

Te Whānau o Ōtūmatua Board of Trustees

Governance, Management and Board Responsibilities Policy

Purpose

This policy sets out how the Te Whānau o Ōtūmatua Board governs the kura and how the tumuaki manages the day-to-day operations. It clarifies roles, responsibilities, and legislative expectations to ensure effective governance and high-quality educational outcomes for all students.

Policy Statement

The board is responsible for the governance of the kura, while the tumuaki is responsible for the management of the kura. Both work collaboratively to ensure the kura operates safely, legally, and in the best interests of students, staff, and the wider community.

Legislative Framework

This policy is guided by (but not limited to):

- Education and Training Act 2020
- Education (School Boards) Regulations
- Education (Hostels) Regulations 2005
- Employment Relations Act 2000
- Health and Safety at Work Act 2015
- New Zealand Bill of Rights Act 1990
- Human Rights Act 1993

1. Governance Responsibilities of the Board

1.1 Paramount Objective

As required by section 127 of the Education and Training Act 2020, the board's paramount objective is to ensure that every ākonga is able to attain their highest possible standard of educational achievement.

1.2 Supporting Objectives

To meet this objective, the board will:

Curriculum, Teaching, and Learning

- Give effect to obligations relating to:
 - ākonga attendance - taking all reasonable steps to ensure that ākonga attend kura when it is open
 - foundation curriculum statements, national curriculum statements, and national performance measures
 - teaching and learning programmes that meet ākonga needs
 - monitoring and reporting ākonga progress
- Ensure the kura uses good quality assessment and aromatawai information to evaluate ākonga progress and achievement.

Ākonga and Kaiako Wellbeing

- Ensure our Philosophy of Care is a core foundation of policies and procedures and practice.
- Ensure the kura is a physically and emotionally safe place for all ākonga and kaiako.
- Ensure learning experiences meet individual needs and are mana enhancing.
- Give effect to ākonga rights under relevant legislation.
- Take all reasonable steps to eliminate racism, stigma, bullying, and discrimination.
- Ensure the kura is inclusive and caters for ākonga with differing needs.
- Seek to achieve equitable outcomes for Māori ākonga.
- Take reasonable steps to provide for teaching and learning in te reo Māori when requested by parents or caregivers.
- Ensure policies and practices reflect New Zealand's cultural diversity.

(See: *Philosophy of Care*)

Financial and Legal Responsibilities

- Perform its functions in a financially responsible manner.
- Comply with all obligations under the Education and Training Act and other legislation.

2. Board Powers and Decision-Making

- The board has complete discretion to perform its functions and exercise its powers as it thinks fit, within their areas of responsibility, subject to legislation.
- After appropriate consultation with kaiako, ākonga (as appropriate), and the kura community, the board may make bylaws for the control and management of the kura (s 126, s 131).
- Board members must comply with the board's [*Code of Conduct for State School Board Members*](#) and operate within a governance framework that supports the kura vision and legal obligations.

3. Delegations

- The board may delegate specific functions or powers to the tumuaki or other persons (Education (School Boards) Regulations, s8).
- Delegations must be recorded in writing in the board's Schedule of Delegations.
- The board remains accountable for all delegated responsibilities.

4. Strategic Planning and Monitoring

The board will:

- Contribute to and actively support implementing strategic planning documents, including the Strategic Plan and Annual Implementation Plan.
- Set policies for the control and management of the kura and provide general policy direction to the principal (s125, s130).
- Monitor progress against strategic goals and review kura rules, policies, and procedures regularly.
- Use the Review Schedule and Board Assurances to ensure compliance and continuous improvement.

5. Engagement with the Education Review Office (ERO)

The board will work cooperatively with ERO to strengthen systems, plans, and practices. The Board Assurance with Regulatory and Legislative Requirements Report, published on the ERO website, provides public assurance of compliance and identifies areas for improvement.

6. Management Responsibilities of the Tumuaki

The role of the tumuaki:

- Is an employee of the board and must follow the board's general policy directions.
- Is a full member of the board and acts as the **chief executive** for the control and management of the kura (Education and Training Act, s 130).
- Has discretion to manage the day-to-day administration of the kura.
- Has specific responsibilities under the Education and Training Act and those delegated by the board.
- May delegate responsibilities to other kaiako as appropriate, as agreed in the Schedule of Delegations
- Must keep the board informed of all information relevant to its governance role, including through the Review Schedule and Board Assurances.

(See: Tumuaki Responsibilities Policy, Managing Policies and Procedures Policy, Schedule of Delegations)

7. Board of Trustees Responsibilities

The board is responsible for the governance of the kura and is accountable for its overall performance. The board ensures that the kura operates in accordance with legislation, regulations, and its strategic direction. The tumuaki manages the day-to-day operations of the kura and the implementation of the Board-approved strategic plan and policy expectations.

Guidelines

1. Governance Responsibilities

The board:

- Meets the structural and appointment requirements of the Education and Training Act 2020 (s119, s121, Schedules 22–23).
- Ensures board members meet minimum standards of conduct (s166) and may apply penalties for breaches of the code of conduct.
- Complies with the Education (School Boards) Regulations 2020 (s10–19) and follows agreed governance processes and procedures.
- Acts on communications and advice from relevant agencies (e.g., Ministry of Education, Teaching Council, NZQA).
- May delegate functions and powers in accordance with the Education (School Boards) Regulations (s8), with all delegations recorded in the Schedule of Delegations.
- Remains accountable for all delegated responsibilities.

2. Legislative and Regulatory Responsibilities

The board ensures the kura complies with all relevant legislation and regulations. Breaches or suspected breaches may be identified through:

- self-review
- external reviews and audits
- concerns and complaints
- protected disclosures

The board takes immediate steps to address any non-compliance. The board has responsibilities under (but not limited to):

- Education and Training Act 2020
- Human Rights Act 1993
- Employment Relations Act 2000
- Health and Safety at Work Act 2015
- Education (School Boards) Regulations 2020

These responsibilities are reflected across the kura policy framework, including the following areas:

- Governance and Management policy
- Kura Community Engagement
- Curriculum and Student Achievement
- Employment and Personnel
- Finance and Asset Management
- Health, Safety and Wellbeing
- Residential Care
- Privacy, Copyright and Official Information
- Philosophy of Care

The board monitors and evaluates its own performance and reports annually in the Annual Report (Education and Training Act, s145, s639).

Self-review focuses on:

- progress toward strategic plan objectives
- implementation of annual plan targets and actions

(See: Kura Planning and Reporting Policy)

8. Review

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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