

EMPLOYER RESPONSIBILITY POLICY

Cannington School develops and implements policies within policy and procedural frameworks set by Government from time to time promoting high levels of staff performance, using educational resources effectively and recognising the needs of students.

Cannington School acts as a good employer as defined in the State Sector Act 1988 and complies with the conditions contained in employment contracts for teaching and non-teaching staff.

In order to meet these requirements the BOT develops and implements:

1. An Appointment procedure
2. A Complaints procedure
3. A Protected disclosure policy
4. Performance Management
5. Equal Employment Opportunities
6. Police vetting procedures
7. Discretionary Leave
8. Classroom Release Time

The Principal and Staff develop and implement:

1. Appraisal
2. Job Descriptions
3. Staff development programme
4. Performance agreements

The BOT in conjunction with the Principal and Staff develop and implement:

1. Performance management Programme (see above)
2. Employment Contracts

Through the development and implementation of Good Employer programmes and procedures, the BOT ensures staff of Cannington School enjoy employment conditions of the highest possible standards.

Policy review date:	/	/	Signed:	_____
Next review date:	/	/	Signed:	_____
Next review date:	/	/	Signed:	_____
Next review date:	/	/	Signed:	_____

APPOINTMENTS PROCEDURE

Guidelines:

1. All teachers employed at Cannington School must be a registered or provisionally registered with the Teacher Registration Board.
2. Evidence of this shall be in the form of a Teacher Registration Certificate.
3. In the case of the Principal, the certificate shall be made available to the Chairperson of the Board of Trustees.
4. In the case of Scale "A" teachers and relievers the certificate shall be made available to the Principal.

Appointment of a Principal:

1. The Board of Trustees will elect an Appointments committee of a minimum of three.
2. A professional may be asked to be a consultant to this committee
3. The Appointments Committee will:
4. Write a draft advertisement and have it approved by the Board of Trustees before inserting in the Education Gazette.
5. Prepare an application form, referee's form, Job Description and information brochure and have them approved by the Boards of Trustees.
6. Short list the applicants using procedures outlined in the NZEI Appointment Guidelines.
7. When appropriate, interview the short listed applicants and recommend the successful candidate to the Board of Trustees for approval.

Appointment of Scale A

1. The Principal will consult with another professional in applying the following guidelines.
2. Unless there are exceptional circumstances (described below) the Principal and the Board of Trustees will be involved in all appointments in this area and will :-
 - a. Write a draft advertisement and consult with the Board of Trustees before inserting it in the Education Gazette.
 - b. Prepare an application form, referee's form, job description and information brochure and consult with the Board of Trustees.
 - c. Short list the applicants using procedures outlined in the NZEI Appointment Guidelines.
 - d. When appropriate, interview the short listed applicants and recommend the successful candidate to the Board of Trustees for approval.

Appointment of Caretaker/Cleaner/Secretary:

1. Principal to recommend to Board of Trustees suitable candidate.

Exceptional Circumstances: Conflict of interest:

1. Where exceptional circumstances apply e.g. where an applicant is related to the Principal, then the Board of Trustees will apply the rules for appointing a principal (as outlined above) to the appointment of Scale A teachers, Teacher Aides, Caretakers and Cleaner

COMPLAINT PROCEDURE

1. All the complaints about teacher(s)/Principal/Support Staff shall be set out in the relevant employment contracts.
2. All complaints against a Teacher shall be referred in the first instance to the Principal.
3. All complaints against the Principal shall be referred to in the first instance to the Board of Trustees Chairperson.
4. While formal procedures are available as a last resort, every effort should be made by all concerned to resolve the matter informally.
5. Complaints – Staff (the Principal has a key role facilitating such a resolution).
6. Complaints – Staff/Principal where the complaint is unresolved, the complaint should be made in writing to the Board of Trustees and signed by the complainant.

Complaints – Teacher

7. A copy of the complain should be given to the teacher for a written response.

Complaints - Principal

8. A copy of the complaint should be given to the Principal for a written response.
9. The Board of Trustees will consider the written response and after considering all the information, make a decision.
10. The Board will acknowledge the complainant and inform the complainant in writing of any actions taken in resolution.
11. Where the Board considers a resolution is reasonable and effective, the complainant and the Teacher/Principal should be informed by the Board of Trustees that no further action is intended.
12. If the Board is not satisfied, the full Board of trustees or a committee of the Board may discuss the complaint and recommend actions to the Teacher/Principal. The Teacher/Principal should be invited to respond to the Boards recommendations.
13. In the case of allegations, which have disciplinary implications, the Board should convene a committee to investigate and report only on the substance of the complaint.
14. The committee should report in writing to the Board of Trustees detailing all parties consulted and the content of any written submissions. The committee may offer a recommendation to the Board.
15. The Teacher/Principal should be invited to respond to the report.
16. Any member of the Board who is personally involved in the complaint shall take no part in the discussion about it but may submit a statement on the matter.
17. If the complainant is not satisfied, the Board Chairperson should advise the complainant of further avenues, e.g. Human Rights Commission, Ombudsman etc.

Refer to:

Principals' Deputy and Assistant Principals' Current Collective Employment Contract.

Teachers' contract

Support Staff contract.

PROTECTED DISCLOSURES PROCEDURE

Guidelines

Guidelines for making a protected disclosure under the Protected Disclosures Act 2000:

1. If on reasonable grounds you believe you have information that a serious wrongdoing is occurring (or may occur) within the school and you wish to disclose that information so it can be investigated you can make a protected disclosure to the principal.
2. This can be done verbally or in writing. You should identify that the disclosure is being made under the Protected Disclosures Act and is following the board procedure to provide detail of the complaint (disclosure), and whom the complaint is against.
3. If you believe that the principal 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 chairperson of the board of trustees.
4. It is then up to the person, you disclose to, to decide if the disclosure constitutes a serious wrongdoing, and that the allegations need investigating. They can decide:
 - a. To investigate the disclosure themselves.
 - b. To forward the disclosure to the board or a committee of the board to investigate.
 - c. Whether it needs to be passed on to an appropriate authority. If it goes to an appropriate authority they will advise you that they are now investigating the complaint.
5. If you believe that both the principal and the chairperson of the board of trustees may be a party to the wrongdoing or in close relationship with the person/s involved in the wrongdoing you can approach an external "appropriate authority" direct yourself.

Who is an "appropriate authority"?

6. As noted above, in some circumstances the disclosure could be made to an appropriate authority by yourself or the person to whom you have made the disclosure. An appropriate authority is defined in the Act as including:

"(a) includes...

 - (i) The Commissioner of Police:
 - (ii) The Controller and Auditor-General:
 - (iii) The Director of the Serious Fraud Office:
 - (iv) The Inspector-General of Intelligence and Security:
 - (v) An Ombudsman:
 - (vi) The Parliamentary Commissioner for the Environment:
 - (vii) The Police Complaints Authority:
 - (viii) The Solicitor-General:
 - (ix) The State Services Commissioner:
 - (x) The Health and Disability Commissioner; and

(b) includes the head of every public sector organisation, whether or not mentioned in paragraph (a)."
7. Clause (b) can mean that in certain circumstances the appropriate authority could be the Secretary for Education of the Ministry of Education or the Chief Review Officer of the Education Review Office (ERO).

Why can't I just go to the appropriate authority myself?

8. There are three circumstances when you can go directly to the appropriate authority:
 - a. When you believe that, the head of the organisation is also a party to the wrongdoing or has an association with the person, which would make it inappropriate for them to investigate.
 - b. If the matter needs urgent attention or there are other exceptional circumstances.
 - c. If after 20 working days, there has been no action or recommended action on the matter to which the disclosure related.

Otherwise, you need to go through the internal processes.

What happens even if the appropriate authority does nothing?

9. You could then make the disclosure to the Ombudsman (unless they were the authority you have already disclosed to) or a Minister of the Crown.
10. The Act does not protect you if you disclose information to the media or a member of parliament other than a Minister of the Crown in the circumstances referred to above.

Where can I find out more information?

If you notify the Office of the Ombudsman verbally or in writing, that you have disclosed or are considering a disclosure under this Act, they must provide information and guidance on a number of matters including those discussed here and the protections and remedies available under the Human Rights Act 1993 if the disclosure leads to victimisation.

PERFORMANCE MANAGEMENT PROCEDURE

To ensure all staff with teaching duties and or management responsibilities, carry out their roles effectively the following procedures will be followed and staff will:

1. Receive clear direction on the performance expected. Procedures and expectations will be clearly stated.
 2. Be set priorities for improvement and achievement consistent with direction set by the Board of Trustees and the Principal.
 3. Are provided with assistance and support to achieve the performance expected of them and to further develop their teaching skills and managerial expertise where appropriate.
 4. Receive feedback on their performance and recognition of their achievements.
 5. Be assured of the confidentiality and privacy of appraisal feedback and documentation.
 6. Undertake a performance appraisal consistent with national requirements once every twelve months.
 7. Are given the opportunity for self-appraisal, and appraisal interview and to participate in classroom observation.
 8. A process for dealing with disputes will be available in the event of disagreement resulting from appraisal. Refer Appendix One in Teacher Performance Management - (in Office.)
 9. The Principal's management/administrative duties will be appraised by either:
 - The Chairperson of the BOT and an appointed professional (agreed by both parties)
 - Or just the Chairperson.
 10. The Principal's teaching duties will be appraised by either:
 - A peer
 - An appointed professional (agreed to by both parties)
 11. The Chairperson will report to the Board of Trustees as to the outcome(s) of the Principal Appraisal.
1. The Principal will report to the Board of Trustees following the conclusion of the Staff Appraisal process.

EQUAL EMPLOYMENT OPPORTUNITIES PROCEDURE

Explanation:

Cannington School is committed to the equality of employment opportunities and aims to ensure that all personnel activities are conducted in a manner whereby people have equal prospects for job success.

Cannington School is committed to the principle of non-discrimination. Consistent with this we honour The Treaty of Waitangi.

Cannington School is strongly committed to a policy of staff appointment based on merit.

Guidelines:

1. The appointments policy and procedures will ensure there is no discrimination in the areas of recruiting and selection, or in promotion and career development.
2. The BOT will annually review all Personnel policies and procedures, with a view to identifying and eliminating any practices, which inadvertently place any group at a disadvantage in the appointment process.

The school will develop and implement ongoing staff appraisals in a positive and supportive way that lends to the development and abilities of individual teachers.

DISCRETIONARY LEAVE PROCEDURE

This procedure does not deal with non-discretionary leave, provisions for which are covered in the employee's employment agreement. Approval for discretionary leave will not be unreasonably withheld, but it must be recognised that the needs of the students and the maintenance of curriculum programmes will be taken into account when the Board considers any application.

Guidelines:

1. All applications for leave must be submitted to the Principal in writing, so that the Principal can make a recommendation to the Board.
2. All staff members should consult their employment agreement before submitting an application.
3. Applications should be made well in advance of the time requested. Notice must be sufficient to allow the Board to meet, and for a suitable reliever to be appointed, if at all possible. (There may be occasional circumstances where this may not be possible, e.g. sudden serious illness of a partner or dependent.)
4. When considering discretionary leave, the Principal in his or her recommendation must consider such issues as the running of the school and past precedent.
5. All decisions should be made in a manner that is consistent, and treats staff fairly and equitably.

POLICE VETTING PROCEDURE

The Teachers' Council vets teachers every three years when they seek renewal of their teaching registration. The cost is contained in the registration fee.

Limited Authority to Teach (LAT) employees are treated the same as teachers. The cost is contained in the registration fee.

Support staff must be police vetted by the school before they can be appointed. They must then be police vetted every three years.

Every contractor (and their employees) who work at the school during school hours and maybe alone with students is expected to be police vetted every three years.

It is school policy for volunteers at this school to be vetted if they are in a situation that requires them to be left alone with children.

This includes parents who accompany school field trips. The cost of the police vetting for volunteers will be borne by the school and built into the expense of any trips.

Parents who volunteer to transport students on day trips will not be police vetted.

The school will ensure that strict confidentiality is observed, the only staff member who will read the police vet is the Principal (the "requestor").

The principal will ensure that the subject of the police vet receives a copy of his/her police vetting and asks the subject to validate the information in the vet if there is anything incorrect or adverse. The subject must be given a reasonable opportunity to validate the information before the Principal can take adverse action.

Support Staff

1. When the decision has been made to employ a person they will be asked to complete the details found on the Police Vetting form.
2. The school will complete all details and will then post the form and enclosed Cheque to the appropriate authority.
3. ONLY the "requestor" - the principal - will open the returned information.
4. If the vetting is "clear", the principal will complete the appointments procedure.
5. If the vetting indicates something amiss, the principal will give a copy of the police vetting to the applicant who will be asked to validate the information. That is, provide proof that the information is wrong. The person will be given a reasonable period of time to do this. Two weeks is considered a reasonable time. The applicant should be in regular contact with the principal to indicate progress is being made.
6. If the applicant cannot disprove the police vetting, the Principal will inform the Candidate that their appointment has been put aside in favour of the next applicant.

Contractors:

1. Contractors will be informed that they and any employee who will be working at the school during school hours will be required to be police vetted and that the cost shall be borne by the contractor.
2. The contractor and employees shall complete the details on the form. Contractors who refuse to complete this shall either not be used on school business during school hours or not be used at all at the Principal's discretion. Employees who refuse will not be used at the school. The contractor will ensure this procedure is followed.
3. The school shall complete their part of the form and send the form to the Police with the contractor's cheque.
4. ONLY the "requestor"- the Principal - will open the returned information.
5. If the vetting is "clear", the principal will advise the contractor accordingly and that person will inform his/her employees.
6. If the vetting is adverse the principal will give a copy of the police vet to the person who has "failed" the vetting (not necessarily to the contractor as the employer) and ask him / her to validate the information. The person will be given a reasonable period of time to do this, say, two weeks. The person should be in regular contact with the principal to indicate progress is being made.
7. If that person cannot disprove the police vetting, the Principal will then inform that person, and his/ her employer, that he/ she cannot work at the school. No details need to be given to the employers.

Volunteers:

1. Volunteers according to current Ministry of Education guidelines do not need to be police vetted.

Police Vetting Register

The school will operate a Register of all requests made for a police vetting. The headings will include:-

1. Subjects name/ D.O.B.
2. Category (support staff, contractor, contractor's employee, volunteer).
3. Date posted to Police
4. Date the result is received
5. Outcome ("pass" or "fail")
6. Date the vetting expires
7. Comment (for result of appeal etc.).