b> (2021)  <b>Principal Responsibilities</b> (2022)	<b>Protection and sharing of intellectual property (Creative Commons)</b> (2021)  <b>Conflict of Interest</b> (2021)	<b>Protected Disclosures</b> (2021)  <b>Anti Bullying &amp; Anti Harassment</b> (2021)	<b>Enrolment</b> (2021)  <b>Attendance</b> (2021)	<i>-Analysis of variance -Budget -Governance Kaupapa</i>
	<b>Annual</b>	<b>Self Review / Curriculum</b>	<b>Personnel</b>	<b>Finance</b>	<b>Health and Safety</b>	<b>Legislative</b>	<b>Reporting to board of trustees</b>
<b>2025</b>	<i>-Job descriptions -Appraisal process -Performance agreements -Strategic/Annual plan</i>	<b>Planning &amp; Reporting</b> (2023)  <b>Curriculum delivery</b> (2023)	<b>Performance management &amp; Professional Growth</b> (2022)  <b>Timetable</b> (2022)		<b>Concerns &amp; Complaints</b> (2022)  <b>Manakitanga</b> (2022)  <b>Education Outside the Classroom</b> (2022)	<b>International Students</b> (TBC)	<i>-Analysis of variance -Budget -Governance Kaupapa</i>

## 7.2 Complaints Policy

# Complaints Policy & Process

Policy to support NAG 5 Health & Safety

## Outcome statement

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

## Scoping

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

## Delegations

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

## Expectations and limitations

In the course of dealing with a concern / complaint, the principles of natural justice will apply at all times. In complying with the policy, the principal shall not fail to:

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

## Procedures/supporting documentation

Parent/whānau concerns and complaints procedure

Staff concerns and complaints procedure

Board investigation process and guidelines

## Monitoring

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

## Legislative compliance

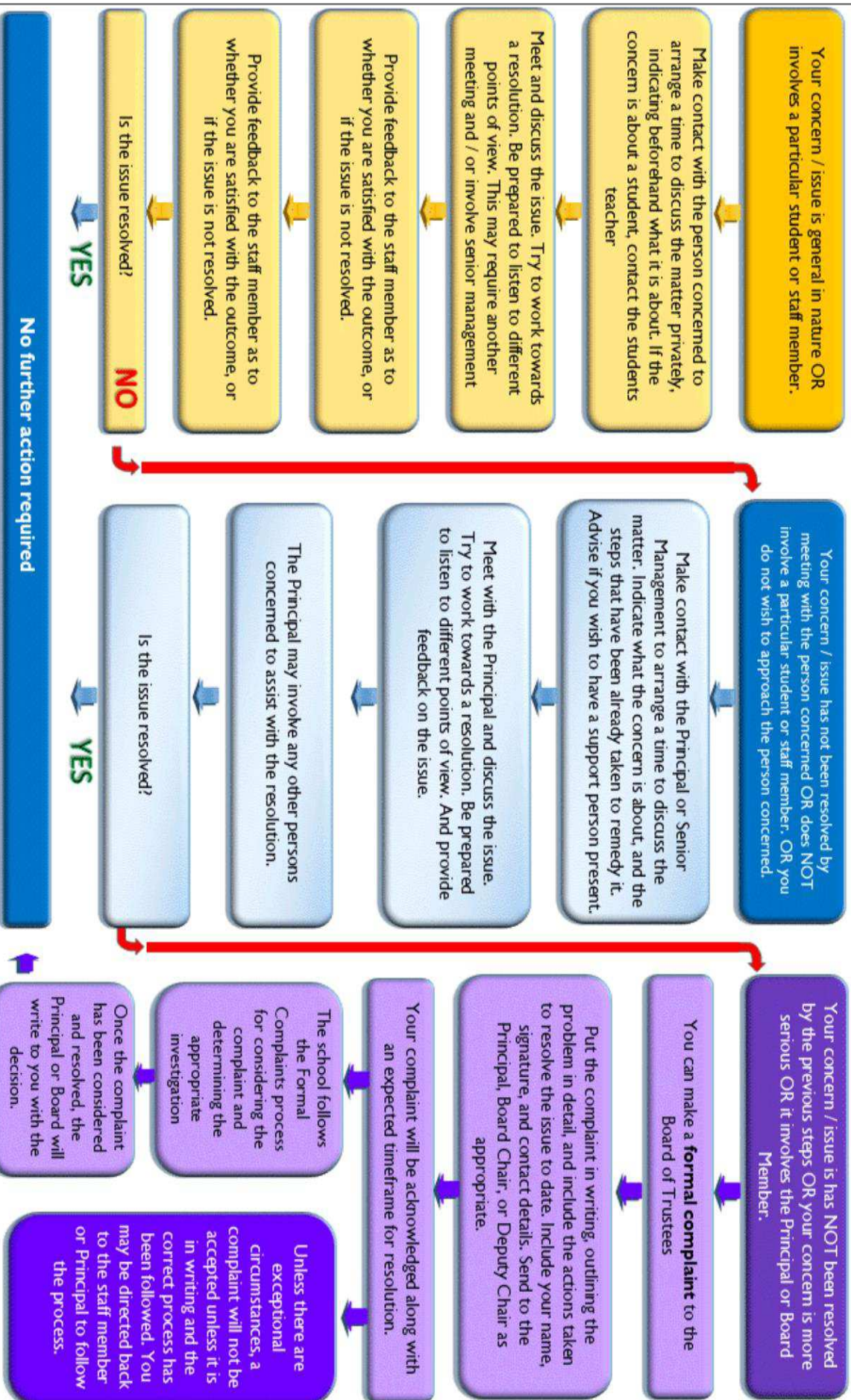


# Stage 1: Resolution Between Parties - Flow Chart

## Pukekohe High School Concerns & Complaints Process

Most concerns can be resolved informally by discussions with people concerned.

A support person / people may be brought into this process for either party at anytime



# Stage 2: Resolution through the Board- Board Checklist

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

<b>Board Process</b>	
1.	Ensure the process has been followed as outlined in the concerns and complaints procedure or is a genuine complaint against the Principal or board.
2.	Verify with the Principal that any staff (or others) identified in the complaint are aware of the situation and that there has been discussion and attempts to reconcile.
3.	If the complaint or action is employment related or has potential industrial relations implications, contact the NZSTA employment advisory and support centre. For all other complaints, contact the NZSTA governance advisory and support centre. Additional legal advice should also be sort to clarify expected actions.
4.	Alert the school's insurance broker.
5.	Acknowledge the letter of complaint within 7 days and advise the board process, or redirect the complainant to principal, syndicate leader or staff member as appropriate. Report to the board without names or detail at the next meeting.
6.	Once confirmed as a complaint, forward it confidentially to all trustees for consideration & decision regarding the possible need for formal investigation through <b>Board of Trustees Investigation Process</b>
7.	Board request to principal to present full written report outlining all actions taken, advice received, meetings held and justified decisions made.
8.	Board determines whether the above fully satisfies them of full and fair process. If so, the board supports the principal and advises the complainant.
9.	If not satisfied, the board meets and discusses in committee, determines whether to formally meet the complainant and delegates responsibility to trustee(s) as deemed appropriate.
10.	Board delegates meet with the complainant and discuss the complaint more fully, verifies, investigates and clarifies. Support persons should be confirmed as welcome to attend.
11.	Board delegates report back to full board and recommend actions/decisions.
12.	Board takes appropriate actions, records and formally minutes decisions.
13.	Board advises the complainant in writing of its provisional decisions and factors considered in reaching them, within 15 school days of complaint receipt, unless otherwise agreed by all parties. Complainant is given opportunity to comment before the board's final decision is reached and given.
<b>Note:</b>	
Issues of a serious matter, eg allegations of physical abuse, may require a special meeting of the board to be called.	
All letters addressed to the chairperson of the board are for the <b>whole board</b> . The chairperson cannot decide independently as to what action will be taken.	
Resolution or dismissal of the complaint must not be discussed before all the information is to hand.	
Conflict of interest will be determined on a number of issues, including whether the complaint involves the actions of any trustee. The board must exercise caution when dealing with complaints regarding staff, particularly in relation to confidentiality and processes to ensure the principles of natural justice are met. It is advisable to contact the regional NZSTA personnel/industrial adviser or other legal advice in such cases. The board will need to consider the relevant staff disciplinary policies, employment contracts, and expert advice from the NZSTA adviser or other legal advice.	



# Board of Trustees Investigation Process- Board Checklist

Not all complaints require a Board led formal investigation but, all written complaints will be disclosed to the person concerned at the earliest opportunity, either as part of a preliminary or informal process or together with an explanation of

the process for investigation and resolution of the complaint.

- If the formal complaint does not justify a formal investigation, the principal or board will consider the issues raised and all of the relevant information, and provide the complainant with a written response.
- If the Principal and Board decides that the formal complaint does justify a formal investigation, then subject to the privacy of the person or people concerned, they will be informed about the investigation process and the expected timeframes, and provided with written confirmation when the matter is concluded.

Relevant collective employment agreement provisions for dealing with complaints about staff members must be observed, including protecting the staff member's dignity and mana, advising them of their right to seek support and representation before responding to complaints, and giving them a reasonable opportunity to take that advice.

The NZ School Trustees Association (NZSTA) or legal counsel will be contacted for advice before proceeding to investigate. The school's insurer should be notified early in the process and kept informed of progress. Consultation with external agencies will be undertaken as appropriate (e.g. Oranga Tamariki – Ministry for Children, and/or police) to ensure any actions do not undermine other investigations.

The Employment Relations Act provides for confidential resolution of employment disputes in certain circumstances, the terms of which are usually recorded in a settlement agreement.

The school will not include in any settlement agreements any terms which would be inconsistent with the school's statutory obligations, including the Teaching Council's mandatory reporting requirements, or when they would be contrary to a culture of child protection, such as when the conduct at issue concerns the safety or wellbeing of a child.

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Board members with a potential conflict of interest will not take part in the investigation. If the complaint is against the principal or the principal has had significant involvement in the alleged events giving rise to the complaint, the principal will not take part in the investigation process.

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The following general guidelines will assist in conducting an investigation. They are directed at complaints made against staff members, but can be adapted as appropriate to apply to any complaints about students, parents, the principal, board member, or any other person, and to reflect the nature of the matters under investigation.

**Board Investigation  
Process**

<b>Step</b>	<b>Action s</b>	<b>Responsibility</b>
<b>1.</b>	<p>Conduct a preliminary assessment of the complaint, which may include hearing from the party complained of, and determining whether a formal and/or informal investigation is appropriate.</p> <p>If the complaint is serious and relates to matters which could justify the staff member's suspension, take advice from NZSTA or the school's lawyer and follow the contractual suspension process.</p> <p>Determine the scope of the investigation, and level of board involvement (if any).</p> <p>If the principal will not be responsible for investigating the complaint, consider appointing a board member or board subcommittee to investigate the complaint and determine the facts; and whether to delegate (by board resolution) the responsibility to make decisions as to the outcome to that board member or subcommittee.</p> <p>Consider, depending on the seriousness of the issue or any potential conflicts of interest, whether an independent or specialist investigator should be appointed to make preliminary fact findings for the board's consideration.</p> <p>Consider carefully if any investigator or other person involved in the investigation or decision making (including any staff member or student representative) has a potential conflict of interest or potential for bias. Consider and decide how to best manage or mitigate that conflict or potential for bias, including where necessary removal from the investigation or decision-making process.</p> <p>Note that the board cannot delegate decision-making responsibility to non-board members. It is prudent to provide the investigator with clear terms of reference including that you are not looking for any recommendations on what you have to do next, just fact-finding, including, on the balance of probabilities, the investigator's view of disputed factual issues. Be aware of school policy and legislative requirements, including that if the complaint involves a child, permission to interview the child must be obtained and consideration should be given to appointing an investigator with some expertise in interviewing children and young people.</p>	Principal and/or the Board Chair
<b>2.</b>	<p>Inform the school's insurance company of the complaint and steps taken to resolve it. This is a strict insurance policy requirement to maintain cover in any matter that might involve a claim on the school's insurance. The school's insurers will usually require boards to follow advice from NZSTA or the school's lawyer in dealing with any matters which could lead to disciplinary action against a staff member.</p>	
<b>3.</b>	<p>Inform the staff member involved that an investigation is planned, and the scope of the investigation. Include, if applicable, the identity of any independent investigator, and confirm (in writing) that they are entitled to seek union or legal advice and representation. Remind them that they may also bring a support person or whānau member to any meeting. Consider the vulnerability of a person subject to a complaint and offer them practical support.</p> <p>Continue to ensure the complainant is kept informed of progress in the process, without disclosing any details or findings.</p>	

4.	<p>Provide the staff member complained about with a letter explaining the specific concerns, attaching all of the relevant information, and outlining any potential disciplinary outcome. Give the staff member a reasonable opportunity to consider the allegations and take independent advice before they provide their written and/or oral response to the complaint.</p> <p>Seek NZSTA or legal advice in preparing your correspondence with the staff member and about running any meetings.</p>	
5.	<p>Complete and take comprehensive notes on relevant inquiries and interviews. Meeting and interview notes should be provided to the interviewee for their comment and confirmation. Note that taping of meetings and interviews is permitted, provided you advise the other party of your intention to do so and make a copy available to them.</p> <p>Be aware that employees are entitled to copies of all information relating to them personally. Seek legal advice if unsure about the disclosure of information, or contact the Privacy Commission or Ombudsman's Office</p>	Investigator / investigating committee
6.	<p>Make detailed notes of all discussions, interviews, questions, and answers. The notes should record the facts related to the investigation rather than opinions or comments which could be taken to suggest the outcome had been predetermined. Disclose the notes to the other party.</p>	
7.	<p>Consider the staff member's responses and all other relevant information, reach a determination on the balance of probabilities about any disputed facts, and decide whether or not the complaint has been substantiated.</p> <p>Prepare a draft report for the staff member's comment if required to do so by the terms of reference, and then finalise the investigation report.</p>	
8.	<p>Brief the board in-committee on the scope and outcome of the investigation and its findings.</p>	Investigator (If they do not have delegated authority to make the decision as to outcome)
9.	<p>Determine any next steps including whether any disciplinary action may be appropriate.</p> <p>Provide the staff member with a copy of the investigation report and a letter either concluding the process or explaining the next steps, including identifying the specific concerns, and the options being considered with regard to any proposed disciplinary action together with the reasons those options may be appropriate in the circumstances. Invite the staff member (through their representative if applicable) to respond at a meeting and/or in writing to the report's findings and to the specific concerns, and to comment on any disciplinary options being considered.</p> <p>If a meeting is held, ask any relevant questions but confine them to issues already identified. This is not an opportunity for either party to raise any new matters. Appoint a good note taker.</p>	Decision maker (Board investigator or sub-committee, the full board, or the principal)
10.	<p>Following the meeting, or on receipt of the staff member's written response, consider whether any further investigation may be required, then make your decision as to factual matters (recording how you arrived at the decision) and the reasons for any disciplinary consequences.</p> <p>Depending upon the seriousness of the situation you may need to take a day or two to consider all of the relevant information before making a final decision. Inform the staff member of the decision. If this is done at a meeting rather than by letter it must be confirmed in writing.</p>	

<b>11.</b>	Report to the board in-committee.	Investigator (if they do not have delegated authority to make the decision as to outcome)
<b>12.</b>	Report back to the complainant(s), reassuring them as far as possible while considering confidentiality and any requirements of collective agreements, of the steps undertaken to resolve their concern, and facilitate any further steps which may be required to provide satisfactory closure. Ensure ongoing support for the complainant and the person being complained about during and after the investigation. If the complainant is not satisfied, the board chair should advise the complainant of further avenues, e.g. Human Rights Commission, Ombudsman, Ministry of Education, ERO, Privacy Commissioner.	
<b>13.</b>	File in a register of complaints and concerns about in and out of school behaviour and keep for 'in-committee'. Hold all recorded minutes securely	
<b>14.</b>	Determine whether a report needs to be made to the <u>Teaching Council</u> , in compliance with the mandatory reporting requirements.	

## 7.3 Discipline Process Review

<b>Date</b>	
<b>Prepared By</b>	<b>Rani Amaranathan, Ben Stallworthy, Rachel Hamlin</b>
<b>Approved By</b>	<b>Ben Stallworthy, Chair</b>
<b>Recommendations</b>	<b>That the Pukekohe High School Board of Trustees:</b> <ul style="list-style-type: none"><li>• <b>organise a student disciplinary committee training activity involving senior staff and Trustees.</b></li><li>• <b>requests that the Principal, work with senior management to review the history of all students suspended and allowed to return to school with conditions; and report back in early-2023 with data about the following:</b><ul style="list-style-type: none"><li>○ <b>Conditions that were effective.</b></li><li>○ <b>Conditions that are supported by staff.</b></li><li>○ <b>Conditions that were not effective or were unenforceable.</b></li><li>○ <b>Confirmation of compliance with conditions.</b></li></ul></li></ul>

### Introduction

The Board of Trustees (the Board) is responsible for managing serious student discipline issues and to-date this year has suspended 23 students and excluded another eight. Often, return to school after a suspension includes 'conditions'; a set of behavioural standards that a student must meet.

Further, within Pukekohe High School's Governance Kaupapa hearings are heard by a Discipline Committee, formed on an ad hoc basis so it is important to ensure that all Trustees eligible to serve on the committee are aware of their responsibilities.

### Analysis

Sections 80-89 of the Education and Training Act 2020 outline the discipline role of school boards. Essentially, incidents or behaviour of a serious nature that could result in a student being expelled is escalated by school management to the school's governors for decision-making.

This means boards have a duty to understand the legal framework, a discipline committee's powers, responsibilities, and the effects of its decisions. Specifically, the effectiveness of conditions imposed on students that are allowed to return to school.

The end of the academic year provides an opportunity for a review of these factors and after discussion with management the Chair and Deputy Chair would propose the following steps:

- A training activity for all Trustees and Senior Management to ensure that everybody is familiar with the legal framework including; but not limited to discussion of the following:
  - Powers of boards.
  - Investigative responsibilities of staff.