

### 3.3.3.1 Personnel Policy

#### Statement of Intent

Paraparaumu College shall be a good employer and promotes the fair and proper treatment of employees in all aspects of their employment, including:

- Healthy and safe working conditions;
- Equal Employment Opportunities;
- Suitably qualified persons appointed through a fair and transparent process; and
- Opportunities to enhance the abilities of individual employees

Paraparaumu College is an equal opportunity employer that recognises:

- The aims and aspirations and cultural differences of ethnic or minority groups;
- The employment requirements of women; and
- The employment requirements of persons with disabilities.

Paraparaumu College also recognises, in appointment and employment matters, its partnership with Māori.

#### Board's Expectations

- High calibre staff who can support the College's strategic direction will be appointed to all positions
- The College's commitment to Māori will be reflected in staff appointments.
- The school will comply with all current employment legislation (see Appendices)
- The school will comply with the conditions of all collective agreements, and of any individual employment agreements
- Annual appraisals will be completed for all staff
- Professional development will be undertaken by all staff
- Guidelines and procedures for appointments and promotion, leave and staff grievances will be documented
- Appropriate guidance and support will be readily available for staff

#### Supporting Documents

The Principal or delegated staff shall implement and maintain the following procedures and practices relating to this policy:

- Paraparaumu College Management Guidelines and Procedures for:
  - Allocation of Management Units and Middle Management Allowances
  - Appointments and Promotion (Appointment of Staff) – including Provisionally Registered Teachers\*
  - Equal Employment Opportunities (EEO)\*
  - Managing Staff Complaints and Personal Grievances
  - Performance Management\*
  - Police Vetting\*
  - Privacy\*
  - Protected Disclosures\*
  - Staff Conduct & Discipline\*
  - Staff Induction
  - Staff Leave\*
  - Staff Redeployment\*
  - Timetable\*
  - Volunteers\*
- Annual Professional Development Plans

## Delegations

- The Board is responsible for the appointment of the Principal and is involved in the appointments of Senior Managers.
- The Principal, in consultation with the Board of Trustees, is responsible for the appointment of all other staff.
- Requests for leave of more than **TEN** days are considered and decided by the Board.

Approval Dates: 1 June 1990, 24 March 2014, 1 April 2015

Review Date: 26 April 2016

Signed by the Chairperson  
of the Board of Trustees  
on behalf of the Board of Trustees



## 3.4.8 Appendix 1

The Personnel Policy is intended to be consistent with the requirements of the following Acts and agreement and subsequent amendments:

- Human Rights Commission Act 1977
- Employment Relations Act 2000 Contracts Act 1991
- Education Act 1989
- Race Relations Act 1971
- Health and Safety in Employment Act 1993
- Privacy Act 1993
- Protected Disclosures Act 2000
- Current employee collective agreements and individual employment agreements

The State Sector Amendment Act 1989 covered conditions for senior staff and Principals. It was repealed in 1991 and not replaced.

## 3.4.8 Appendix 2

### PROTECTED DISCLOSURES

#### *Information and Procedures*

#### **What is a Protected Disclosure?**

A protected disclosure is a declaration made by an employee where they believe serious wrongdoing has occurred. Employees making disclosures will be protected against retaliatory or disciplinary action and will not be liable for civil or criminal proceedings related to the disclosure. This is in accordance with the Protected Disclosures Act 2000.

#### **Definition of Serious Wrongdoing**

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 course of conduct:
  - which seriously risks public health or safety or the environment; or
  - that constitutes an offence; or
  - that is oppressive, improperly discriminatory, grossly negligent or constitutes gross mismanagement; or
  - that constitutes serious risk to the maintenance of law.

### **Conditions of Disclosure**

Before making a disclosure the employee should be sure the following conditions are met:

- the information is about serious wrongdoing in or by the school; and
- the employee believes on reasonable grounds the information to be true or is likely to be true; and
- the employee wishes the wrongdoing to be investigated; and
- the employee wishes the disclosure to be protected.

### **Who Can Make a Disclosure?**

Any employee of the college can make a disclosure. For the purposes of this policy an employee includes:

- Current employees and Principal
- Former employees and Principals
- Contractors supplying services to the school.

### **Protection of Employees Making Disclosures**

An employee who makes a disclosure and who has acted in accordance with the procedure outlined in this policy:

- May bring a personal grievance in respect of retaliatory action from their employers;
- May access the anti-discrimination provisions of the Human Rights Act in respect of retaliatory action from their employers;
- Are not liable for any civil or criminal proceedings, or to a disciplinary hearing by reason of having made or referred to a disclosure;
- Will, subject to Clause 5 of the Procedure, have their disclosure treated with the utmost confidentiality.

The protections in this section will not be available to employees making allegations they know to be false or where they have acted in bad faith.

## **PROCEDURE**

Any employee of Paraparaumu College who wishes to make a protected disclosure should do so using the following procedure:

### **1. Submit a disclosure in writing to the Board of Trustees**

### **2. The disclosure should contain detailed information including the following:**

- The nature of the serious wrong-doing
- The name or names of the people involved
- Surrounding facts including details relating to the time and/or place of the wrong doing if known or relevant.

### **3. Where to send disclosures**

A disclosure must be sent in writing to the Principal who has been nominated by the Board of Paraparaumu College under the provision of Section 11 of the Protected Disclosures Act 2000 for this purpose.

If you believe that the Principal is involved in the wrong-doing or has an association with the person committing the wrong-doing that would make it inappropriate to disclose to them, then you can make the disclosure to the Board of Trustees.

### **4. Decision to investigate**

On receipt of a disclosure, the Principal (or the Board of Trustees, where applicable) must within 20 working days examine seriously the allegations of wrong-doing made and decide whether a full investigation is warranted. If warranted a full investigation will be undertaken by the Principal or the Board of Trustees or arranged by him as quickly as practically possible, through an appropriate authority.

### **5. Protection of disclosing employee's name**

All disclosures will be treated with the utmost confidence. When undertaking an investigation, and when writing the report, the Principal or the Board of Trustees will make every endeavour possible not to reveal information that can identify the disclosing person, unless the person consents in writing or if the person receiving the protected disclosure reasonably believes that disclosure of identifying information is essential:

- To ensure an effective investigation
- To prevent serious risk to public health or public safety or the environment
- To have regard to the principles of natural justice.

## **6. Report of investigation**

At the conclusion of the investigation the Principal will prepare a report of the investigation with recommendations for action if appropriate, which will be sent to the Board of Trustees.

## **7. Disclosure to an appropriate authority in certain circumstances**

A disclosure may be made to an appropriate authority (including those listed below) if the employee making the disclosure has reasonable grounds to believe:

- The (last resort person) in the school responsible for handling the complaint is or may be involved in the wrong-doing; or
- Immediate reference to another authority is justified by urgency or exceptional circumstances; or
- There has been no action or recommended action within 20 working days of the date of disclosure.

Appropriate authorities include (but are not limited to)

- Commissioner of Police
- Controller and Auditor General
- Director of the Serious Fraud Office
- Inspector General of Intelligence and Security
- Ombudsman
- Parliamentary Commissioner for the Environment
- Police Complaints Authority
- Solicitor General
- State Service Commissioner
- Health and Disability Commissioner
- The head of every public sector organisation

## **8. Disclosure to Ministers and Ombudsman**

A disclosure may be made to a Minister or an Ombudsman if the employee making the disclosure:

- has made the same disclosure according to the internal procedures and clauses of this policy;
- reasonably believes that the person or authority to whom the disclosure was made:
  - has decided not to investigate; or
  - has decided to investigate but not made progress with the investigation within reasonable time; or
  - has investigated but has not taken or recommended any action; and
  - continues to believe on reasonable grounds that the information disclosed is true or is likely to be true.