

### **NAG 3**

According to the legislation on employment and personnel matters, each Board of Trustees is required in particular to:

1. Develop and implement personnel and industrial policies, within policy and procedural frameworks set by the Government from time to time, which promote high levels of staff performance, use educational resources effectively and recognise the needs of students.
2. Be a good employer as defined in the State Sector Act 1988 and comply with the conditions contained in employment contracts applying to teaching and non-teaching staff.

## **WELLINGTON COLLEGE POLICY STATEMENT**

### **SECTION 3**                      **N.A.G.3**

### **POLICY TITLE 3.0**            **GENERAL POLICY ON CURRICULUM**

#### **RATIONALE**

Wellington College will be a good employer. By fostering a committed and stable staff the College will provide the best learning environment for students.

#### **PURPOSE**

To provide staff with optimum working conditions, adequate resources, effective on-going training, career opportunities and encouragement. In doing so it is intended to foster staff well-being and promote high levels of performance which in turn will provide an excellent learning environment for our students. The Board will seek to ensure:

- NCEA is accepted, modified and creatively and sensibly implemented, and the school's academic results are amongst the highest in the country in all year group levels.
- Excellence is promoted and recognised across all sporting and cultural activities and that an infrastructure that values and ensures participation, and achievement is maintained. While the College will be inclusive with these activities, the school will continue to be unashamedly competitive and will encourage all students to achieve at their optimum level of performance.
- Cultural diversity will be celebrated and we will encourage equal participation in cultural activities as for sport. Of the three broad activities offered – sporting, cultural and service – each student will be encouraged to participate in at least two. The school will strive to have pre-eminence in all of these activities in the Wellington region and a consistent profile nationally.
- Ongoing improvement of the grounds, with the best possible facilities to support the various sports using those grounds. Our aim is to ensure that we provide well-functioning classroom blocks with appropriate levels of technology.
- The school will seek to ensure that there is a body of happy, highly-trained and motivated staff and that professional development of individual teachers will be closely linked to school-wide emphases.
- The school will seek to ensure that there is a body of happy, highly motivated and trained staff and the professional development will be linked to school-wide activities.

#### **GUIDELINES**

1. Smoke-free environment
  - The school will provide a smoke-free environment for students and staff
  - The school will comply with any current smoke-free legislation.
2. EEO (Equal Employment Opportunities)
  - All school policies and procedures will incorporate EEO requirements
  - The Board of Trustees will specify an EEO programme in consultation with its employees

3. Sexual Harassment

- Sexual harassment is not acceptable at Wellington College and the Board and the College will specify procedures to deal with this.

4. Staffing

- All staff will be employed under an individual or collective contract
- The Board will abide by the provisions of the relevant contracts that affect the staff
- The school will have management procedures that are outlined in a staff handbook.

5. Appointments

- The Board will appoint a Headmaster in accordance with written procedures.
- The Headmaster will consult with the Board (or its delegated Personnel Sub-Committee) for senior appointments. This will include all appointments at the level of three Management Units or above.
- All other permanent staff will be appointed by the Headmaster.
- All appointments will be reported to the Board by the Headmaster.

6. Staff Leave

- Leave is generally covered by the relevant collective or individual contracts.
- Short-term leave outside these parameters may be granted at the discretion of the Headmaster.
- Application for long-term leave of absence is specified in the policy on 'Staff Leave'.

7. Performance Appraisal

- The school will have a performance appraisal system which is consistent with national standards and in keeping with the goals of the school Charter.

8. Staff Development

- The school will have a staff development programme for all staff.

9. Dealing with Complaints About Staff

- Matters of concern will be directed to the person/s involved.
- The Headmaster or a Board member may receive a complaint in writing and will direct it to the person/s concerned.
- The Headmaster may act as a facilitator in a meeting between the parties concerned.
- The College and the Board will have compatible procedures for managing complaints.
- The investigation or consideration of a complaint should be on a scale appropriate to the complaint, and should not escalate the issue beyond those who are immediately involved.

## WELLINGTON COLLEGE POLICY STATEMENT

### SECTION 3 N.A.G. 3

#### POLICY TITLE 3.1 GOOD EMPLOYER AND EEO PROCEDURES

##### RATIONALE

The fair treatment of all staff is required by law and it is fundamental to the Board's obligations as a good employer. An Equal Employment Opportunity Programme is also legally required of the Board of Trustees.

##### PURPOSE

- To ensure that all employees and applicants for employment shall be treated fairly and according to their skills, qualifications, abilities and aptitudes.
- To ensure appointments are made on merit.
- To comply with the State Sector Amendment Act in providing an EEO programme 'that is aimed at the identification and elimination of all aspects of policies, procedures and other institutional barriers that cause or perpetuate, or tend to cause or perpetuate, inequality in respect to the employment of any person or group of persons'.

##### GUIDELINES

1. The school will review and implement procedures to ensure that the College complies with the principle of being a good employer as specified in section 77A of the State Sector Act 1988.
2. The school will implement an equal employment opportunities programme.
3. The school will ensure that the best and most suitable applicant for any position is appointed to that position.
4. The school will ensure compliance with this policy and report in its annual report on the extent of its compliance.

## Appendix 3.1

### **CHECKLIST FOR RECRUITMENT AND SELECTION OF EMPLOYEES**

#### 1. JOB DESCRIPTIONS

- Non-sexist job titles.
- A clear list of duties.
- Conditions of service stated.
- Only relevant and necessary qualifications included, relevant voluntary work of community-based skills emphasized.
- A certain standard of written and spoken English is to be included if it is an inherent requirement of the position.
- Personal qualities needed for the position are to be specified.

#### 2. ADVERTISEMENTS

- Use non-sexist titles and language.
- Include a statement like “We have an EEO policy”.
- Include only necessary qualifications.
- Give a clear list of duties.
- State conditions of service.
- Do not set age limits.
- Ask about applicant’s knowledge of other cultures and other languages, where appropriate.
- Translate advertisements into the languages of the community as needed.
- Offer the opportunity for whanau or other supporters to attend interviews, where appropriate

#### 3. INTERVIEWING

- Men and women to be on interviewing panel.
- Main ethnic groups to be represented as appropriate.
- Members of panels to have some training in interviewing.
- Use standard questions, avoiding any that are discriminatory or not relevant to the specific job.
- Use standard assessment forms for each applicant, whanau or other supporters are invited to attend the interview, if appropriate.
- The interview is at a place that is accessible to people who are mobility-impaired.

#### 4. SELECTION

- Ensure that the views of all members of the panel are considered before the final decision is made.
- Check that the appointment is being made on the basis of the appointment criteria for the particular position.
- Consider re-advertising if the criteria are not met.

## WELLINGTON COLLEGE POLICY STATEMENT

### SECTION 3 N.A.G. 3

#### POLICY TITLE 3.2 PERSONAL GRIEVANCE

##### RATIONALE

The extension of personal grievance and procedures to all employees by the Employment Relations Act 2000, irrespective of whether they are employed on individual or collective contracts of employment or agreements, requires that the College has a standard procedure for resolving personal grievances.

##### PURPOSES

- To establish set procedure for handling cases of personal grievance.
- To ensure all staff know that there are fair and confidential means available for resolving personal grievances.
- To ensure that all matters relating to personal grievance are dealt with in complete confidence.
- To minimise the likelihood of personal grievance situations arising through preventative action and education.
- To seek resolutions that are satisfactory to all concerned.

##### GUIDELINES

1. It is desirable to settle grievances as near as possible to the point of origin.
2. Persons raising personal grievance are to be advised of the procedures that shall be followed.
3. All persons considering that they have a grievance have 90 days from the date of the alleged grievance to submit the grievance to the Headmaster or the Board Chairperson.
4. The complaint and all subsequent actions/decisions must be documented. The complaint should be in writing, and the complaint acknowledged in writing. The Headmaster (or Chairperson of the Board if the grievance is against the Headmaster) is to be given copies of all documents generated by the grievance.
5. All documents/actions/information must be kept strictly confidential. The rights of every person involved in the grievance must be protected.
6. All grievances must be treated seriously and investigated thoroughly and expeditiously.
7. Grievances should be resolved as soon as possible and all concerned parties notified of the outcome.
8. In resolving grievances, regard should be given to:
  - any damage and suffering sustained;
  - the prognosis for the future;
  - improvement of the circumstances that gave rise to the complaint; and
  - the need for formal disciplinary action.

## **APPENDIX**

To assist the interpretation of the terms and conditions under which personal grievance claims might be lodged, definitions, notes and procedures are appended to this policy. (Appendix 3.2.1).

Sexual Harassment is dealt with as a special case leading to a personal grievance claim. The procedures for such a case are appended to this policy. (Appendix 3.2.2).

### **Appendix 3.2.1**

#### **PERSONAL GRIEVANCE PROCEDURES DEFINITIONS**

GRIEVANCE:	Refer to: Employment Relations Act 2000 Secondary Teachers' Collective Employment Contract (the "Award"), Part 9 Some relevant notes are given below.
EMPLOYEE	A teaching or non-teaching member of the staff, in present employment OR who has accepted an offer of employment
EMPLOYER:	The Board of Trustees of the College or the Headmaster as the employer's representative.
REMEDY:	See Employment Relations Act 2000, PDF 61B.

## Appendix 3.2.2

### **PROCEDURES FOR GRIEVANCES NOT INCLUDING SEXUAL HARASSMENT**

1. Complaint should be submitted in writing to the Headmaster (or the Board of Trustees if the complaint is against the Headmaster) as soon as possible after the grievance has arisen and within 90 days. The written statement should include:
  - a) specification of the type of grievance;
  - b) surrounding pertinent facts;
  - c) a statement about the remedy sought.
2. The complainant may request a representative (e.g. union) to pursue resolution of the grievance where:
  - a) the grievance is not remedied; or
  - b) the grievance is of such a nature that direct discussion between the complainant and the Headmaster or the Board is regarded by the complainant as inappropriate.
3. If the remedy sought is not granted, the employer must supply, within 14 days after the receipt of the complaint, a written response setting out the employer's view of the facts and the reasons it is not prepared to grant the remedy sought.
4. If the complainant is not satisfied with the written response, he/she may seek free mediation assistance from the Department of Labour or file a Statement of Problem in the Employment Relations Authority.



## **Appendix 3.3**

### **SEXUAL HARASSMENT COMPLAINT PROCEDURES**

The procedure involves a two-tiered structure:

#### **1. INITIAL CONSULTATION**

The contact person should assist the complainant to determine which of the following would be the best option:

- self help
- informal intervention (by the contact person)
- mediation (by an external mediator), or
- formal complaint.

#### **2. FORMAL COMPLAINT**

Formal procedures may be invoked when initial consultation procedures have failed or when the nature of the allegation is sufficiently serious to make informal procedures inappropriate.

- The contact person and/or complainant must advise the Headmaster (or his nominated representative) who initiates an investigation, upon receipt of a written complaint.
- Following an investigation (and the involvement of the Board if necessary), the complainant and the alleged offender must be informed of the outcome of the complaint.

### **CONFIDENTIALITY**

- All discussion and investigations must be conducted in strict confidence.
- Notwithstanding the above, documentation about the complaint, including, where it occurs, a record of the mediation is to be lodged with the Headmaster.
- Where appropriate, other senior managers will be informed of the complaint.

### **INDIVIDUAL RIGHTS**

- The complainant may halt procedures at any stage of the process.
- No one may exert pressure on a complainant to withdraw a complaint.
- The rights of the alleged offender (which include the right to natural justice and the right to be treated fairly) must also be considered and appropriate assistance offered.

## **WELLINGTON COLLEGE POLICY STATEMENT**

### **SECTION 3**                      **N.A.G. 3**

### **POLICY TITLE 3.4**            **PRIVACY OF INFORMATION**

#### **RATIONALE**

The Board has a responsibility to comply with relevant legislation affecting privacy of information.

#### **PURPOSES**

- To ensure the appointment of a Privacy Officer is current
- To understand and implement the legislative requirements contained in the Privacy Act, 1993
- To provide information when requested by staff, students, or parents about the procedures the College has to ensure privacy of information and compliance with the Act.

#### **GUIDELINES**

1. Maintain a current appointment of a Privacy Officer (PO).
2. Arrange for the PO to report to the Board once a year through the Headmaster on the procedures in place to ensure compliance with the legislation.
3. Maintain a file of procedures to be followed in all cases of storage and enquiry about personal information. If a case arises when there is no procedure approved by the PO the person in charge of the administrative routine in question must consult with and gain the approval of the PO for appropriate action.
4. The PO shall periodically check procedures for storage and release of information.

## **WELLINGTON COLLEGE POLICY STATEMENT**

### **SECTION 3**                      **N.A.G. 3**

#### **POLICY TITLE 3.5**            **RECORDS: DOCUMENT FILING**

##### **RATIONALE**

All documentation relating to staff and students must be recorded and kept in strict compliance with the Privacy Act. Documents must be easily and conveniently accessible for disclosure to the individual to whom the documentation relates. Information required for the efficient operation of the College must be effectively stored and retrieved.

##### **PURPOSES**

- To ensure that the Board members and staff know the limitations on legitimate storage of and disclosure of personal information.
- To develop and maintain systems that are both secure and readily accessible.
- To publish the range and nature of files held by the College and the procedures whereby an individual can gain access to his or her personal files.
- To identify costs and charges relating to the purposes listed above.
- To provide a means whereby the College Privacy Officer can monitor the procedures for the storage and retrieval of personal information.
- To develop efficient and cost-effective procedures for storage and retrieval of information in all sectors of the College administration.

##### **GUIDELINES**

1. The Headmaster and senior staff will continue to review and refine the procedures for the storage and retrieval of information relating to:
  - Staff records
  - Student records
  - Administrative information (circulars, legislation, etc.).
2. The Financial Officer will maintain procedures for the storage and retrieval of financial records and information.
3. The Administration Manager will maintain procedures for the storage and retrieval of property records and information.
4. The Board, through the Headmaster and Headmaster's Secretary, will maintain procedures for the storage and retrieval of Board reports, minutes, and correspondence appropriate to the time requirements for the storage of the information.
5. The Archivist will continue and expand procedures for the storage and retrieval of information relating to the College Archives.







## WELLINGTON COLLEGE POLICY STATEMENT

### SECTION 3 N.A.G. 3

### POLICY TITLE 3.9 COMPLAINTS

#### RATIONALE

A procedure is needed to guide trustees when a complaint is made to the Board or a member of the Board relating to activities or personnel within the College.

#### PURPOSES

- To have a recognised channel for handling complaints
- To ensure that all complaints are overseen in a manner that ensure there is an objective overview taken of the matter
- To ensure that reasonable steps are taken to investigate a complaint fairly and to protect the rights and privacy of staff, students, and other members of the College community during such an investigation. The purpose of this policy is to uphold natural justice in the process for all parties involved in a complaint or expression of concern.

#### GUIDELINES

1. All complaints received by a Board member from a parent, student, staff member, or member of the community will be discussed first with the Headmaster and Chairperson before referring to the full Board for discussion.
2. Board members must be available to receive comment about the College from any source, but shall redirect that comment in the first place to the Headmaster for action.
3. The Headmaster shall take action about the complaint or matter of concern, following which, if there is not a satisfactory resolution as far as the complainant is concerned, the matter shall be referred to the full Board by the Headmaster or the Board Chairperson or Board member, ensuring always that the Headmaster is kept informed of the intended referral and the reason for it.
4. The guidelines of the School Trustees' Handbook is to be followed with respect to complaints, the procedural details of which are in the attached appendix to this policy statement.

## **Appendix 3.9**

### **PROCEDURAL REQUIREMENTS IN DEALING WITH COMPLAINTS TO THE BOARD**

1. The complaint should be dealt with by a formally established sub-committee which is charged with the responsibility of investigating the complaint and reaching preliminary conclusions.
2. Sub-committee deliberations in dealing with the complaint in accordance with the requirements of any relevant legislation should be formally recorded.
3. The sub-committee reports to the Board on its findings and recommends a course of action, which could range from no action to dismissal. Issues of contention or on which there is no agreement should be highlighted in the report.
4. The Board (excluding the Headmaster and other trustee(s) who formed the sub-committee and who were therefore involved in reaching preliminary conclusions about the alleged matter) considers the sub-committee's report and recommendation.
5. After giving the person against whom the complaint has been made the opportunity to be heard, the Board makes its assessment of the matter and determines the decision.
6. The Board makes its decision by a majority of at least a quorum of trustees.

### **Notes on Acceptable Implementation of the Policy**

1. The size of any sub-committee will need to relate to the size of the Board as a whole, to ensure a quorum can be formed from the remaining trustees. A quorum may not be necessary where the Board has formally delegated the power to make a decision on behalf of the Board to one or more remaining trustees.
2. It is clearly desirable that the Board adopt a process which will, wherever possible, avoid any possible suggestion of interest, bias, or predetermination.
3. Conflict of interest should be avoided by any member withdrawing from the deliberations if such conflict is possible. Such withdrawals should be formally recorded in the minutes.

A point not raised by the STA 'Trustee Handbook' is that the sub-committee does not have to comprise members of the Board. The Board can establish an independent group to review the matter, provided that there is acceptance by the accused of the membership of a sub-committee which will receive confidential information about the accused.

## **WELLINGTON COLLEGE POLICY STATEMENT**

### **SECTION 3**                      **N.A.G. 3**

### **POLICY TITLE 3.10**            **PROTECTED DISCLOSURES POLICY**

#### **RATIONALE**

The purpose of this policy is to provide information and guidance to employees of the College who wish to report serious wrongdoing within the school. This policy is issued in compliance with the Protected Disclosures Act 2000, and will apply from 18 March 2002.

#### **INTRODUCTION**

The policy consists of:

- A definition of a protected disclosure
- A definition of serious wrongdoing that can be the basis for a protected disclosure by an employee
- Conditions for disclosure
- Information on who can make a disclosure
- Protections for employees making disclosures, and
- A procedure by which an employee can make a disclosure.

#### **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.

#### **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, and
- An act or omission or course of conduct that
  - seriously risks public health or safety or the environment, or
  - constitutes an offence, or
  - is oppressive, improperly discriminatory, grossly negligent or constitutes gross mismanagement, or
  - constitutes serious risk to the maintenance of law.

#### **CONDITIONS FOR 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 Headmaster
- Former employees and Headmasters
- 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;
- Is 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 provided 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 Wellington College who wishes to make a protected disclosure should do so using the following procedure.

### **1. How to Submit a Disclosure**

The employee should submit the disclosure in writing.

### **2. Information to be Contained**

The disclosure should contain detailed information including the following:

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

### **3. Where to Send Disclosures**

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

OR:

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

#### 4. **Decision to Investigate**

On receipt of a disclosure, the Headmaster (or the Chairman of the Board of Trustees if the disclosure has been received by him) must within 20 working days examine seriously the allegations of wrongdoing made, and decide whether a full investigation is warranted. If warranted, a full investigation will be undertaken by the Headmaster 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 Headmaster 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 Headmaster will prepare a report of the investigation with recommendations for action if appropriate, which will be sent to the Chairman of 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 Chairman of the Board of Trustees in the school responsible for handling the complaint is or may be involved in the wrongdoing; 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 Services 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 has not made progress with the investigation within a 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.

## WELLINGTON COLLEGE POLICY STATEMENT

### SECTION 3 N.A.G. 3

#### POLICY TITLE 3.11 USE OF INFORMATION TECHNOLOGY FACILITIES

##### RATIONALE

The purpose of this Policy is to ensure that staff and students at Wellington College are aware of the guidelines that all users must adhere to when using the College network.

##### BACKGROUND

The College provides an extensive range of Information Technology facilities for use by the College community. These facilities are provided to assist staff and students to conduct authorised academic and administrative tasks. To ensure that users can obtain the maximum benefit from these facilities, a support service is also provided.

The College depends on reliable and effective Information Technology facilities for its academic, research and administrative functions. The College expects that each user will be aware of the contents of this document. Where any information technology facility is subject to further guidelines, approved by staff members responsible for the management of the facility, such guidelines are accorded a status equivalent to this policy.

##### DEFINITIONS

###### **Information Technology**

Includes the application of computing, telecommunications, media and other electronic technologies to the collection, processing, transformation, organisation, storage, transfer, and presentation of information in all its forms, in order to enhance the performance of individuals and organisations in a wide range of activities.

###### **Information Technology Facilities**

All equipment and materials, software, services, data and dedicated building space used in connection with information technology, which is owned by, leased by or used under licence to the College; or owned by, or used under licence to other bodies and which is available for use through an agreement or agreements with the College; or wherever situated where access is by means of College Information Technology Facilities.

###### **College Information Technology Facilities**

See Information Technology Facilities.

###### **User**

Any person using the Information Technology Facilities.

###### **Manager: Information Technology**

The person appointed by the College as having responsibility for the security and management of all or part of the College's Information Technology Facilities under this policy.

## **USAGE OF INFORMATION TECHNOLOGY FACILITIES**

Subject to this policy, the following persons are entitled to use the College's Information Technology Facilities:

- Enrolled students.
- Staff members – both academic and support.
- Affiliated users, determined from time to time by the IT Manager.
- Other users may be provided access to certain information stored on College Information Technology Facilities through the Internet and the World Wide Web. Such access does not constitute permission to use Information Technology Facilities in any other way or for any other purpose.

## **AUTHORISED WORK**

### **Students**

For a student, 'authorised work' is work which is lawful and which is consistent with the specified requirement of the subject/subjects for which the student is enrolled. In cases of doubt the student's teacher/teachers can advise what 'authorised work' is.

### **Staff**

For staff members, 'authorised work' is work which is lawful and is teaching, research, consultancy, administration, Information Technology support activities or other agreed College employment-related work.

### **Affiliated Users**

For affiliated users, 'authorised work' is work which is lawful and is defined by the terms of agreement between the affiliated user and the College.

## **DISCLAIMER**

The College accepts no responsibility for any damage or loss arising directly or indirectly from the use of any Information Technology Facilities or for any consequential loss or damage. The College makes no warranty, expressed or implied, regarding the Information Technology Facilities offered or their fitness for any other purpose.

The College will not be responsible for the loss of any data or software stored on the Information Technology Facilities. Although standard back-up procedures may be in operation on some Information Technology Facilities, the user is responsible for the maintenance of copies of data or software controlled by the user.

While reasonable care, consistent with good business practice, is taken, the College does not guarantee the confidentiality of any data stored on any College Information Technology System or transmitted through any network. For the purpose of managing the Information Technology Facilities it may be necessary to monitor files and usage. The College reserves the right to examine or copy files or data on College Information Technology Facilities to maintain a secure, efficient and effective Information Technology environment and to ensure compliance with this policy. In many cases user files will be copied to provide back-up for disaster recovery, and network traffic will be sampled to ensure correct functioning of equipment.

## **PROCEDURES**

### **1. User Responsibilities**

Information Technology Facilities may be used only for authorised work. Where users have doubt concerning their authorisation to use an Information Technology Facility, they should seek the advice of the staff members responsible for managing that facility or a member of Information Technology Services Team. On request the user must provide evidence of their authority to use Information Technology Facilities.

- 1.1 Users of Information Technology Facilities shall have due regard to the rights of others to use Information Technology Facilities in accordance with this policy.
- 1.2 Users must not behave in a manner which, in the opinion of relevant staff members, unduly inconveniences other people, or which causes or is likely to cause damage to College Facilities, materials or equipment.
- 1.3 Persons may not eat or drink in areas where there are Information Technology Facilities.
- 1.4 Users must not behave in an abusive or offensive manner or in any way which may cause loss, injury or damage to any person. It is a condition of use of College Information Technology Facilities that all users comply with the provisions of any other policy in place within the College.
- 1.5 Users must not make their password available to others to use any account set up for another user or make any attempt to find out the password of a facility or an account for which they do not have authorised access. Rights to use Information Technology Facilities are non-transferable without the authority of the IT Manager (or nominee).
- 1.6 Persons must not attempt to interfere with the operation of Information Technology Facilities. This includes removal of any equipment, furniture or any other materials from offices, classrooms without explicit permission of relevant staff members. Permission is automatically granted to remove user's own printouts, files, disks and belongings. Equipment may be connected to and disconnected from the College's network only by the express permission of the IT Manager.
- 1.7 Users must not install software on any College Information Technology Facilities, unless the installation is designated as part of their authorised work.
- 1.8 Misuse of any network or Information Technology Facilities at other sites where access is by means of the College's Information Technology Facilities will be treated as misuse of Information Technology Facilities at the College.
- 1.9 Persons may use the Information Technology Facilities only in ways which do not breach the law or cause loss, injury or damage to other persons.
- 1.10 In those areas designated by the IT Manager as restricted access areas, only those staff members who are named have the right of normal access. Where access by other persons is necessary, approval must be obtained in advance from the IT Manager.
- 1.11 Users must not attempt to subvert the security of any of the College's Information Technology Facilities or attempt to bypass restrictions or quotas placed on usage.
- 1.12 Users must not access any data in the Information Technology Facilities unless the data belongs to them or has been specifically and intentionally designated for public use or for the use of a group to which they belong.
- 1.13 Users inadvertently obtaining any data to which they are not entitled, or becoming aware of a breach of security pertaining to data from any Information Technology Facility should immediately report this to the IT Manager or relevant staff member. Unauthorised release or use of data inadvertently obtained may lead to legal action being taken.
- 1.14 Users must not under any circumstance, in messages or otherwise, represent themselves as someone else, fictional or real, without providing their real identity or username.
- 1.15 Students shall not publicise their home phone number or address in messages or otherwise.
- 1.16 Staff members and students must not use Information Technology Facilities for the purpose of profit making which does not fall within the definitions of authorised work.

**2. Copyright and Software Licensing**

- 2.1 Users must not use the Information Technology Facilities to infringe the copyright of any person. Users must be aware of the law of copyright as it affects Information Technology software. Software must not be copied except with the express permission of the copyright owner.
- 2.2 Users may not make use of or copy any Information Technology software contrary to the provisions of any agreement entered into by the College in order to obtain that software. The onus is on users to consult with the IT Manager to clarify the permitted terms of use if they wish to use any software for purposes other than those for which the College has a license.
- 2.3 Hard disk copies of software used in a multi-access or network environment to allow simultaneous access by more than one user can be provided only if specifically permitted in the contract or software license, or if a copy of the software has been purchased for every simultaneous user of the hard disk copy.
- 2.4 Copyright Act, 1994. Software used on College Information Technology Facilities may be subject to the Copyright Act, 1994 and therefore usage may be subject to conditions.
- 2.5 Members of the College are personally responsible for complying with the Copyright Act relating to the use of Information Technology software and to the terms and conditions of the particular contract or software license relating to each item of leased or purchased software.
- 2.6 The Copyright Act makes specific provision for the making of a backup copy of either the original or an adaptation of an Information Technology Program. This reproduction can be made only for the purpose of being used in the event that the original copy is lost, destroyed or rendered unusable. Such a backup copy cannot be made from an infringing copy of the software or where the copyright owner has given express directions to the contrary.
- 2.7 Other than for authorised backup copying, the reproduction of Information Technology Software constitutes a breach of the Copyright Act and may result in legal action against the offender.

**3. Consequences of Misuse**

- 3.1 Restriction or termination of a user’s access to College Information Technology Facilities and Network resources, and/or rights pending further disciplinary and/or legal action.
- 3.2 The initiation of legal proceedings by the College and/or law enforcement officials including but not limited to, criminal prosecution under appropriate laws.
- 3.3 The requirement of the violator to provide compensation for any improper use of or damage to the College’s Information Technology Facilities.
- 3.4 Disciplinary sanctions, which may include dismissal or expulsion.

**4. Agreement**

I, ..... have read and understood the above policy and  
Name (*please print*)  
have accepted the aforementioned terms and conditions.

Signed: .....

Date: .....

## WELLINGTON COLLEGE POLICY STATEMENT

### SECTION 3 N.A.G. 3

#### POLICY TITLE 3.12 ELECTRONIC MAIL CODE OF PRACTICE POLICY

##### RATIONALE

The purpose of this Policy is to ensure that staff and students at Wellington College are aware of the guidelines that all users must adhere to when using Electronic Mail at the College.

##### BACKGROUND

The College provides an extensive range of Information Technology Facilities for use by the College community. These Facilities include physical as well as electronic communication systems. This document sets out guidelines for use of the College's electronic communication systems.

##### DEFINITIONS

###### **Electronic Mail**

Includes any form of mail delivery system including facsimile, simple mail messaging, internet messaging, instant messaging or any other technology which addresses the need for people to convey information between individuals or groups electronically.

###### **Information Technology Facilities**

All equipment and materials, software, services, data and dedicated building space used in connection with information technology, which is owned by, leased by or used under licence to the College; or owned by, or used under licence to other bodies and which is available for use through an agreement or agreements with the College; or wherever situated where access is by means of College Information Technology Facilities.

###### **College Information Technology Facilities**

See Information Technology Facilities

###### **User**

Any person using the Information Technology Facilities

###### **Manager: Information Technology**

The person appointed by the College as having responsibility for the security and management of all or part of the College's Information Technology Facilities under this policy.

###### **Junk or Spam Mail**

This generally refers to any Electronic mail that is sent on-mass and is unsolicited.

##### USAGE OF INFORMATION TECHNOLOGY FACILITIES

Subject to this policy, the following persons are entitled to use the College's Information Technology Facilities:

- Enrolled students
- Staff members – both academic and general
- Affiliated users, determined from time to time by the IT Manager.

- Other users may be provided access to certain information stored on College Information Technology Facilities through the Internet and the World Wide Web. Such access does not constitute permission to use Information Technology Facilities in any other way or for any other purpose.

## **AUTHORISED WORK**

### **Students**

For a student, 'authorised work' is work which is lawful and which is consistent with the specified requirement of the subject/subjects for which the student is enrolled. In cases of doubt the student's teacher/teachers can advise what 'authorised work' is.

### **Staff**

For staff members, 'authorised work' is work which is lawful and is teaching, research, consultancy, administration, Information Technology support activities or other agreed College employment-related work.

### **Affiliated Users**

For affiliated users, 'authorised work' is work which is lawful and is defined by the terms of agreement between the affiliated user and the College.

## **DISCLAIMER**

The College accepts no responsibility for any damage or loss arising directly or indirectly from the use of any Information Technology Facilities or for any consequential loss or damage. The College makes no warranty, expressed or implied, regarding the Information Technology Facilities offered or their fitness for any other purpose.

The College will not be responsible for the loss of any data or software stored on the Information Technology Facilities. Although standard back-up procedures may be in operation on some Information Technology Facilities, the user is responsible for the maintenance of copies of data or software controlled by the user.

While reasonable care, consistent with good business practice, is taken, the College does not guarantee the confidentiality of any data stored on any College Information Technology System or transmitted through any network. For the purpose of managing the Information Technology Facilities it may be necessary to monitor files and usage. The College reserves the right to examine or copy files or data on College Information Technology Facilities to maintain a secure, efficient and effective Information Technology environment and to ensure compliance with this policy. In many cases user files will be copied to provide back-up for disaster recovery, and network traffic will be sampled to ensure correct functioning of equipment.

## **PROCEDURES**

### **1. User Responsibilities**

- 1.1 The College's Electronic Mail Services may not be used for unlawful activities; commercial purposes not under the auspices of the College; personal financial gain or uses that violate other College policies or guidelines.
- 1.2 Users shall not give the impression that they are giving opinions, or otherwise making statements on behalf of the College or other users/persons.
- 1.3 Users must not make their password available to others to use any account set up for another user or make any attempt to find out the password of a facility or an account for which they do not

- have authorised access. Rights to use Information Technology Facilities are non-transferable without the authority of the IT Manager (or nominee).
- 1.4 Users must not under any circumstance, in messages or otherwise, represent themselves as someone else, fictional or real, without providing their real identity or username.
  - 1.5 Users must not send Electronic Mail anonymously; all Electronic Mail must have a correct return address.
  - 1.6 An attempt to obscure the origins of any Electronic Mail also constitutes an infringement of this policy.
  - 1.7 Users must not create or distribute chain letters, “junk” or “spam” mail.
  - 1.8 Users must not distribute, propagate or create viruses on or through any Information Technology Facilities.
  - 1.9 Users must not read, delete, copy or modify Electronic Mail under the control of other users without authorisation.
  - 1.10 Users must not cause harassment or damage to other person or persons through the distribution of offensive material.
  - 1.11 Users shall not engage in activities that do not constitute authorised work.

## 2. **Personal use**

The personal use of College Electronic Mail services may incur personal cost and may be used provided that such use does not:

- Directly or indirectly interfere with the College operation of Information Technology services or Electronic Mail services;
- Burden the College with noticeable incremental cost; or
- Interfere with the User’s employment/study or other obligations to the College.
- Conflict with any College policies, regulations or other laws.

## 3. **Electronic Mail Ethics**

### **Forged Electronic Mail**

No Electronic Mail may be sent so as to appear to originate from another person, with the intention of thereby deceiving the recipient or recipients.

### **Menacing Electronic Mail**

No Electronic Mail may be sent that is abusive or threatens the safety of a person or persons.

### **Harassing Electronic Mail**

No Electronic Mail may be sent such that a person or persons thereby suffers sexual, ethnic, religious or other minority harassment or in contravention of the Human Rights Act 1993. The charge of harassment may be based on the content of the Electronic Mail sent or its volume or both.

### **Privacy of Electronic Mail**

No person may access or attempt to access electronic mail sent to another user, without the permission of that user, except when necessary as part of that person’s duties in respect of the operation of the Electronic Mail system or as part of a formal investigation.

### **Privacy Act**

No Electronic Mail may be sent that contravenes the rights of a person or persons under the Privacy Act 1993.

#### 4. Guidelines for Good Practice in the Use of Electronic Mail

The “Guidelines for Good Practice” set out the conventions which should be adhered to, so as to maximise the effectiveness of Electronic Mail as a medium of communication and to minimise the possibility of negative effects. While breaching the guidelines is not in itself a breach of College Regulations, doing so persistently or blatantly may constitute a breach of College Regulations.

##### Quoting

An attractive aspect of electronic mail is the ease with which you can, when constructing an electronic mail message, use quotations from messages you have received. Good practice here includes:

- Quoting only that part of another message that is relevant.
- Including enough context when quoting so that the recipient will not be misled as to the meaning of intentions of the person quoted.
- Attributing quotations to the person quoted.
- Not using quotations in messages to someone who was not a recipient of the original message, unless you have the permission of the original sender, or unless you can be reasonably satisfied that the original sender would not object to being quoted.

##### Flaming

The absence, in Electronic Mail, of the facial expression, tone of voice and feedback in face-to-face conversations, together with the speed of response that is possible with Electronic Mail, can lead to “flaming” and “flame wars”. To avoid these, it is good practice to:

- Avoid *ad hominem* expressions such as “you must be stupid if you don’t understand that ...” or “only an idiot would think that ...”
- Allow yourself a ‘cooling off’ period before responding to Electronic Mail that annoys you.
- Be temperate in your response; you should be particularly careful if your response will go to more than just the original sender, e.g. to the whole of a mailing-list.
- Make sure when appropriate, for instance by the addition of conventional symbols such as “☺ or :-)", that humorous remarks cannot be taken seriously.

##### Junk Mail

There is a considerable volume of unsolicited Electronic Mail sent to users. Never respond to unsolicited Electronic Mail. Doing so only confirms the validity of your electronic mail address. Use filters to discard and trash unwanted and repetitive messages or send the repetitive messages to [junkmail@wellington-college.school.nz](mailto:junkmail@wellington-college.school.nz) where it will be assessed and filtered globally if appropriate.

#### 5. Agreement

I, ..... have read and understood the above policy and  
Name (*please print*)  
have accepted the aforementioned terms and conditions.

Signed: .....

Date: .....



- On the basis of advice received and after consultation with the Board Chair, the Headmaster shall decide whether or not a *prima facie* case of theft or fraud exists, and if not, to document this decision and record that no further action is to be taken.
- The Headmaster may, as deemed appropriate, undertake the following procedures:
  - Investigate the matter further;
  - If a *prima facie* case is thought to exist to continue with their investigation;
  - Invoke any disciplinary procedures contained in the contract of employment should the person be a staff member;
  - Lay a complaint with the New Zealand Police;
  - If necessary, commission an independent expert investigation;
  - In the case of fraud, require a search for written evidence of the possible fraudulent action to determine the likelihood or not of such evidence;
  - Seek legal advice; or
  - Inform the Manager, National Operations, Ministry of Education local office and/or the school's auditors.
- Once all available evidence is obtained, the Headmaster must consult the Board Chair. The Board Chair may, if they consider it necessary, seek legal or other advice as to what further action should be taken.
- If a case is considered to exist, the Headmaster – or a person designated by them – shall, unless another course of action is more appropriate:
  - Inform the person in writing of the allegation that has been received and request a meeting with them at which their representative or representatives are invited to be present.
  - Meet with the person who is the subject of the allegation of theft or fraud and their representatives to explain the complaint against them.
  - Obtain a verbal or preferably a written response (all verbal responses must be recorded as minutes of that meeting, and the accuracy of those minutes should be attested by all persons present).
  - Advise the person in writing of the processes to be involved from this point on.
- The Board recognises that supposed or actual instances of theft or fraud can affect the rights and reputation of the person or persons implicated. All matters related to the case shall remain strictly confidential with all written information kept secure. Should any delegated staff member or any other staff member improperly disclose information, the Headmaster shall consider if that person or persons are in breach of confidence and if further action is required. Any action the Headmaster considers must be in terms of the applicable conditions contained in their contract of employment and any code of ethics or code of responsibility by which the staff member is bound.
- The Board affirms that any allegation of theft or fraud must be subject to due process, equity and fairness. Should a case be deemed to be answerable then the due process of the law shall apply to the person or persons implicated.
- Any intimation or written statement made on behalf of the College and related to any instance of supposed or actual theft or fraud shall be made by the Board Chair, who shall do so after consultation with the Headmaster and if considered appropriate after taking expert advice.

### 3. Allegations Concerning the Headmaster or a Trustee.

- Any allegation concerning the Headmaster should be made to the Board Chair. The Chair will then investigate in accordance with the requirements of paragraph 2 of this policy.
- Any allegation concerning a member of the Board of Trustees should be made to the Headmaster. The Headmaster will then advise the manager of the local office of the Ministry of Education and commence an investigation in accordance with the requirements of paragraph 2 of this Policy.



## **Appendix 1: Entitlements**

- a) Each teacher shall have a minimum of 5 non-contact hours within each school week in 2008.
- b) Trained, full time beginning teachers in their first year (BT Y1) are a charge of 0.8 against the school staffing allowance and shall not have more than 20 hours of allocated duties (including both teaching and administration work) each week, including contractually required non-contact periods.

Full-time Year 1 beginning teachers (BT Y1) are entitled to 5 hours per week for beginning teacher advice and guidance and 5 hours minimum non-contact time giving a staffing entitlement of 15 hours (16 periods<sup>1</sup>).

- c) Trained, full time beginning teachers in their second year (BT Y2) are a charge of 0.9 against the school staffing allowance and shall not have more than 20 hours of allocated duties (including both teaching and administration work) each week.

Full-time Year 2 beginning teachers (BT Y2) are entitled to 2.5 hours per week for beginning teacher advice and guidance and 5 hours minimum non-contact time giving a staffing entitlement of 17.5 hours (18 periods).

- d) Trained part time beginning teachers in their first year who are employed for 0.5 or more of a full time load shall have included in their hours 2.5 hours per week for advice and guidance.
- e) Any increase to the curriculum width unaccompanied by additional staffing must create either larger classes elsewhere in the timetable, or more contact periods for some teachers, or both. Many small classes will decrease the number of non-contacts available for distribution unless there are a number of extra large classes created to compensate. Therefore, timetable decisions in one curriculum area may affect many teachers.
- f) Teaching-related workload can be measured in terms of the maximum number of student-contact hours, maximum numbers of contact periods, the number of different courses taught, the average class size taken by individual teachers, the distribution of senior and junior classes and the distribution of more difficult classes. A good timetable optimises these factors and balances them against the wishes of students within the school's resources.
- g) Obviously there will be instances when circumstances necessitate compromise, and in these cases if all the information has been made available and people understand the issues, the fairest outcome to all concerned can be negotiated.
- h) Timetabling two teachers against one class but at different times allows team teaching to occur periodically. It allows class sharing which can be used to share non-contacts more fairly between two teachers. Teachers may take separate topics for identified periods each week, or each may take in sequence a topic suited to their specialist areas. Alternatively each teacher may take the class for part of the year only.
- i) The Specialist Classroom Teacher has an allowance of a further 8 periods of non-contact time.
- j) A one period allowance is made available to the teacher responsible (this may not be the HOD) for assisting beginning teachers in their curriculum development.

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<sup>1</sup> At Wellington College, periods consist of 50, 55 and 60 minutes; therefore the entitlements are based on timetabled periods and not hours.

## **Appendix 2: Compensatory Mechanisms**

Circumstances where, for genuine reason during Timetable construction (or at short notice), it is not possible to provide the entitled non-contact time *or* average class size, a teacher may, for genuine reason, be asked to forgo, on a temporary basis, their non-contact *or* average class size entitlement.

This may on a day to day basis, be a sudden emergency that requires supervision of a class for its ongoing safety. It may be due to the absence of any (or a sufficient number) of day relievers available in the area.

*It could however be that on a longer term basis, a small number of staff members are asked to teach for a term, a half year, or a year, at a higher level of contact in order to allow the timetable to operate.*

In all foreseeable circumstances the teacher will be offered the opportunity to review the timetable and suggest possible changes that would allow the allocation of their non-contact entitlement. If it is subsequently agreed that there is genuine reason why it is not possible to provide the non-contact entitlement within the timetable then the Headmaster (or his nominee) and the teacher may mutually agree to compensate the teacher with:

1. an equivalent reduction in non-teaching or supervisory duties outside the schools timetabled teaching periods (e.g. no Form Class); or
2. compensatory relief cover or time in lieu for the teacher at a time suitable to the teacher; or
3. some combination of the above; or, if none of the above are possible,
4. Year One (BT Y1) and Year Two (BT Y2) teachers who commence employment during the year may be asked to teach the average number of periods across the year based on their particular entitlement;
5. payment of a middle management unit (MMU) or fixed term unit (FTU) or a Board-funded responsibility payment (RRR) per annum (or part thereof) for lost non-contact time for the period during which the entitlement reduction occurs;
6. release from school events;
7. reduced contact at other times;
8. removal from other duties, or any other mechanism negotiated by the teacher with the Headmaster.