



# Mount Eden Normal

## PRIMARY SCHOOL

Te Whare Akoranga o Maungawhau

**POLICY**

---

### *Governance*

#### **Mt Eden Normal Primary School Board of Trustees Policy Framework**

1. Governance Framework
2. Trustee Roles & Responsibilities
3. Code of Conduct
4. Remuneration and Expenses
5. Conflicts of Interest
6. Presiding Member Role
7. Meeting Procedures
8. Appendices - Public Attending Board Meetings

## **1. Governance Framework**

### **1.1. Statement of Outcomes**

The board of Mt Eden Normal Primary School is focused on the ongoing improvement of student progress and achievement within an environment that provides inclusive education.

Refer to the New Zealand Curriculum, Te Tiriti o Waitangi, New Zealand Bill of Rights Act 1990, Human Rights Act 1993, New Zealand Disability Strategy and United Nations Convention on the Rights of Persons with Disabilities.

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

### **1.2. Definitions**

The following are the board's agreed governance and management definitions, which form the basis of its working relationships, policy and processes.

### **1.3. Governance & Management**

The ongoing improvement of student progress and achievement; that the school is an inclusive and safe place for all students and staff; that the school gives effect to Te Tiriti o Waitangi are the board's primary objectives.

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, 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 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).

### **1.4. Education & Training Act 2020**

In developing the above definitions, the board is mindful of the sections of the Education & Training Act 2020 and the Education (School Board) Regulations 2020 set out below.

The Education & Training Act 2020 came into force on 1 August 2020 and clarifies the governance role of the school board and its primary objectives. Most of the powers and

functions of boards are now set out in the Education (School Boards) Regulations 2020, with the principal's role as chief executive specified in section 130 of the Act.

## **1.5. Governance Framework - Education & Training Act 2020 – School boards**

### **Education and Training Act, 2020, Section 125: Board is governing body**

- (1) A board is the governing body of its school.
- (2) A board is responsible for the governance of the school, including setting the policies by which the school is to be controlled and managed.
- (3) Under section 130, the school's principal is the board's chief executive in relation to the school's control and management.

### **Education and Training Act, 2020, Section 126: Bylaws**

- (1) A board may make bylaws that the board thinks necessary or desirable for the control and management of the school.
- (2) Before making a bylaw, the board must consult its staff, its students (to the extent that the board considers appropriate), and the school community regarding the proposed bylaw.

#### **127 Objectives of boards in governing schools**

- (1) A board's primary objectives in governing a school are to ensure that—
  - (a) every student at the school is able to attain their highest possible standard in educational achievement; and
  - (b) the school—
    - (i) is a physically and emotionally safe place for all students and staff; and
    - (ii) gives effect to relevant student rights set out in this Act, the New Zealand Bill of Rights Act 1990, and the Human Rights Act 1993; and
    - (iii) takes all reasonable steps to eliminate racism, stigma, bullying, and any other forms of discrimination within the school; and
    - (c) the school is inclusive of, and caters for, students with differing needs; and
    - (d) the school gives effect to Te Tiriti o Waitangi, including by—
      - (i) working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
      - (ii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and
      - (iii) achieving equitable outcomes for Māori students.
  - (2) To meet the primary objectives, the board must—
    - (a) have particular regard to the statement of national education and learning priorities issued under section 5; and
    - (b) give effect to its obligations in relation to—
      - (i) any foundation curriculum statements, national curriculum statements, and national performance measures; and
      - (ii) teaching and learning programmes; and
      - (iii) monitoring and reporting students' progress; and
      - (c) perform its functions and exercise its powers in a way that is financially responsible; and
      - (d) if the school is a member of a community of learning that has a community of learning agreement under clause 2 of Schedule 5, comply with its obligations under the agreement; and

(e) comply with all of its other obligations under this or any other Act.

**Education and Training Act, 2020, Section 128: Staff**

A board may, in accordance with the Public Service Act 2020, appoint, suspend, or dismiss school staff

**Education and Training Act, 2020, Section 131: Board has complete discretion**

(1) A board has complete discretion to perform its functions and exercise its powers as it thinks fit

(2) Subsection (1) is subject to this Act, any other enactment, and the general law of New Zealand.

**Education (School Boards) Regulations 2020 - Delegation**

(1) A board may, by resolution and in writing either generally or specifically, delegate any of the functions or powers of the board or of a board member to any of the following persons:

(a) a board member or members:

(b) the principal or any other employee or office holder of the board:

(c) a committee consisting of at least 2 persons at least 1 of whom is a board member:

(d) a person approved by the Minister:

(e) any class of persons that comprises any of the persons listed in paragraphs (a) to (d).

(2) Subclause (1) does not apply to any functions or powers specified in the Act as not being capable of delegation.

(3) The board must not delegate the general power of delegation.

(4) A person to whom any function or power is delegated may perform the function or exercise the power in the same manner and with the same effect as if the person were the board or board member (subject to any restrictions or conditions imposed by the board).

(5) A person purporting to act under a delegation—

(a) is, in the absence of proof to the contrary, presumed to be acting in accordance with the delegation; and

(b) must produce evidence of the person's authority to do so if reasonably requested to do so.

(6) A person to whom any function or power is delegated may delegate that function or power only—

(a) with the prior written consent of the board; and

(b) subject to the same restrictions, and with the same effect, as if the subdelegate were the delegate.

(7) A delegation under subclause (1)—

(a) is revocable at will by resolution of the board and written notice to the delegate (or by any other method provided for in the delegation):

(b) does not prevent the board or the board member performing the functions or exercising powers:

(c) does not affect the responsibility of the board for the actions of any delegate acting under the delegation:

(d) is not affected by any change in the membership of the board or of any committee or class of persons.

## **1.6. Schedule of Delegations**

### **Delegations retained by the board**

The board retains authority without delegation over the following areas;

- Approval of and amendments to the annual budget, including capital expenditure
- Appointment of staff to Deputy/Associate Principal grades (refer Appointments Policy);
- Appointment of staff to positions in excess of current staffing entitlements/approved personnel budget, Board Policies and legislative requirements;
- The termination of employment of any paid employee;
- 10YPP, 5YA agreements (and/or variations exceeding \$5,000) and any agreements with the Ministry of Education to construct new facilities on the school site;
- Formal communication and agreements with the Minister of Education, Secretary for Education or any other Minister of the Crown or Crown Entity;
- Responses to the Secretary of Education or any other head of a Government department which was initiated by a report, written communication, request for information or required declaration received from such persons and addressed to the board or Board Chairperson;
- Interviews with the media and the distribution of media releases on any matter which would be seen to represent the view of the Board
- The initiation of any legal actions and/or any communications invoking legal action;
- Signature of any formal or legal agreement which is in the name of the school for which Board approval is required
- Approval of paid and unpaid leave of staff over 5 days in a calendar year;

### **Board delegations to the Principal**

The board delegates the following responsibilities to the Principal;

- All day-to-day curriculum, staffing and resource management of the school, subject to Board Policy and all legislative requirements;
- Appointment of all permanent and/or fixed term staff (below Deputy/Associate Principal grades), including salary and terms/conditions of employment, subject to current staffing entitlements/approved personnel budget, Board Policies and legislative requirements;
- Approval of paid and unpaid leave of staff up to 5 days in a calendar year;
- Administration of individual and collective employment contracts
- Approval of any orders for goods and services within current approved budget allocations;
- Purchase of fixed assets for which the Board has given prior approval;
- Variations to approved Ministry 5YA projects up to but not exceeding \$10,000

## **1.7. Control and management of State schools**

## **Education and Training Act, 2020, Section 130 - Principal is chief executive of board in relation to school's control and management**

(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) must comply with the board's general policy directions; and
  - (b) subject to paragraph (a), has complete discretion to manage the school's day-to-day administration as they think fit.
- 

## **2. Board Roles and Responsibilities**

### **2.1. Outcome statement**

The board is focused on governance that;

- fosters and supports the ongoing improvement of student progress and achievement;
- ensures that the school is a safe and inclusive place for all students and staff;
- gives effect to Te Tiriti o Waitangi.

### **2.2. Scoping**

The board is a body corporate whose policies and decisions exist in perpetuity or until such time as they are rescinded or revoked. The board sets the strategic direction for the school and governs via its policies, which it entrusts to the principal to implement.

### **2.3. Delegations**

Accountability rests with the whole board, with no individual board member or committee having decision-making authority unless it has been delegated and documented. All sub delegations are approved by the board, as are revocations.

### **2.4. Board Code of Conduct**

**1. I act with integrity** - *I act with high standards of professional and personal integrity, including being honest, open, transparent, and trustworthy.*

**2. I am culturally responsive and fair** - *I do not act or advocate in a way that discriminates against, nor act in a way that unjustifiably favours, particular individuals, groups, identities or interests.*

**3. I actively promote a safe school environment** - *I speak up when I see unethical behaviour. I treat all concerns raised seriously. I encourage an open culture where all staff, communities and students feel safe speaking up.*

**4. I am respectful of my fellow board members** - I follow the board's policies and procedures. I work with my fellow board members in a respectful way, even when we disagree.

**5. I respect the process of collective decision-making** - I recognise that only a member authorised by the board to do so may speak on behalf of the board. I do not act independently of the board's decisions.

**6. I treat school staff, students and members of the school community with respect** -I treat the principal, staff, students, and school volunteers, and members of the school community with courtesy and respect

**7. I take responsibility for ongoing development in my role-** I make myself available to undertake appropriate professional development, including a focus on Te Tiriti o Waitangi and good governance.

**8. I engage with our community in sensitive and appropriate ways** - I work with my fellow board members to authentically engage with all people in our school community, including whānau, local Māori communities, iwi and hapū, fairly, impartially, promptly, and sensitively to help inform the decisions we make.

**9. I speak up for all students** - I put students' wellbeing, progress and achievement first and foremost, unaffected by my personal beliefs or interests.

**10. I come prepared** - I come to board meetings prepared to fully participate in decision-making.

**11. I use my position responsibly** - I maintain confidentiality when I receive non-public information gained in the course of my duties and use it only for its intended purpose. I publicly represent the school in a positive manner and do not publicly disclose information that may be harmful to the school. I do not pursue my own interests at the expense of the school or community's interests.

**12. I do not seek gifts or favours** - I follow our board policy procedures in relation to any offers of gifts or hospitality. I never seek gifts, hospitality or favours for myself, members of my family or other close associates.

**13. I am politically impartial in my role as a board member** - I do not endorse or campaign for a political party or candidate in my capacity as a school board member.

**14. I meet statutory and administrative requirements** - I act in accordance with all statutory and administrative requirements relevant to the role of the school board (including as an employer) and will seek guidance and support if and where required.

**15. I identify and manage conflicts of interest** - I identify, disclose, manage and regularly review all interests. I become familiar with, and follow, all conflicts of interest requirements, including those of the board, the school, and all statutory requirements.

Board Actions		Standards
1. Sets the strategic direction and long-term plans and monitors the board's progress against them.	1.1	The board leads the annual charter/strategic plan review process
	1.2 1.3	The board sets/reviews the strategic aims annually The board approves the annual plan and targets and ensures the charter/strategic plan is submitted to the Ministry of Education by 1 March each year
	1.4	Regular board meetings include a report on progress towards achieving strategic aims
	1.5	The charter/strategic plan is the basis for all board decision making
	2. Monitors and evaluates student progress and achievement, including students with differing needs.	2.1
2.2		Reports are received at each regular board meeting from the principal on progress against the annual plan, highlighting risk/success
2.3		Information reported to the board is thoughtfully discussed, critiqued and challenged
2.4		Targets in the annual plan are met, the curriculum policy is implemented and there is satisfactory performance of curriculum priorities
3. Ensures that the school is a safe place for all students and staff.	3.1	All reasonable steps are taken to eliminate racism, stigma, bullying and any other forms of discrimination
	3.2	Students' rights under the <a href="#">Education &amp; Training Act 2020</a> , the <a href="#">New Zealand Bill of Rights Act 1990</a> and the <a href="#">Human Rights Act 1993</a> are honoured
4. Ensures the school gives effect to Te Tiriti o Waitangi	4.1	Plans, policies and local curriculum reflect local tikanga Māori, mātauranga Māori and te ao Māori
	4.2	All reasonable steps are taken to make instruction available in tikanga Māori and te reo Māori
	4.3	Māori students achieve equitable outcomes
5. Appoints, assesses the performance of and supports the principal.	5.1	Principal's performance management system is in place and implemented



6. Approves the budget and monitors financial management of the school.	6.1	Budget is approved by the first meeting each year
	6.2	Satisfactory performance of financial management against budget is in evidence
7. Effectively manages risk.	7.1	The board has an effective governance model in place
	7.2	The board remains briefed on internal/external risk environments and takes action where necessary
	7.3	The board identifies trouble spots in statements of audit and takes action if necessary
	7.4	The board ensures the principal reports on all potential and real risks when appropriate and takes appropriate action
8. Ensures compliance with legal requirements.	8.1	New members read and understand the governance framework including policies, the school charter/strategic plan, board induction pack and requirements and expectations of board members
	8.2	New and continuing members are kept aware of any changes in legal and reporting requirements for the school
	8.3	The board seeks appropriate advice when necessary
	8.4	Accurate minutes of all board meetings are approved by the board and signed by the presiding member
	8.5	Individual staff/student matters are always discussed in public-excluded session
	8.6	Board meetings have a quorum
9. Ensures board members attend board meetings and take an active role.	9.1	Members attend board meetings having read board papers and reports and are ready to discuss them
	9.2	Attendance at 80% of meetings (minimum)
	9.3	No unexplained absences at board meetings (three consecutive absences without prior leave results in immediate step-down – refer <a href="#">Education &amp; Training Act 2020, schedule 23, clause12 (1) (c)</a> )
10. Ensures board members attend board meetings and take an active role.	10.1	Board meetings are effectively run
	10.2	Members attend board meetings having read board papers and reports and are ready to discuss them
	10.3	Attendance at 80% of meetings (minimum)
	10.4	<a href="#">No unexplained absences at board meetings (three consecutive absences without prior leave results in immediate step-down – refer Education &amp; Training Act 2020, schedule 23, clause12 (1) (c)</a> )

11. Approves major policies and programme initiatives.	11.1	The board approves programme initiatives as per policies
	11.2	The board monitors implementation of programme initiatives
12. Approves and monitors human resource policy/procedures, which ensures effective practice and contributes to its responsibilities as a good employer.	12.1	The board becomes and remains familiar with the broad employment conditions that cover employees (staff employment agreements and arrangements)
	12.2	The board ensures there are personnel policies in place and they are adhered to  The board ensures there is ongoing monitoring and review of all personnel policies
	12.3	The board ensures there is ongoing monitoring and review of all personnel policies
	12.4	The board reports annually on compliance with its personnel policy on being a good employer (including the equal employment opportunities programme)
13. Deals with disputes and conflicts referred to the board as per the school's concerns and complaints procedures.	13.1	Successful resolution of any disputes and conflicts referred is achieved
14. Represents the school in a positive, professional manner	14.1	The Board Code of conduct is adhered to
15. Oversees, conserves and enhances the resource base.	15.1	Property/resources meet the needs of the school's aims
16. Effectively hands over governance to new board members at election time.	16.1	New board members are provided with induction and a copy of the board's governance manual
	16.2	New board members are fully briefed and able to govern following attendance at an orientation programme
	16.3	Appropriate delegations are in place as per the <a href="#">Education (School Boards) Regulations 2020, regulation 8</a>
	16.4	<a href="#">Board and board members participate in appropriate ongoing professional development</a>
17. Emergency Delegations	17.1	In the event of an emergency where a timely response is required but it is not possible to consult with the Board (such as during a civil emergency), the functions or powers of the board may be temporarily assumed by the following persons, in order;

	<ul style="list-style-type: none"> <li>(a) The Principal</li> <li>(b) The Deputy Principal</li> <li>(c) The Associate Principal(s)</li> <li>(d) The Presiding Member</li> <li>(e) The Staff Trustee</li> <li>(f) A Staff member with Team Leader Responsibilities</li> <li>(g) A member or members of the Board (whether chorate or not)</li> <li>(h) A member of teaching staff</li> <li>(i) A Board employee</li> </ul> <p>Authority will only be granted in such emergency situations until such time as the Board can assume normal duties, and authority limited only to lawful decisions made in the interests of the physical and emotional safety of students and/or Board employees</p>
--	--

### **3. Responsibilities of the Principal**

#### **3.1. Outcome statement**

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

#### **3.2. Scoping**

The principal is the professional leader of the school and the chief executive of the board in relation to the school's control and management.

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.

### **3.3 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” regarding responsibility for implementation. Refer to Schedule of Delegation (1.6, above).

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

The board presiding member has responsibility for the principal’s performance review, which may be externally contracted by mutual agreement with the Principal.

### **3.4. 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 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;
  - gives priority to improved student progress and achievement;
  - ensures that the school is an inclusive and safe place for all students and staff;

- honours students' human rights and gives effect to Te Tiriti o Waitangi
- 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, (and/or act as) 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
- Ensure systems and procedures meet requirements set out in the Rules regarding student behaviour management and the use of physical restraint

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

---

#### **4. 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
- Tracks progress and variance towards strategic aims and key performance indicators
- Includes data and analysis on curriculum delivery, student progress and achievement
- Includes data and analysis on student wellbeing
- Provides evidence of the school's giving effect to Te Tiriti o Waitangi
- 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 any 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

The Board follows a regular calendar of self-review and monitoring.

---

**5. Legislative compliance:** [Education and Training Act, 2020](#) and [Employment Relations Act 2000 State Sector Act 1988](#)

## **6. Board remuneration and expenses policy**

### **6.1. Outcome statement**

Remuneration and reimbursement of expenses to board members is transparent, fair and reasonable.

### **6.2. Scoping**

The board exercises its right to set the amount that the presiding member and other board members are reimbursed for attendance at board meetings. These honoraria cover the expense of attending board meetings and are not payment for work undertaken.

The principal, as a member of the board, is entitled to the same payment as all other members except the presiding member.

Any other payments or reimbursements are at the discretion of the board.

### **6.3. Expectations and limitations**

Currently at Mt Eden Normal Primary School:

- the presiding member receives \$75 per board meeting
- other board members receive \$55 per board meeting
- these honoraria are non-taxable within the agreed “allowed exemptions”. Payments of up to \$55.00 for a board member and \$75.00 for the presiding member to attend a board meeting are defined as “expenditure incurred in the production of the payment” and are exempt from withholding tax
- there is a limit on the number of payments for attending meetings in any one year that are exempt from withholding tax. Annual “allowed exemptions” are \$605 per board member (equivalent to 11 meetings per school year at \$55.00 a meeting) and \$825 for the chair (equivalent to 11 meetings at \$75.00 a meeting).
- there is no payment for working group/committee meetings
- costs associated with attendance at professional development sessions may be met by the board but prior approval must be sought

- all other reimbursements are at the discretion of the board and must be approved prior to any spending occurring.

## **6.4. Compliance**

### [Income Tax Act 2007](#)

### [IRD Honoraria payments to school trustees](#)

## **7. Conflicts of interest**

### **7.1. Outcome statement**

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

### **7.2. Scoping**

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).

### **7.3. Expectations and limitations**

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 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.

---

#### **7.4. Procedures/supporting documentation**

Disclosure of interest statements

- Legislative compliance
  - Education (School boards) Regulations 2020
- 

### **8. Presiding member (chair) role description**

#### **8.1. Outcome statement**

The board is effectively led.

#### **8.2. Scoping**

The presiding member presides over board meetings and ensures that each board member has a full and fair opportunity to be heard and understood by the other members of the board and that decisions that are in the best interest of the school, its students and staff are reached.

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

The presiding member establishes and nurtures a positive professional working relationship with the principal.

The presiding member represents the board to the broader community and works in partnership with the principal to safeguard the integrity of the board's processes.

The presiding member often represents the board to the school and wider community and agencies such as the Ministry of Education and the Education Review Office and carries a responsibility to safeguard the integrity of the board.

#### **8.3. Delegations**

The board delegates management of the relationship between the board and the principal to the presiding member.

## **8.4. Expectations and limitations**

The presiding member:

- is appointed by election at the first board meeting of the year except in a triennial board election year where it shall be at the first meeting of the board held after the election
- acts within board policy and delegations at all times and not independently of the board
- works with the board to develop a cohesive and effective team
- welcomes new board members, ensures that disclosure of any conflicts of interest is made and the Code of Conduct for Board Members is understood (and signed) and leads new member induction
- assists board members' understanding of their role, responsibilities and accountability, including the need to comply with the Code of Conduct for Board Members issued by the Minister
- ensures the work of the board is completed
- sets the board's meeting agenda and ensures that all board members have the required information for informed discussion of the agenda items
- ensures the meeting agenda content is only about those issues that, according to board policy, clearly belong to the board to decide
- effectively organises and presides over board meetings, ensuring that such meetings are conducted in accordance with the Education & Training Act 2020, the Education (School Boards) Regulations 2020, the relevant sections of the Local Government Official Information and Meetings Act 1987 and any board policies and protocols
- ensures interactive participation by all board members
- 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
- is the official signatory for the board, including for annual accounts
- is responsible for promoting effective communication between the board and wider community, including communicating appropriate board decisions
- establishes and maintains a productive working relationship with the principal
- ensures the principal's performance agreement and review are completed on an annual basis
- ensures concerns and complaints are dealt with at the appropriate level, according to the school's concerns and complaints procedures
- ensures any potential or real risk to the school or its name is communicated to the board. This includes any concern or complaint.

## **8.5 Procedures/supporting documentation**

Governance policies and protocols

Code of Conduct for Board Members

Schedule of Delegations

## **8.6. Legislative compliance**

- Education & Training Act 2020
- Education (School boards) Regulations 2020
- Local Government Official Information and Meetings Act 1987

- Official Information Act 1982
- Privacy Act 2020

## **9. Relationship between presiding member (chair) and principal**

### **9.1 Outcome statement**

The relationship between the presiding member and the principal is based on trust, integrity and mutual respect.

### **9.2 Scoping**

A positive, productive working relationship between the principal and the presiding member is both central and vital to the school.

The presiding member and principal should act as sounding boards, both supporting and challenging, in order to hold the school to account for achieving the goals and targets that have been set.

The presiding member has no authority except that granted by the board. The presiding member does not act independently of the board.

### **9.3. Expectations and limitations**

- The presiding member and principal must work as a team, and there should be no surprises
  - The relationship must be professional
  - Each must be able to counsel the other on performance concerns
  - The presiding member supports the principal and vice versa as appropriate
  - Each agrees not to undermine the other's authority
  - There is agreement to be honest with each other
  - Each agrees and accepts the need to follow policy and procedures
  - Neither party will deliberately hold back important information
  - Neither party will knowingly misinform the other
- 

## **10. Meeting Procedures**

### **10.1 Outcome Statement**

The board of trustees of Mt Eden Normal Primary School is committed to effective and efficient meetings and, to this end, sets out the following guidelines for the conduct of board meetings.

### **10.2 Timing of Meetings**

- dates and times of meetings will be set annually by the Board, *starting at 6.00pm and finishing no later than 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
- the Presiding Member is responsible, in consultation with the principal, for the preparation of an agenda prior to each meeting.
- the principal is responsible for arranging secretarial services to the board.
- agenda items are to be notified to the Presiding Member at least 3 days prior to the meeting.
- the agenda and board papers will be circulated to board members at least 4 days prior to the meeting
- 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
- the agenda for the part of each meeting that is open to the public will be made available at the meeting place for any members of the public, and made available prior to the meeting upon request by any member of the public
- 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 items in the agenda are to carry a recommended course of action and where appropriate be supplemented by supporting material in the meeting documentation.
- the agenda is to be collated with the items placed in order and marked with an agenda item number
- papers requiring reading and consideration will not normally be accepted if tabled at the meeting

### **10.3 Participation**

- the board meeting is a meeting open to the public rather than a public meeting.
- only trustees have automatic speaking rights. Speaking rights may be granted to non-trustees by resolution
- public participation is at the discretion of the board.
- public attending the meeting, including staff members not elected as the staff representative, are given a notice about their rights regarding attendance at the meeting

### **10.4 Meeting Procedures and 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 1987. The wording to be used in the motion to exclude the public is found in Schedule 2A of the Act. The board must make the reasons for excluding the public clear. Excluding the public is most often used to ensure privacy of individuals or financially sensitive issues
- persons may be asked to remain after the public has been excluded because they possess knowledge that will be of assistance in relation to the matter to be discussed. The board must pass a resolution that they may remain
- a quorum of more than half the members currently holding office is required, as per legislative requirements
- trustees will declare any conflict of interest at the beginning of the meeting
- 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, as per legislative requirements. A pecuniary interest arises when a trustee may be financially advantaged or disadvantaged as a result of decisions made by the board (contracts, pay and conditions). 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
- the chair shall be appointed by election at the first meeting of the year except in the triennial election year where it will be at the first meeting of the newly elected board, as per legislative requirements
- the elected chair (or, in their absence, a non-staff trustee granted delegated authority by the Chairperson) presides at meetings
- 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 whether or not to grant it, as per legislative requirements
- points of order are questions directed to the chair that require an answer or a ruling. They are not open to debate and usually relate to the rules for the running of a meeting
- the board's normal meeting procedures may be suspended by resolution of the meeting

### **10.5 Decision-making**

- all decisions are to be taken by consensus/open voting by all trustees present as determined by the Chairperson
- in the event of tied voting on a resolution, the chair may exercise a casting vote in addition to their deliberative vote, as per legislative requirements

- a motion is a formal proposal for consideration. All motions and amendments moved in debate must be seconded unless moved by the chair 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
- 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 at the discretion of the Chairperson

### **10.6 Minutes**

- board meeting minutes will be taken by a contracted, paid minute secretary who is not a member of the board
- the minutes are to clearly show resolutions and action points and who is to complete the action
- minutes are sent to the chair for checking within 3 working days and distributed electronically to the board within 7 working days. Requests for corrections or amendments should be submitted by email to the chair as soon as possible to ensure accurate minutes can be confirmed at the next meeting
- minutes to be tabled for approval should be included in documentation made available to all board members prior to the meeting

### **10.7. Special Meetings**

- a special meeting may be called by delivery of notice to the chair signed by at least one-third of trustees currently holding office
- meetings can be held via audio, audio and visual or electronic communication providing:
- all trustees who wish to participate in the meeting have access to the technology needed to participate, and
- a quorum of members can simultaneously communicate with each other throughout the meeting

### **10.8 Board Committees**

- are to be used sparingly to preserve the board functioning as a whole when other methods have been deemed inadequate

- can include non-board members but at least one must be a trustee
- may not speak or act for the board except when formally given such authority for specific and time-limited purposes – such authority will be carefully stated in order not to conflict with authority delegated to the principal or the chair
- assist the board chiefly by preparing policy alternatives and implications for board deliberation
- are intended to assist the board and not to advise or carry out the work of staff
- must act through the board and can only recommend courses of action unless they hold delegated authority to act on the board’s behalf
- are subject to the following terms of reference:

### 10.9 : Committee Terms of Reference

<b>Membership and appointment</b>	As determined by the Mt Eden Normal Board of Trustees  Annually appointed  Defacto Presiding Member and Principal membership
<b>Chairing</b>	As determined by the Mt Eden Normal Board of Trustees
<b>Frequency of meetings and quorum</b>	Ad-hoc meetings, typically monthly and prior to the full Board meeting, or as required by agreement of the committee members, or at the request of the Mt Eden Normal Primary School Board of Trustees  Decisions and/or recommendations to the Board will be made by consensus. In the event consensus cannot be reached, all relevant information and possible options explored by the committee that relate to the decisions and/or recommendations to be made will be referred to the full Board
<b>Record of meetings</b>	The committee will appoint a member of the group to take minutes of decisions and/or recommendations to the Board that arise.
<b>Reporting mechanism</b>	The committee will report to the Board at monthly meetings, in written or oral form, providing updates, decisions and/or recommendations to the Board
<b>Functions and delegated authority</b>	To provide oversight within the remit of the committee, making recommendations to the Board and acting in an advisory capacity.  Delegated authority for day-to day operational, staffing, property and budget management remains the exclusive responsibility of the Principal.

---

## **11. Appendix 1: Public Attending Board Meetings**

The board of trustees welcomes public presence at board meetings and hopes that members of the public enjoy their time observing board meetings. Members of the public include staff, students and parents of the school who are not trustees on the board.

The following procedures will be provided to members of the public attending meetings so that they understand the rules that apply and will be followed unless otherwise authorised by the board:

- Board meetings are not public meetings but meetings held in public.
- If the meeting moves to exclude the public (usually to protect the privacy of individuals), members of the public will be asked to leave the meeting until this aspect of business has been concluded.
- 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.
- Speakers shall be restricted to a maximum of 3 minutes each per subject, with a time limit of 15 minutes per interest group.
- No more than 3 speakers on any one topic.
- Speakers are not to question the board and must speak to the topic.
- Board members will not address questions or statements to speakers.
- Speakers shall not be disrespectful or offensive or make malicious statements or claims.
- If the chair believes that any of these have occurred or the speaker has gone over time, they will be asked to finish.

Signed: Annette Quesado  
Presiding Member

Date: September, 2023

### **Policy review details**

Version / date: Sept, 2023 V3

Review cycle: Triennial

Date for next review: Sept, 2026