

Te Whānau o Ōtūmatua Board of Trustees

Employment and Personnel Policy

Background

The Board acts as a good employer as defined in the State Sector Act and complies with the provisions of all relevant employment contracts and other relevant legislation.

The Board implements policies and/or procedures promoting high levels of kaiako performance in order to provide the best learning environment and opportunities for the students.

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

1. Conditions of Employment

- All kaiako are employed under collective or individual employment agreements.
- With respect to kaiako on individual employment agreements, all changes to terms and conditions, including remuneration, will be the same as changes made in renewed and updated collective agreements. It is the responsibility of the Board of Trustees following an approach by a kaiako member, to ensure appropriate changes are made to the individual employment agreements, as soon as is practicable following the effective date/s of the new collective agreement/s.
- The Board abides by all relevant agreements and statutes that affect kaiako employment conditions and the Health and Safety at Work Act 2015.
- Attestation for progress through the salary scale is rigorous, fair and documented.
- The tumuaki maintains a set of procedures that specify how the Board's employment/personnel policy is carried out in the day-to-day operations of the kura. Kaiako are consulted when the kura personnel procedures are created or changed. The Board is advised when the kura personnel procedures are to be created or changed, and in some circumstances, may request input into the proposed new or changed procedures.

2. Professional Development/Learning

- All kaiako experience regular, high quality professional development/learning which is clearly linked with the goals in the Strategic and Annual Plans and enhances the educational opportunities and achievement of the students.
- There is an annual budget allocation for kaiako professional development/ learning
- This budgeted is given high priority to ensure the best training is available to increase safety, effective support and meaningful engagement for ākongā
- There is an evaluation process for professional development/learning programmes.
- Reports on kaiako professional development/learning are provided to the Board.

3. Performance Management and Appraisal

- The kura value and acknowledge good kaiako performance in order to develop and maintain a culture of professional excellence and to fulfil all relevant legal obligations.
- The tumuaki manage and operate a performance management system which annually monitors the performance of teaching kaiako against clearly defined objectives, job descriptions, the Professional Standards and the Practising Teacher Criteria, using suitable and agreed appraisal mechanisms. The appraisal of residential and other support kaiako will reflect their job descriptions and agreed development objectives.
- The tumuaki ensure each teaching and residential/support kaiako member is given performance-based feedback in writing.

(See: Business as Usual Performance Management)

- Performance appraisals are used to inform individual professional development planning.
- When or if concerns arise with respect to the performance of an individual kaiako member, that kaiako member must be informed of the specific concerns, and, in accordance with the relevant sections of the appropriate employment agreement, be provided the opportunity to rectify these concerns. Formal competency processes may follow where improvement does not occur.
- The Chairperson of the Board ensures the tumuaki performance is evaluated against the objectives or goals agreed annually with the Board, together with the Principals' Professional Standards and the cultural expectations set out in *Tātaiako: for teachers of Māori learners*.

(See: Teaching Council of Aotearoa New Zealand procedures for the PGC for Tumuaiki)

4. Kaiako Appointments

(See: Kaiako Appointments Policy)

5. Discretionary Kaiako Leave

- This is leave which is not an entitlement, as outlined in the relevant Collective and Individual Employment Agreements.
- Discretionary leave will normally be leave without pay. The tumuaki may approve discretionary leave without pay up to and including five working days. The tumuaki may, due to extraordinary circumstances, recommend the granting of part or all of this leave with pay, with the presiding member delegated to approve or decline the recommendation. The Board of Trustees will make decisions on applications for kaiako discretionary leave without pay for periods over 5 working days.
- For all applications for discretionary leave, a written application is made to the tumuaki, or to the Board through the tumuaki when the leave requested is for more than 5 working days. Kaiako are advised to refer to the Procedures.
- Applications for leave will be judged on their own merits, and former decisions will not be considered precedents. Decisions with respect to discretionary leave applications must take into account the impact that any such approval would have on the kura and the students. All leave should be taken during school holidays, except under exceptional circumstances.
- The Board will abide by all relevant employment contracts and regulations. Kaiako will be aware of their rights and responsibilities in this regard.

- Applications for long term leave, i.e. for leave of one term or more, should be made at least three months prior to the leave required.

6. Time in Lieu

- This is an alternative to the payment of extra-ordinary overtime and would normally only apply to non-teaching residential and support kaiako.
- The approval of the tumuaki or delegated person is required. Time in lieu will only be approved on account of temporary kaiako shortages or emergency situations.
- Time in lieu must be taken at a mutually agreed time between the tumuaki or delegated person and the employee. One hour will be provided for each additional hour worked, and this must be taken within the current school year.
- Time in Lieu must be approved by a higher level of management than the applicant.

7. Harassment

- Any kind of harassment, including bullying, sexual and racial harassment is not acceptable at the kura. Procedures are specified as part of the Concerns and Complaints Policy to deal with any form of harassment of kaiako and students.
- The kura meet the requirements of the Human Rights Act, Employment Relations Act, Equal Employment legislation and the Health and Safety in Employment Acts which deal with Harassment issues.

8. Volunteers

- Volunteers for tasks involving students are well known to the kura and are carefully selected to ensure they are suitable for the role. The kura are required to undertake safety checks as per the Children's Act 2014 for all volunteers.

9. Employment Relationship Problem and Personal Grievance

- Employees who believe they have a personal grievance or are experiencing an employment relationship problem are encouraged to raise the matter as soon as possible with their manager or tumuaki.
- All such matters will be managed in accordance with the Employment Relations Act 2000, any applicable Collective Employment Agreement, and the below policies.
- Employees have the right to seek independent advice or representation at any stage and may refer unresolved issues to the appropriate external processes as outlined in the Act.

(See: Concerns and Complaints Policy, Protected Disclosures and Whistleblowers Policy)

10. Review Schedule

This policy will be reviewed according to the **Board's Review Schedule** or earlier if required due to legislative change or identified need.

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