

Hauraki School Policy Document

Staff Discipline

Rationale:

To provide a clear disciplinary process for the Principal, Board of Trustees and staff to follow so that discipline issues are handled appropriately in a fair and correct manner.

Purpose:

- To ensure disciplinary communication is fair and correct.
- To ensure the employer carries out full and fair investigation of the problem before carrying out any form of disciplinary action.
- To ensure the employee is given every opportunity to provide an explanation at all stages and that those explanations are further investigated where appropriate.
- To ensure the employee is clear as to what aspect of their performance or behaviour is causing concern and what changes are expected and the time frame allowed in which to change that performance.

Guidelines:

1. In the event of any complaint or matter of a disciplinary nature the Principal will attempt to solve in the first instance before reporting to the board.
2. The principal is to inform the BOT Chairperson prior to any further discussion. Every attempt will be made by the Principal and Board of Trustees to resolve any issues informally by discussion with a staff member in relation to a complaint or matter of discipline.
3. If the issues cannot be resolved informally the school will follow disciplinary procedure in accordance with the provisions in Part 10 of the current Primary Teachers' Collective Agreement or successor.
4. Nothing in this policy prevents summary dismissal without notice in the case of serious misconduct. However, even in such cases, an unprejudiced investigation will be carried out and the employee given the opportunity to answer any allegations or results of any investigation.
5. **Serious Misconduct** is defined as the following actions:
 - Physical, sexual or serious verbal abuse.
 - Failure to carry out lawful and reasonable instructions from the management and the employer.
 - Willful failure to comply with school policies or procedures.
 - Misappropriation of school money or property.
 - Any other action or lack of action not included above by the principal or BOT which is considered 'serious' in the light of circumstances at the time.
6. The Principal and Board of Trustees working together will decide whether it is appropriate and if so, at what stage of proceedings to involve the "suspension" provisions of the employees' collective contract.
7. Without derogating from the provisions in Part 10 of the PTCA, at the stage at which the Principal presents his/her findings to the Board with a recommendation to terminate employment or other recommendation the employee will be invited to attend with a representative and will be given any material put before the Board and be given a final opportunity to respond.

8. The Employment Relations Act requires the employer to provide, at the request of the employee, a written statement of the reasons for dismissal. This statement must be provided within 14 days of the receipt of the request.
9. The Board of Trustees will hold legal liability insurance at all times and the insurer will be notified immediately should any actual or probable claim against the Board be lodged.
10. The Board of Trustees and Principal may seek assistance from the STA Industrial Adviser, The Employees Association or other appropriate agency throughout this process.

Signed: 

Date: 17 June 2019

Chairperson Board of Trustees

Review Date: Term 1, 2022