



Titahi Bay School

Policy Framework 2014

The following documentation outlines the board's governance framework and is aligned with the school's Charter values.

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Introduction

The board of trustees of Titahi Bay School is focused on the ongoing improvement of student progress and achievement within an environment that provides inclusive education as stated in the New Zealand Curriculum, the New Zealand Disability Strategy, and the United Nations Convention on the Rights of Disabled People.

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

The following are the board's agreed governance and management definitions which form the basis upon which both the working relationship and the board's policies are developed.

Governance

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.

Board policies are at a governance level and outline clear delegations to the principal. The board and principal form the leadership team 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.

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. The ongoing improvement of student progress and achievement is the board's focus.

Management

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]

In developing the above definitions for Titahi Bay School the board was mindful of the following excerpts from the Education Act 1989:

Education Act 1989, Section 75 and 76, and Section 65

The legal responsibility of boards of trustees is determined by Section 75 of the Education Act 1989:

s.75 Functions and powers of boards

(1) A school's board must perform its functions and exercise its powers in such a way as to ensure that every student at the school is able to attain his or her highest possible standard in educational achievement.

(2) Except to the extent that any enactment or the general law of New Zealand provides otherwise, a school's board has complete discretion to control the management of the school as it thinks fit.

*Section 75: replaced, on 13/2013, by **section 16** of the Education Amendment Act 2013 (2013 No).*

s.76 Principals –

(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) Shall comply with the board's general policy directions; and

(b) Subject to paragraph (a), has complete discretion to manage as the principal thinks fit the school's day to day administration.

s.65 A board may from time to time, in accordance with the State Sector Act 1988, appoint, suspend, or dismiss staff.

In order to carry out effective governance of the school the board has developed the following policy framework:

Part 2

Governance Policy

These governance policies outline how the board will operate and set standards and performance expectations that create the basis for the board to monitor and evaluate performance as part of its ongoing monitoring and review cycle. (See 3 year review programme p23).

1. Board Roles & Responsibilities Policy

The board of trustees key areas of contribution are:

Representation

Leadership

Accountability

Employer Role

The board	Standard
1. Sets the strategic direction and long-term plans and monitors the board's progress against them	1.1 The board leads the Charter review process 1.2 The board sets the strategic aims and approves the annual plan and targets in line with MoE expectations 1.3 Regular board meetings include a report on progress towards achieving strategic aims 1.4 The Charter is the basis for all board decision making
2. Monitors financial management of the school and approves the budget	2.1 Satisfactory performance of school against budget 2.2 Budget approved by the first meeting each year
3. Monitors and evaluates student progress and achievement	3.1 Reports at each regular board meeting from principal on progress against annual plan highlight risk/success 3.2 Meet targets in annual plan, implement curriculum policy and satisfactory performance of curriculum education priorities 3.3 Board review schedule covering curriculum and student progress and achievement reports are followed
4. Effectively manages risk	4.1 Attend board meetings having read board papers and reports and ready to discuss them 4.2 Board meetings have a quorum 4.3 Remain briefed on internal/external risk environments and take action where necessary 4.4 Identify 'trouble spots' in statements of audit and take action if necessary 4.5 Ensure that the principal reports on all potential and real risks when appropriate and take appropriate action
5. Ensures compliance with legal requirements	5.1 New members have read and understood: board induction pack; & requirements of board members 5.2 New and continuing members have kept aware of any changes in legal and reporting requirements for the school. Board has sought appropriate advice when necessary 5.3 Accurate minutes of all board meetings, approved by board and signed by chair 5.4 Individual staff/student matters are always discussed in public excluded session
6. Attends board meetings and takes an active role as a trustee	6.1 Attendance at 80% of meetings (min.) 6.2 No unexplained absences at board meetings (3 consecutive absences without prior leave result in immediate step down) Refer Education Act 1989, s104 (1) (c) 6.3 Board papers read prior to attending board meetings

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7. Approves major policies and programme initiatives	7.1 Approved and minuted.
8. Fulfils the intent of the Treaty of Waitangi by valuing and reflecting New Zealand's dual cultural heritage	8.1 The Treaty of Waitangi is obviously considered in board decisions 8.2 The board is culturally responsive and inclusive
9. Approves and monitors personnel policy and procedures and acts as a good employer	9.1 Become and remain familiar with employment conditions of school, staff employment agreements and award arrangements
10. Appoints, assesses the performance of and supports the principal	10.1 Principal's performance management system in place & implemented
11. Deals with disputes and conflicts referred to the board as per the school's concerns and complaints procedures	11.1 Successful resolution of any disputes and conflicts referred
12. Represents the school in a positive, professional manner	12.1 Code of behaviour adhered to
13. Oversees, conserves and enhances the resource base	13.1 Property/resources meet the needs of the student achievement aims
14. Effectively hands over governance to new board/trustees at election time	14.1 New trustees provided with governance manual 14.2 New trustees fully briefed and able to participate following attendance at an orientation programme

Review schedule: Triennially

2. Trustees' Code of Behaviour Policy

The board is committed to ethical conduct in all areas of its responsibilities and authority. Trustees shall:

1. Maintain and understand the values and goals of the school
2. Ensure the needs of all students and their achievement is paramount
3. Be loyal to the school and its mission
4. Publicly represent the school in a positive manner
5. Respect the integrity of the principal and staff
6. Observe the confidentiality of non-public information acquired in their role as a trustee and not disclose to any other persons such information that might be harmful to the school
7. Be diligent and attend board meetings prepared for full and appropriate participation in decision making
8. Ensure that individual trustees do not act independently of the board's decisions
9. Speak with one voice through its adopted policies and ensure that any disagreements with the board's stance are resolved within the board
10. Avoid any conflicts of interest with respect to their fiduciary responsibility
11. Recognise the lack of authority in any individual trustee or subgroup of the board in any interaction with the principal or staff
12. Recognise that only the chairperson (working within the board's agreed chairperson role description or delegation) or a delegate working under written delegation, can speak for the board
13. Continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
14. Be available to undertake appropriate professional development

I, xxxxxxxx, have read and understood this Code of Behaviour Policy and agree to follow and abide by it to the best of my ability.

Signature:

Date:

Review schedule: Triennially

3. Trustee Remuneration and Expenses Policy

The board has the right to set the amount that the chairperson and other board members are paid for attendance at board meetings in recognition that these fees cover the expense of attending meetings. The principal, as a member of the board is entitled to the same payment as all other trustees except the chairperson. Currently at Titahi Bay school;

- 1 The chairperson receives \$75.00 per board meeting
- 2 Elected board members receive \$55.00 per board meetings
- 3 There is no payment for working group/committee meetings
- 4 Attendance fees are non-taxable within the agreed non-taxable amounts of \$605 annually for trustees and \$825 for the chairperson
- 5 Attendance costs for professional development sessions will be met by the board of trustees. Prior approval must first be sought
- 6 All other reimbursements are at the discretion of the board and must be approved prior to any spending occurring

Review schedule: Triennially

4. Conflict of Interest Policy

The standard of behaviour expected at Titahi Bay School is that all staff and board members 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.

The purposes of this policy are to protect the integrity of the school decision-making process, to ensure confidence in the school's integrity, and to protect the integrity and reputations of staff and board members. Upon or before election or appointment, each person will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated as appropriate.

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

Review schedule: Triennially

5. Chairperson's Role Policy

The chairperson of Titahi Bay school safeguards the integrity of the board's processes and represents the board of trustees to the broader community. The chair ensures that each trustee has a full and fair opportunity to be heard and understood by the other members of the board in order that collective opinion can be developed and a board decision reached. The board's ability to meet its obligations and the plans and targets it has set are enhanced by the leadership and guidance provided by the chair.

The Chair:

1. Welcomes new members, ensures that the conflict of interest disclosure is made and the code of behaviour is understood and signed, and leads new trustee induction
2. Assists board members' understanding of their role, responsibilities and accountability including the need to comply with the Trustees' Code of Behaviour policy
3. Leads the board members and develops them as a cohesive and effective team
4. Ensures that the work of the board is completed
5. Ensures that they act within board policy and delegations at all times and do not act independently of the board
6. Sets the board's agenda in consultation with the Principal and ensures that all board members have the required information for informed discussion of the agenda items
7. Ensures that the meeting agenda content is only about those issues which according to board policy clearly belong to the board to decide
8. Effectively organises and presides over board meetings ensuring that such meetings are conducted in accordance with the Education Act 1989, the relevant sections of the Local Government Official Information and Meetings Act 1987 and any relevant board policies
9. Ensures interactive participation by all board members
10. 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/s
11. Is responsible for promoting effective communication between the board and wider community including communicating appropriate board decisions
12. Establishes and maintains a productive working relationship with the principal
13. Ensures that the principal's performance agreement and appraisal are completed on an annual basis
14. Ensures that concerns and complaints are dealt with according to the school's concerns and complaints procedures
15. Ensures that any potential or real risk to the school or its name is communicated to the board. This includes any concern or complaint

Review Schedule: Annually in November

5. Staff Trustee Role Description Policy

The staff/student trustee fulfils legislative requirements relating to board composition. The role of the staff/student trustee is to bring a staff/student perspective to board decision making.

As a trustee the staff/student trustee has an obligation to serve the broader interests of the school and its students and has equal voice, vote, standing and accountabilities as all other trustees.

Staff Trustee accountability measure	Standard
1. To work within the board's Charter	1.1 The Charter 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 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 trustee is not a staff advocate 3.2 The staff trustee does not bring staff concerns to the board
4. The staff trustee is bound by the Trustee Code of Behaviour	4.1 The staff trustee acts within the code of behaviour
5. It is not expected that the staff trustee act as a union delegate	5.1 The staff trustee does not bring staff issues to the board
6. It is not necessary for the staff trustee to prepare a verbal or written report for the board unless specifically requested to from the board	6.1 No regular reports received unless a request has been made by the board on a specific topic.

Review schedule: Triennially

6. The Relationship between the Board and the Principal Policy

The performance of the school depends significantly on the effectiveness of this relationship and as such a positive, productive working relationship must be developed and maintained. The board and the principal form the leadership team and as such clear role definitions have been developed. The Responsibilities of the Principal and Responsibilities of the Board policies along with the board's agreed Code of Behaviour should be read alongside this policy.

1. This relationship is based on mutual respect, trust, integrity and ability.
2. The relationship must be professional.
3. The principal reports to the board as a whole rather than to individual trustees.
4. Day to day relationships between the board and the principal are delegated to the chair.
5. All reports presented to the board by the staff arrive there with the principal's approval and the principal is accountable for the contents.
6. There are clear delegations and accountabilities by the board to the principal through policy.
7. The two must work as a team and there should be no surprises.
8. Neither party will deliberately hold back important information.
9. Neither party will knowingly misinform the other.
10. The board must maintain a healthy independence from the principal in order to fulfil its role
11. The principal should be able to share their biggest concerns with the board.

Review schedule: Annually

7. Principal's Performance Appraisal Policy

The principal's performance is appraised on an annual basis with the objective of ensuring high quality educational opportunities for the students of the school. This process will:

1. Ensure that the principal's performance will be formally appraised on an annual basis by the board chairperson or delegate(s) and, at the board's choice, either an independent consultant who specialises in education and is able to review the effectiveness of the education provided or other suitable trustee.
2. Result in a written assessment of the principal's performance on an annual basis, identifying any training/professional development needs for the principal to undertake.
3. There will be three informal meetings during the review period between the principal and chairperson or delegate(s) to discuss progress.
4. The criteria for appraisal will be the objectives set in the performance agreement, the objectives being drawn from the school's strategic and annual operating plans, the principal's job description, professional standards and board policies on operations.
5. If there is any disagreement between the principal and the board as to the objectives, the board, after considering the principal's input, will amend and confirm the amended objectives or confirm the unchanged objectives. The board's decision will be final.
6. The board chairperson or delegate(s) may seek feedback on the principal's performance from staff, parents, or any other person/s who are in the position of providing feedback on how the principal has performed.
7. The chairperson or delegate(s) will report back formally once a year to the board a summary report on the result of the appraisal. This will be discussed in committee with the principal absent.
8. The performance agreement and results of the appraisal are confidential to the principal, the board and their agents unless both parties agree to wider distribution.
9. In the event of a dispute relating to the appraisal results, the board may choose to exercise its right to make a final decision or appoint an independent mediator to mediate. Ultimately the board will have responsibility for any final decision.

Review schedule: Triennially

8. The Relationship between the Chairperson and the Principal Policy

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

The relationship principles are to be read in line with the following:

1. The board's agreed governance and management definitions
2. The board's Roles & Responsibilities Policy
3. The Responsibilities of the Principal Policy
4. The Chairperson's Role Policy
5. The Trustees' Code of Behaviour Policy

Relationship principles:

1. A positive, productive working relationship between the principal and the chair is both central and vital to the school.
2. This relationship is based on mutual trust and respect.
3. The two must work as a team and there should be no surprises.
4. The relationship must be professional.
5. Each must be able to counsel the other on performance concerns.
6. The chair supports the principal and vice versa when required and appropriate.
7. There is understanding/acceptance of each other's strengths and weaknesses.
8. Each agree not to undermine the other's authority.
9. There is agreement to be honest with each other.
10. Each agree and accept the need to follow policy and procedures.
11. Agree not to hold back relevant information.
12. Agree and understand that the chair has no authority except that granted by the board.
13. Understand that the chair should act as a sounding board for the principal both supporting and challenging in order to hold the school to account for achieving the goals and targets that have been set.

Review schedule: Annually

9. Meeting Process Policy

The board is committed to effective and efficient meetings that are focused at a governance level and provide the information the board needs to be assured that all policies, plans and processes are being implemented and progressing as planned. Meetings:

1. are based on a prepared annual agenda. The agenda preparation is the responsibility of the chairperson in consultation with the Principal. Sufficient copies of the agenda of the open (public) session will be posted on the board of trustees notice board and available at the meeting place for the public.
2. are held with the expectation that trustees have prepared for them and will participate in all discussions at all times within the principles of acceptable behaviour.
3. have the right, by resolution, to exclude the public and news media from the whole or part of the proceedings in accordance with the Local Government Official Information and Meetings Act. Decisions by the board are fully recorded but remain confidential. The board needs to:
 - make the reasons for excluding the public clear
 - reserve the right to include any non-board member it chooses

Review schedule: Triennially

10. Meeting Procedure Policy

(an * denotes legislative requirement)

Members of the school community are encouraged to take an active interest in the school and its performance and are welcome to attend all board meetings within the *Public Attending Board Meetings Procedure* (See p. 12).

Board meetings;

General:

- Meetings are held as per the triennial review schedule with dates confirmed each December for the following year.
- The quorum shall be more than half the members of the board currently holding office.
- 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.
- The chairperson shall be elected at the first meeting of the year except in the general election year where it will be at the first meeting of the newly elected board.
- If multiple nominees are received for election to become chairperson the nominees can't vote and the other trustees vote for their preferred chairperson.
- The chairperson may exercise a casting vote, for the status quo, in the case of equality of votes, in addition to his/her deliberative vote.
- 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. E.g. Contracts, pay and conditions etc. 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.
- Only trustees have automatic speaking rights.
- The board delegates [and minutes] powers under Sections 15 & 17 of Education Act to the Disciplinary Committee.
- The board delegates [and minutes] authority to the deputy principal in the times of absence of the principal.
- The amount the chairperson and other board members are paid for attendance at board meetings is set by the board. Currently the chairperson receives **\$75** per board meeting and board members receive **\$55** per board meeting. There is no payment for committee or working party meetings.
- Attendance fees are non-taxable within the agreed non-taxable amounts of \$605 annually for trustees and \$825 for the chairperson.
- Board minutes will be taken by a non trustee paid on a commercial basis on contract.

Time of meetings:

- Regular meetings commence at 7.15pm and conclude by 9.30pm.
- 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.

Special meetings:

- A special meeting may be called by delivery of notice to the chairperson signed by at least one third of trustees currently holding office.

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 unless specifically asked to stay. The wording to be used in the motion to exclude the public is found in Schedule 2A of that Act. Excluding the public is most often used to ensure privacy of individuals or financially sensitive issues.

Public participation:

- The board meeting is a meeting held in public rather than a public meeting.
- Public participation is at the discretion of the chairperson.
- Public attending the meeting are given a notice about their rights regarding attendance at the meeting. *Public Attending Board Meetings Procedure* (See p. 12).

Motions/amendments:

- A motion is a formal proposal for consideration. All motions and amendments moved in debate must be seconded unless moved by the chairperson 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

Tabling documents

- When written information is used in support of a discussion, it should be tabled so that it can be examined by those present. It then forms part of the official record.

Correspondence

- 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.

Termination of debate:

- All decisions are to be taken by open voting by all trustees present.

Lying on the table

- 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.

Points of order

- Points of order are questions directed to the chair which require an answer or a ruling. They are not open to debate and usually relate to the rules for the running of a meeting.

Suspension of meeting procedures:

- The board's normal meeting procedures may be suspended by resolution of the meeting.

Agenda:

- Agenda items are to be notified to the chair 7 days prior to the meeting
- 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 matters requiring a decision of the board are to be agended as separate meeting items.
- All items in the agenda are to carry a recommended course of action and where appropriate supplemented by supporting material in the agended documentation.
- The agenda is to be collated with the agenda items placed in the agenda order and marked with the agenda number.
- Papers requiring reading and consideration will not normally be accepted if tabled at the meeting.
- Papers and reports are to be sent to the board 3 working days before the meeting

Minutes

- The principal is to ensure that secretarial services are provided to the board.
- The minutes are to clearly show resolutions and action points and who is to complete the action.
- A draft set of minutes is to be completed and sent to the chair for approval within 5 working days of the board meeting before being distributed to trustees within 7 working days of the meeting.

Review schedule: Triennially

Public Attending Board Meetings Procedure

Welcome to the Titahi Bay Board of Trustees meeting. We welcome public presence at our meetings and hope that you enjoy your time observing our board meeting.

In order that you understand the rules that apply to members of the public attending our meetings please read the following:

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- 1 Board meetings are not public meetings but meetings held in public.
- 2 If the meeting moves to exclude the public (usually this is to protect the privacy of individuals) then you will be asked to leave the meeting until this aspect of business has been concluded.
- 3 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.
- 4 Speakers shall be restricted to a maximum of 3 minutes each per subject, with a time limit of fifteen minutes per interest group.
- 5 No more than 3 speakers on any one topic.
- 6 Speakers are not to question the board and must speak to the topic.
- 7 Board members will not address questions or statements to speakers.
- 8 Speakers shall not be disrespectful, offensive, or make malicious statements or claims.
- 9 If the chair believes that any of these have occurred or the speaker has gone over time they will be asked to finish.

Please note: Members of the public include staff and parents of the school who are not trustees on the board.

Review schedule: Triennially