

10 February 2017

Pamela Absolum

By email:
fyi-request-5292-21ee7808@requests.fyi.org.nz

Dear Pamela

REQUEST FOR INFORMATION – RANGIORA HIGH SCHOOL

1. I note you have requested, under the Official Information Act, a copy of "*the specialists advisors report prepared by Bev Moore which lead to the sacking of the newly democratic Board of Trustees 2014*".
2. Your request has been forwarded to myself as solicitor for Rangiora High School.
3. Please note that the specialists advisors report did not lead to the sacking of the Board of Trustees. The Board was not sacked. Therefore your statement is inaccurate. The decision to appoint the Commissioner was:
 - i. based on a range of information; and
 - ii. the Board of Trustees resolved to support the decision of the Ministry of Education to appoint a Commissioner.
4. When the appointment of the Commissioner was announced the chair of the Board advised the school parents that "*The Board and the Ministry of Education have been working together to address some matters facing the school... because of the extent of work that will be required to address a number of governance issues, the Board and the Ministry have agreed that a Commissioner is the best way forward for the school. The Board considers that this level of support is in the best interests of the school, its students, staff and the community*".
5. **Attached** is a copy of the specialists advisor's scoping report. Some of the report has been redacted and the reasons are detailed by the appropriate reference to the Official Information Act 1982.
6. As you will be aware from previous requests, as we are not providing a complete copy of the report, you have the right by way of complaint under s28(3) to the Ombudsman to seek an investigation and review of the refusal to disclose the full report. You can do this by writing to info@ombudsman.parliament.nz or Ombudsman, PO Box 10152, Wellington 6143.

Yours faithfully
Wynn Williams



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Confidential

Rangiora High School
Specialist Advisor Scoping Report

Bev Moore

Specialist Advisor/Section 78k of the Education Act 1989

Rangiora High School

Specialist Advisor Scoping Report

On November 11th two Specialist Advisors were appointed by the Ministry of Education at the request of the Rangiora High School Board due to serious risk to the operations of the School. Those appointed are required to advise the Board of Trustees (BoT) of Rangiora High School (RHS) on matters which were identified by MOE as areas of concern, i.e.

- Communications within the school or with its community
- Employment management

And

- Finance

Employment Specialist Advisor outcomes:

Provide advice to the Board of Trustees on the following Governance matters relating to their role as a good employer:

- The Board review their Policy framework defining Governance roles and responsibilities and their relationship between the Board and the Principal as the CEO
- The appropriate process for the Board, as the employer, to review their delegations to the Principal giving consideration to accepted best practice
- The role and responsibility of the Board, as the employer, in performance management of Principal
- Strategies to strengthen consultation with staff, students and wider community to support a positive culture for learning.
- To advise and assist where appropriate the Board's review of their communication with stakeholders
- To provide advice to the Board on how to build Trustee and Board capability including development of effective succession planning.

Finance Specialist Advisor outcomes:

1. Review financial delegations and advise the Board on options, best practice, and the process to be followed for any considered changes.
2. Advise the Board on finance reporting and processes.
3. Review all entities, assets and liabilities of the Board to ensure they are effectively managed to support the schools strategic direction for teaching and learning.

Under the terms of the appointment the specialist advisor is required to make an “as full assessment as possible and report to the Board and Ministry on the level and scope of risk”.

In preparing this report, information sources included:

- Documents provided by the Principal
- Minutes BOT meetings
- Principal's delegations
- Principal appraisal 2013 and 2014
- Record of notifications
- RHS staffing movements
- RHS BOT manual and 2014 Charter
- Ministry of Education staff
- NZSTA industrial advisory services
- Waimakariri District Councilors and community members
- Members of the RHS Board of Trustees/past and present
- The Principal and senior leadership team
- Education consultants and governance trainers who have worked with RHS
- Survey of staff at RHS, completed 8th December 2014 (58 respondents)
- Complaints received by the Secretary of Education
- Interviews with teaching staff – current and previous
- Review of staff complaints/concerns

- NZEI and PPTA
- ERO.

Travel to CHCH and Rangiora High School on 27th and 28th November, 4th-6th, 8th and 9th December and January the 19th.

1. The Boards ability to govern

Governance policies/Delegations to the Principal

On reviewing the Board's Policy framework I was unable to locate key policies that define governance at RHS. The lack of a documented and agreed Policy on how governance operates in the school has had a significant impact on Governance functions within RHS and has contributed to the level of dysfunction which has resulted in specialist advisors being appointed under 78K. The RHS Five Policies are "broad statements", which appear to be inconsistent with current or good practice.

The board should, with NZSTA and advisor support, review their Policy Framework, and prioritize those policies which define Governance and Management roles and the employment relationship between the board as the employer, and the Principal. Given the issues as described, it is of considerable concern that I was unable to locate policies relating to Principal Performance management, Principal reporting to the board and sensitive expenditure policies.

S9(2)(a)

[REDACTED]

"Principal appraisal/travel policy and reporting to BOT policy: These policies do not exist at RHS and have never been suggested."- Trustee

Self Review

S9(2)(a) As noted by [REDACTED], there appears to be a lack of Governance process for robust review of the Board's Performance and policies. Governance policies must clearly set out "what" the board expects and management procedures set out "how" the Principal and staff work to ensure they achieve the outcome the board expects. The Board, as part of their review, needs to be assured that the management procedures are giving effect to the policy statement.

Refer to Appendices 1 (Policies & Models)

Board members have described their current review of Policies as a "compliance tick off" led by management where procedures are not, as a matter of course, considered. The Board needs to commit to training to strengthen self-review. ERO recommended in May 2012:

"That the board evaluates its own effectiveness in governing the school"

[Redacted]

s9(2)(g)(I)

[Redacted]

[Redacted]

[Redacted]

2. The relationship between the Principal and the Board of Trustees

Of significant concern were reports of long-standing, dysfunctional relationships between the Principal and Board with confusion and tension around governance and management roles. This has significantly impacted upon the ability of the Board to perform its functions and exercise its powers. The lack of cohesive governance has distracted the Board and Principal from their primary task, to ensure every student at the School is able to attain their highest possible educational achievement. Trustees and the Principal report frustration at not being able to bring about change or be able to fulfill their obligations.

s9(2)(a)
s9(2)(g)(i)

[Redacted]

[REDACTED]

Advisors and consultants who have worked with the Trustees were of the view there were no "agendas" and Trustees were working in the schools best interests. Trustees consistently acknowledged the Principals considerable commitment and management skills.

It is of note Trustees brought considerable experience to the table with a range of qualifications in education, finance, and management. Despite this they felt they were unable to fulfill their Governance functions effectively and sought formal support through 78K from MOE.

The Principal noted similar concerns in regard to the strained relationships within the Board, and the ensuing conflict in regard to Governance and management roles and responsibilities.

S9(2)(g)(i)

[REDACTED] An exceptionally high turnover of chairpersons affirms this dysfunction with four chairs over a 3-year period. An external chair was co-opted in November as no trustee at that time was willing to fill the position. It remains a challenge for the RHS Board to function effectively and manage succession with this loss of experience at this level [REDACTED]

S9(2)(a)

[REDACTED]

S9(2)(a)

Statement from [REDACTED]

"Due to the significant non-educational aspects associated with RHS, we are concerned that the scope of the Principal's role is getting too big and the cause of much of our shared angst. Focus has been lost on student achievements and "normal" school matters by the Principal and BOT. We wish to set in motion the discussion in establishing a separate entity with a separate CEO to run the commercial aspects of the school. This would leave the Principal to focus on educational/"school" matters.

S9(2)(g)(i)

S9(2)(a)

[REDACTED]

[REDACTED]

The Principal's role as CEO to the Board

S9(2)(g)(i)
S9(2)(a)

[REDACTED]

At the first Board meeting on 27th November, of the recently elected Board (new co-opted chair, three newly elected parent Trustees), Board papers included the following advice from Solutions and Services in the 'Overall financial performance and position' report.

"The year to date operating deficit remains worse than budgeted- we again recommend that the school limits expenditure for the remainder of the year to essential spending only to minimize the effects of the overspends to date on the school's overall financial performance"

With that advice tabled, the Principal recommended, and the Board then approved the following:

S9(2)(a)

12.1.1 That the Rangiora High School Board of Trustees approve funding of \$5,000 for ... [REDACTED] to attend the 36th Annual Ethnography in Education Research Forum" at the University of Pennsylvania in February 2015.

S9(2)(a)

12.1.2 That the Rangiora High School Board of Trustees approve funding of \$5,000 for... [REDACTED] to attend the International Conference for Qualitative Research, hosted by The Research Methods Laboratory, Neuchatel, Switzerland in July 2015.

It appears that the recommendations put to the board by the Principal are contrary to the advice received, and, it is difficult to relate 12.1.2 to a direct benefit to the students at RHS. I have been unable to locate documentation, which would relate this decision to the Board strategic goals for 2015.

S9(2)(g)(i)

[REDACTED]

S9(2)(ba)
S9(2)(g)(i)

[REDACTED]

S9(2)(ba)
S9(2)(g)(i)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted text block]

S9(2)(ba)
S9(2)(g)(i)

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

3. Employment management

S9(2)(ba)

[Redacted text block]

[Redacted text block]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

S9(2)(ba)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Current management practices in regard to 'exit surveys' do not ensure a confidential process to gain robust and reliable feedback from staff. This should be addressed to ensure the Board, as employer, is well informed.

Refer to Appendices 4 (Staff Survey-16 of 58 responses)

[Redacted]

S9(2)(a)

S9(2)(g)(i)

[Redacted]

[Redacted text block]

4. Communication with the school and its community.

This appears to be a significant issue for the school with the relationship between RHS and the local community described as strained. It was noted by a member of the community with a long association with RHS that:

"There used to be huge community involvement in the school before the current Principal was appointed and this is no longer evident".

Another community member noted a lack of engagement by the Principal with the Rangiora community and was of the view that:

"The community was not rated by the Principal"

S9(2)(a) [Redacted text]

[Redacted text block]

S9(2)(g)(i)

[Redacted]

S9(2)(a)

[Redacted]

S9(2)(ba)
S9(2)(g)(i)

[Redacted]

Sound leadership and confidence in a school is considered essential to the vitality of any community and district. I note from the material read that stakeholders in the wider community and school consider that "issues relating to trust and confidence" have arisen as a result of these disputes, particularly the recent and high profile debacle of the Nursery School.

These community matters appear to remain unresolved, and provide an example of matters, which, unrelated to teaching and learning, become a source of tension between the Principal, Board, staff and community.

Reviewing the effectiveness of school wide communication with the community and between all stakeholders is a major task facing the Board of Trustees and the leadership of the school. Strengthening relationships through effective communication will be crucial in order to regain confidence in the School.

Summary

I wish to acknowledge the assistance from the Principal in collating and providing relevant documentation despite her commitments at the end of the school year. [REDACTED]

S9(2)(ba)

[REDACTED]

All those interviewed wanted positive outcomes for students and RHS.

The focus of this scoping report was to assess the level of risk to the operation of the School in the following areas:

- The Board's Policy framework, defining Governance roles and responsibilities and their relationship between the Board and the Principal as the CEO
- the Board, as the employer, to review their delegations to the Principal giving consideration to accepted best practice
- The role and responsibility of the Board, as the employer, in performance management of Principal
- Consultation with staff, students and wider community to support a positive culture for learning.
- The Board's communication with stakeholders
- Trustee and Board capability including development of effective succession planning.

S9(2)(g)(l)
S9(2)(a)
S9(2)(ba)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

There appears to be a lack of understanding, process and Policy in regard to the Board's role as employer [Redacted]

S9(2)(a)

S9(2)(g)(i)

[Redacted]

S9(2)(ba)

[Redacted]

A number of recent board members were long standing, some with seven to nine years service. Despite this and their own professional strengths and experience, external support from NZSTA, and mediation, the Board has been unable to address issues and bring about improvements.

S9(2)(ba)

S9(2)(g)(i)

[Redacted]

The Board is not well placed to regain the trust and confidence of staff and the community until matters, identified by a number of people, are seen to be fully investigated and addressed, where required. I did not form any views in regard to these allegations, as this is outside of my scope as a Specialist Advisor.

S9(2)(g)(i)

S9(2)(a)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Bev Moore

Specialist Advisor/Section 78k of the Education Act 1989

Rangiora High School

Specialist Advisor Scoping Report

APPENDICES

Appendix 1: Policies – reviewing and strengthening the BOT's Policy framework

Recommendation: That the board at RHS use best practice examples developed by NZSTA and MOE to inform their review of their Governance model and Policy Framework. The Board's policies should be at governance level, not operational.

Priority is to be given to implementing policies that determine the role of the BOT as a good employer providing clear expectations of key relationships.

1. Reporting to the board policy
2. Responsibilities of the Principal Policy
3. The relationship between the Board and the Principal
4. Principal Performance management Policy
5. The relationship between the chairperson and the Principal

Delegations to the Principal (refer to appendices 2)

The following recommended policies are sourced from "2014 NZSTA Policy Framework" and MOE model financial policies.

<http://www.minedu.govt.nz/NZEducation/EducationPolicies/Schools/SchoolOperations/SchoolFinances/ModelSchoolFinancialPolicies.aspx>

Governance	Management
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The Board's Governance model

The following are the board's agreed governance and management definitions which form the basis upon which both the working relationships and the board's policies are developed.

<p>The ongoing improvement of student progress and achievement is the board's focus.</p> <p>The board acts in a stewardship role and is entrusted to work on behalf of all stakeholders. It is accountable for the school's performance, emphasises strategic leadership, sets the vision for the school and ensures compliance with legal and policy requirements.</p> <p>Board policies are at a governance level and outline clear delegations to the principal. The board and principal form the leadership, with the role of each documented and understood. The principal reports to the board as a whole with committees used sparingly and only when a need is identified in order to contribute to board work.</p> <p>The board is proactive rather than reactive in its operations and decision making and does not involve itself in the administrative details of the day to day running of the school.</p>	<p>The board delegates all authority and accountability for the day-to-day operational organisation of the school to the principal who must ensure compliance with both the board's policy framework and the law of New Zealand. [For detail see Operational Policies]</p>
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1. Reporting to the Board Policy

The principal reports to the board as a whole and keeps it informed of the true and accurate position of the outcomes of curriculum; teaching and learning; financial position; and all matters having real or potential legal considerations and risk for our school. Thus the board is supported in its strategic decision-making and risk management by also requiring the principal to submit any monitoring data required in a timely, accurate and understandable fashion. Therefore, the principal must ensure that they:

1. Inform the board of significant trends, implications of board decisions, issues arising from policy matters or changes in the basic assumptions upon which the board's strategic aims are based.
 2. submit written reports covering the following management areas for each board meeting:
 - Principal's management report including:
 - i. Strategic Aim Report
 - ii. Personnel Report
 - iii. Finance Report
 - iv. Variance Report
 - v. Key Performance Indicators
- and,
- the coordination and approval of the following reports:
 - i. Student Progress and Achievement Report
 - ii. Curriculum Report
3. inform the board in a timely manner of any significant changes in staffing, programmes, plans or processes that are under consideration

4. submit any monitoring data required in a timely, accurate and understandable fashion
5. report and explain financial variance against budget in line with the board's expectations
6. report on the number of stand-downs, suspensions, exclusions and expulsions on a per meeting basis
7. report and explain roll variance against year levels and reasons on a per meeting basis
8. present information in a suitable form – not too complex or lengthy
9. inform the board when, for any reason, there is non-compliance of a board policy
10. recommend changes in board policies when the need for them becomes known
11. highlight areas of possible bad publicity or community dis-satisfaction
12. coordinate management/staff reports to the board and present to the board under the principal's authority
13. regularly report on the implementation of the annual plan and progress towards meeting student achievement targets
14. report on any matter requested by the board and within the specified timeframe

2. Responsibilities of the Principal Policy

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 shall not cause or allow any practice, activity or decision that is unethical, unlawful, and imprudent or which violates the board's Charter or expressed values or commonly held professional ethic.

Alongside their professional role, the principal's key contribution to **day-to-day management** of the school is as per the management definition in the introduction to this governance manual.

The principal is responsible for overseeing the implementation of board policy including the Charter. Reference in documentation to the school, management and staff is to be read as "principal" for responsibility for implementation. From time to time the chair of the board acting within delegated authority may issue discretions in policies of the school, in minutes of the board, or by written delegation.

The responsibilities of the principal are to:

1. Meet the requirements of the current job description
2. Meet the requirements of their employment agreement including the 4 areas of practice from the Principals' Professional Standards

3. Act as the educational leader and day to day manager of the school within the law and in line with all board policies
4. Participate in the development and implementation of their annual performance agreement, and participate in their annual review process
5. Develop, seek board approval of, and implement an annual plan that is aligned with the board's strategic plan, meets legislative requirements and gives priority to improved student progress and achievement.
6. Use resources efficiently and effectively and preserve assets (financial and property).
7. Put good employer policies into effect and ensure there are effective procedures/guidelines in place.
8. Allocate pay units for appropriate positions.
9. Ensure effective and robust performance management systems are in place for all staff which include performance management reviews, attestations for salary increases and staff professional development
10. Employ, deploy and terminate relieving and non-teaching staff positions.
11. Employ teaching staff as per the appointments policy.
12. Communicate with the community on operational matters where appropriate.
13. Refrain from unauthorised public statements about the official position of the board on controversial social, political, and/or educational issues
14. Keep the board informed of information important to its role.
15. Report to the board as per the boards reporting policy requirements.
16. Act as Protected Disclosures Officer and ensure procedures are in place to meet the requirements of the Protected Disclosures Act 2000
17. Appoint, on behalf of the board, the Privacy Officer and EEO Officer.

Only decisions made by the board acting as a board are binding on the principal unless specific delegations are in place. Decisions or instructions by individual board members, committee chairs, or committees are not binding on the principal except in rare circumstances when the board has specifically authorized it.

The relationship is one of trust and support with expectations documented in the relationship policy. All parties work to ensure "no-surprises".

The principal is not restricted from using the expert knowledge of individual board members acting as community experts.

3. The Relationship between the Board and the Principal Policy

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 and Responsibilities of the Board policies along with the board's agreed Code of Behaviour should be read alongside this policy.

1. This relationship is based on mutual respect, 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 (unless specifically requested by the board) 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 fulfil 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.

4. Principal's Performance Management Policy

It is the policy of the _____ School Board of Trustees to establish a performance agreement with the principal each year* and review the principal's performance on an annual basis with the objective of ensuring that every student at the school is able to attain his or her highest possible standard in educational achievement.

1. The review process will occur annually, providing a written record of how the principal has performed as per the terms of the performance agreement and identifying professional development needs.
2. The principal's performance will be formally reviewed on an annual basis by duly delegated member(s) of the boards and optionally, at the board's choice, an independent consultant who specialises in education.
3. Those delegated or contracted to perform the review process shall have written formalised instructions specifying the responsibilities of the role.
4. There will be three interim reviews, one per each term preceding the annual formal review, between the principal and chair or delegate(s) to discuss progress.
5. The principal will be reviewed on the criteria set forth in the performance agreement: performance objectives, professional standards, learning and development objectives and fulfilment of additional duties which require concurrence payment.
6. If the principal and the board disagree on the performance objectives, the board, after considering the principal's input, will amend the disputed objectives or confirm the unchanged objectives. The board's decision will be final.
7. The board chair, delegate(s) and consultant may gather information from staff, parents, or any other relevant members of the larger school community who can provide feedback on how the principal has performed. Evidence may include surveys, self-review, teaching observation (if relevant), interviews, focus groups or documentary evidence.
8. The principal and delegate(s) will meet for a formal interview to discuss whether the performance agreement has been satisfied with the principal given the opportunity to discuss and comment on each criterion before a rating is given. The results will then be drafted into a report by the delegate(s) and sent to the principal. The principal can accept the report or dispute the report. If the report is disputed, the delegate(s) will consider the principal's views before deciding to either amend the report, in accordance with the principal's views, or let the report stand, with the principal's comments attached.
9. The chair/delegate(s)/consultant will present the final report/summary back to the board the result of the review. The principal may/may not be present at the presentation and/but will have the opportunity to address the board. The principal will then exit and further discussion may continue among the board.
10. The principal will be informed personally and in writing of the final outcome following the report discussion.
11. The performance agreement and results of the review are confidential to the principal, the board and their agents unless both parties agree to wider distribution.

* Legal requirement

Signature

I, _____, have been informed of the performance review policy

and procedures of _____ School Board.

Signature _____ Date _____

5. The Relationship between the Chair and the Principal Policy

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

The relationship principles are to be read in line with the following:

1. The board's agreed governance and management definitions
2. The board's Roles and Responsibilities Policy
3. The Responsibilities of the Principal Policy
4. The Chair's Role Description Policy
5. The Trustees' Code of Behaviour Policy

Relationship principles:

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 the 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 the other's authority.
9. There is agreement to be honest with each other.
10. Each agree and accept the need to follow policy and procedures.
11. Agree not to hold back relevant information.
12. Agree and understand the chair has no authority except that granted by the board.
13. Understand that the chair and principal should act as sounding boards, both supporting

and challenging in order to hold the school to account for achieving the goals and targets that have been set.

Personnel Policy

The board delegates responsibility to the principal on all matters relating to the management of staff 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 identified good practice. Therefore, the principal must ensure:

1. that all employment related legislative requirements are applied
2. all employees their rights to personal dignity and safety and ensure that matters are resolved in an appropriate and fair manner
3. a smoke free environment is provided
4. that employment records are maintained and that all employees have written employment agreements
5. that performance agreements are established for all staff and that reviews are undertaken annually
6. a suitable professional development programme, which takes into consideration the requirements of the strategic and annual plans, is provided as part of each employee's performance agreement
7. board approval is sought for any requests for discretionary staff leave with pay
8. board approval is sought for any requests for discretionary staff leave without pay of longer than 4 days
9. board approval is sought for any requests for staff travelling overseas on school business
10. the board is advised of any staff absences longer than xxx school days
11. the requirements of the Health and Safety in Employment Act 1992 are met
12. Advice is sought as necessary from NZSTA advisors where employment issues arise

Recommendation:

This policy is recommended as the specialist advisor has been unable to locate a board policy relating to travel .The board needs to make clear its criteria for board funded travel, document its expectations, and manage risk.

MOE Recommended Policy:

Travel Policy

The Policy was approved and adopted by the Board at its meeting held on20XX and became effective from that date.

Introduction

1. The Board agrees that it has a responsibility to ensure that travel expenditure incurred by the School must clearly be linked to the business of the School. The Board has agreed on the fundamental principles of this Policy, and has delegated responsibility for the implementation and monitoring of this Policy to the Principal.
2. The Board requires the Principal, as the chief executive and the Board's most senior employee, to implement and manage this Policy. The Principal may, from time to time, further delegate some of their responsibilities, and all such delegations must be attached as appendices to this policy.
3. This Policy must be read in conjunction with other Board Policies, and the exercising of all authority and responsibilities conferred under this Policy must be in accordance with the Schedule of Delegations and may not exceed an individual's established level of delegated authority.

Principles

4. The Board agrees to ensure that:
 - o the travel expenditure is on the Board's business, and the School obtains an acceptable benefit from the travel when considered against the cost;
 - o expenses are reimbursed on an actual and reasonable basis; and
 - o staff that are required to travel on business do not suffer any negative financial effect.

Process for Making Travel Arrangements

5. Under no circumstances may any staff member approve their own travel.
6. All booking for international and domestic travel is to be conducted through the School's normal purchase procedures. This includes the booking of accommodation, flights and rental cars.
7. Travel bookings are not to be made using manual cheques or credit cards.

Travel within New Zealand

8. The justification for travel within New Zealand must be documented. It is to be transparent and must relate to a school need. Travel within New Zealand is to be authorised on a one-up basis (for example the Principal should authorise any travel by the Deputy Principal and the Board should authorise any travel by the Principal).
9. All domestic air travel is to be economy class.

International Travel

10. Prior to international travel being undertaken, the traveller must be given a copy of this policy and be required to sign it off to signify that they have read and understood it.
11. All international travel should be authorised by the Board before it is commenced. A proposal must be put to the Board detailing the purpose of the trip, the expected benefit to the Board which will arise from the trip and an estimate of the costs of the trip. The Board will approve the travel in writing.
12. At the end of the trip overseas, the traveller must prepare a trip report, which details the costs incurred during the trip, activities which took place during the trip and the benefits to the Board and the School of the trip.
13. Except where the flight time exceeds 10 hours, all international air travel is to be economy class.
14. Business class travel may be approved, where the Board considers appropriate, for travel more than 10 continuous hours in duration.
15. If a staff member has a travel time without a stopover in excess of 20 hours, a rest period of 24 hours before commencing work is permitted.

Accommodation

16. Staff should opt for good but not superior accommodation, for example Qualmark 2 star accommodation and must be prepared to justify exceptions to this rule to the Board.
17. Staff who stay privately will be reimbursed on production of receipts, for koha or for the cost of a gift given to the people they have stayed with. Prior to travel the staff member should receive authorisation for the value of the intended koha/gift. (Refer to Gift Policy)

Vehicles

18. When using rental cars, staff should opt for good but not superior model vehicles and should be prepared to justify any exceptions to this rule to the Board.
19. Use of private vehicles is to be approved on a one-up basis and reimbursement will be at the rate specified by the Inland Revenue Department.
20. If taxis are used, then staff should pay for the taxis out of their own pocket, obtain a receipt and seek reimbursement through petty cash or as part of an expense claim.

Reimbursement of Expenses

21. The reimbursement for business related travel expenses is on the basis of actual and reasonable costs. Actual and reasonable expenditure is defined as "the actual cost incurred in the particular circumstance, provided that it is a reasonable minimum charge".
22. For travel within New Zealand, actual and reasonable expenses are those incurred above the normal day to day costs. For example, a staff member would normally incur personal expenditure for lunch on a daily basis and the cost of lunch when travelling should not be reimbursed unless the costs are greater than that normally incurred.
23. All personal expenditure is to be met by the staff member. Examples of this are mini bar purchases, in house movies, laundry and private phone call charges are to be paid

separately by the travelling staff member.

24. All receipts must be retained and attached to the travel claim. The claim is to be authorised on a one-up basis.
25. For expenditure incurred in New Zealand of value greater than \$50 (including GST) there should also be a GST invoice to ensure that GST can be reclaimed by the School.
26. Authorisation can still be given for expenditure less than \$50 where there is no receipt, for example if it is not practical to obtain a receipt or if the receipt is lost. The expenditure can be reimbursed provided there is no doubt about its nature or the reasons for it.

Discretionary Travel Benefits

27. Travel benefits, including airpoints and loyalty scheme rewards/points (Flybuys, Global, etc), accrued from official travel are only to be used for subsequent travel on behalf of the School. They should not be redeemed for personal use.
28. Staff must travel by the most direct route unless scheduling dictates otherwise.
29. The School will not meet expenses incurred on behalf of a spouse or travelling companion. In the event of a person travelling with an employee, a reconciliation of expenses should clearly demonstrate that the School did in no way incur additional expenditure.

Approval

30. When the Board approved this Policy it agreed that no variations of this Policy or amendments to it can be made except with the unanimous approval of the Board.
31. As part of its approval the Board requires the Principal to circulate this policy to all staff, and for a copy to be included in the School Policy Manual, copies of which shall be available to all staff. The School policy manual shall also be made available to students and parents at their request. The Board requires that the Principal arrange for all new staff to be made familiar with this Policy and other policies approved by the Board.

Signed

Board Chairperson

On behalf of, and with the authority of the Board on _____

Signature Section for International Travellers

I have read and understood this policy and agree to abide by it.

Recommendation:

The specialist advisors have been unable to locate a policy, which addresses sensitive expenditure. This policy is recommended by MOE and the board should use this as a model to review and adopt a policy to clarify its expectations and manage risk.

MOE Recommended Policy

Sensitive Expenditure Policy

The Policy was approved and adopted by the board at its meeting held on the above date and became effective from that date.

Introduction

32. The board agrees that it has a responsibility to ensure that all expenditure of board funds is clearly linked to the business of the school and does not at any time provide unreasonable and personal benefit from those funds to any individual or group of individuals (staff or students).
33. The board acknowledges that at times there are expenses which may be considered to be beneficial only to individuals or small groups of individuals. These may include expenses in relation to travel (especially international travel), or to koha, gifts and other payments to individuals.
34. The board has determined that any expenditure which may be considered to be beneficial to individuals or groups of individuals will be carefully scrutinised before approval and will be supported by appropriate fund raising specific to that expenditure.
35. Particular reference should also be made to the board's travel policy in considering expenditure which may benefit individuals or groups of individuals.
36. The board has agreed on the fundamental principles of this Policy, and has delegated responsibility for the implementation and monitoring of this Policy to the principal (as the chief executive and the board's most senior employee).

Principles

37. The board requires the principal, where expenditure may be beneficial to an individual or group of individuals, to take account of the following prior to authorising this expenditure:
 - i) Does the expenditure benefit student outcomes?
 - ii) Does the expenditure represent the best value for money?
 - iii) Is it in the budget?
 - iv) Could the board justify this expenditure to a taxpayer, parent or other interested party?
 - v) How would the public react if this expenditure was reported by the media?
 - vi) Would there be perceived to be any personal gain from this expenditure?
 - vii) Does this expenditure occur frequently?

38. Any proposed expenditure which may benefit individuals or groups of individuals will be backed by funds which have been raised for the purpose. The funds will be raised with a full understanding of their purpose known to those contributing the funds – such as parents or other funding sources (e.g. Charities). The funds raised will cover all costs (including travel and accommodation costs for teachers who may be involved).

Accounting for expenditure

39. All expenditure which is incurred on behalf of individuals or groups of individuals will be fully accounted for and a separate income statement for management reporting purposes showing all funds raised and expenditure incurred will be provided to the board.

Approval

40. When the board approved this Policy it agreed that no variations of this Policy or amendments to it can be made except with the unanimous approval of the board.
41. As part of its approval the board requires the principal to circulate this policy to all staff, and for a copy to be included in the School Policy Manual, copies of which shall be available to all staff. The School policy manual shall also be made available to students and parents at their request. The board requires that the principal arrange for all new staff to be made familiar with this Policy and other policies approved by the board.

Signed

Board Chairperson

With the authority of the board on _____

Signature section for fund raising

I have read and understood this policy and agree to abide by it.

Signed

s9(2)(g)(i)

Appendix 2

[Redacted content]

NZSTA legal advice as requested by the specialist advisor on the delegations to the Principal, Peggy Burrows at Rangiora High School.

Commentary on the role of the board

Governance is split into two roles- role of the board, and role of the principal. Under s.75 (2) of the Education Act a school's Board has the complete discretion to control the management of the school as the board thinks fit. Generally, a board under s75 is entitled to set directions for the school and require the principal to manage the school in particular ways.

The board's role is one of overall governance and a principal does not have a separate sphere of authority in which he or she is not accountable to the board. It must be remembered that the board is the employer. Coupled with the wording of the Act, the interface between section 75 and 76 points clearly towards a governance/management situation where the board has the overriding power and the principal's actions are subject to directions and delegations created by the board.

The principal is required to comply with the Board's general policy directions. Otherwise the principal has the discretion to manage the school's day to day administration. Subject to this, the Board can direct in general terms how the day to day issues are to proceed. While the board may choose to have a hands-off or hands-on approach the board should not overstep its role and be overly in charge of the school's operation. This means that for example, the board can set policies around staff at school, but cannot demand that a particular staff member teach a particular class. Or the board can direct that water fountains are a requirement by law, but the principal directs where they are to be placed.

Best practice

It is best practice that the delegated authority to a principal does not exceed any aspect that should be viewed as governance or a decision that has wide reaching implications.

Employment

Generally, a board will grant a principal with the authority to employ and manage staff. It is best practice that senior teaching positions within the school are determined by the board, or

determined in conjunction with the principal. Frequently when employing a senior staff member, a board will delegate a panel of board members to appoint the role, of which the principal would be a member.

In regards to discipline, as the employer is the board, the board is expected to deal with any aspect of discipline or performance management if discipline is of a serious nature.

It is unusual and against best practice for the principal to have the delegated authority of disciplinary action (including dismissal) of non-teaching staff. This is because it would be viewed in the eyes of the law of a breach of natural justice as the principal becomes the prosecution, judge and jury. A dismissal under this delegation may result in a successful procedural personal grievance claim.

Finance and external engagements

Finance is generally delegated to school principals in relation to day to day management that effect the efficient administration of the school. It is best practice is that the Board of Trustees remain responsible for all matters of finance that have an effect on the school beyond the day to running, particularly those that are of significant value or effect to the school and community.

It is standard practice that a principal will have the delegated authority to authorise expenditure and payment of a low value. This is in keeping with the governance and management profile expected of a board and school.

An example of what would be a standard delegation is set out in the exemplar Principals delegation, provided by the Ministry of Education and promoted as standard practice:

Transfers to at-call deposits of amounts less than \$5,000 and for periods less than 12 months; Ordering fixed assets for which the capital expenditure has the prior approval of the Board.

It is standard practice that a principal will have the delegation to permit projects and contractors that involve day-to-day maintenance and administration of the school. Best practice requires that the principal may permit projects and contracts at a low level and low value. This is in keeping with the governance and management profile expected of a board and school.

An example of what would be a standard delegation is set out in the exemplar Principals delegation, provided by the Ministry of Education and promoted as standard practice:

"Approval of any orders for goods and services up to the value of \$2,500 and provided such an order will not exceed the Board approved budget allocation for the expenditure item involved"

Delegations of asset management

It would be standard practice that any asset of high value would lie with the board. This is due to the asset not being part of the day to management of curriculum resources or school community, but an asset that should be maintained and managed by a board or a trust. It is expected that within a board it is likely that the pooled expertise would be able to provide expert management that should not be expected of a principal.

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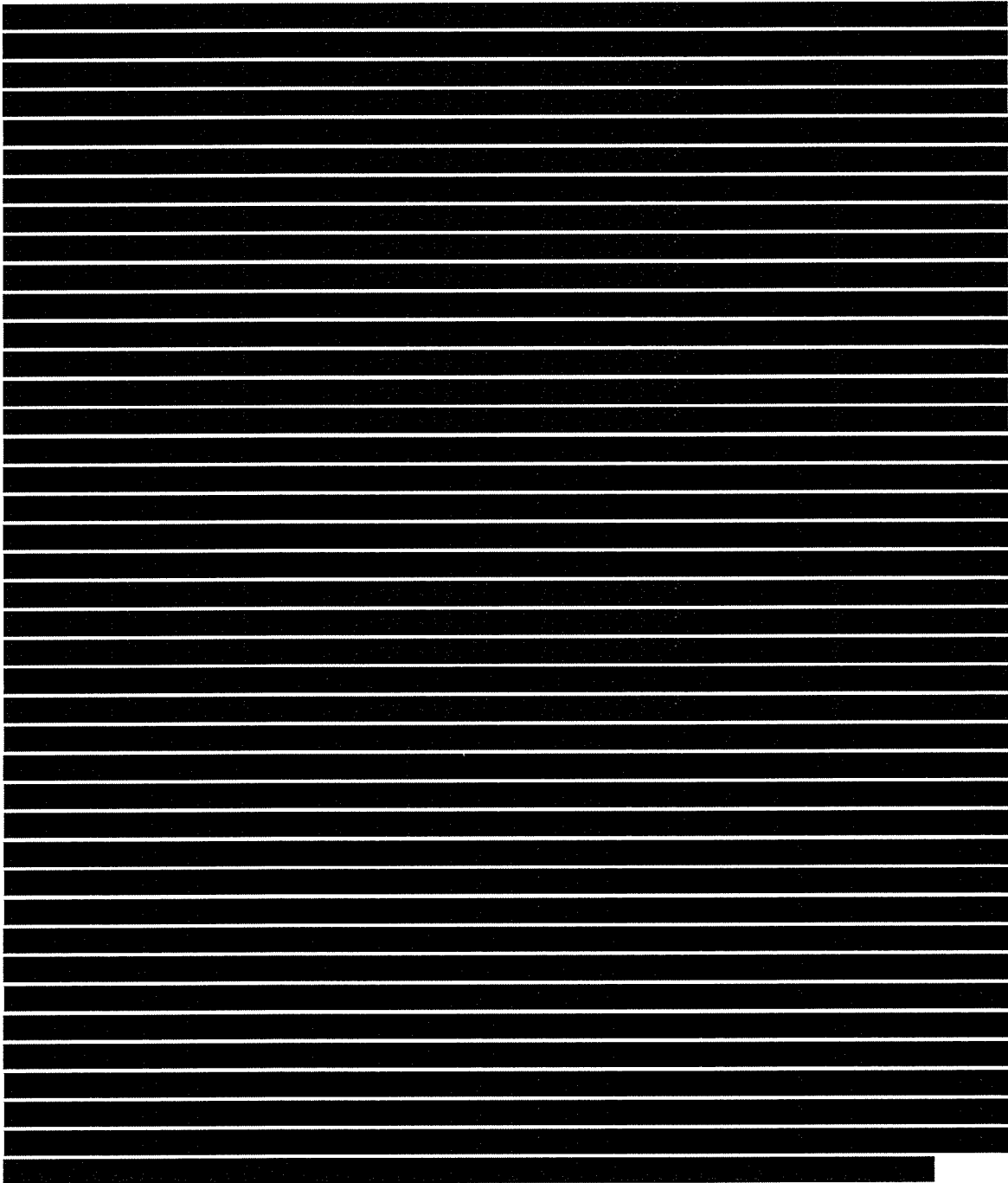
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Appendix: 5 (Community comments)

S9(2)(a)

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What community issues have involved RHS, and what, if any were the implications for the School and its students?

S9(2)(a)

[REDACTED]

- a. Rangiora High School's move to require the Rangiora High School Nursery School to quit its building on Wales Street and move out. This move was made unexpectedly as far as the Nursery School and the community was concerned. The High School showed no apparent regard for the long history between the High School and the Nursery School dating back to the 1930s. The public meeting the High School held to 'explain' its position to the community was poorly handled and essentially involved the High School telling the community why it required the Nursery School to leave, without showing any willingness to engage in dialogue in spite of many requests. This put the community off side with the High School;
- b. Discussions over the location of an artificial hockey turf to be located by the Council somewhere in the Rangiora community in the next year; a decision has not yet been made. However, approaches from the High School to the Council have not shown a great willingness to 'share' the facility with the community and this has made councillors cautious about considering the High School as a site for the field;
- c. Discussions over the location of a new indoor stadium. This is very much in the concept stage at the moment. A preliminary study has been commissioned by Council to look at the needs of the district and potential sites for the new stadium. Exploratory discussions between Council, the North Canterbury Sports and Recreation Trust and Rangiora High School produced an indication from the High School of willingness to contribute to the costs of the stadium. This was subsequently changed by the principal to offer of a site at the High School which would equate to the sum originally suggested. This has created reserve amongst councillors as to the extent to which the High School is genuinely committed to a school-community shared facility.
- d. Efforts to get agreement between the High School and neighbouring owners of properties along the southern boundary of the school off East Belt. This area suffered severely from flooding in the June floods of this year. The neighbours have been attempting to get agreement from the school to construct a swale along the southern boundary to accommodate future flood waters. The construction of this is to be at the neighbouring property owners' expense. [REDACTED]

S9(2)(a)

S9(2)(a) [REDACTED]

e. The Recreation Centre is run by the North Canterbury Sport and Recreation Trust and was set up as a shared school-community facility in the late 1980s. The Trust deed stipulates the way the facility is to be shared. [REDACTED] I understand that there have been periods of disagreement between the Trust and the School over the use of the Centre and more particularly over plans to expand the Centre. These have centred I understand on the school wanting a greater degree of control over how the Centre is used. I stress that I have not been directly involved in this so what I'm saying has come to me second hand [REDACTED]

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Appendix: 6

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Rangiora High School
Specialist Advisor Scoping Report
RECOMMENDATIONS

Special Advisor Recommendations

- That the Board at RHS use best practice examples developed by NZSTA and MOE to inform its review of their Governance model and Policy Framework.

Priority is to be given to implementing policies that determine the role of the BOT as a good employer.

- That the Board adopts a Travel Policy. This policy is recommended by MOE. The board needs to make clear its criteria for board funded travel, document its expectations, and manage risk.
- That the Board adopts a Sensitive Expenditure Policy. This policy is recommended by MOE and the board should use this as a model to review and adopt a policy to clarify its expectations and manage risk.
- That the Board gives serious consideration to NZSTA advice received before making any decision to ratify existing delegations at the February Meeting as scheduled. The Board is required to act in the best interest of attaining student achievement.

S9(2)(g)(i)

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S9(2)(a)

That the Board complete the NZSTA HR Audit [REDACTED]

Recommendations to strengthen Board capability and governance practices

- That the Board complete Governance training begun mid 2014
- That the Board reviews its operations, particularly their meeting/decision making processes to ensure RHS Governance is effective and in line with good practise.
- That the Board and Principal, with Specialist Advisor support, determine the scope, format and nature of reports required by the Board to ensure that they are consistent with best practise, MOE requirements and consistent with its policy on reporting to the Board, with student achievement as a primary focus.
- That the Board, with support from Specialist Advisor and NZSTA, develop a Board work plan and triennial review process.
- That the Board review its complaints policy to ensure it is consistent with good practise
- That the Board requires a procedure is put in place to ensure the school's exit surveys are consistent with good practise and include a confidential process for providing feedback to the employer.
- That the Board undertakes a school wide communications audit and seeks expert advice on improving consultation and communication with all stakeholders.
- That the Board commits to robust self review using high-quality information and data to support this process.
- That the Board strengthen its strategic planning with external support.
- That the Board receives support and training to develop greater understanding of its role, as the employer, in the performance management of the Principal
- That the Board seeks support and advice from NZSTA to implement all recommendations.