



GOVERNANCE FOLDER

For Board of Trustees

April 2019

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INTRODUCTION

The Board of Trustees at Kilbirnie School plays a central role in the educational achievement of our children.

This handbook provides additional detail about how the board operates and should be read alongside the following other board policies:

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|  Assets and Property Policy |  Bicultural Policy |
|  Child Protection Policy |  Curriculum Policy |
|  Documentation and Review Policy |  Finance Policy |
|  Health and Safety Policy |  Legislation Policy |
|  Personnel and Appointments Policy | |

The Board of Trustees Terms of reference is reviewed at the first meeting of each school year, and this handbook forms the basis of the induction process for new trustees.

OVERVIEW

The Board is constituted under the 1989 Education Act. It is responsible for ensuring that the school is soundly managed in accordance with legal requirements, the strategic plan, and the school policies to provide a physically and emotionally safe place for all students and staff that is inclusive of and caters for students with differing needs. It also must take all reasonable steps to ensure that the policies and practices of the school reflect New Zealand's cultural diversity and the unique position of the Maori culture, and respect the principles of the Treaty of Waitangi.

The board is accountable for student achievement and must provide an environment for the delivery of quality educational outcomes. It must focus strategic plans on improving student achievement and teaching and learning programmes.

To ensure success, the board ensures that correct and adequate resources are available to the staff to enable them to teach the children to the very best of their ability. These resources include well-maintained property, current learning materials and equipment, as well as relevant staff development and management processes.

Each Board member represents the interest of parents and caregivers, as well as the wider community, and acts in a governance capacity (as distinct from management). Board policies are at a governance level and

outline clear delegations to the Principal. The board is proactive in its operations and decision making and does not involve itself in the administrative details of the day-to-day running of the school.

LEGAL OBLIGATIONS

The Education Act 1989 was amended in May 2017 to clarify the governance role of the board of trustees and focus on student achievement. The powers and functions of boards are now set out in Schedule 6 of the Act.

Specifically, the board must:

- Ensure that the school is a physically and emotionally safe place for all students and staff, and is inclusive of, and caters for, students with differing needs
- Have particular regard to any statement of National Education and Learning Priorities issued under section 1A;
- Comply with its obligations under sections 60A (in relation to curriculum statements and national performance measures), 61 (in relation to teaching and learning programmes), and 62 (in relation to monitoring of student performance);
- If the school is a member of a community of learning that has a community of learning agreement under section 72, comply with its obligations under that agreement as a member of that community;
- Take all reasonable steps to ensure that the policies and practices of the school reflect New Zealand's cultural diversity and the unique position of the Maori culture, and respect the principles of the Treaty of Waitangi.

GOVERNANCE SUPPORT

The contents of this handbook are based on the school policy framework produced by the NZ School Trustees Association (NZSTA). NZSTA provides training and advice on the governance and employer role for all school trustees and members of the Kilbirnie School board of trustees are expected to participate in appropriate professional development.

THE NATIONAL CURRICULUM

To provide context for the governance role, it is important that trustees are aware of the national curriculum for schools.

The New Zealand Curriculum is a statement of official policy relating to teaching and learning in New Zealand schools. Its principal function is to set the direction for student learning and to provide guidance for schools as they design and review their curriculum. The vision is for young people:

- Who will be creative, energetic and enterprising
- Who will seize the opportunities offered by new knowledge and technologies to secure a sustainable social, cultural, economic and environmental future for New Zealand
- Who will work to create an Aotearoa New Zealand in which Maori and Pakeha recognise each other as full Treaty partners, and in which all cultures are valued for the contributions they bring.
- Who, in their school years, will continue to develop the values, knowledge and competencies that will enable them to live full and satisfying lives
- Who will be confident, connected, actively involved and lifelong learners.

The eight principles embody beliefs about what is important and desirable in school curriculum – nationally and locally. These principles put students at the centre of teaching and learning, asserting that they should experience a curriculum that engages and challenges them, is forward looking and inclusive, and affirms New Zealand's unique identity. The eight principles:

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|---|---|
| <ul style="list-style-type: none">■ High expectations■ Learning to learn■ Treaty of Waitangi■ Community engagement | <ul style="list-style-type: none">■ Cultural diversity■ Coherence■ Inclusion■ Future focus |
|---|---|

The seven essential learning areas:

English: Students study, use and enjoy language and literature communicated orally, visually or in writing

Mathematics and Statistics: Students explore relationships in quantities, space, and data and learn to express these relationships in ways that help them make sense of the world around them.

Science: Students explore how both the natural physical world and science itself work so that they can participate as critical, informed, and responsible citizens in a society in which science plays a significant role.

Technology: Students learn to be innovative developers of products and systems and discerning customers who will make a difference in the world

Social Sciences: Students explore how societies work and how they themselves can participate and take action as critical, informed and responsible citizens.

Health and Physical Education: Students learn about their own well-being, and that of others and society, in health related movement contexts.

The Arts: Students explore, refine, and communicate ideas as they connect thinking, imagination, senses, and feelings to create works and respond to the works of others

THE NATIONAL ADMINISTRATION GUIDELINES (NAGS)

These are the revised National Administration Guidelines updated on 14 December 2017

National Administration Guideline 1

Each board of trustees is required to foster student achievement by providing teaching and learning programmes which incorporate The National Curriculum, as expressed in The New Zealand Curriculum 2007 or Te Marautanga o Aotearoa.

Each board, through the principal and staff, is required to:

- a. develop and implement teaching and learning programmes:
 - i. to provide all students in years 1–10 with opportunities to progress and achieve for success in all areas of The National Curriculum;
 - ii. giving priority to student progress and achievement in literacy and numeracy and/or te reo matatini and pāngarau, especially in years 1–8;
 - iii. giving priority to regular quality physical activity that develops movement skills for all students, especially in years 1–6;

- b. through the analysis of good quality assessment information*, evaluate the progress and achievement of students, giving priority first to:
 - i. student progress and achievement in literacy and numeracy and/or te re matatini and pāngarau, especially in years 1–8; and then to:
 - ii. breadth and depth of learning related to the needs, abilities and interests of students, the nature of the school’s curriculum, and the scope of The National Curriculum, as expressed in The New Zealand Curriculum 2007 or Te Marautanga o Aotearoa;
- c. through the analysis of good quality assessment information*, identify students and groups of students:
 - i. who are not progressing and/or achieving;
 - ii. who are at risk of not progressing and/or achieving;
 - iii. who have special needs (including gifted and talented students); and
 - iv. aspects of the curriculum which require particular attention;
- d. develop and implement teaching and learning strategies to address the needs of students and aspects of the curriculum identified in (c) above;
- e. in consultation with the school’s Māori community, develop and make known to the school’s community policies, plans and targets for improving the progress and achievement of Māori students; and
- f. provide appropriate career education and guidance for all students in year 7 and above, with a particular emphasis on specific career guidance for those students who have been identified by the school as being at risk of leaving school unprepared for the transition to the workplace or further education/training.

* Good quality assessment information draws on a range of evidence to evaluate the progress and achievement of students and build a comprehensive picture of student learning across the curriculum.

National Administration Guideline 2

Each board of trustees, with the principal and teaching staff, is required to:

- a. develop a strategic plan which documents how they are giving effect to the National Education Guidelines through their policies, plans and programmes, including those for curriculum, aromatawai and/or assessment, and staff professional development;

- b. maintain an on-going programme of self-review in relation to the above policies, plans and programmes, including evaluation of good quality assessment information* on student progress and achievement;
- c. on the basis of good quality assessment information* report to students and their parents on progress and achievement of individual students:
 - i. in plain language, in writing, and at least twice a year; and
 - ii. across The National Curriculum, as expressed in The New Zealand Curriculum 2007 or Te Marautanga o Aotearoa, including in mathematics and literacy, and/or te reo matatini and pāngarau;
- d. on the basis of good quality assessment information*, report to the school's community on the progress and achievement of students as a whole and of groups (identified through National Administration Guideline 1(c) above) including the progress and achievement of Māori students against the plans and targets referred to in National Administration Guideline 1(e) above.

* Good quality assessment information draws on a range of evidence to evaluate the progress and achievement of students and build a comprehensive picture of student learning across the curriculum.

National Administration Guideline 3

According to the legislation on employment and personnel matters, each board of trustees is required in particular to:

- a. develop and implement personnel and industrial policies, within policy and procedural frameworks set by the Government from time to time, which promote high levels of staff performance, use educational resources effectively and recognise the needs of students; and
- b. be a good employer as defined in the State Sector Act 1988 and comply with the conditions contained in employment contracts applying to teaching and non-teaching staff.

National Administration Guideline 4

According to legislation on financial and property matters, each board of trustees is also required in particular to:

- a. allocate funds to reflect the school's priorities as stated in the charter;

- b. monitor and control school expenditure, and ensure that annual accounts are prepared and audited as required by the Public Finance Act 1989 and the Education Act 1989; and
- c. comply with the negotiated conditions of any current asset management agreement, and implement a maintenance programme to ensure that the school's buildings and facilities provide a safe, healthy learning environment for students.

National Administration Guideline 5

Each board of trustees is also required to:

- a. provide a safe physical and emotional environment for students;
- b. promote health food and nutrition for all students; and
- c. comply in full with any legislation currently in force or that may be developed to ensure the safety of students and employees.

National Administration Guideline 6

Each board of trustees is also expected to comply with all general legislation concerning requirements such as attendance, the length of the school day, and the length of the school year.

National Administration Guideline 7

Each board of trustees is required to complete an annual update of the school charter for each school it administers, and provide the Secretary for Education with a copy of the updated school charter before 1 March of the relevant year.

National Administration Guideline 8

Each board of trustees is required to provide a statement providing an analysis of any variance between the school's performance and the relevant aims, objectives, directions, priorities, or targets set out in the school charter at the same time as the updated school charter provided to the Secretary for Education under National Administration Guideline 7.

SCHOOL STRATEGIC PLAN AND BUDGET

The school strategic plan is a key board document. It reflects the vision of parents, staff and the community and sets the direction for the school. It details the school's aims, purpose and objectives, and determines how the school will meet the needs of students and how it will function and develop within the community.

The strategic plan also serves as the undertaking by the Board of Trustees to the Minister of Education. It must also be consistent with current legislation and employment contracts. The strategic plan must reflect community priorities, and so the process of developing and reviewing the school strategy requires community input annually.

The strategic plan includes an annual plan which has targets for curriculum and student progress. It is very important that the board monitors and evaluates student progress, so the principal will report regularly at board meetings on progress against annual plan and any risks and/or successes.

An annual budget is approved by the Board at the beginning of each calendar year, and the financial management of the school against budget is monitored by the board at each meeting.

THE ROLE OF THE BOARD OF TRUSTEES

The board provides direction for the school through the development, approval, monitoring, and review of school policy.

The board:

- Defines the school purpose by overseeing the development of the school strategic plan and budget
- Monitors and evaluates student progress and achievement
- Sets policies and goals for significant areas within the school, in consultation with the principal, staff, and community
- Ensures compliance with legal requirements and effectively manages risk
- Fulfils the intent of the Treaty of Waitangi in board decisions and actions
- Appoints the principal and assesses his or her performance in meeting the schools' goals
- Supports the principal in managing the school
- Individual trustees attend board meetings and take an active role in those meetings and other delegated areas of responsibility, and represent the school in a positive, professional manner
- Communicates with the community on governance matter
- Is not expected to be involved in the day to day running of the school.

THE ROLE OF THE PRINCIPAL

The principal is the professional leader of the school and the board's chief executive working in partnership with the board of trustees. The principal is responsible for overseeing the implementation of board policy including the strategic plan and annual school plan, and regularly reporting against it. The relationship between the board and principal is one of trust and support, with both parties working on a 'no surprises' basis.

The principal:

- ⊕ Manages the school within the law and in line with the policies and goals established by the board
- ⊕ Provides information, feedback, and advice to the board
- ⊕ Oversees the day to day educational, personnel, and administrative affairs of the school
- ⊕ Is the educational leader of the school with an eye on student achievement and teacher practice
- ⊕ Makes recommendations to the board on the appointment of staff
- ⊕ Oversees staff appraisals and development programme
- ⊕ Communicates with the community on operational matters.

TRUSTEE'S CODE OF BEHAVIOUR

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

1. Maintain and understand the values and goals of the school
2. Ensure the needs of all students and their achievement is paramount.
3. Be loyal to the organisation and its mission
4. Publicly represent the school in a positive manner
5. Respect the integrity of the principal and staff
6. Observe the confidentiality of non-public information acquired in their roles as trustees and not disclose to any other persons such information that might be harmful to the school
7. Be diligent and attend board meetings prepared for full and appropriate participation in decision making
8. Ensure that individual trustees do not act independently of the board's decisions
9. Speak with one voice through its adopted policies and ensure that any disagreements with the board's stance are resolved within the board
10. Avoid any conflicts of interest with respect to their fiduciary responsibility by disclosing any potential actual or perceived conflict of interest between the interests of the school and personal, professional or business interests of the trustee or their family or close associates

11. Recognise the lack of authority of any individual trustee or subgroup of the board in any interaction with the principal or staff
12. Recognise that only the chairperson can speak for the board
13. Continually self-monitor their individual performance as trustees against policies and against any other current board evaluation tools
14. Be available to undertake appropriate professional development.

TRUSTEE REMUNERATION AND EXPENSES

In line with NZSTA practice, Kilbirnie School currently acknowledges board members' service with an annual payment as outlined below. The Board is able to set/renew this fee annually. The principal, as a member of the board is entitled to the same payment as all other trustees except the chair. The following rates have been agreed by the board and are budgeted for annually.

- 1 The chair receives \$75.00 per board meeting, to a total of \$600.
- 2 Board members receive \$55.00 per board meetings, to a total of \$440 annually.
- 3 There is no payment for working group/committee meetings
- 4 Attendance fees are non-taxable within the agreed non-taxable amounts of \$605 annually for trustees and \$825 for the chair
- 5 Attendance costs for professional development sessions will be met by the board of trustees. Prior approval must first be sought
- 6 All other reimbursements are at the discretion of the board and must be approved prior to any spending occurring

CHAIRPERSON'S ROLE

The chairperson represents the board of trustees to the broader community and safeguards the integrity of the board's processes. The board's ability to meet its obligations and the plans and targets it has set are enhanced by the leadership and guidance provided by the chair.

The chair:

1. Is elected at the first meeting of each year, except in a triennial trustee election year when it shall be the first meeting of the new board.
2. Welcomes new members and provides an induction so that everyone understands their role, responsibility and accountability
3. Leads board members and ensures that they work as a cohesive team, and complete work that has been allocated

4. Sets the meeting agenda in conjunction with the Principal and ensures that information is circulated to enable informed discussion
5. Attends and chairs board meetings in a way that encourages participation from all board members
6. Establishes and maintains an ongoing working relationship with the Principal
7. Deals with disputes and conflicts referred to the Chair
8. Represents the board to external parties as an official spokesperson for the school except for those matters that are delegated to other people
9. Is the official signatory of board minutes and annual accounts
10. Ensures the Principal's Performance Agreement and Appraisal are completed on an annual basis

STAFF TRUSTEE'S ROLE

The staff trustee fulfils legislative requirements, relating to board composition. The role of the staff trustee is to bring a staff perspective to board decision making. As a trustee the staff trustee has an obligation to serve the broader interests of the school and its students and has equal voice, vote, standing and accountabilities as all other trustees.

- ⊕ To work within the Board's strategic plan
- ⊕ To abide by the board's governance and operational policies
- ⊕ The staff trustee is first and foremost a trustee and must act in the best interests of the students at the school at all times.
- ⊕ The staff trustee is bound by the Trustee Code of Behaviour
- ⊕ It is not necessary for the staff/student trustee to prepare a verbal or written report for the board unless specifically requested to from the board.

RELATIONSHIP BETWEEN THE BOARD AND THE PRINCIPAL

The performance of the school depends significantly on the effectiveness of this relationship and as such a positive, productive working relationship must be developed and maintained. The board and the principal form the leadership team and as such clear role definitions have been developed. The Responsibilities of the Principal, Responsibilities of the Board, and Trustee's Code of Behaviour sections above inform the list below.

1. This relationship is based on mutual respect based on trust, integrity and ability.
2. The relationship must be professional.
3. The principal reports to the board as a whole rather than to individual trustees.
4. Day to day relationships between the board and the principal are delegated to the chair.

5. All reports presented to the board by the staff arrive there with the principal's approval and the principal is accountable for the contents.
6. There are clear delegations and accountabilities by the board to the principal through policy.
7. The two must work as a team and there should be no surprises.
8. Neither party will deliberately hold back important information.
9. Neither party will knowingly misinform the other.
10. The board must maintain a healthy independence from the principal in order to fulfill its role.
The board is there to critique and challenge the information that comes to it, acting in the best interests of students at the school.
11. The principal should be able to share their biggest concerns with the board.

RELATIONSHIP BETWEEN THE CHAIRPERSON AND THE PRINCIPAL

The chairperson is the leader of the board and works on behalf of the board on a day to day basis with the principal. The Role of the Board of Trustees, Responsibilities of the Principal, Responsibilities of the Chair, and Trustee's Code of Behaviour sections above inform the list below.

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

MEETING PROCESS

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

1. Are based on a prepared annual agenda. The agenda preparation is the responsibility of the chairperson with input from the principal. A copy of the agenda of the open (public) session will be posted on the Board of Trustees notice board and available at the meeting place for the public.
2. Are held with the expectation that trustees have prepared for them and will participate in all discussions at all times within the principles of acceptable behaviour
3. Have the right, by resolution, to exclude the public and news media from the whole or part of the proceedings in accordance with the Local Government Official Information Meetings Act (1987). Decisions by the board are fully recorded but remain confidential. The board needs to:
 - ⊕ Make the reasons for excluding the public clear
 - ⊕ Reserve the right to include any non-board member it chooses
4. Can be held via audio, audio and visual, or electronic communication, provided:
 - ⊕ All trustees who wish to participate in the meeting have access to the required technology, and
 - ⊕ A quorum of members can simultaneously communicate with each other throughout the meeting.

MEETING PROCEDURES

Members of the school community are encouraged to take an active interest in the school and its performance and are welcome to attend all board meetings.

The following points outline how meetings are run, with * indicating when it is a legislative requirement.

General

- ⊕ Meetings are held twice a term, and the meeting dates are published in the annual school plan.
- ⊕ Board minutes will be taken by a non trustee acting in a secretariat capacity.
- ⊕ The quorum shall be more than half the members of the Board currently holding office.*
- ⊕ Only apologies received from those who cannot be present must be recorded. Trustees who miss three consecutive meetings without the prior leave of the board cease to be members. An apology does not meet the requirement of prior leave. To obtain prior leave a trustee must request leave from the board at a board meeting and the board must make a decision.*

- ⊕ The chairperson shall be elected at the first meeting of the year except in the triennial election year where it will be at the first meeting of the newly elected board.*
- ⊕ The chairperson may exercise a casting vote in the case of equality of votes, in addition to his/her deliberative vote.*
- ⊕ Any trustees with a conflict or pecuniary interest in any issue shall not take part in any debate on such issues and may be asked to leave the meeting for the duration of the debate.*
- ⊕ Only trustees have automatic speaking rights.
- ⊕ The board delegates [and minutes] authority to the deputy principal in the times of absence of the principal.

Time of meetings

- ⊕ Regular meetings commence at 7.00pm and conclude by 9.00pm.
- ⊕ A resolution for an extension of time may be moved.
- ⊕ Any business remaining on the agenda at the conclusion of the meeting is transferred to the following meeting.

Special meetings

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

Public participation

- ⊕ The board meeting is a meeting held in public, rather than a public meeting.
- ⊕ Board meeting dates are publicised to the school community and members of the public are able to attend and observe. Members of the public include staff, students and parents of the school who are not trustees on the board.
- ⊕ Public participation is at the discretion of the board.
- ⊕ Public attending the meeting and wishing to participate must adhere to the rules below:
 - 1 Board meetings are not public meetings but meetings held in public.
 - 2 If the meeting moves to exclude the public (usually this is to protect the privacy of individuals) (going into committee) then you will be asked to leave the meeting until this aspect of business has been concluded.
 - 3 Members of the public may request speaking rights on a particular subject that is on the agenda. Preferably this request has been made in advance. Public participation is at the discretion of the board.
 - 4 Speakers shall be restricted to a maximum of 3 minutes each per subject, with a time limit of fifteen minutes per interest group.

- 5 Speakers are not to question the board and must speak to the topic.
- 6 Board members will not address questions or statements to speakers.
- 7 Speakers shall not be disrespectful, offensive, or make malicious statements or claims.
- 8 If the chair believes that any of these have occurred or the speaker has gone over time they will be asked to finish.

Exclusion of the public

- + The meeting may, by resolution, exclude the public (going into committee) and news media from the whole or part of the proceedings in accordance with the Local Government Official Information and Meetings Act unless specifically asked to stay. The wording to be used in the motion to exclude the public is found in Schedule 2A of that Act. Excluding the public is most often used to ensure privacy of individuals or financially sensitive issues.*

Agenda

- + Agenda items are to be notified to the chair 5 days prior to the meeting
- + Late items will only be accepted with the approval of the board
- + 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 and tabled documentation.
- + Papers requiring reading and consideration will not normally be accepted if tabled at the meeting.
- + Papers and reports are to be sent to the board 3 days before the meeting

Minutes

- + The minutes are to clearly show resolutions and action points and who is to complete the action.
- + A draft set of minutes is to be completed and sent to the chair for approval within 7 working days of the board meeting before being distributed to trustees within 14 working days of the meeting.
- + Minutes should be brief, factual, and accurate. It is not necessary to record everything said by everybody during a meeting. At most, a couple of sentences about the general nature of the discussion is sufficient
- + When a discussion is held ‘in committee’ minutes are taken but stored separately from general meeting minutes.

DOCUMENT CONTROL

Version	Status/change	Date
v1.0	Developed by Board of Trustees	
v1.0	Reviewed by Board of Trustees	March 2018
v1.1	Reviewed by Board of Trustees	April 2019