



# NEWTON CENTRAL SCHOOL

## **NAGS 6-8: COMPLIANCE and OTHER POLICIES**

This policy must be read in conjunction with the School Charter, Mission Statement, Strategic Plan and Over-arching Policy Statement.

NAG 6: Each Board of Trustees is 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.

NAG 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.

NAG 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 NAG 7.

*PURPOSE – to ensure that school governance and operations comply with legislation*

### **COMPLIANCE POLICY**

School procedures will meet the legislative statutes and regulations as set down in the appropriate Acts, Ministry of Education circulars and the *Education Gazette*.

### **PROTECTED DISCLOSURES POLICY**

#### **Policy Statement**

The purpose of this policy is to comply with the requirements of the Act to ensure that the school's procedures in this regard follow principles of natural justice, to identify those within the school organisation to whom a disclosure may be made and to outline where disclosures may be made to other persons or organisations.

By following the policy all employees will be protected by

- relevant legislation
- maintenance of confidentiality requirements

#### **Policy Guidelines**

1. A protected disclosure is a declaration made by an employee where they believe serious wrongdoing has occurred. Staff members making disclosures will be protected against retaliatory or disciplinary actions and will not be liable for civil or criminal proceedings related to the disclosure.
2. Serious wrongdoing for the purposes of this policy includes any of the following:
  - unlawful, corrupt or irregular use of public funds or resources
  - an act or omission or conduct which seriously risks public health or safety or the environment; or

- that is oppressive, improperly discriminatory, grossly negligent or constitutes gross mismanagement; or
  - constitutes serious risk to the maintenance of law
3. Those making the disclosure should ensure that:
    - the information is about serious wrongdoing in or by the school
    - the staff member believes on reasonable grounds the information to be true or is likely to be true
    - the staff member wishes the wrongdoing to be investigated
    - the staff member wishes the disclosure to be protected
  4. Those who may make a disclosure are:
    - any current or former employee including the principal
    - any contractor supplying services to the school
  5. Staff members who make a disclosure and who have acted in accordance with school procedures related to disclosures:
    - may bring a personal grievance in respect of any retaliatory action from their employers or supervisors
    - may access anti-discrimination provisions of the Human Rights Act in respect of any retaliatory action
    - are not liable to criminal or civil proceedings or to a disciplinary hearing for having made a disclosure or referred to a disclosure
    - will have their disclosure treated with the utmost confidentiality
  6. The protections provided in clause 5 of this policy will not be available to employees making allegations they know to be false or where they have acted in bad faith
  7. The procedure for handling disclosures by staff members will include details of:
    - how to submit a disclosure eg use of a specific form
    - what information is to be contained in the disclosure
    - where disclosures are to be sent
    - by whom and by when examination of disclosures are to take place and if deemed necessary a full investigation is to take place
    - how the name of the staff member making a disclosure is to be protected
    - reporting of any investigation conducted
    - making disclosures to other authorities
    - making disclosures to Ministers and Ombudsman
  8. The procedures for handling disclosures will be publicised to all school employees and will be contained within the school's manual of procedures

## **COMPLAINTS POLICY**

### **Policy Statement**

The policy is to:

1. ensure consistency when dealing with complaints.
2. deal with complaints in line with set procedures such as in Collective Agreements.
3. put in place corrective or disciplinary action where this is deemed appropriate.
4. safeguard the rights of both complainants and of staff or students involved.

### **Policy Guidelines**

1. Complaints may be made in writing or in person in the first instance to the relevant staff member or the principal.
2. Documentation will be stored in a complaints file which is held by the school in confidential storage.
3. Complaints of a serious nature should be directed to the principal

4. Other parties will be informed at the principal's discretion and appropriate action taken at that point as required
5. In cases of complaint against the principal which remains unresolved in the first instance, a formal written complaint may be made to the B.O.T. chair or in person. Where the board considers the degree and seriousness of the concern or violation(s) sufficient to warrant initiating a disciplinary or competency process, the board shall seek the support and advice in the first instance from an NZSTA adviser to ensure due process is followed.
6. Complainants are informed by the principal or B.O.T. chairperson of the outcomes of the complaint enquiry or hearing.
7. Where appropriate, outside mediation may be sought from organisations such as STA, PPTA, NZEI etc.
8. In dealing with any complaint about staff
  - the school will act in accordance with the relevant conditions of the current employment agreement pertaining
  - the Board will act as a good employer.
9. Complaints will be treated in the strictest confidence by the school and all rights respected. Where necessary the school will assist with any language issues or cultural sensitivities.
10. Anyone against whom a formal complaint is made will be advised in writing of the nature of the complaint, the process of investigation and the availability of support.

## **PRIVACY POLICY**

### **Policy Statement**

The Board of Trustees will follow the provisions of the Privacy Act

### **Policy Guidelines**

1. The Board of Trustees will appoint a Privacy Officer, confirmed annually.
2. Procedures will be developed to assist the Privacy Officer in the task of ensuring that there is full adherence to the principles contained in the Act.
4. All staff, including teaching and non-teaching staff will be made aware of key relevant provisions of the Privacy Act as they impact on school activities.
5. The policy applies to non-written material such as photographs and video. In these cases, images of groups may be made publicly available as long as there is no information about specific people. Publication of an image with identifying information requires permission of the person involved or, in the case of someone under 18, the parent/guardian.

## **COPYRIGHT POLICY**

### **Policy Statement**

The school will fully comply with the Copyright Act 1994

### **Policy Guidelines**

1. All staff including ancillary staff are to be informed of sections of the Copyright Act as they apply to educational institutions and of the conditions of any copyright licence that the school subscribes to.
2. The school will take out such licences as it sees fit and will comply with the conditions described in these licences.
3. Individual staff members will be personally liable for any breaches of the Copyright Act.
4. Beside all photocopiers and on all video recording devices general provisions of the Act as they relate to educational institutions will be displayed.
5. Breaches of this policy will cause the staff member (or student) to be subject to school's disciplinary procedures.

6. The school accepts no liability that may result from breaches of the Copyright Act by either staff or students.

### **TREATY**

The Newton Central School Treaty of Waitangi policy is applicable to the Compliance policies and procedures. Examples of how it will be applied include, but are not limited to:

- recognition of tikanga Māori as well as Western 'copyright' concepts of respecting intellectual property
- involvement of Te Whao Urutaki in consideration of any complaints with significant implications
- incorporation of tikanga Māori into complaints procedures

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Te Kawehau Hoskins

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Andres Santamaria

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Date

Co-Chairpersons, On behalf of Board of Trustees

### **INDICATORS OF NAG 6-8 POLICY COMPLIANCE:**

#### **PROTECTED DISCLOSURES**

- a) Procedures comply with policy
- b) There are no appeals on process
- c) Complaint files

#### **PRIVACY and COMPLAINTS**

- d) There are no substantiated complaints in relation to the process followed