

Hauraki Primary School

Policy Document

Staff Discipline

Rationale

The Hauraki School Board (the Board) acts as a good employer and takes all reasonable steps to build working relationships based on trust, confidence, and good faith. The Board treats employees fairly and properly in all aspects of their employment. The Board expects all employees to maintain proper standards of integrity, conduct, and concern for the wellbeing of students.

Purpose

As the legal employer of teaching and non-teaching staff, the Board will ensure:

- we comply with all relevant legal requirements, the Primary Teacher Collective Agreement (PTCA), and the principles of being a good employer;
- employees understand the required standards of performance and behaviour and if those standards are not being met, employees are given timely feedback and an opportunity to improve;
- provide a physically and emotionally safe place and take all reasonably practicable steps to ensure the health and safety of all students, staff, and other visitors to the school; and
- we handle disciplinary issues appropriately in a fair and correct manner, including investigating complaints fully and fairly, and employees are provided with the opportunity to engage with disciplinary process.

Definitions

Sexual harassment

Sexual harassment has the meaning given by sections 103 to 110 inclusive of the Employment Relations Act 2000. For ease of reference, sexual harassment occurs when a person:

- (a) directly or indirectly makes a request of that employee for sexual intercourse, sexual contact, or other form of sexual activity that contains:
 - (i) an implied or overt promise of preferential treatment in that employee's employment; or
 - (ii) an implied or overt threat of detrimental treatment in that employee's employment; or
 - (iii) an implied or overt threat about the present or future employment status of that employee; or
- (b) by—
 - (i) the use of language (whether written or spoken) of a sexual nature; or
 - (ii) the use of visual material of a sexual nature, or

(iii) physical behaviour of a sexual nature,

directly or indirectly subjects the employee to behaviour that is unwelcome or offensive to that employee and that, either by its nature or through repetition, has a detrimental effect on that employee's employment, job performance, or job satisfaction.

Serious Misconduct

Serious misconduct includes:

- physical or serious verbal abuse;
- sexual harassment;
- failure to carry out lawful and reasonable instructions from management and or the Board;
- wilful failure to comply with school policies or procedures;
- misappropriation of school money or property;
- when an employee's behaviour has undermined or destroyed the Board's trust in them and impacted the employee's ability to do their job.

Guidelines

1. All teachers are expected to understand and comply with the "Our Code, Our Standards" set out by the Teaching Council of Aotearoa New Zealand. These standards apply to all registered and certificated teachers and those who have been granted a Limited Authority to Teach.
2. The principal is delegated the day-to-day management of the school and will respond to any complaint or disciplinary matter in the first instance, in line with this policy and the Concerns and Complaints policy. This includes matters of competency which are causing concern in respect of any employee.
3. Many concerns will be able to be resolved by discussion between the principal and the employee concerned without the need to take the matter any further. Questions of competence, conduct and/or discipline should be handled in a manner which as far as possible protects the mana and dignity of the employee concerned and line with the procedures set out in Part 10 of the PTCA.
4. Sexual harassment impairs a person's ability to work or learn and any such behaviour is unacceptable at the school. All allegations of sexual harassment will be treated with the utmost seriousness and may be considered serious misconduct.
5. Employees may seek whānau, family, professional and/or NZEI Te Riu Roa support in relation to such matters.
6. The principal may consult the Board to determine how best to resolve the matter or whether it is appropriate to implement the disciplinary procedures set out in this policy and part 10 of the PTCA.

Suspension

7. Any decision that may involve suspension must be discussed with the Board. The Board will determine if and in what circumstances suspension is appropriate.
8. All discussions about staff discipline are discussed by the Board "In-Committee."

Serious misconduct

9. Nothing in this policy prevents instant dismissal without notice in the case of serious misconduct, as defined above.
10. Any decision that may involve dismissal for serious misconduct must be discussed with the Board. The Board will determine if and in what circumstances instant dismissal is appropriate.
11. Even in cases involving alleged serious misconduct, an unprejudiced investigation will usually be carried out and the employee given the opportunity to answer any allegations or results of any investigation. However, the employee may be suspended during this process.
12. 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.

General provisions

13. The Board and principal may seek assistance from the STA Industrial Adviser, The Employees Association or other appropriate agency throughout this process.
14. Nothing in this policy negates any statutory obligation to inform the Teaching Council if applicable.
15. The Board will hold legal liability insurance, and the insurer will be notified immediately should any actual or probable claim against the Board be lodged.

Signed: *PE Gold*

Date: 1-9-25

Presiding Member of the Board

Review Date: Term 3, 2028

Related policies:

- Concerns and Complaints
- Health and Safety
- Teachers Laptop Usage