



Mount Eden Normal

PRIMARY SCHOOL

Te Whare Akoranga o Maungawhau

POLICY

Governance

Mt Eden Normal Primary School Board of Trustees Policy Framework

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- Committee Principles

1. Trustee Roles and Responsibilities

1.1 Rationale

The Mt Eden Normal Primary School Board of Trustees is focused on governance that fosters and supports the ongoing improvement of student progress and achievement.

1.2 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The board is a body corporate whose policies and decisions exist in perpetuity or until such time as they are rescinded or revoked.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. Accountability

Accountability rests with the whole board, with no individual trustee or committee having decision-making authority unless it has been delegated and documented

3. Schedule of Delegations (see Finance Policy for Supplementary Schedule of Delegations)

3.1. Delegations retained by the board

The board retains authority without delegation over the following areas;

- 3.1.1. Approval of and amendments to the annual budget, including capital expenditure
- 3.1.2. Appointment of staff to Deputy/Associate Principal grades;
- 3.1.3. Appointment of staff to positions in excess of current staffing entitlements/approved personnel budget, Board Policies and legislative requirements;
- 3.1.4. The termination of employment of any paid employee;
- 3.1.5. 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;
- 3.1.6. Formal communication and agreements with the Minister of Education, Secretary for Education or any other Minister of the Crown or Crown Entity;
- 3.1.7. 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;

- 3.1.8. Interviews with the media and the distribution of media releases on any matter which would be seen to represent the view of the Board
- 3.1.9. The initiation of any legal actions and/or any communications invoking legal action;
- 3.1.10. Signature of any formal or legal agreement which is in the name of the school for which Board approval is required

4. Board delegations to the Principal

4.1. The board delegates the following responsibilities to the Principal;

- 4.1.1. All day-to-day curriculum, staffing and resource management of the school, subject to Board Policy and all legislative requirements;
- 4.1.2. 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;
- 4.1.3. Approval of paid and unpaid leave of staff;
- 4.1.4. Administration of individual and collective employment contracts
- 4.1.5. Approval of any orders for goods and services within current approved budget allocations;
- 4.1.6. Purchase of fixed assets for which the Board has given prior approval;
- 4.1.7. Variations to approved 5YA projects up to but not exceeding \$5,000

5. Policy Requirements

Board actions	Standards
5.1. Sets the strategic direction and long-term plans and monitors the board's progress against them	5.1.1. The board leads the annual charter/strategic plan review process 5.1.2. The board sets/reviews the strategic aims on a triennial cycle 5.1.3. 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 5.1.4. Regular board meetings include as report on progress towards achieving strategic aims 5.1.5. The charter/strategic plan is the basis for all board decision making

5.2. Monitors and evaluates student progress and achievement

5.2.1. The board approves an annual review schedule covering curriculum and student progress and achievement reports

5.2.2. Reports are received at each regular board meeting from the principal on progress against the annual plan, highlighting risk/success

5.2.3. Information reported to the board is thoughtfully discussed, critiqued and challenged

5.2.4. Targets in the annual plan are met, the curriculum policy is implemented and there is satisfactory performance of curriculum priorities

5. 3.3 Appoints, assesses the performance of and supports the principal

6. Principal's performance management system is in place and implemented

7. 3.4 Approves the budget and monitors financial management of the school

8. The annual Budget is approved by the first meeting each year

5. Satisfactory performance of financial management against budget is in evidence

6. 3.5 Effectively manages risk

7. The board has an effective governance model in place

1. The board remains briefed on internal/external risk environments and takes action where necessary

1. The board identifies trouble spots in statements of audit and takes action if necessary

5. The board ensures the principal reports on all potential and real risks when appropriate and takes appropriate action

6. 3.6 Ensures compliance with legal requirements

7. 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

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| | | 1. New and continuing members are kept aware of any changes in legal and reporting requirements for the school |
| | | 1. The board seeks appropriate advice when necessary |
| | | 5. Accurate minutes of all board meetings are approved by the board and signed by the chair |
| 6. | | 7. Individual staff/student matters are always discussed in public-excluded session |
| | | 5. Board meetings have a quorum |
| 6. | 3.7 Ensures trustees attend board meetings and take an active role | 7. Board meetings are effectively run |
| | | 1. Trustees attend board meetings having read board papers and reports and are ready to discuss them |
| | | 1. Trustee attendance shall be 80% of meetings (minimum) |
| | | 5. No unexplained absences at board meetings (three consecutive absences without prior leave results in immediate step-down – refer <u>Education Act 1989 s104 (1) (c)</u>) |
| 6. | 3.8 Approves major policies and programme initiatives | 7. The board approves programme initiatives as per policies |
| | | 5. The board monitors implementation of programme initiatives |
| 6. | 3.9 Fulfils the intent of the Treaty of Waitangi by valuing and reflecting New Zealand’s dual cultural heritage | 7. The Treaty of Waitangi is obviously considered in board decisions. |
| | | 8. |
| | | 9. The board, principal and staff are culturally responsive and inclusive |
| 10. | 4.0 Approves and monitors human resource policy/procedures, which ensures effective practice and contributes to its responsibilities as a good employer | 11. The board becomes and remains familiar with the broad employment conditions that cover employees (staff employment agreements and arrangements) |

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| | | 1. The board ensures there are personnel policies in place and they are adhered to (code of behaviour) |
| | | 5. The board ensures there is ongoing monitoring and review of all personnel policies |
| 6. | 4.1 Deals with disputes and conflicts referred to the board as per the school's concerns and complaints procedures | 7. Successful resolution of any disputes and conflicts referred is achieved |
| 8. | 4.3 Represents the school in a positive, professional manner | 9. Code of Conduct is adhered to |
| 10. | 4.4 Oversees, conserves and enhances the resource base | 11. Property/resources meet the needs of the student achievement aims |
| 12. | 4.5 Effectively hands over governance to new board/trustees at election time | 13. New trustees are provided with induction and a copy of the board's governance manual |
| | | 1. New trustees are fully briefed and able to govern following attendance at an orientation programme. |
| | | 1. Appropriate delegations are in place as per <u>Schedule 6 (17)</u> of the Education Act |
| | | 1. Board and trustees participate in appropriate ongoing professional development |

5. Monitoring

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

6. Legislative compliance: Education Act 1989 Employment Relations Act 2000
State Sector Act 1989

7. Trustee Code of Conduct

7.1 Rationale

The board will act in an ethical and respectful manner at all times in their Trustee role, and uphold the reputation of the school.

7.2 Scoping

Every member of the board will have access to the Code of Conduct and opportunities to discuss its expectations of their conduct. Board business will be conducted in an ethical and respectful manner, in accordance with legislation and board policy.

7.3 Requirements

As members of an effective governance team, each member of the board of trustees shall:

- ensure the needs of all students and their achievement is paramount
- be loyal to the school and its mission
- maintain and understand the values and goals of the school
- publicly represent the school in a positive manner
- respect the integrity of the principal and staff
- 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
- be diligent and attend board meetings prepared for full and appropriate participation in decision making
- ensure that individual trustees do not act independently of the board's decisions
- speak with one voice through board policies and ensure that any disagreements with the board's stance are resolved within the board
- in the course of board meetings, disclose any interests in a transaction or decision where they, their family and/or partner, employer or close associate will receive a benefit or gain and leave the meeting for the duration of discussion and/or voting in relation to the matter
- recognise the lack of authority in any individual trustee or committee/working party of the board in any interaction with the principal or staff
- recognise that only the chair (working within the board's agreed chair role description or delegation) or a delegate working under written delegation can speak for the board
- continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
- be available to undertake appropriate professional development as required

8. Remuneration and Expenses

8.1 Rationale

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

8.2 Scoping

The board exercises its right to set the amount that the chair 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 trustees except the chair.

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

8.3 Requirements

Currently at Mt Eden Normal Primary School:

- the chair receives \$75 per board meeting
- elected board members receive \$55 per board meeting
- there is no payment for working group/committee meetings
- attendance fees are non-taxable within the agreed non-taxable amounts of \$605 annually for trustees and \$825 for the chair
- 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.

8.4 Procedures/supporting documentation: School reimbursement claim form

8.5 Compliance: Income Tax Act 2007 IRD Honoraria payments to school trustees.

9. Conflicts of interest

9.1 Rationale

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

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

9.3 Requirements

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 trustee who has a pecuniary interest or any other interest that may influence them in carrying out their duties and responsibilities as a trustee must be excluded from any meeting while the board discusses, considers, considers anything relating to or decides on the matter.

Any trustee 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.

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 question.

9.4 Procedures/supporting documentation: Disclosure of interest statements as per BOT agenda.

10. Chairperson Role

10.1 Rationale

The board is effectively led.

10.2 Scoping

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

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

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

The chair 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.

The chair presides over board meetings and ensures that each trustee 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.

10.3 Delegations

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

10.4 Policy Requirements

The chairperson:

- is appointed by election at the first board meeting of the year except in a triennial trustee election year where it shall be at the first meeting of the board*
- acts within board policy and delegations at all times and not independently of the board
- leads the board members and develops them as a cohesive and effective team
- welcomes new members, ensures that disclosure of any conflicts of interest is made and the code of behaviour is understood (and signed) and leads new trustee induction
- assists board members' understanding of their role, responsibilities and accountability, including the need to comply with the trustee code of behaviour policy
- ensures the work of the board is completed
- sets the board's 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 Act 1989, the relevant sections of the Local Government Official Information and Meetings Act 1987* and any board protocols and policies
- 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, as per legislative requirements

- ❑ 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 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.

Legislative compliance: Education Act 1989 Schedule 6
Local Government Official Information and Meetings Act 1987

11. Procedures

11.1 Rationale

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.

11.2 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 chair is responsible, in liaison 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 chair 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

11.3 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

11.4 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

11.5 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

11.6 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
- ❑

11. Special Meetings

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

- 11.2. meetings can be held via audio, audio and visual or electronic communication providing:
- 11.3. all trustees who wish to participate in the meeting have access to the technology needed to participate, and
- 11.4. a quorum of members can simultaneously communicate with each other throughout the meeting

12. Board Sub-committees:

- 12.1. are to be used sparingly to preserve the board functioning as a whole when other methods have been deemed inadequate
- 12.2. can include non-board members but at least one must be a trustee
- 12.3. 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
- 12.4. assist the board chiefly by preparing policy alternatives and implications for board deliberation
- 12.5. are intended to assist the board and not to advise or carry out the work of staff
- 12.6. must act through the board and can only recommend courses of action unless they hold delegated authority to act on the board’s behalf
- 12.7. are subject to the following terms of reference:

Membership and appointment	As determined by the Mt Eden Normal Board of Trustees Annually appointed Defacto Chairperson and Principal membership
Chairing	As determined by the Mt Eden Normal Board of Trustees
Frequency of meetings and quorum	Ad-hoc meetings, typically monthly and prior to the full Board meeting, or as required by agreement of the sub-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 sub-committee that relate to the decisions and/or recommendations to be made will be referred to the full Board
Record of meetings	The sub-committee will appoint a member of the group to take minutes of decisions and/or recommendations to the Board that arise.

Reporting mechanism	The sub-committee will report to the Board at monthly meetings, in written or oral form, providing updates, decisions and/or recommendations to the Board
Functions and delegated authority	To provide oversight of accounting and finance matters, making recommendations to the Board and acting in an advisory capacity. Delegated authority for day-to day operational, staffing and budget management decision is the exclusive responsibility of the Principal.

13. 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.

14. Appendix 2: Committee Principles

The board may set up committees/working parties to assist it to carry out its responsibilities and due process (e.g. staff appointments, finance, property, disciplinary).

The Education Act 1989 Schedule 6 (17) gives the board the authority to delegate any of its powers to a special committee, except the power to borrow money.

Signed: Ginny Parsons
Chairperson

Date: February, 2019

Policy review details

Version / date: March, 2019

Review cycle: Triennial

Date for next review: March, 2022