



Tawhero
SCHOOL

NAG 6

LEGISLATION

&

ADMINISTRATION



ATTENDANCE PROCEDURE

Mauria te pono

AIM

- To assist students to attend school on a regular basis.

PURPOSE

- The school will have a consistent system for marking attendance registers.
- To optimise learning and achievement students are required to attend school at all times.

GUIDELINES

1. The school documents attendance and non-attendance. The school operates both an electronic register and a hard copy as a backup.
2. The school has a consistent system for marking attendance registers.
3. Attendance registers are a legal document and will be marked in the morning and after lunch to meet requirements.
4. The school will address absence without notification on a daily basis, regular absence regular lateness, or other patterns of attendance concern.
5. Non-attendance information will be checked weekly by the tumuaki who will make contact with families where there may be a concern.
6. If the child/children are still not attending, the Social Worker in Schools will make contact with the home.
7. If the problem persists, then Truancy is contacted. Where a child is not in attendance for 20 days then they will be removed from the roll and NETS informed.
8. Students are encouraged to be at school regularly and absence for minor reasons such as shopping, babysitting will be discouraged.



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CALL BACK DAYS PROCEDURE

Mauria te pono

AIM:

- Tawhero School supports the professional development opportunities of its staff.
- It is recognised that teachers work on professional development and general school and classroom planning during times when schools are not open for instruction, including the period of "call -back" days provided for in the Primary and Secondary Teacher Collective Agreements.

PURPOSE:

- To support and provide opportunities for staff to engage in quality professional development.

GUIDELINES:

- 1) The tumuaki will discuss fully with staff any call back days that will be utilized.
- 2) Staff will be informed early and in writing of any pending call back days.
- 3) It will be an expectation that staff attend call back days.
- 4) No more than 10 days per year will be called.



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COPYRIGHT COMPLIANCE PROCEDURE

Mauria te pono

AIM

- To meet compliance with the Copyright Act 1994.

PURPOSE

- To put in place copyright procedures

GUIDELINES

- 1) All staff (Teachers and Support Staff) are annually to be informed of and comply with the provisions of the copyright licences held by the school (if any).
- 2) Staff are to be made aware that any photocopying that exceeds what is stated in each of the licences held by the school is deemed to be the responsibility of the individual and the school does not accept liability. New staff will be informed as part of the induction process.
- 3) National Film Library films and videos are automatically useable as a blanket waiver covers them.
- 4) Personal DVDs/CD's/videos may be shown but hired items are not to be shown.
- 5) Any staff member showing videos in breach of the terms of the Films, Videos, and Publications Classification Act 1993, may be liable to a fine up to a maximum of \$10,000.

Copyright in a Literacy, Dramatic, Musical or Artistic Work

Section 44 of the Copyright Act 1994:

- 1) Allowed to copy for educational purposes:



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1. a) One copy only of the whole or part on one occasion (by or for the person giving instructions) by

reprographic process.

2. b) One or more copies made by non-reprographic process.

One or more copies on one occasion (provided to students at no charge).

c) No more than the greater of 3% of the work or edition or 3 pages (but if only 3 pages or less in total, then only 50%).

d) Once copied, no other copies can be made of the same part or from the same work within 14 days.

A 'work' includes an article in a newspaper, a short story, or a poem in an anthology.



ENROLMENT PROCEDURE

Mauria te pono

AIM

- To collect and verify enrolment information.

PURPOSE

- To ensure that a birth date can be verified before enrolment.
- To check country of birth to see if residency is required.
- To ensure residency papers are produced when necessary.
- To check immunisation requirements.

GUIDELINES

- 1) Current enrolment forms will be filled out.
- 2) Birth certificate must be produced for each child before they commence school.

If born in NZ, Cook Islands, Niue, Tokelau no residency required but birth certificate still required.

- 3) If residency is required documented evidence must be produced before enrolment.
- 4) The person enrolling the child must be the legal guardian of that child and must show proof of identity that he/she is the legal guardian. If the legal guardian is other than the parent, we require to sight (and copy) documentation.
- 5) Children born from January 1995 need an immunisation certificate to show if they are fully immunised or not. This certificate is required by the Health(Immunisation) Regulations 1995.
- 6) Any health information will be recorded and the tumuaki advised. Recording of health information and any medication requirements will be documented in the sick bay. Class teachers will also be advised.



POLICE VETTING PROCEDURE

Mauria te pono

AIM

- To ensure that the school is a safe environment for all stakeholders and that legislative requirements are met

PURPOSE

- To provide a process for ensuring that Police Vetting is carried out.

GUIDELINES

- Privacy principles will be followed in respect to the collection, collation and storage of police vetting information
- All prospective and existing staff will undergo police vetting every 3 years in accordance with legislative requirements.

Compulsory Vetting

- 1) All existing teaching staff will be vetted as part of the Teacher Registration process.
- 2) All new teaching and non-teaching employees will be vetted.
- 3) Contractors and their employees who “regularly” work at school during school hours. (ie. contractors with work of a habitual or recurrent nature) must be vetted within 2 weeks of first starting work.
- 4) A further vet is required ‘on or about’ the anniversary of the previous vet.
- 5) Boards of Trustees will also be vetted.
- 6) School Volunteers will be vetted.
- 7) Parent/Whānau attending school camps will be vetted.



Applications for Vetting

- 1) Teacher Vetting applications are part of the employment and Teacher Registration and Renewal process.
- 2) All other vetting will be carried out online direct to the Police.
- 3) Consent by any applicant/employee to a vet is required by the Police for privacy purposes, but is not technically necessary as it is legally compulsory.
- 4) Accuracy of information is also necessary to ensure a vet is carried out on the right person and should be checked by the applicant.

Screening a Police Vet

- 1) The following factors will be taken into account when evaluating criminal records:
 - a) the nature and seriousness of the offence
 - b) the relationship of the offence to the position applied for
 - c) when the offence occurred and the age of the individual at the time of the offence.
 - d) circumstances surrounding the conduct of the offence
 - e) societal conditions that may have contributed to the nature of the conduct.
 - f) the probability of recurring offending
 - g) the applicant's commitment to rehabilitation and to changing behaviour.
 - h) has a sentence been served or is the person still doing community service.
 - i) concerns raised by a 'Red Stamp' (indicates Police have concerns about this person working with children).

Some general guidelines with regard to specific offences are:

- j) Offences Unacceptable for Employment



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- i) child sexual or physical abuse
- ii) sexually exploitative offences
- iii) any crime involving children
- iv) drug related offences
- v) any violence related offence
- vi) any dishonesty related offence

Police Vet Follow Up

- 1) If a vet does not reveal any criminal offences or concerns by the police the vet should be destroyed or handed to the employee or contractor. A record of the vet taking place is to be kept.
- 2) If a vet does reveal criminal offences or concerns the applicant must first be asked to validate the information contained in the vet.
- 3) If an applicant disputes the information contained in the vet they must pursue it with the Police. Until the Board receives a correction from the Police it will assume the original information is correct. Adverse action cannot be taken by the Board until this has been done or the person has failed to do so within a reasonable period.

If employment issues arise from concerns raised by a Police vet the Board will consider any necessary follow up action based on the screening criteria. The Board will ensure that the process is a fair one and will consult the NZSTA personnel/industrial relations adviser before any action is taken. If after considering the nature of an individual's criminal record the Board has no concerns then the vet should be destroyed or handed to the employee or contractor. A record of the vet having taken place must be kept. If a criminal record raises issues about the suitability of the person in their role at the school the Board will consult with NZSTA personnel/industrial relations adviser on correct procedure to take in each case.

Privacy

- 1) The strictest confidentiality is to be ensured at all times with all police vetting information.
 - a) All Police vets will be directed to the tumuaki.



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- b) Because of the police vetting information all mail marked 'Confidential' should only be opened by the person to whom it is addressed.
- c) The tumuaki will refer any issues of concern to the Board. The Chairperson or the Board may need to see the information if employment decisions are likely.
- d) All Police vetting information should be kept in a secure place.



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PRIVACY PROTECTION PROCEDURE

Mauria te pono

AIM

- To promote and protect individual privacy in line with the principles of the Privacy Act 1993.

PURPOSE

- To establish guidelines for maintaining individual privacy

GUIDELINES:

- The school will appoint a Privacy Officer who will ensure that the principles embodied in the Act are adhered to.
- Procedures will be implemented which govern the collection, storage, use and disclosure of information.

Collection of Information

1) **Purpose** The school may not collect personal information unless there is a lawful and specified legitimate purpose for collecting that information relating to the functioning of the school.

2) **Source:** The school must generally collect data directly from the individual concerned (or the parent). However, it is not necessary to comply with this principle if we believe on reasonable grounds that:

- a) The information is publicly available
- b) The individual concerned authorises collection of the information from someone else
- c) Compliance would prejudice the purpose of the collection
- d) The information will not be used in a form in which the individual concerned is identified

Collection: Where personal information is collected from an individual, the school must ensure the individual is aware of the purpose for which it is collected, the intended recipients, and the rights of access to and correction of



that information.

Manner of Collection: The school must not collect personal information by unlawful, unfair or reasonably intrusive means.

Storage

1. 1) **Security:** The school must ensure that personal information is secure against loss, modification or misuse to a degree that is reasonable in the circumstances
2. 2) **Access:** The school must allow an individual to confirm that he / she has a file, access it, check it, and if the individual thinks fit, request correction.
3. 3) **Correction:** An individual is entitled to request any correction. Where such correction is not made, the individual is entitled to have a statement of the correction sought attached to the information.

Use

1. 1) **Accuracy:** the school must take steps to ensure that, before use, information is accurate, up to date, complete, relevant and not misleading.
2. 2) **Information Retention:** the school must not keep personal information longer than is required for the purposes for which the information was collected.
3. 3) **Limits of Use :** personal information collected by the school for one purpose may not be used for any other purposes unless the school believes on reasonable grounds that:
 1. a) The information is publicly available
 2. b) The use of the information for that other purpose is authorised by the individual concerned
 3. c) The use of the information for another purpose is necessary to prevent an imminent threat to health

or safety
 4. d) The use of the information is in a form in which the individual is not identifiable

Disclosure

1) **Limits on Disclosure:** the school may not disclose personal information unless we believe on reasonable grounds that:

1. a) Disclosure is one of the purposes for which the information was obtained (e.g. pupil assessment disclosed to parents, ERO etc)
2. b) That the source of the information is a publicly available publication
3. c) Disclosure is to the individual concerned



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4. d) Disclosure is authorised by the individual concerned
5. e) Disclosure of information is necessary to prevent an imminent threat to health and safety
6. f) The information disclosed is used in such a way that the individual concerned is not identified
7. g) The use of the information for that other purpose is authorised by the individual concerned

In accordance with the Act, the Board will appoint a Privacy Officer to monitor the use and access of personal information held by the school. Confidential information will be stored in the lockable filing cabinets (Administration Office area) and will be locked when not attended by staff.



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PROTECTED DISCLOSURES PROCEDURE

Mauria te pono

INTRODUCTION

- The Board accepts that it has a responsibility to have in operation internal procedures for receiving and dealing with information about serious wrongdoing in or by the school. The Board also accepts that it must regularly educate and train its employees on the internal disclosure system.
- The Board agrees that this procedure must be published widely in the school, will be provided to all new employees and will be republished at regular intervals (at least annually).
- The purpose of this procedure is to provide information and guidance to employees of the School who wish to report serious wrongdoing within the school. The procedure is issued in compliance with the Protected Disclosures Act 2000 and the Education Act 1989.

What is a Protected Disclosure?

A protected disclosure is a declaration made by an employee where they believe serious wrongdoing has occurred.

Employees making disclosures will be protected against retaliatory or disciplinary action and will not be liable for civil or criminal proceedings related to the disclosure.

Definition of Serious Wrongdoing

Serious wrongdoing includes any serious wrongdoing of any of the following type:

- an unlawful, corrupt, or irregular use of funds or resources; or
- an act, omission or course of conduct that constitutes a serious risk to public health or public safety
- or the environment; or
- an act, omission or course of conduct that constitutes a serious risk to the maintenance of law,
- including the prevention, investigation, and detection of offences and the right to fair trial; or



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- an act, omission or course of conduct that constitutes an offence; or
- an act, omission or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement.

Conditions for Disclosure

Before making a disclosure the employee should be sure the following conditions are met:

1. the information is about serious wrongdoing in or by the School;
2. the employee believes on reasonable grounds the information to be true or likely to be true;
3. the employee wishes the wrongdoing to be investigated; and
4. the employee wishes the disclosure to be protected.

Who Can Make A Disclosure?

Any employee of the school can make a disclosure. For the purposes of this procedure an employee includes:

- current employees and tumuaki;
- former employees and tumuaki; and
- contractors supplying services to the school

Protection of Employees Making Disclosures

An employee who makes a disclosure and who has acted in accordance with the *Procedures* section outlined below:

- may bring a personal grievance in respect of retaliatory action from their employers;
- may access the anti-discrimination provisions of the Human Rights Act 1993 in respect of retaliatory action from their employers;
- are not liable for any civil or criminal proceedings, or to a disciplinary hearing by reason of having made or referred to a disclosure; and
- will, subject to paragraph 10 in the *Procedures* section below, have their disclosure treated with the utmost confidentiality.
The protections provided in this section will not be available to employees making allegations they know to be false or where they have acted in bad faith.

PROCEDURES

Any employee of the school who wishes to make a protected disclosure should do so by submitting the disclosure in writing.



Information to be contained in the disclosure:

- The disclosure should contain detailed information including the following:
- the nature of the serious wrong doing;
- the name or names of the people involved; and
- surrounding facts including details relating to the time and/or place of the wrong doing if known or relevant.

Where to send disclosures

A disclosure must be sent in writing to the tumuaki who has been nominated by the Board under the provision of Section 11 of the Protected Disclosures Act 2000 for this purpose.

OR

If you believe that the tumuaki is involved in the wrongdoing or has an association with the person committing the wrongdoing that would make it inappropriate to disclose to them, then you can make the disclosure to the Board Chairperson.

Decision to investigate

On receipt of a disclosure, the tumuaki or Board Chairperson must within 20 working days examine seriously the allegations of wrong doing made and decide whether a full investigation is warranted. If warranted a full investigation will be undertaken by the tumuaki or Board Chairperson or arranged by him/her as quickly as practically possible, through an appropriate authority.

Protection of disclosing employee's name

All disclosures will be treated with the utmost confidence. When undertaking an investigation, and when writing the report, the tumuaki or Board Chairperson will make every endeavour possible not to reveal information that can identify the disclosing person, unless the person consents in writing or if the person receiving the protected disclosure reasonably believes that disclosure of identifying information is essential:

- to ensure an effective investigation; or
- to prevent serious risk to public health or public safety or the environment.



Report of investigation

At the conclusion of the investigation the tumuaki will prepare a report of the investigation with recommendations for action if appropriate, which will be sent to the Board Chairperson.

Disclosure to an appropriate authority in certain circumstances

A disclosure may be made to an appropriate authority (including those listed below) if the employee making the disclosure has reasonable grounds to believe:

- The Board Chairperson is or may be involved in the wrong doing;
- Immediate reference to another authority is justified by urgency or exceptional

circumstances; or

- There has been no action or recommended action within 20 working days of the date of the disclosure.

Appropriate Authorities include (but are not limited to)

- Commissioner of Police
- Controller and Auditor General
- Director of the Serious Fraud Office
- Inspector General of Intelligence and Security
- Ombudsman
- Parliamentary Commissioner for the Environment
- PoliceComplaintsAuthority
- SolicitorGeneral
- StateServiceCommissioner
- Theheadofanypublicsectororganisation

Disclosure to Ministers and Ombudsman

A disclosure may be made to a Minister or an Ombudsman if the employee making the disclosure has made the same disclosure according to the internal procedures and clauses of this Policy and reasonably believes that the person or authority to whom the disclosure was made:

- Has decided not to investigate;or
- Has decided to investigate but not made progress with the investigation with in reasonable time; or



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- Has investigated but has not taken or recommended any action;
- And the employee continues to believe on reasonable grounds that the information disclosed is true or is likely to be true.



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CONFLICT OF INTEREST

Mauria te pono

AIM

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

PURPOSE

The board shall create a register of all board members detailing any interests, relationships or holdings that could potentially result in a conflict of interest. This register shall be updated whenever a board member's circumstances change or a new member joins the board. It should be reviewed at the start of each school year and following board elections.

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

GUIDELINES

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.

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



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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.

KEY ELEMENTS OF SYSTEMS FOR RECORDING AND MANAGING CONFLICTS OF INTEREST ARE:

- Regular agenda item to ascertain at Board meetings whether any trustee or management employee has a potential conflict related to any specific agenda item.
- The trustee or management employee is excluded from the discussion and approval of any issue where there is a declared interest. (Education Act, Schedule 6, clauses 8-11) The withdrawal should be noted on each occasion in the Minutes.
- The trustee or management employee is not permitted to participate in any vote on issues relating to the declared interest. The abstention should be noted in the Minutes.
- Where a trustee has a declared interest in a transaction exceeding \$25,000, the Board must seek approval from the Secretary of Education prior to entering into the contract. If such approval is not obtained the trustee is disqualified from being a trustee of the Board. (Education Act, s103A).
- A competitive tender process has been undertaken for any transaction where a trustee/management employee has a declared interest.
- All applications for vacant positions in the School are considered in accordance with the principle that all school appointments shall be made solely on merit.
- Where a related party of a trustee or management employee applies for a position at the School, the trustee or management employee must declare their interest and take no part in the recruitment process.
- A trustee or management employee who is in a position to influence the management or promotion of a staff member, who is a related party, must declare their interest and take steps to ensure that no conflict of interest arises.



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RECLASSIFICATION OF STUDENTS PROCEDURE

Mauria te pono

AIM:

Tawhero School acknowledges that all children progress academically and socially at different rates. On occasion there may be a need to reclassify a child based on their academic or social development.

PURPOSE:

To provide the kura with clear procedures to follow if there is a need to consider the reclassification of individual students.

LEGISLATION:

A student who has completed the work of Year 8 (or the equivalent) cannot be enrolled or remain enrolled at a primary or intermediate school. A child who turns 14 cannot be, or remain at a primary or intermediate school the next year.

GUIDELINES:

1) Tawhero School will consider reclassifying students if there is evidence to show that:

- a child's illness has severely affected their academic progress;
- a child has learning difficulties that impact on their ability to work with their chronological peers;
- a child has for some reason been unable to complete their Tau8 programme of study.
- reclassification needs to occur before the end of the child's Tau7 year. Data / Evidence is collated to support the reclassification of the child based on the above guidelines.
- The tumuaki and senior staff to meet to discuss the case. A meeting is called with parents / caregivers to discuss the possibility of reclassification.
- A joint decision is made with the whānau as to whether or not reclassification will occur. By the 1 December each year, the tumuaki will inform the Ministry of Education of the name of any Tau 8 student



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who is to be retained for a further year instead of moving on to secondary school.

- Associated documentation will be retained in the school and be available for audit purposes.



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TE TIRITI O WAITANGI

Mauria te pono

AIM

To acknowledge the importance and relevance of Te Tiriti o Waitangi.

PURPOSE

- To acknowledge Maori as tangata whenua and that Te Reo and Tikanga Maori are a living part of Aotearoa.
- To recognise, understand, value and experience the dual heritage of Aotearoa.
- To provide all children in the school with the opportunity to participate in our unique cultural heritage.
- To ensure the curriculum reflects the perspectives of tangata whenua.
- To actively involve whanau in developing iwi perspectives within the school

GUIDELINES

1) Acknowledge Ngāti Rauru, Te Atihaunui-ā-Pāpārangi as tangata whenua of the kura and incorporate Te Reo me ngā tikanga of Whanganui in school operations.

2) Consultation with whanau, including local kaumatua, is important to determine how Te Tiriti o Waitangi and Tainuitanga can best be reflected in the school.

3) Provide resources to support developing understanding by staff and students through

- curriculum
- professional development
- developing further appreciation of the ramifications of Te Tiriti O Waitangi and the significance of dual heritage o haerenga

Tamariki are encouraged to value their unique identity and cultural values in aspects of their education.