



# TITAHI BAY SCHOOL

**Kura Kids are Believers & Achievers**

## Operational policies – board expectations for the control and management of the school

	Outcome statements	Approved	Reviewed	Next review
1. Responsibilities of the principal policy	Authority and accountability for the day-to-day running/operation of the school is delegated to the principal.			
2. Curriculum delivery policy	Curriculum delivery reflects charter/strategic plan aims and meets legislative requirements.			
3. Personnel (NAG 3) policy	The obligations and responsibilities of being a good employer are met.			
3.1 Appointments policy	The best applicants are appointed through a fair, rigorous appointments process.			
4.1 Financial planning and condition (combined alternative) policy	The school is financially viable, manages risks effectively and resources are targeted to where they make the most difference to outcomes for students.			
4.2 Asset protection policy	Assets of the school are utilised to maximise the best outcomes for students.			
5. Protection and sharing of intellectual property (Creative Commons) policy	The board enables and encourages sharing and collaboration between teachers by recognising and removing legal barriers that exist to the sharing of learning resources and other materials created by school staff in the course of their employment.			
6. Health and safety policy	A safe and healthy workplace is maintained by providing the information, training and supervision needed to ensure the health and safety of all students, staff and other people in the workplace.			
7. Child protection policy	Students at this school thrive, belong and achieve to the best of their ability. The school is committed to the prevention of child abuse and neglect and to the protection of all children.			
8. Managing challenging behaviour and physical restraint policy	To minimise the effect of challenging behaviour, the board of trustees shall ensure that effective procedures are in place around the management of student behaviour and the use of physical restraint.			
9. Concerns and complaints policy	All complaints, concerns and incidents are attended to promptly, respectfully and professionally and seek to bring effective resolution to all parties concerned.			

# 1. Responsibilities of the principal policy

## Outcome statement

Authority and accountability for the day-to-day running/operation of the school is delegated to the principal.

## Scoping

The principal is the professional leader of the school and the board's chief executive working in partnership with the board of trustees. The board is responsible for the governance of the school, including setting the policies by which the school is to be controlled and managed. The principal is responsible for the implementation of these policies including the charter/strategic plan.

The relationship between the board and principal is based on mutual respect, trust, integrity and support with both parties working to ensure no surprises.

## Delegations

Authority and accountability for the day-to-day running of the school is delegated to the principal. Reference in documentation to the school, management and staff is to be read as "principal" for responsibility for implementation.

Only decisions made by the board acting as a board are binding on the principal unless specific delegations to the chair, individual board members, committee chairs or committees of the board are in place.

The board chair/personnel committee has responsibility for the principal's performance review.

## Expectations and limitations

The principal shall not cause or allow any practice, activity or decision that is unethical, unlawful or imprudent or that violates the board's expressed values, its charter/strategic plan or commonly held professional ethic.

The responsibilities of the principal are set out in the board's operational policies and include the following:

- Meet the requirements of their current job description and employment agreement including the four areas of practice from the Professional Standards for Primary/Secondary Principals.
- Participate in the development and implementation of their annual performance agreement and participate in their annual review process.
- Act as the educational leader and day-to-day manager of the school within the law and in line with board policies.
- Develop, seek board approval for and implement an annual plan that is aligned with the board's strategic plan, meets legislative requirements and gives priority to improved student progress and achievement.
- Use resources efficiently and effectively and preserve assets (financial and property).
- Operate within the board's approved annual budget.
- Give effect to good employer policies and practices through effective procedures, instructions or guidelines.
- Employ, deploy and terminate staff positions in line with board policy and legislative requirements.
- Communicate with the community on operational matters as and where appropriate.
- Refrain from unauthorised public statements about the official position of the board on social, political and/or educational issues that are or have the potential to be controversial.
- Keep the board informed of all information relevant to its governance role and report this in accordance with the requirements set out under Monitoring below.
- Act as protected disclosures officer and ensure procedures are in place to meet the requirements of the Protected Disclosures Act 2000.
- Appoint, on behalf of the board, the privacy officer and EEO officer.
- Ensure school procedures meet the legislative statutes and regulations as set down in the appropriate Acts, Ministry of Education circulars and Education Gazette.
- Ensure systems are developed and implemented to support the smooth running of the school in regards to surrender and retention of property and searches of students. Written records and storage of items must be consistent with legislative requirements and associated rules and guidelines.

The principal is not restricted from using the expert knowledge of individual board members acting as community experts.

# Procedures/supporting documentation

Board's governance and management definitions

Principal's job description

Principal's employment agreement including relevant Principal Professional Standards

Principal's performance agreement and review report

Annual implementation plan and budget

Personnel-related policy and procedures including appointments and performance management

## Monitoring

The board will review the principal's performance in line with its policy on principal performance review.

Evidence gathered for the review will include principal reporting to the board in line with the board's annual workplan and that addresses all matters having real or potential legal considerations and risk for the school including significant trends, implications of board decisions, issues or risk to policy compliance or changes to the basis upon which the board's strategic aims have been developed.

The principal will prepare (or, where appropriate, delegate, coordinate and approve) a report for every board meeting that:

- is timely, accurate and presents information in an understandable form that is not too complex or lengthy
- includes data and analysis on curriculum delivery, student progress and achievement
- tracks progress and variance towards strategic aims and key performance indicators
- informs the board of any significant changes in staffing, programmes, plans or processes that are under consideration
- outlines financial income and expenditure and explains any variance against budget
- summarises and highlights any risks associated with the fortnightly staff usage and expenditure (SUE) report
- identifies the number of stand-downs, suspensions, exclusions and expulsions during the period and highlights trends over time
- identifies the instances of physical restraint
- includes information of any actual or potential risks to health and safety
- specifies current roll numbers and explains any roll variance against year levels
- recommends changes in board policies when the need for them becomes known
- highlights areas of possible adverse publicity or community dissatisfaction
- addresses any other matter requested by the board within a reasonable, specified timeframe.

## Legislative compliance

[Education Act 1989](#)

[Privacy Act 1993](#)

[Protected Disclosures Act 2000](#)

[Collective Employment Agreement for Principals](#)

Reviewed:	Next review:
-----------	--------------

## 2. Curriculum delivery policy

### Outcome statement

Curriculum delivery reflects charter/strategic plan aims and meets legislative requirements.

### Scoping

The board's primary objective is to ensure that every student at the school is able to attain his or her highest possible standard in educational achievement.

### Delegations

As the professional leader of the school, the principal is responsible for fostering quality teaching and learning outcomes.

### Expectations and limitations

The principal must ensure:

- an annual plan is developed setting out how progress will be made towards the achievement of charter/strategic aims and targets and is approved by the board
- the school curriculum is based on the vision, values, principles and key competencies of the New Zealand Curriculum (or Te Marautanga o Aotearoa)
- school programmes provide students in years 1–6 with opportunities to learn in all areas of the national curriculum
- there is a focus on the national priority groups of Māori, Pasifika and students with special learning needs in school planning and reporting\*
- assessment practices enable the engagement, progress and achievement of students to be monitored and reported
- board approval is sought before changes to the school curriculum requiring increased expenditure or significant changes to programmes or staffing are made.

### Procedures/supporting documentation

Curriculum planning

Assessment cycle

### Monitoring

The principal will prepare (or, where appropriate, delegate, co-ordinate and approve) a report for every board meeting that:

- includes data and analysis on curriculum delivery, student progress and achievement
- tracks progress and variance towards strategic aims and key performance indicators
- informs the board of any significant changes in staffing, programmes, plans or processes that are under consideration.

### Legislative compliance

[Education Act 1989](#)

[New Zealand Curriculum/Te Marautanga o Aotearoa](#)

\*National Education and Learning Priorities (from 2019)

---

Reviewed:	Next review:
-----------	--------------

## 3. Personnel (NAG3) policy

### Outcome statement

The obligations and responsibilities of being a good employer are met.

### Scoping

The board recognises its responsibilities and accountabilities to its employees are achieved through its chief executive (the principal).

### Delegations

The board delegates responsibility to the principal on all matters relating to the management of staff in the expectation that they will be managed in a sound, fair and respectful manner in accordance with the current terms of employment documents and identified good practice.

### Expectations and limitations

The principal must ensure:

- all employment-related legislative requirements are applied
- all employees understand their rights to personal dignity and safety and that matters are resolved in an appropriate and fair manner
- a smoke-free environment is provided
- employment records are maintained and all employees have written employment agreements
- management pay units for appropriate positions are allocated in a fair, transparent manner
- employee leave is effectively managed and reported so that:
  - the risk of financial liability is minimised, operational needs are met and the needs of individual staff are considered
  - board approval is sought for any requests for discretionary staff leave with pay
  - board approval is sought for any requests for discretionary staff leave without pay of longer than 4 days
  - board approval is sought for any requests for staff travelling overseas on school business
  - the board is advised of any staff absences longer than four school days
- effective and robust performance management systems are in place for all staff that include performance management reviews, attestations for salary increases and staff professional development
- a suitable professional development programme, which takes into consideration the requirements of the strategic and annual plans, is provided as part of each employee's performance agreement
- the requirements of the Health and Safety at Work Act 2015 are met
- advice is sought as necessary from NZSTA advisers where employment issues arise and the school's insurer is notified.

### Procedures/supporting documentation

Staff leave form

Staff leave procedure

Staff performance review

Professional development

Storage of confidential information

### Monitoring

Any matters or risks in relation to this policy shall form part of the principal's report to every board meeting. The board shall monitor personnel issues in order to identify any risks or issues that require governance action.

### Legislative compliance

[State Sector Act 1988](#)

[Employment Relations Act 2000](#)

[Privacy Act 1993](#)

[Health and Safety at Work Act 2015](#)

[Collective employment agreements](#)

---

Reviewed:

Next review:

---

DRAFT

## 3.1 Appointments policy

### Outcome statement

The best applicants are appointed through a fair, rigorous appointments process.

### Scoping

To assist in the appointment of quality staff to any vacancy that may arise, appointment committees with expertise relevant to the vacancy will be selected to carry out the appropriate appointment procedures. In accordance with the regulatory requirements for safety checking under the Vulnerable Children Act 2014, we demonstrate our commitment to the safety of children by adopting appropriate safety checking practices when employing school staff, whether core workers, volunteers or other. This policy is used in conjunction with Titahi Bay School procedures on safety checking, Police vetting and screening.

### Delegations

The board delegates authority to determine the composition of the various appointment committees according to the schedule outlined below. Appointment of the principal is the responsibility of the board, which will determine the process and seek NZSTA advice.

### Expectations and limitations

The principal must ensure that:

- appointment of deputy principals, head of departments/senior teachers will involve an appointment committee consisting of the principal, the board chair and, at the discretion of the board, a further trustee
- unless determined otherwise by the board, appointment of all other teachers, part-time teachers, long-term relieving teachers and non-teaching staff will be the responsibility of the principal in consultation with the board chair or delegate where deemed necessary
- procedures are in place and fully implemented that meet all legislative requirements regarding safety checking, Police vetting and screening of all staff.

In the case of Community of Kāhui Ako membership:

- staff seeking the Communities of Learning | Kāhui Ako leadership role or the teacher across schools role must seek and receive consent from their employing board before applying for the role.

### Procedures/supporting documentation

Police vetting procedure

Safety checklist

Templates – application form, shortlisting matrix, interview matrix, reference checking matrix etc.

### Monitoring

Any matters or risks in relation to this policy shall form part of the principal's report to every board meeting. The board shall monitor appointments issues in order to identify any risks or issues that require governance action.

### Legislative compliance

[Collective employment agreements](#)

[Employment Relations Act 2000](#)

[Vulnerable Children Act 2014](#)

---

Reviewed:

Next review:

---

## 4.1 Financial planning and condition policy

### Outcome statement

The school is financially viable, manages risks effectively and resources are targeted to where they make the most difference to outcomes for students.

### Scoping

The board of trustees has overall responsibility for the financial management of the school. The principal is the day-to-day manager of the school and responsible for achieving legislative requirements and charter/strategic aims and targets within board policy objectives.

The financial viability of the school must be protected at all times, and every practicable effort is made to eliminate the risk of theft or fraud.

### Delegations

The principal, in association with the finance committee, is responsible for recommending an annual operating and capital budget to the board within the timelines specified in the finance committee terms of reference.

The board delegates the day-to-day management of the school's finances and budget to the principal.

The principal is required to ensure robust, clear procedures are in place to safeguard the integrity of financial management.

### Expectations and limitations

Budgeting shall not fail to reflect the annual plan, risk financial jeopardy nor fail to show a generally acceptable level of foresight. The budget should:

- reflect the results sought by the board
- reflect the priorities as established by the board
- comply where the board's requirement is for a balanced budget
- demonstrate an appropriate degree of conservatism in all estimates.

The principal must ensure:

- unauthorised debt or liability is not incurred
- generally accepted accounting practices or principles are not violated
- tagged/committed funds are not used for purposes other than those approved
- more funds than have been allocated in the fiscal year are not spent without prior board approval
- all money owed to the school is collected in a timely manner
- timely payment to staff and other creditors is made
- unauthorised property is not sold or purchased
- all relevant government returns are completed on time
- no one person has complete authority over the school's financial transactions
- when making any purchase:
  - of over \$2000, comparative prices are sought
  - of over \$2000, an adequate review of ongoing costs, value and reliability is undertaken
  - of over \$2000 on a single item, board approval is first sought
- effective systems are in place to meet the requirements of the payroll system.

### Procedures/supporting documentation

Annual budget

### Monitoring

The principal is responsible for financial reporting and demonstrating budget compliance. Where there is non-compliance, variances are to be reported to the board with recommendations on the actions required to meet compliance.

### Legislative compliance

Refer to the Ministry of Education website for information on managing school finances and the [Financial Information for Schools Handbook \(FISH\)](#).

---

Reviewed:

Next review:

---

DRAFT

## 4.2 Asset protection policy

### Outcome statement

Assets of the school are utilised to maximise the best outcomes for students.

### Scoping

Assets may not be unprotected, inadequately maintained or unnecessarily risked.

### Delegations

The principal is delegated day-to-day responsibility for ensuring that the programming and funding of general maintenance of the school grounds, buildings, facilities and other assets occurs in order to provide a clean, safe, tidy and hygienic work and learning environment for students and staff.

### Expectations and limitations

The principal must:

- ensure all board assets are insured
- not allow unauthorised personnel or groups to handle funds or school property
- not subject plant and equipment to improper wear and tear or insufficient maintenance or inappropriate use
- maintain an up-to-date asset register for all items of furnishing, plant machinery, equipment, text and library books costing more than \$500
- ensure the implementation of the 10-year property maintenance plan
- engage sufficient property maintenance staff for the school within budget limitations
- receive board approval for maintenance contracts over \$5,000 for any one contract
- conduct competitive tenders for all contracting
- protect intellectual property, information and files from loss or significant damage or unauthorised access or duplication
- not receive, process or disburse funds under controls that are insufficient to meet the board-appointed auditor's standards
- not invest or hold operating capital in insecure accounts or in non-interest-bearing accounts except where necessary to facilitate ease in operational transactions.

### Procedures/supporting documentation

**Board to enter own documentation.** Asset Register

### Monitoring

Any matters or risks in relation to this policy shall form part of the principal's report to every board meeting. The board shall monitor asset protection issues in order to identify any risks or issues that require governance action.

### Legislative compliance

Refer to the Ministry of Education website for information on managing school finances and the [Financial Information for Schools Handbook \(FISH\)](#).

---

Reviewed:

Next review:

---

# 5. Protection and sharing of intellectual property (Creative Commons) policy

## Outcome statement

The board enables and encourages sharing and collaboration between teachers by recognising and removing legal barriers that exist to the sharing of learning resources and other materials created by school staff in the course of their employment.

## Scoping

The New Zealand Copyright Act 1994 Section 21 (2) recognises the copyright ownership rights of board of trustees of works produced by their employees in the course of their employment.

By licensing its copyright, the board is giving permission in advance for others to copy and share learning resources developed by its employees and owned by the board.

## Delegations/responsibility

The board delegates to the principal the responsibility to:

- apply by default a Creative Commons Attribution Licence to all teaching materials and policies in which the board of trustees owns copyright
- transfer to the original creator the copyright in created works licensed by the school under a Creative Commons Attribution or Creative Commons Share-Alike licence
- ensure that all staff are aware of the terms of this policy and how it relates to teaching resources they develop in the course of their employment at the school.

## Limitations and expectations

The board:

- does not make any claim over the ownership of copyright works produced by students – the copyright to these works remains with the creator
- recognises that this policy only applies to copyright works and not to any other forms of intellectual property
- recognises that the copyright in works produced by an employee other than in the course of their employment by the board of trustees remains the property of that employee – where this is unclear, the process for dispute resolution outlined below shall apply.

## Resolution of disputed copyright ownership

Where the first ownership of copyright in a given work is disputed or unclear, the following process will apply:

1. In the first instance, the dispute should be documented and presented to the school principal.
2. If the dispute is still not resolved, the documentation should be presented to the board chair.
3. If the dispute is still not resolved following steps 1 and 2, mediation with an appropriate authority will be undertaken.

Steps 1 and 2 should be replaced with the school's dispute resolution process, where appropriate.

## Definitions

**Creative Commons Aotearoa:** The New Zealand affiliate of an international non-profit movement that provides free open licences that copyright holders can use to share their work.

**Teaching materials:** Copyright works produced by employees of the school for the purposes of teaching.

## Associated legislation

[The New Zealand Copyright Act 1994](#)

## Associated procedures

*School to enter appropriate procedures.*

## Monitoring

Any matters or risks in relation to this policy shall form part of the principal's report to every board meeting, taking care that individual students cannot be identified. The board shall monitor the protection and sharing of intellectual property in order to identify any risks or issues that require governance action.

*School to enter own monitoring and reporting procedures.*

---

Reviewed:

Next review:

---

DRAFT

## 6. Health and safety policy

### Outcome statement

A safe and healthy workplace is maintained by providing the information, training and supervision needed to ensure the health and safety of all students, staff and other people in the workplace.

### Scoping

The board is responsible for ensuring health and safety procedures are developed and implemented. However, employees need to be aware of their responsibilities and comply with the board's health and safety policy and school procedures.

### Delegations

The board delegates to the principal as officer the responsibility to:

- develop and implement health and safety procedures
- ensure employees have the information they need in order to comply with policy and procedures.

### Expectations and limitations

The board will, as far as is reasonably practicable,<sup>1</sup> comply with the provisions of legislation dealing with health and safety in the workplace by:

- providing a safe physical and emotional learning environment
- ensuring a health and safety strategy/plan is in place and engagement and consultation on the strategy occurs with workers and the school community
- ensuring there are procedures in place regarding the sale, supply and consumption of alcohol and that these are aligned with the protection of students, staff and visitors to the school procedures and comply with the [Sale and Supply of Alcohol Act 2012](#)
- providing adequate facilities, including ensuring access and ensuring property and equipment is safe to use and students and workers are not exposed to hazards
- ensuring there is an effective method in place for identifying, assessing and controlling hazards, which includes recording and investigating injuries and reporting serious harm incidents
- having a commitment to a culture of continuous improvement.

The principal, as officer, has responsibility for implementing this policy and therefore must:

- exercise due diligence in accordance with the provisions of the health and safety legislation and in particular the six due diligence obligations<sup>2</sup>
- take all reasonable steps to protect students, staff and visitors to the school from unsafe or unhealthy conditions or practices
- ensure the staff code of conduct is implemented effectively
- ensure there is zero tolerance to unacceptable behaviour, such as bullying, and that there are effective processes in place
- provide a smoke-free environment
- ensure a risk analysis management system (RAMS) is in place and carried out
- seek approval for overnight stays/camps/visits attesting first to their compliance with above
- consult with the community every 2 years regarding the health programme being delivered to students
- provide information and training opportunities to employees
- advise the board chair of any emergency situations as soon as possible
- ensure all employees and other workers at the school will take reasonable care to:
  - o cooperate with school health and safety procedures
  - o comply with the health and safety legislation and duties of workers
  - o ensure their own safety at work
  - o promote and contribute to a safety-conscious culture at the school

1. **Reasonably practicable** means what is or was reasonably able to be done at a particular time to ensure health and safety, taking into account and weighing up all relevant matters.
2. These are to:
  - know about work health and safety matters and keep up to date
  - gain an understanding of the operations of the organisation and the hazards and risks generally associated with those operations
  - ensure the person conducting a business or undertaking (PCBU) has appropriate resources and processes to eliminate or minimise those risks
  - ensure the PCBU has appropriate processes for receiving information about incidents, hazards and risks and for responding to that information
  - ensure there are processes for complying with any duty and that these are implemented
  - verify that these resources and processes are in place and being used.

# Procedures/supporting documentation

Staff induction

Education outside the classroom, RAMS

Health and safety register

Hazard register

Hazard assessment register

Injury and incident reporting (procedure, checklist, board report, investigation form)

Emergency procedures, including for shut-down and evacuation

Administering medication

Accident management

Alcohol, smoking and drugs

Before and after-school care

Behaviour management – managing challenging behaviour and physical restraint (policy and procedures)

Civil defence and crisis procedures

Collection, storage and access to personal information

Concerns and complaints

Court orders against parents/caregivers

Cyber safety

First aid and infection (pandemic plan)

Healthy eating

Parent helpers

Adult behaviour at school (adult conduct at school)

Playground supervision

Police vetting

Protected disclosures

Sexual harassment

Sun smart (sun safety)

Transporting children

## Monitoring

Any matters or risks in relation to this policy shall form part of the principal's report to every board meeting. The board shall monitor health and safety issues in order to identify any risks or issues that require governance action.

## Legislative compliance

[Health and Safety at Work Act 2015](#)

[Vulnerable Children Act 2014](#)

---

Reviewed:	Next review:
-----------	--------------

# 7. Child protection policy

## Outcome statement

Students at this school thrive, belong and achieve to the best of their ability. The school is committed to the prevention of child abuse and neglect and to the protection of all children.

## Scoping

All staff members (including contractors and volunteers) are expected to be familiar with this policy, its associated procedures and protocols and abide by them.

Advice will be sought through appropriate agencies in all cases of suspected or alleged abuse.

In line with Section 15 of the [Oranga Tamariki Act 1989](#), any person in our school who believes that any child or young person has been or is likely to be harmed (whether physically, emotionally or sexually), ill treated, abused, neglected or deprived must follow school procedures and may also report the matter to a social worker or the local Police.

## Delegations

Although ultimate accountability sits with the board, the board delegates responsibility to the principal to ensure that all child safety procedures are implemented and available to all staff, contractors, volunteers and parents.

## Expectations and limitations

The principal must:

- develop appropriate procedures to meet child safety requirements as required and appropriate to the school
- comply with relevant legislative requirements and responsibilities
- make this policy available on the school's internet site or available on request
- ensure that every contract or funding arrangement that the school enters into requires the adoption of child protection policies where required
- ensure the interests and protection of the child are paramount in all circumstances
- recognise the rights of family/whānau to participate in the decision making about their children
- ensure that all staff are able to identify the signs and symptoms of potential abuse and neglect and deal with disclosures by children and allegations against staff members and are able to take appropriate action in response
- support all staff to work in accordance with this policy to work with partner agencies and organisations to ensure child protection procedures are understood and implemented
- promote a culture where staff feel confident they can constructively challenge poor practice or raise issues of concern without fear of reprisal
- consult, discuss and share relevant information with the board or designated person in line with our commitment to confidentiality and information-sharing protocols in a timely way regarding any concerns about an individual child
- seek advice as necessary from NZSTA advisers on employment matters and other relevant agencies where child safety issues arise
- make available professional development, resources and/or advice to ensure all staff can carry out their roles in terms of this policy
- ensure that this policy forms part of the initial staff induction programme for each staff member.

## Procedures/supporting documentation

Definitions

Identification and reporting of child abuse and neglect

- Four categories of abuse (emotional, physical, sexual and neglect)
- How to respond to suspected abuse or neglect
- How to respond to disclosures made by a child
- Recording a disclosure
- Reporting suspected child abuse and neglect

Confidentiality, information sharing and recording

Safety checking – safety checklist

Staff capability and professional development

Safe at work practices

- Physical contact with children

- Working one on one with children
- Transporting children
- Overnight stays/camps
- Social media and technology (internet protection, photo storage)
- Parent help
- Visitors on site
- External contractors
- Before and after-school programmes
- Billeting
- Socialising with children
- Gifts and rewards
- Intimate care – toileting
- Application of medication and sunscreen

Managing challenging behaviour and physical restraint policy

Allegations against staff

## Monitoring

Any matters or risks in relation to this policy shall form part of the principal's report to every board meeting, taking care not to identify individuals. The board shall monitor child protection issues in order to identify any risks or issues that require governance action.

## Legislative compliance

<http://www.nzsta.org.nz/> – further information including frequently asked questions

<http://www.education.govt.nz/>

[Vulnerable Children Act 2014](#)

[Oranga Tamariki Ministry for Children](#) – further information and sample child protection templates

---

Reviewed:	Next review:
-----------	--------------

---

# 8. Managing challenging behaviour and physical restraint policy

## Outcome statement

To minimise the effect of challenging behaviour, the board of trustees shall ensure that effective procedures are in place around the management of student behaviour and the use of physical restraint.

## Scoping

This policy applies throughout the school.

All staff are required to familiarise themselves with Ministry of Education guidelines for registered schools in New Zealand on the use of physical restraint and to undertake appropriate professional development.

The board will ensure that any incident of physical restraint is notified to parents or caregivers and reported to the Ministry of Education. The board will ensure that parents or caregivers are notified if physical restraint is an element in a student's individual behaviour plan.

Complainants with concerns regarding use of physical restraint must follow the school's prescribed concerns and complaints procedure.

## Delegations

The board delegates to the principal:

- responsibility for ensuring that adequate staff training and support is in place
- the reporting of incidents of physical restraint to parents, caregivers and the Ministry of Education
- notification to parents and caregivers if an element of physical restraint is in a student's individual behaviour plan.

## Limitations and expectations

- Physical restraint is defined as using force to prevent, restrict or subdue the movement of a student's body or part of the student's body and is a serious intervention.
- Staff shall be well versed in prevention and de-escalation strategies used to limit the need to physically restrain a student.
- Use of physical restraint is limited to teachers or authorised staff members and only where:
  - there are reasonable grounds to believe that there is a serious and imminent risk to the safety of a student or of any other person
  - the restraint used is reasonable and proportionate in the circumstances.
- Authorised staff are employees authorised by their employer (the board of trustees) to use physical restraint.
- Teachers and staff members who are authorised to physically restrain students shall receive suitable training and support.
- Seclusion of students is prohibited. Seclusion of students is defined as placing a child or student in a room involuntarily, alone and from which they cannot (or believe they cannot) freely exit.

## Associated legislation

[Education Act 1989](#)

[Education \(Physical Restraint\) Rules 2017](#)

[Health and Safety at Work Act 2015](#)

## Associated procedures

*School to enter appropriate procedures.*

## Monitoring

Instances, matters or risks in relation to this policy shall form part of the principal's report to every board meeting, taking care that individual students cannot be identified.

The board shall monitor the use of physical restraint, looking for trends and any action that could be taken at governance level to support reducing such incidents.

*School to enter own monitoring and reporting procedures.*

---

Reviewed:

Next review:

## 9. Concerns and complaints policy

### Outcome statement

All complaints, concerns and incidents are attended to promptly, respectfully and professionally and seek to bring effective resolution to all parties concerned. Our KURA values will be evident during consideration of any complaint or concern.

### 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, responsibility lies with the board.

### Expectations and limitations

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
- 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 to ensure due process is followed.

### Procedures/supporting documentation

Parent/whānau concerns and complaints procedure

Staff concerns and complaints procedure

### 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

---

Reviewed:	Next review:
-----------	--------------