

Te Whānau Tupu Ngātahi o Aotearoa | Playcentre Aotearoa

Annual General Meeting Papers 2019



Annual General Meeting 2019

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Tiro whānui | Overview

Ka mua, ka muri is a Māori proverb that expresses a great truth around a simple image. The image is of a person walking backwards into the future. It suggests that the past is clearly visible but the future is not, that we have imperfect information for the road ahead, but also that this is a natural state of affairs.

Let us look back for clues to the way forward, but also understand that the future is unwritten. The future comes out of the past but will not be identical to it. The only unchanging thing is change.

Patrick Reynolds - January 17, 2017

It is in this spirit that we present the Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa (TWTNoA-PA) Annual General Meeting (AGM) papers.

Tikanga | Rationale

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution can be found here: [TWTNoA-PA Constitution](#).

The following clauses of the TWTNoA-PA constitution are emphasised:

3. WHAKAMĀTAU / PHILOSOPHY

10. NGĀ HUI / MEETINGS

11. WHAKATAKOTORANGA WHAKAARO / DECISION MAKING

Definitions of Constitutional Terms

Receive – ‘to be given or presented with’

Consider – ‘to think carefully about or reflect on’

Confirm – ‘to give approval to’

Determine – ‘to decide, or make a decision’

Endorse – ‘to approve or support’

Appoint – ‘to formally choose someone for an official position’

Confer – ‘to award an honour’



For those papers/agenda items which refer to the terms 'receive' and 'consider' in Clause 10.10 of the constitution, the information presented in the papers is the culmination of several processes. The Trustee Board has collated the governance voice of Centres and Rōpū Māori from previous whare hui and AGMs and used this to inform their mahi in the development of these papers. Members will receive these papers (as part of this information pack).

There is opportunity for members to submit written questions and have those responded to prior to AGM. Questions regarding AGM papers must be submitted to the Administrator. Questions regarding either whare papers must be submitted to the relevant whare administrator.

As requested, the deadline for questions has been extended to 5pm Friday

11th October. Please direct your questions to the house that they are applicable for. Either kaiwhakahaere@playcentre.org.nz or TangataTiritiAdmin@playcentre.org.nz

The Trustee Board, on behalf of the membership, has developed the strategic direction, governance policies and remits, and has presented the financial audited accounts, annual report and the budget.

Mahi Ngātahi | Working together

Together we are solidifying Playcentre as a whole, Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa. In this time of regrowth, planning is a high priority as we align timelines to enable the future governors to succeed.

The AGM papers are aligned to the relevant TWTNoA-PA constitution clause.

Nā mātou noa, nā

Alaine Tamati-Aubrey, Ruth Jones, Avis Stewart, Cynthia Murray, Michelle Hutton and Tiso Ross

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa Trustee Board



10.10.2. receive the Annual Report



Annual General Meeting 2019 | Governance: AGM | Decision Paper

Introduction

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.2. receive the Annual Report;

Recommendation

The Annual General Meeting receives the Annual Report and that the report has been circulated within the constitutional timeframes.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018 - 2019)



10.10.3. consider the audited Financial Statements

Annual General Meeting 2019 | Governance: AGM | Decision Paper



Introduction

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.3. consider the audited Financial Statements;

Recommendation

The Annual General Meeting receives the audited Financial Statements.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018 - 2019)



10.10.4. consider the strategic direction of Playcentre Aotearoa by confirming key outcomes, goals and priorities



Annual General Meeting 2019 | Governance: AGM | Decision Paper

Introduction

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.4. consider the strategic direction of Playcentre Aotearoa by confirming key outcomes, goals and priorities;

Recommendation

The Annual General Meeting confirms the key outcomes, goals and priorities of the Strategic Plan 2020 – 2030, as circulated within the constitutional timeframe.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018 - 2019)



10.10.5. consider the policies developed by the Trustee Board

Annual General Meeting 2019 | Governance: AGM | Decision Paper



Introduction

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.5. consider the policies developed by the Trustee Board;

Recommendation

The Annual General Meeting has considered the Governance policies developed by the Trustee Board, which have been presented within the constitutional timeframes.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018 - 2019)



Introduction, with key legislative requirements, to board governance framework

Te Whānau Tupu Ngātahi – Playcentre Aotearoa Trustee Board is focused on the ongoing improvement of member progress and achievement within an environment that provides inclusive education.

To ensure effective organisational performance, the board is committed to maintaining a strong and effective governance framework that incorporates legislative requirements and good practice.

Governance and management

The following are the board's agreed governance and management definitions, which form the basis of its working relationships, policy and processes.

Governance	Management
<ul style="list-style-type: none">• The advancement of whānau tupu ngātahi is the board's focus.• The board acts in a stewardship role and is entrusted to work on behalf of The New Zealand Playcentre Federation. It is accountable for the organisation's performance, strategic leadership, sets the vision for the organisation and ensures compliance with legal, and fiduciary responsibilities of governance, ensuring sound internal control and management of risk.• Board policies are at a governance level and outline clear delegations to the General Manager. The board and General Manager form the leadership, with the role of each documented and understood. The General Manager reports to the board as a whole with committees used sparingly and only when an end is identified in order to contribute to board work.• 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 organisation.	<ul style="list-style-type: none">• The board delegates all authority and accountability for the day-to-day operational organisation of the organisation to the General Manager who must ensure compliance with both the board's policy framework and the law of New Zealand (for detail, see operational policies).



Trustee Board

Board is governing body of organisation

1. A board is the governing body of its organisation.
2. A board is responsible for the governance of the organisation, including setting the policies by which the organisation is to be controlled and managed.
3. General Manager is the board's chief executive in relation to the organisation's control and management.

Board's objectives in governing organisation

1. A board's primary objective in governing the organisation is to ensure that adults and children are empowered to play, work, learn and grow together.
2. To meet the primary objective, the board must—
 - a. ensure that the organisation—
 - i. is a physically and emotionally safe place for all; and
 - ii. is inclusive of and caters for the differing needs; and
 - b. have particular regard to any statement of National Education and Learning Priorities issued under section 1A; and
 - c. comply with its obligations under sections 60A (in relation to curriculum statements and national performance measures), 61 (in relation to teaching and learning programmes), and 62 (in relation to monitoring of student performance); and
 - d. if the organisation is a member of a community of learning that has a community of learning agreement under section 72, comply with its obligations under that agreement as a member of that community; and
 - e. comply with all of its other obligations under this or any other Act.

Staff

Subject to Parts 8A and 31, a board may, in accordance with the State Sector Act 1988, appoint, suspend, or dismiss organisation staff.



Board has complete discretion

A board has complete discretion to perform its functions and exercise its powers as it thinks fit, subject to this and any other enactment and the general law of New Zealand.

Cultural diversity, Te Tiriti o Waitangi

1. A board must take all reasonable steps to ensure that the policies and practices for its organisation reflect New Zealand's cultural diversity and the unique position of the Māori culture.
2. In performing its functions and exercising its powers, a board must take all reasonable steps to act in a manner that is consistent with the principles of the Te Tiriti o Waitangi.

Delegations

1. The board may delegate any of the functions or powers of the board or the trustees, either generally or specifically, to any of the following persons by resolution and written notice to the person or persons:
 - a) a trustee or trustees;
 - b) the General Manager or any other employee or employees, or office holder or holders of the board;
 - c) a committee consisting of at least 2 persons at least 1 of whom is a trustee.
2. Sub clause (1) does not apply to any functions or powers specified in this Act as not being capable of delegation.
3. The board must not delegate the general power of delegation.
4. A delegate to whom any function or power is delegated may,—
 - a) unless the delegation provides otherwise, perform the function or exercise the power in the same manner, subject to the same restrictions, and with the same effect as if the delegate were the board or the trustees; and
 - b) delegate the function or power only—
 - i. with the prior written consent of the board; and
 - ii. (ii)subject to the same restrictions, and with the same effect, as if the subdelegate were the delegate.
5. A delegate who purports to perform a function or exercise a power under a delegation—



- a) is, in the absence of proof to the contrary, presumed to do so in accordance with the terms of that delegation; and
 - b) must produce evidence of his or her authority to do so if reasonably requested to do so.
- 6. No delegation in accordance with this Act—
 - a) affects or prevents the performance of any function or the exercise of any power by the board or the trustees; or
 - b) affects the responsibility of the board for the actions of any delegate acting under the delegation; or
 - c) is affected by any change in the membership of the board or of any committee or class of persons.
- 7. A delegation may be revoked at will by—
 - a) resolution of the board and written notice to the delegate; or
 - b) any other method provided for in the delegation.
- 8. A delegation under sub clause (4)(b) may be revoked at will by written notice of the delegate to the subdelegate.
- 9. The board may, by resolution, appoint committees—
 - a) to advise it on any matters relating to the board's functions and powers that are referred to the committee by the board; or
 - b) to perform or exercise any of the board's functions and powers that are delegated to the committee.
- 10. A person must not be appointed as a member of a committee unless, before appointment, he or she discloses to the board the details of any financial interest that would disqualify the person from being a trustee.
- 11. This clause applies to each member of a committee who is not a trustee with any necessary modifications

Bylaws

The board may make bylaws that the board thinks necessary or desirable for the control and management of the organisation.



Control and management

Role of General Manager

1. The General Manager is the board's chief executive in relation to the organisation's control and management.
2. Except to the extent that any enactment or the general law of New Zealand provides otherwise, the General Manager –
 - a. shall comply with the board's general policy directions; and
 - b. subject to paragraph (a), has complete discretion to manage as the General Manager thinks fit the organisation's day-to-day administration.



Part B: Governance policies - how we work as a board

#		Outcome statements	Approved/reviewed	Next review
1	Board roles and responsibilities policy	The Trustee Board is focused on governance that fosters and supports the advancement of whānau tupu ngātahi.		
2	Trustee code of conduct policy	The board will act in an ethical and respectful manner.		
3	Trustee remuneration and expenses policy	Remuneration and reimbursement of expenses to trustees is transparent, fair and reasonable.		
4	Conflict of interest policy	The board effectively manages actual, potential and perceived conflicts of interest ensuring the integrity of board decisions and reputation of board members.		
5	Co-President role description policy	The board is effectively led.		
6	Relationship between Co-President and General Manager policy	The relationship between the Co-President and the General Manager is based on trust, integrity and mutual respect.		
7	General Manager performance management policy	A fair and transparent performance management process recognises the professionalism of the General Manager and the accountabilities of the board.		

1. Board roles and responsibilities policy

Outcome statement

The Trustee Board is focused on governance that fosters and supports the advancement of Te whānau tupu ngātahi.

Scoping

The board is a body whose policies and decisions exist in perpetuity or until such time as they are rescinded or revoked. The board sets the strategic direction for the organisation and governs via its policies, which it entrusts to the General Manager to implement.



Delegations

Accountability rests with the whole board, with no individual trustee or committee having decision-making authority unless it has been delegated and documented.

Expectations and limitations

Board actions		Standards
1. Sets the strategic direction and long-term plans and monitors the board's progress against them.	1.1	The board leads the annual strategic plan review process.
	1.2	The board sets/reviews the strategic aims at the quarterly meetings
	1.3	The board approves the annual plan and targets and ensures the strategic plan is submitted to Centres and Rōpū Māori –no later than Term 2 of each year. (Note – timeline reset 2020).
	1.4	Regular board meetings include a report on progress towards achieving strategic aims.
	1.5	The strategic plan is the basis for all board decision making.
2. Monitors and evaluates student progress and achievement.	2.1	The board approves an annual review schedule, from Training Coordinator and/or TEFM, <u>covering curriculum and student progress and achievement</u> reports.
	2.2	Reports are received at each regular board meeting from the General Manager on progress against the annual plan, highlighting risk/success.
	2.3	Information reported to the board is thoughtfully discussed, critiqued and challenged.
	2.4	Targets in the annual plan are met, <i>the curriculum policy is implemented and there is satisfactory performance of curriculum priorities.</i>
3. Protects the Philosophy of the organisation.	3.1	Philosophy is obviously considered in all board decisions.
4. Appoints, assesses the performance of and supports the General Manager.	4.1	General Manager's performance management system is in place and implemented.
5. Approves the budget and monitors financial management of the organisation.	5.1	Budget is approved for the Annual General Meeting.
	5.2	Satisfactory performance of financial management against budget is in evidence.
6. Effectively manages risk.	6.1	The board has an effective governance model in place.
	6.2	The board remains briefed on internal/external risk environments and takes action where necessary.
	6.3	The board identifies trouble spots in statements of audit and takes action if necessary.
	6.4	The board ensures the General Manager reports on all potential and real risks when appropriate and takes appropriate action.



7. Ensures compliance with legal requirements.	7.1	New members read and understand the governance framework including policies, the organisation strategic plan, board induction pack and requirements and expectations of board members
	7.2	New and continuing members are kept aware of any changes in legal and reporting requirements for the organisation.
	7.3	The board seeks appropriate advice when necessary
	7.4	Accurate minutes of all board meetings are approved by the board and signed by the Co-Presidents.
	7.5	Individual staff/student matters are always discussed in public-excluded session.
	7.6	Board meetings have a quorum.
8. Ensures trustees attend board meetings and take an active role.	8.1	Board meetings are effectively run.
	8.2	Trustees attend board meetings having read board papers and reports and are ready to discuss them.
	8.3	Attendance at 80% of meetings (minimum).
	8.4	No unexplained absences at board meetings (three consecutive absences without prior leave results in immediate step-down – refer Education Act 1989 s104 (1) (c).
9. Approves major policies and programme initiatives.	9.1	The board approves programme initiatives as per policies.
	9.2	The board monitors implementation of programme initiatives, through consultation with the General Manager and the National Operations team.
10. Fulfils the intent of Te Tiriti o Waitangi by valuing and reflecting New Zealand's dual cultural heritage.	10.1	Te Tiriti o Waitangi is considered in board decisions.
	10.2	The board, General Manager and staff are culturally responsive and inclusive.
11. Approves and monitors human resource policy/procedures, which ensures effective practice and contributes to its responsibilities as a good employer.	11.1	The board becomes and remains familiar with the broad employment conditions that cover employees (staff employment agreements and arrangements).
	11.2	The board ensures there are personnel policies in place, and they are adhered to (code of conduct).
	11.3	The board ensures there is ongoing monitoring and review of all personnel policies.
12. Deals with disputes and conflicts referred to the board as per the organisation's concerns and complaints procedures.	12.1	Successful resolution of any disputes and conflicts referred is achieved.



13. Represents the organisation in a positive, professional manner.	13.1	Code of Conduct is adhered to.
14. Oversees, conserves and enhances the resource base.	14.1	Property/resources meet the needs of the New Zealand Playcentre Federation.
15. Effectively hands over governance to new board/trustees at selection time.	15.1	New trustees are provided with induction and a copy of the board's governance manual.
	15.2	New trustees are fully briefed and able to govern following attendance at an orientation programme.
	15.3	Appropriate delegations are in place as per NZPF Delegations of Authority Schedule.
	15.4	Board and trustees participate in appropriate ongoing professional development.

Procedures/supporting documentation

Board to enter own documentation/legislation (future two NZPF assets in care of Co-presidents – laptops).

1. Ensure that at least one strategic priority/goal is on the agenda to be reviewed at all of the Trustee Board meetings (1 – 1.5)
2. Ensure General Manager reports are inclusive of adult education programme at least quarterly
3. Agreed Philosophy statement is the measuring tool for all decision-making processes.
4. Performance and Efficiency appraisals are approved by the Trustee's. Overview reports to be forwarded to Trustee Board on completion of appraisals.
5. Quarterly financial reports will include at least Profit and loss, Actuals vs Budgets, budget tracking/ forecast
6. Refer to Risk Management policy
7. Trustee's will have access to all legislative requirements as and when required ie; State Sector, Education Act 2008, Employment Relations Act ...
8. Refer to code of conduct
9. Consideration of the Quality Management Systems
10. Consideration to Te Tiriti o Waitangi framework
11. Refer to Equal Employment Opportunities policy. Access to contracts, appraisals (4) etc as and when required
12. Consideration of disputes, conflicts and complaints policy and contract clauses
13. As in Point 8
14. Relates to points 2, 4, 7, 9, 10, 12



15. That a Governance Manual will include but not limited to Trustee Board Code of Conduct, Confidentiality, Roles and responsibilities, Strategic Plan (as agreed to at AGM), Constitution, budget,

Monitoring

Board to enter monitoring and reporting procedures (GM report template, governance risk checklist, terms of reference).

Legislative compliance

- Education Act 1989
- Employment Relations Act 2000
- Charitable Trusts Act 1957

Reviewed:		Next review:	
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2. Trustee code of conduct policy

Outcome statement

The board will act in an ethical and respectful manner

Scoping

Every member of the board will have access to the code of conduct and opportunities to discuss its expectations. Board business will be conducted in an ethical and respectful manner, in accordance with legislation and board policy.

Expectations and limitations

As members of an effective governance team, each member of the Trustee Board shall:

- ensure the needs of Te Whānau Tupu Ngātahi o Aotearoa are paramount
- be loyal to the organisation and its mission
- maintain and understand the values and goals of the organisation
- protect the philosophy of the organisation
- publicly represent the organisation in a positive manner
- respect the integrity of the General Manager and staff
- observe the confidentiality of non-public information acquired in their role as a trustee and not disclose to any other persons such information that might be harmful to the organisation
- be diligent and attend board meetings prepared for full and appropriate participation in decision making
- ensure that individual trustees do not act independently of the board's decisions
- speak with one voice through board policies and ensure that any disagreements with the board's stance are resolved within the board



- in the course of board meetings, disclose any interests in a transaction or decision where they, their family and/or partner, employer or close associate will receive a benefit or gain and leave the meeting for the duration of discussion and/or voting in relation to the matter
- recognise the lack of authority in any individual trustee or committee/working party of the board in any interaction with the General Manager or staff
- recognise that only the Co-Presidents (working within the board's agreed Co-Presidents role description or delegation) or a delegate working under written delegation can speak for the board
- continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
- be available to undertake appropriate professional development.

Procedures/supporting documentation

Board to enter own documentation.

Monitoring

Board to enter own monitoring and reporting procedures.

Legislative compliance

Education Act 1989

Reviewed:		Next review:	
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3. Trustee remuneration and expenses policy

Outcome statement

Remuneration and reimbursement of expenses to trustees is transparent, fair and reasonable. Honoraria is paid in arrears on the 20th of December, April and August. Where a board member resigns honoraria will be paid by pro-rata.

Expectations and limitations

Currently at New Zealand Playcentre Federation:

- The Co-President receives \$11,000.00 per annum. This has 'Withholding Tax' requirements.
- Board members receive \$4,000.00 per annum. This has 'Withholding Tax' requirements.
- There is no payment for working group/committee meetings



- Telephone allowance of \$25.00 per month and internet allowance of \$25.00 per month will be deposited into the trustee nominated bank account, these two (2) allowances are non-taxable.
- Costs associated with attendance at professional development sessions may be met by the board, but prior approval must be sought
- Meal allowances as per the NZPF Handbook
- All other reimbursements are at the discretion of the board and must be approved prior to any spending occurring.

Procedures/supporting documentation

Organisation reimbursement claim form

Monitoring

Board to enter own monitoring and reporting procedures.

Compliance

Income Tax Act 2007

IRD Honoraria payments to organisation trustees

Reviewed:		Next review:	
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4. Conflict of interest policy

Outcome statement

The board effectively manages actual, potential and perceived conflicts of interest ensuring the integrity of board decisions and reputation of board members.

Scoping

The board shall create a register of all board members detailing any interests, relationships or holdings that could potentially result in a conflict of interest. This register shall be updated whenever a board member's circumstances change, or a new member joins the board. It should be reviewed at the start of each organisation year and following trustee elections. Board members who have a conflict of interest shall be excluded from relevant board meetings (or relevant parts of board meetings).

Expectations and limitations

All staff and board members will effectively manage conflicts of interest between the interests of the organisation on one hand and personal, professional and business interests on the other. This includes managing potential and actual conflicts of interest as well as perceptions of conflicts of interest.

Any trustee who has a pecuniary interest or any other interest that may influence them in carrying out their duties and responsibilities as a trustee must be excluded from any meeting while the board discusses, considers, considers anything relating to or decides on the matter. Any trustee who is a member of the board's staff must be excluded from any meeting while the board discusses, considers, considers anything relating to or decides on any matter relating to their own employment or a complaint received against them.

Any trustee who is a student enrolled at the organisation must be excluded from any meeting while the board discusses, considers, considers anything relating to or decides on any matter relating to them as an individual student.

In the course of board meetings, board members will disclose any interests in a transaction or decision where their family and/or partner, employer or close associate will receive a benefit or gain. After disclosure, the person making the disclosure will be asked to leave the meeting for the discussion and will not be permitted to vote on the question.

Procedures/supporting documentation

Disclosure of interest statements

Monitoring

Board to enter own monitoring and reporting procedures.

Legislative compliance

Reviewed:		Next review:	
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5. Co-Presidents role description policy

Outcome statement

The board is effectively led.

Scoping

The Co-Presidents are the leaders of the board and work on behalf of the board with the General Manager on a day-to day basis.

The Co-Presidents establish and nurture a positive professional working relationship with the General Manager.

The Co-Presidents represent the Trustee Board to the broader community and work in partnership with the General Manager to safeguard the integrity of the board's processes.

The Co-Presidents often represent the board to the organisation and wider community and agencies such as the Ministry of Education and the Education Review Office and carry a responsibility to safeguard the integrity of the board.

The Co-Presidents preside over board meetings and ensure that each trustee has a full and fair opportunity to be heard and understood by the other members of the board and that decisions that are in the best interest of the organisation, its students and staff are reached.

Delegations

The board delegates management of the relationship between the board and the General Manager to the Co-Presidents.

Board to enter any other delegations to the Co-Presidents.

Expectations and limitations

The Co-Presidents:

- are appointed through each where according to their processes
- act within board policy and delegations at all times and not independently of the board
- lead the board members and develop them as a cohesive and effective team
- welcome new members, ensure that disclosure of any conflicts of interest is made and the code of conduct is understood (and signed) and lead new trustee induction
- assist board members' understanding of their role, responsibilities and accountability, including the need to comply with the trustee code of conduct policy
- ensure the work of the board is completed
- set the board's agenda and ensure that all board members have the required information for informed discussion of the agenda items
- ensure the meeting agenda content is only about those issues that, according to board policy, clearly belong to the board to decide
- effectively organise and preside over board meetings, ensuring that such meetings are conducted in accordance with the Education Act 1989, the relevant sections of the Local Government Official Information and Meetings Act 1987* and any board protocols and policies
- ensure interactive participation by all board members
- represent the board to external parties as an official spokesperson for the organisation except for those matters where this has been delegated to another person
- are the official signatory for the board, including for annual accounts*



- are responsible for promoting effective communication between the board and wider community, including communicating appropriate board decisions
- establish and maintain a productive working relationship with the General Manager
- ensure the General Manager's performance agreement and review are completed on an annual basis
- ensure concerns and complaints are dealt with according to the organisation's concerns and complaints procedures
- ensure any potential or real risk to the organisation or its name is communicated to the board. This includes any concern or complaint.

* Legislative requirement

Procedures/supporting documentation

Governance policies

Monitoring

Board to enter own monitoring and reporting procedures.

Legislative compliance

Education Act 1989 Schedule 6

Local Government Official Information and Meetings Act 1987

Reviewed: Next review: Month prior to meeting when Co-Presidents are endorsed.

Review schedule: Triennially

8. Relationship between Co-Presidents and General Manager policy

Outcome statement

The relationship between the Co-Presidents and the General Manager is based on trust, integrity and mutual respect.

Scoping

A positive, productive working relationship between the General Manager and the Co-Presidents is both central and vital to the organisation.

The Co-Presidents and General Manager should act as sounding boards, both supporting and challenging, in order to hold the organisation to account for achieving the goals and targets that have been set.

The Co-Presidents have no authority except that granted by the board. The Co-Presidents do not act independently of the board.

Delegations

Board to enter any delegations.

Expectations and limitations

- The Co-Presidents and General Manager must work as a team, and there should be no surprises.



- The relationship must be professional.
- Each must be able to counsel the other on performance concerns.
- The Co-Presidents support the General Manager and vice versa as appropriate.
- Each agrees not to undermine the other's authority.
- There is agreement to be honest with each other.
- Each agree and accept the need to follow policy and procedures.
- Neither party will deliberately hold back important information.
- Neither party will knowingly misinform the other.

Procedures/supporting documentation

Board to enter own documentation.

Monitoring

Board to enter own monitoring and reporting procedures.

Legislative compliance

Reviewed:		Next review:	
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9. General Manager performance management policy

Outcome statement

A fair and transparent performance management process recognises the professionalism of the General Manager and the accountabilities of the board.

Scoping

An annual performance agreement will be established between the board and General Manager and be in place at the beginning of each organisation year.

The General Manager's performance against this agreement will be reviewed throughout the year, and a final report will be prepared and presented to the board at the end of the organisation year.

The prime focus of the agreement will be that for the organisation is able to attain their highest possible standard.

A budget for professional expenses and for professional development will be established annually in accordance with the General Manager's professional development plan contained in their performance agreement and be included in the budget. Spending within budget is with the approval of the board. Any overseas trips for professional development must be approved by the Trustee Board at least one term in advance of the event.

Professional development expenses may include but are not confined to continuing education, books and periodicals, mentoring and attendance at professional conferences.

Delegations

The Co-Presidents will ensure an annual performance review is carried out in accordance with this policy.

Expectations and limitations

- The review process will occur annually, providing a written record of how the General Manager has performed as per the terms of the performance agreement and identifying professional development needs.
- The General Manager's performance will be formally reviewed on an annual basis by duly delegated members of the board and, optionally at the board's choice, an independent consultant who specialises in education.
- Those delegated or contracted to perform the review process shall have written formalised instructions specifying the responsibilities of the role. (developed by whom?? TB as a whole, in conjunction with GM)
- There will be three interim reviews, one each term preceding the annual formal review, between the General Manager and Co-Presidents or delegate(s) to discuss progress. (as above)
- The General Manager will be reviewed on the criteria set out in the performance agreement – performance objectives, professional standards, learning and development objectives and fulfilment of additional duties that require concurrence payment. (approximate budget or as per 3- remuneration and reimbursement??)



- If the General Manager and the board disagree on the performance objectives, the board, after considering the General Manager's input, will amend the disputed objectives or confirm the unchanged objectives. The board's decision will be final.
- The board Co-President, delegate(s) and consultant may gather information from staff, parents or any other relevant members of the larger organisation community who can provide feedback on how the General Manager has performed. Evidence may include surveys, self-review, teaching observation (if relevant), interviews, focus groups or documentary evidence.
- The General Manager and delegate(s) will meet for a formal interview to discuss whether the performance agreement has been satisfied, with the General Manager 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 General Manager. The General Manager can accept the report or dispute the report. If the report is disputed, the delegate(s) will consider the General Manager's views before deciding to either amend the report in accordance with the General Manager's views or let the report stand with the General Manager's comments attached.
- The Co-President/delegate(s)/consultant will present the final report/summary back to the board with the result of the review. The General Manager may/may not be present at the presentation and/but will have the opportunity to address the board. The General Manager will then exit, and further discussion may continue among the board.
- The General Manager will be informed personally and in writing of the final outcome following the report discussion.
- The performance agreement and results of the review are confidential to the General Manager, the board and their agents unless both parties agree to wider distribution.

Procedures/supporting documentation

Board to enter own documentation.

Monitoring

Board to enter own monitoring and reporting procedures.

Legislative compliance

Reviewed:		Next review:	
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Board meetings and board resolutions via electronic means

Clause 9(6) of Kaupapa Ture/Constitution of Te Whānau Tupu Ngātahi o Aotearoa-Playcentre Aotearoa allows the board to hold meetings via audio, audio and visual, or electronic communication providing:

- a) all trustees who wish to participate in the meeting have access to the technology needed to participate, and
- b) a quorum of members can simultaneously communicate with each other throughout the meeting.

Clause 9(6) and 10(4) of Kaupapa Ture/Constitution of Te Whānau Tupu Ngātahi o Aotearoa-Playcentre Aotearoa allows the board to pass resolutions by post, delivery, or electronic communication. Resolutions passed in this way must be unanimously agreed to by all trustees currently in office.

Points to note when holding meetings via electronic means are:

- As board meetings are held in public the board will need to ensure community members can access the meetings to observe/listen. This could be, for example, by providing dial-in access if holding a meeting by audio conferencing (taking account of any cost involved or possible misuse of the dial-in PIN number), or designating a place where community members could gather. This could be where the board normally holds its meetings, if it is convenient for one or more of the trustees to be there.
- If the meeting could be open to legal challenge, e.g. a board disciplinary hearing, it would be very important to ensure the board's procedures do not disadvantage any person who had the right to be involved in that meeting.
- It is important to ensure the integrity of the process for excluding the public (i.e., going "into committee") is protected. For example, if dial-up access is provided to community members to listen in to a board meeting, the board would need to ensure community members had gone off line before public excluded business was discussed. (It is likely that this method of holding a meeting would usually be to deal with public excluded business which needed to be dealt with quickly by the board.)



Points to note when passing resolutions by electronic means are:

- If the board is passing a resolution via electronic means, e.g., email, emails from board members assenting to the resolution should be from board members' known email addresses. This would provide sufficient proof of identification and agreement with the resolution from the trustee concerned. It would not be necessary to provide an actual "electronic signature". It is important, though, that individual agreements to the resolution are printed, gathered together, and signed off by the chair.
- Unanimous resolutions passed by electronic means should be included in the schedule of correspondence at the next board meeting. This then becomes part of the board's official written record and avoids the danger of a resolution being filed away and forgotten about or lost.

Provisions relating to board meetings can be found in the Kaupapa Ture/Constitution of Te Whānau Tupu Ngātahi o Aotearoa-Playcentre Aotearoa



The Strategic General Manager's Report*

* Note that this format assumes that financial matters are dealt elsewhere in the agenda.

1. Current Significant Issues

An overview of any significant current issues facing the organisation. These may continue on from the previous meeting of the Board or be a new issue. These current issues should not just be for information (see section 6) but also to allow the General Manager to obtain input and feedback from General Manager.

2. Matters for Approval

Any matters for which the General Manager is seeking the Board's approval and which are not covered elsewhere in the agenda.

Using the recommended agenda format there should not be any decisions required here as they are covered under Matters for Decision.

However, there may be some specific issues, often related to the General Manager personally such as leave, expenses, etc., which may be better included at this point in the agenda.

3. Update on Strategic Plan Implementation

Updates on the strategic plan are covered in this section of the report.

Major reviews on progress on the strategic plan should be covered every three or so months. The action oriented annual plan should be included, with updates indicating progress since the last meeting.

In addition, it may be desirable to comment in greater detail on the performance of a particular business or function at this point in the General Manager's report.

Either one or two business units or functions might be covered, with an update on initiatives and progress.

Over the course of the year, each business or function should be addressed at least once.

It is likely that for this section the General Manager will have been assisted by the Line Manager responsible for this aspect of the organisation's activities.

4. Major Key Performance Indicators

The strategic plan should have had a number of both financial and non-financial KPIs. Examples may be overall budgeted surplus/deficit, funding (by major source); various indicators of services provided; staffing numbers; client staff ratio, etc.

In this section, which should follow the same format from meeting to meeting, these KPIs will be reported, together with their target, possibly a "traffic light" indicator to indicate whether



performance is on or better than target (green); a little less than target, but not major concern (amber) or below target and of some concern (red).

A brief description of the reason and actions being taken for amber and red items should also be included. In this way, the Board is constantly having its attention drawn to the outcomes expected under the strategic plan.

5. Risk and Compliance Update

Depending on what actions management have taken between Board meetings this section may have two components:

5.1 Update on risk and compliance management

A brief update on any significant outcomes from the ongoing work on risk and compliance.

5.2 Risk and Compliance Incidents

A brief outline of any incident or activity that has resulted in the occurrence of a risk or compliance event that is outside the agreed risk and compliance standards. Examples will include any H&S incidents, any queries or actions by a government department or authority, any significant member or staff complaints, any environmental incidents, any legal action etc.

6. Matters for noting

Any other issues which the General Manager wishes to bring to the Board's attention but which are unlikely to require discussion. This can include visitors to the organisation, significant meetings that have involved the General Manager and so on.





Introduction

This sets out a base framework for the way the board will conduct its meetings. The framework is very general and allows the board considerable flexibility to implement its own policies and practices, to ensure orderly, productive meetings. The board must be consistent with legislation and constitution obligations. The board decides the date, time, and location of meetings, and how the meetings will be structured. The boards adopt a regular schedule of monthly meetings, with committees or task-teams meeting when appropriate. Meetings can be held by electronic means provided all trustees who wish to participate in the meeting have access to the technology needed to participate and a quorum of members can simultaneously communicate with each other throughout the meeting.

Notice of meetings

As indicated by clauses 9(1), 9(2), 9(3), 9(4), 9(4.1 - 4.11), 9(5), 9(6), 9(7), 9(8), 9(9), 9(10), 9(11), 9(12), 9(13), 10(1) - 10(19) of the Kaupapa Ture/Constitution of Te Whānau Tupu Ngātahi o Aotearoa-Playcentre Aotearoa

Any such notice should state the date, time, and location of the meetings, and should be sent to all board members and be available publicly. It should be sent with the agenda and other board papers to all trustees at least one week before the meeting.

The agenda and all board reports/papers should be available to members from the NZPF Administrator one week before the meeting. These publicly available papers should not include any documents that are going to be, or are likely to be, considered while the public is excluded from the meeting.

Anyone can take notes from or ask for copies of the agenda or reports and that person shall be given such a copy as soon as practicable. This also applies to the minutes of the meeting after they have been written up and can take place before they are confirmed as a true record of the meeting. At that stage it is suggested that copies of minutes be clearly marked as “draft” or “unconfirmed” or “subject to confirmation”.



Meeting procedures

There are broad conventions of generally accepted meeting practice which a board may wish to follow. These conventions (rules) are designed to allow trustees to introduce matters and then proceed with debate, dissent, and decision making in an orderly fashion.

Board decision making

All matters to be decided by the board will be done by:

1. Consensus or where this is unable to be productive
2. Way of a vote. This is usually done on “the voices”. However, if that is challenged, the Co-President will call for a show of hands.

Under some circumstances, for instance, a decision involving contentious issues where strong personalities are involved, it may be appropriate to hold a secret ballot in order that trustees may vote freely.

On all matters dealing with the decision-making process, the board will have its own rules of order. This order should be standardised and followed at each meeting. At all meetings common sense and courtesy is a good rule of thumb.

The following guidelines apply in most common situations:

- The board’s primary means of decision making is through consensus
- The board’s secondary means of decision-making is through motions, which are moved, seconded, debated, and put to the vote.
- The Co-President or members may ask the mover to write down the motion before it is acted upon. The Co-President may assist the mover with wording for clarity.
- Each motion deals with only one matter or issue. Debate must be limited to the issue at hand. Speakers who stray from the issue or attempt to introduce new matters should be ruled out of order.
- Each speaker should be allowed to speak once on a subject under debate. The Co-President may refuse to allow a trustee to speak again until everyone has had a chance to speak.
- A member may raise a point of order at any time. After the point has been stated, the Co-President issues a ruling. The Co-President’s ruling is final unless challenged at the time.



- Only one motion at a time will be considered by the board. That motion may be amended. Votes on amendments must be taken before the motion is further considered.
- If the amendment is agreed to it becomes part of the motion.
- Further amendments may be made to the motion but only one at a time can be proposed, discussed, and decided upon.
- After motions have been passed or rejected, no further discussion on the same issue should be allowed at the same meeting, other than a motion to reconsider.

Voting

The following rules apply to the voting procedure:

- Voting to decide a motion requires a simple majority.
- A trustee can request that his or her vote be recorded.
- The Co-President has a vote on every matter, and where there is a tied vote, a casting vote. It is a convention, and only a convention, that a casting vote is used to maintain the status quo because there is no clear indication that the majority of the board want a change.
- Procedural motions to terminate or adjourn debates take precedence over all other business and shall, if seconded, be put to the vote immediately without discussion or debate.
- Resolutions passed by way of electronic or postal methods are valid as long as these resolutions are passed unanimously.
- A trustee may abstain from voting. An abstention is counted as an absence of a vote; i.e., if the vote is two in favour, one against with four abstentions, the motion is carried. In a case such as this, where a significant number of trustees abstain, it may be an indicator to the meeting that the issue under consideration may need further investigation so the board as a whole can feel confident in its decision.



Agenda

The agenda sets out the order of business for the meeting. It should be sent out with the notice of meeting. Many boards use the agenda as the notice of the meeting, and it must be publicly available two working days before the meeting to which it refers.

Agendas must be available publicly at a meeting, along with copies of all reports and other papers to be discussed in open meeting, so that people can follow what is happening.

Quorum

The quorum is the minimum number of trustees that must be present before a meeting can conduct business. A meeting quorum consists of no less than 4 trustee's currently holding office and must include representation from each house. c9 (10)

Apologies

Only apologies received from those who cannot be present must be recorded. An apology does not meet the requirement of "prior leave". Trustees who miss three consecutive meetings without prior leave of the board cease to be members and a casual vacancy occurs. To obtain prior leave, a trustee needs to request leave for however long the need is, at a board meeting, and the board must approve it.

Minutes

The minutes are the written record of the business conducted at the meeting. Minutes of the previous meeting are usually reviewed and confirmed at the following meeting. They should be signed there and then by the Co-President. It is not necessary for a person who appropriate motion. Minutes should be made available to the public as soon as they are prepared (apart from public excluded minutes). Until confirmed as a true and accurate record minutes should have "unconfirmed" stamped across them.

Minutes should be brief, factual, and accurate. It is not necessary to record everything said by everyone during a meeting. At most, a couple of sentences about the general nature of the discussion will be sufficient.



What the minutes must contain are the facts: which trustees were present and late arrivals or early departures. It is most important the minutes contain what motions were put forward, who moved them, who seconded them, any amendments to the motion, and what happened to those amendments, and, in the end, what happened to the motion.

In addition, the minutes should record at the end when and where the next board meeting will be held. If the public has been excluded from any part of the meeting, the minutes for that part of the meeting are confidential. To identify them it is useful to print them on a different coloured paper and note them as confidential. They can either be circulated with board papers or at the next meeting for confirmation. In some cases, boards choose to number and collect each copy after confirmation so all copies can be destroyed. The originals should be filed in a separate folder in a secure place. Note, that minutes are required to be retained indefinitely.

For advice about minutes of meetings when the public is excluded, refer to the “In committee” part of this article.

Matters arising from previous minutes

Matters arising are matters which were nominated for action at the previous meeting and recorded in the minutes. Dealing with arising matters means that a check is kept on whether all tasks have been carried out from the previous meeting.

Correspondence

The board should have access to all correspondence. Correspondence that the board needs to take some action on should generally be copied to trustees before the meeting and discussed either under general business or in the relevant section of the meeting.

Other correspondence may be listed and tabled so board members can look at it if they wish. It is important that any letter addressed to the Co-President of the board is seen by the whole board. Letters of complaint should be tabled at one board meeting and only considered once relevant reports in response to the complaint have also been received. This usually would be the following meeting or, in some cases, the board may delegate action to a special committee.



Motion

A motion is a formal proposal for consideration. It is moved by the person proposing it and seconded by another person. It is then open for discussion, after which a decision is made by way of a vote. When a motion is accepted it is described as being carried and should then be referred to as a resolution.

Amendment

Motions can be amended during discussion. The amendment must be moved and seconded before it is discussed and voted on.

Moving from the Co-President

The Co-President can put a motion before the meeting. When moved from the Co-President, a motion does not require seconding.

Points of order

Points of order are questions directed to the Co-President which require an answer or a ruling. They are not open to debate and usually relate to the rules for the running of a meeting. The Co-President's ruling is final unless challenged at the time

Parking

When a matter cannot be resolved, or when further information is necessary before a decision can be made, the matter can be left unresolved for future discussion.

Tabling documents

When written information is used in support of a discussion, it should be tabled so that it can be examined by those present. It then forms part of the official record.

In committee

Although common usage describes a meeting going private as "going into committee", the correct terminology is "that the public is excluded". Therefore, some matters are better



described as being discussed in the public-excluded section of the meeting. Rules for doing this are laid out in the Local Government Official Information and Meetings Act 1987. In particular, the wording to be used in the motion to exclude the public can be found in Schedule 2A of that Act. Members of the public, including the media, are excluded from the meeting when it moves into committee, unless specially invited to stay. The motion to allow that must be passed while the meeting is still open to the public. The publicly excluded part of the meeting is most often used to discuss personnel or financially sensitive issues.

Attendance of the general public

Board meetings are meetings held in public, they are not public meetings. Members of the board's staff are entitled to attend board and board committee meetings as members of the public. They have the same rights and are subject to the same restrictions as any other member of the public.

In respect of meetings of the board of trustees or committees of the board, members of the public are:

- entitled to know in advance when and where meetings are to be held
- entitled to copies of the agenda in advance of the meeting (this includes copies of all written reports and other documents that are relevant to matters to be discussed in open meeting)
- entitled to attend the meeting to watch and listen
- entitled to take notes
- not entitled to take part in the meeting by word or action (the board can resolve to grant a member of the public speaking rights)
- required to leave the meeting if the Co-President believes, on reasonable grounds, that the member of the public's behaviour is likely to prejudice the orderly conduct of the meeting
- likely to be removed by a constable at the request of the Co-President if they are disruptive and do not comply with the Co-President's instructions when an effort is being made to maintain order in the meeting room



- not entitled to communicate with trustees during the meeting unless the trustee leaves the meeting (and preferably the room to cause the minimum disruption to the meeting)
- required to leave the meeting room when the meeting goes “in committee”; and
- entitled to return to the room when the meeting comes “out of committee”

A record of what happened while the public is excluded must be kept. The form of these minutes should be identical to those kept while the meeting is open to the public. It is suggested that these minutes be printed on a different coloured paper and be pasted into a separate minute book when they have been approved and signed off. These minutes are not for general public viewing, but can be requested by the public under the Official Information Act. Boards are encouraged to contact the Governance Advisory and Support Centre on 0800 782 435: option 1 for assistance when such a request is received.

All minutes are available to all trustees, both current and future, regardless of whether the trustee was actually present at the meeting. This is spelt out in the Sixth Schedule of the Education Act 1989. It must be stressed that discussions held when the public are excluded are confidential to the board. Revealing details to members of the general public could potentially render the board liable to consequential legal action. If a member of the board, acting as an individual, releases information, he or she may be held personally liable for any damages the board may suffer. The board should ensure that any advisers they may consult on matters being dealt with in committee are made very aware that the matter is confidential and is being dealt with in committee by the board.

Meeting secretary (board secretary)

In order to free trustees to participate fully in board meetings, it is desirable that someone other than a trustee takes minutes and provides administrative support. This person is usually referred to as the minute secretary. It is usual to pay the minute secretary for the work done on a commercial basis rather than the equivalent trustee meeting fee.

The board should not co-opt this person so he or she can be paid a standard attendance fee (part of a contract??). Doing that raises other issues such as the right of the minute secretary to speak and vote. The minute secretary is not a member of the board and does not have a vote.



He or she usually stays with the board in any “public excluded” section of the meeting in order to take minutes. As an employee the minute secretary is not considered a member of the public during the meeting. Although a minute secretary does not automatically have speaking rights, he or she can ask for clarification on how a matter is to be minuted, and on occasion may remind the Co-President if a motion has not been put to the vote.

Board committees

The board may delegate its powers/functions to committees which can be comprised of non-trustees. Committees must have a minimum number of two persons, at least one of whom must be a trustee. Delegations must be by way of resolution and written notice to the person or persons concerned.

Pecuniary interest

Pecuniary interest arises where a trustee may be financially advantaged or disadvantaged as a result of decisions made by the board. This may occur, for example, in the awarding of contracts where one of the trustees has submitted a tender which is under consideration. In such a case the trustee concerned must leave the meeting while the topic is under discussion and the decision is made.

Conflict of interest

From time to time situations may arise in which individual trustees could have, or could be thought to have, a personal stake in matters to be considered by the board. A trustee who identifies a conflict of interest must declare it before any discussion of the matter begins. A trustee should:

- publicly declare a conflict of interest, state the general nature of the interest, and have the declaration recorded in the minutes
- withdraw from the meeting while the matter is discussed
- not vote on the matter; and
- not discuss the matter with the board or attempt to influence the vote



Honoraria see NZPF Handbook 3.28?

Most boards follow the generally accepted amounts in terms of the payment of honoraria for attendance at board meetings. Trustees are paid at the rate of \$55 per meeting, with the Co-President receiving \$75. The IRD has provided for this fee to be tax free to a level of \$605 per member and \$825 for the Co-President per annum in recognition that it covers the expense of attending meetings. Boards have the right to decide how much their members are paid. The principal, as a member of the board, is entitled to the same payment as all other trustees except the Co-President. As in policy 3A, there is no provision in Playcentre Aotearoa constitution re AGM agree to honorarium.

Reference

A good book to use as a reference for meetings is:

MEMBERS' MEETINGS - Mark von Dadelszen



How best to consult with the Playcentre communities to assess views on a range of issues.

Glossary that student = all those that are enrolled in the Education programme as opposed to just members. Not all members train or enrol.

Consultation can collect much positive information, but to ensure an effective consultation process, here are some pointers for the board.

Why consult?

Legal obligations to consult

A board's legal requirement to consult is spelt out in relatively few situations.

Examples include:

- Commitment to the intent of Te Tiriti o Waitangi
- Ministry of Education, Ka Hikitia 2018-2022. Realising Māori potential is considered in all targets, plans and policies
- Consult with the organisation's communities when developing policies, plans and targets to improve the progress and achievement of all students.

This includes a responsibility to consult whenever it is developing or reviewing critical aspects of its operations, and as part of ensuring key educational and administrative responsibilities are met.

Here are some examples.

Natural justice principles

The principles of natural justice, which include fairness, mean it is wise for boards to consult with the Playcentre communities whenever it is in the process of making decisions which will strongly impact on its students and their families and whānau.

Playcentre communities that have not been consulted before a controversial decision by the board would have good reason to challenge the decision the High Court and the Office of the Ombudsman.



Consultation and engagement

Playcentre community consultation is an important aspect of community engagement. The Education Review Office defines this in the following way:

Community engagement is ‘meaningful, respectful partnership between Playcentres and their parents, whānau, and communities...focused on improving the educational experiences and successes for each child’.

THE EDUCATION REVIEW OFFICE INCLUDES “EDUCATIONALLY POWERFUL CONNECTIONS AND RELATIONSHIPS” IN DOMAIN 3 OF ITS PROCESS INDICATORS, AND IT GOES ON TO STATE:

Parents and whānau are the primary and ongoing influence on the development, learning, wellbeing and self-efficacy of their children. So it is important that Playcentres engage with them and involve them in Playcentre activities, particularly those that are focused on learning.

IT IS SIGNIFICANT THAT COMMUNITY ENGAGEMENT IS ONE OF THE EIGHT PRINCIPLES IN THE NEW ZEALAND CURRICULUM FOR CURRICULUM

The curriculum has meaning for students, connects with their wider lives, and engages the support of their families, whānau, and communities

Community consultation and board operations, policies and procedures

Community consultation is also a critical part of the board’s operations – for instance:

- during its constitution and strategic plan development and update process,
- and as part of its self-review and policy review processes.

Many boards have a community consultation policy, or provide for community consultation as part of specific policies. Examples could include:

- Reporting to students, parents and community on achievement policy
- Māori student achievement policy
- Special education needs policy
- Te Tiriti o Waitangi and Māori Partnership policy



If the board is concerned that there is a sense of discontent in its Playcentre community, or a major change process is about to take place, a careful consultation process could be useful. What about consultation when the board has concerns about what is going on in the organisation – with the General Manager, for instance - which it hopes will provide it with ammunition to deal with this perceived problem? Community consultation is not the way to deal with those kinds of concerns. Using consultation processes for this reason quite rightly risks making staff suspicious and defensive.

What does the board want to know?

Avoid a wide range of subjects in the consultation

Once the board has decided it needs or wants to consult, it is recommended that it limits the topics covered in any consultation. This avoids, for instance, an overlong survey that people don't end up completing and too much data that is not then able to be put to good use.

Avoid questions about things the board has no choice about providing

It is also wise to only ask questions about issues where community feedback can affect an outcome. For instance, the board is required to ensure the delivery of the curriculum is in line with NZQA, TEC and our PTE status'. So, even if all the survey respondents agree the organisation should stop teaching the Playcentre Education programme, the organisation cannot implement such a change.

Who is the board going to consult?

Student voice

Boards are generally used to consulting with parents and staff. There is also now increasing attention being given to ensuring 'student voice' about decisions that affect them.

Consulting with students ensures that the rights recognised in the United Nations Convention on the Rights of the Child are respected.

New Zealand is a signatory to this convention. Examples where this is useful would be to ensure a safe environment, including one that is free from bullying, and improving facilities students will use.



Numbers and range of those to be consulted

The smaller the number to be consulted, then the higher the chance of an error. For example, if there are fifteen families in the Playcentre the board might want to hear from all fifteen in order to ensure it has covered all the bases.

On the other hand, if there are 3000 families in the Playcentre community, and the board has done a random sample of 300 families (10%), then provided they all respond, the chances are it has a reasonably good picture.

If the board chooses a sampling method that doesn't include everyone, it is still free to make a general invitation, through the Playcentre newsletter, for any other parents interested in participating.

How is the board going to consult?

A survey

Boards' main way of consulting seems to be through a survey that goes out to everyone. Surveys have their uses but they can be costly, time consuming, may have a low response rate, and may not actually tell the board what it wants to know. An online survey may also not be anonymous.

Other options

- a focus group where a random sample is taken from the organisation roll and personal invitations are sent to the sample group to come and discuss the key questions the board has identified;
- a group of people doing on the spot interviews at an already established event. For example, member interviews;
- a telephone survey. This may need some pre-warning through Centre Chat and however else the organisation communicates with its community;
- an "exit" survey of parents who have decided their children are to leave the Centre; and
- the board might get more and better quality responses from two questions once a term on the bottom of Centre Chat than a three page questionnaire once a year.



Any barriers to participation in the consultation process?

The board could also brainstorm possible barriers to participation by its families in a consultation exercise, and how those barriers could be overcome.

Having someone else to ask the questions and record the answers, or survey questions in languages other than English relevant to the Centre might encourage people with literacy issues, and speakers of languages other than English to respond.

Fine-tuning the consultation process

Once the board is clear about why it wants to consult, what it wants to know about, who it is going to ask, and how it might go about asking them, the next step is to look at the specifics of how it is going to collect that data. Here are some tips.

Asking questions in the “right” way

The saying is “lies, damn lies, and statistics”, and it is certainly possible to create a survey form or interview questionnaire that will get answers the board wants to hear rather than the “truth”.

For example, here are two different ways the board could frame a question about ICT:

Version one

Next year we are continuing to develop our information and communications technology programme. Do you think the organisation should buy:

- A. 15 new computers?
- B. 10 new computers and budget for networking the entire organisation?
- C. 10 new computers, a digital camera, and scanner?

Version two

A major goal of the board over the past few years has been to improve the provision of information and communications technology.

This has included networking the organisation, increasing the number of computers available, and improving our software. In your opinion how do you think the organisation is doing in this area?

Still way behind other services 1 2 3 4 5 Best facilities in the area

Not enough emphasis on ICT 1 2 3 4 5 Too much emphasis on ICT



Have you any other comments?

There could be times when version one would be appropriate. For example, when the Finance has raised a sum of money to contribute towards computers and the whole community has already clearly identified this as a priority.

However, version one assumes that the goal of improving ICT is shared by the whole Playcentre community, while version two allows room for a range of views. The “openness” of version two is more effective for board consultation focused on strategic priorities. However, version two is not a “perfect” model question either, because it is values based.

Ensuring a response

Include relevant background information

It can be useful for a survey, for instance, to “remind” its community of background information to increase the chance of a more informed response. For example, if the board is consulting on its strategic plan, it could summarise an aspect of the strategy as part of a question. It could also include a cover page to the questionnaire which highlights key goals.

Keep it simple

Multi choice, Likert scale or open ended questions?

For quick results multi choice, or a Likert scale (for example, the 1-5 range in the example above) are user friendly and easy to translate into data. Answering two or three questions of that kind can also get people eased into what they think about a topic so when they come to “comments” they may have something to add.

There are other forms of consultation where asking several open ended questions can generate good feedback in a way a scale cannot.

Example: the board is considering developing its outdoor areas.

What do you think are the best aspects of our playground areas?

What are the areas you would like to see improved?

Have you noticed anything about our outdoor areas that have caused you to feel concern for child safety?

These kinds of questions could even have a sketch or photograph of the playground as it is currently. The questions also show the board is interested in a range of parent opinion.



Tailor to your Playcentre community

Consider the language of the questionnaire. For example, are the questions easy to understand? Rather than use words like “literacy” and “numeracy” the consultation could use “reading” and “numbers”. Sometimes it is useful to have someone available to ask questions and write the answers for the person being consulted. This might encourage greater participation from people who are not confident with literacy or who are verbally fluent in English but not confident writing in English.

Ideally the main body of the questionnaire (before people add comments) should be able to be answered in ten to fifteen minutes.

Ways to should tap people have already been mentioned, but also think about communication challenges the board might face with its community. An affluent Centre might find they get a better response rate to a survey by asking parents to log into their website and request the survey by email. Against that option, is the difficulty with making an email response anonymous.

The board of a poor Centre might find it works to have a trusted member of their community visit a random sample of families. Or, since many families may not have telephones, if there is a widely listened-to community radio station the board could use the station’s community noticeboard service.

Test drive the questions

Test out the questionnaire by, for example, giving the questions to board members or even people who have nothing to do with the organisation to answer. This helps prevent questions that assume prior knowledge or use jargon not all the Playcentre community will understand.

Provide incentives to respond

The board could also encourage responses with a prize draw that everyone who replies is entered into. Ideally survey forms are anonymous so if it does this, have a cover slip for a contact name that gets detached and entered in the prize draw box.



For organisations which choose to survey students it is a good idea for a group of senior students to do the distribution and collection – even when the survey does not have their name on it many students are wary of a staff member recognising their handwriting.

Feed the consultation results back to the community

Make sure the board feeds back the results of its consultation exercise to the community.

If there has been a high level of requests on an issue that is difficult for the board to action, e.g., a major classroom redevelopment, tell people that the request has been noted but is not achievable in the short to medium term.

Letting the Playcentre community know the results of the process, and if possible any impact that has been made on board decision making, will encourage participants to feel the effort they put into responding was valued, and they are likely to be receptive the next time the board decides to consult.





While the majority of trustees do a wonderful job, and act appropriately, occasionally a trustee acts in a way which is damaging for the board and which can even put the board at risk of legal action being taken against it.

It is often necessary for boards handling sensitive issues, particularly employment ones, to clearly define who has the power to act on behalf of the board. While a trustee may be acting out of a concern for their children, their friends, or simply because they believe that the board is wrong, they must realise that boards are democratic bodies and that actions not approved by the board put the board at risk.

Many boards find it useful to sit down and discuss how each trustee sees their role, responsibilities, and power. This often helps those who have not realised the extent of their responsibilities or are confused about their powers. Included with this article is a code of behaviour that boards can use to document the discussion. The code is not compulsory and is not an individual board's code until it votes to use it.

Another mechanism to clarify the power trustees and staff have is a delegations schedule. If all the powers of staff and trustees are set out on paper then individuals become acutely aware of the need to only act within the scope given by the board.

In extreme cases where trustees go outside the bounds of acceptable behaviour or outside the scope of their authority the board may discuss the matter directly.

Here are a few options on how to handle such situations:

1. An informal discussion is held about the scope of accepted behaviour. This brings the issue out into the open and helps all trustees understand what is expected of them.
2. A formal motion is put setting out that all trustees have no power outside that recorded as being delegated by the board. This may accompany a general discussion on the topic.



3. A motion is put setting out a topic or topics (e.g. the current personal grievance case) that individual trustees are not to discuss or seek advice on without the board's approval. This puts all trustees on notice.
4. A motion is put expressly removing all power to act on behalf of the board from a particular trustee that has crossed the line. This may also be accompanied by a motion setting out what they are not allowed to do. These motions may be restricted to one problem area (i.e. personnel) or in extreme cases of conflict they may apply to all issues.
5. The board may also censure a trustee. This has no particular effect but is a political tool and is also useful in confirming that the board does not agree with one trustee's actions.

If the area of concern is around a particular topic then the board can decide to delegate all power on that issue to a committee. This is often done when a trustee who has an obvious conflict of interest or ulterior agenda will not acknowledge that they are putting the board at risk.

Bad Faith

Trustees are not usually personally liable for their actions as a board member. The sixth schedule of the Education Act sets out the law on trustee's liability

Trustees not personally liable---No trustee is personally liable for-

1. Any act done or omitted by the Board; or
2. Any loss to the Board arising out of any act done or omitted by the trustee,--- if the act or omission was (so far as the trustee's involvement is concerned) in good faith in pursuance or intended pursuance of the functions of the Board.

This means that trustees acting in a normal fashion are not personally liable.

Trustees that act in "bad faith" could expect to be found liable for their actions. For example a trustee who personally creates an employment problem, through a malicious action, could be expected to pay the board back any money they spend on legal fees or a settlement.

Trustees that operate on behalf of the board without being delegated the power to do so could also be liable. For example if a trustee who hasn't been delegated any powers to deal



with employment matters, then tells a staff member that the board will give them a raise they may be liable for the resulting costs of getting out of the promise. Although the trustee may have had good intentions they would not be acting in “good faith” as they knew they had no power to make that decision.

Another common example of bad faith is when a trustee spreads gossip to people in the community breaching the Privacy Act and intruding into employees’ privacy.

Trustees’ code of behaviour

As members of an effective governance team, each member of the board of trustees shall:

- ensure the needs of all students and their achievement is paramount
- be loyal to the organisation and its mission
- maintain and understand the values and goals of the organisation
- protect the special character of the organisation
- publicly represent the organisation in a positive manner
- respect the integrity of the General Manager and staff
- observe the confidentiality of non-public information acquired in their role as a trustee and not disclose to any other persons such information that might be harmful to the organisation
- be diligent and attend board meetings prepared for full and appropriate participation in decision making
- ensure that individual trustees do not act independently of the board’s decisions
- speak with one voice through board policies and ensure that any disagreements with the board’s stance are resolved within the board
- in the course of board meetings, disclose any interests in a transaction or decision where they, their family and/or partner, employer or close associate will receive a benefit or gain and leave the meeting for the duration of discussion and/or voting in relation to the matter
- recognise the lack of authority in any individual trustee or committee/working party of the board in any interaction with the General Manager or staff
- recognise that only the Co-President (working within the board’s agreed Co-President role description or delegation) or a delegate working under written delegation can speak for the board



- continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
- be available to undertake appropriate professional development.

Legislative compliance

Privacy Act 1993



Natural Justice

The board's decisions impact on the rights, obligations and interests of staff, students and, at time, parents. As such, both the board and the General Manager, who has legal authority for day-to-day management of the organisation, must understand and apply the principles of natural justice. These principles are protected in section 27 of the Bill of Rights Act 1990, which affirms New Zealand's commitment to the International Covenant on Civil and Political Rights.

So what are these principles? They are all about following a fair process without bias or pre-determination. Easy to say, but what does it mean in practice?

The key principle is the right to a fair and impartial determination of the issue. This means:

- Decision makers keep an open mind until they have heard from everyone, looked at all relevant information, and not taken account of irrelevant information
- None of the decision-makers has a conflict of interest

Generally speaking this right includes the following:

- Right to know what the allegation or complaint is and who is making it; and
- Right to respond fully to any allegations or complaints. This should also include an opportunity to respond to an adverse finding by the decision-maker about their allegation or complaint; and
- Right to representation – this includes both legal representation and an advocate or support person; and
- Right to cross-examine; and
- Right to reasons (and reasoning) for the board's decision; and
- Right to complain / appeal.

To put this into the context of the complaint / student discipline / employment issue the board is dealing with we would advise the board to make sure the following steps are followed:

- Follow board's concerns and complaints policy; and
- If policy is silent, then the board applies the above principles in the process it follows.

Note: The Bill of Rights Act 1980. Section 27(1) states:

"Every person has the right to the observance of the principles of natural justice by any tribunal or other public authority which has the power to make a determination in respect of that person's rights, obligations, or interests protected or recognised by law."



Where a member is attacking another member, staff or board member, or other staff member (“complainant”) via social media what can the complainant, or the Trustee Board do?

An online attack can result in serious emotional stress and harm, especially where the sender is anonymous and your online peers, friends and loved ones can see it.

While there are obstacles in addressing these situations there are legal and non-legal avenues which the complainant and/or the Trustee Board can pursue in order to alleviate the harm the complainant is experiencing.

The enactment of the Harmful Digital Communications Act 2015 provides victims of harmful social media and electronic communications with more options to remedy the harm.

The legal and non-legal avenues available to the complainant and/or the Trustee Board are as follows:

1. Online reporting and other non-legal approaches for having the material removed;
2. Use of the new protections under the Harmful Digital Communications Act 2015;
3. A claim brought by the complainant under the tort of defamation; and
4. If the offending material is sufficiently serious, reporting the matter to the police.

These are set out in more detail below.

1. Online reporting (Non-legal remedies):

Often, the best avenue to pursue where a member, board member, General Manager, or other member of staff is experiencing attacks via social media is online reporting.

Online reporting is often the fastest and cheapest way of removing offending material from the online community and reducing the harm caused to the complainant. This is often the most important goal for victims of online abuse.



As Facebook and other social media sites do not actively screen all user generated content prior to publication, offending posts will be unknown to the publishing website. Facebook, Twitter and the like rely on a combination of contractual “terms and conditions” and community moderation to establish and maintain civil behaviour on their sites.

a. Facebook

Facebook requires users to agree to detailed terms and conditions (Statement of Rights and Responsibilities) before posting content on their sites. In addition Facebook has devised simple sets of “community standards”.

Facebook’s “community standards” set out the type of content which may be reported and removed. Communication which amount to: violence and threats, self-harm, bullying and harassment, hate speech, communication containing graphic content, nudity and pornography, will amount to a breach of Facebook’s community standards and may be reported and removed.

While Facebook allows users to speak freely on matters and people of public interest Facebook does not tolerate bullying or harassment and will take action on all reports of abusive behaviour directed at private individuals.

Where any person believes they are being bullied on Facebook they should report this to Facebook. The Facebook Help Center provides instructions on how to report a post.

b. Twitter

While Twitter is a strong proponent of freedom of speech, it also sets rules for published content. If these are breached then Twitter may remove the post and/or suspend or terminate the account.

The rules prohibit violent threats, harassment, targeted abuse, hateful conduct based on race, ethnicity, gender, religion, age, disability, disease, or age, or private information, or graphic content.

A Twitter post can be reported by following the instruction on the Twitter Help Center site.

c. Other websites

NetSafe, found online at <http://www.netsafe.org.nz> provides useful advice, information, and



helpful links to assist with reporting online abuse. The orb website (www.theorb.org.nz) has been developed by NetSafe to offer all New Zealanders a simple and secure way to report their concerns about online incidents. NetSafe works with other agencies to direct reports through to the organisation best able to investigate or advise on various types of online incidents.

d. Letter from the Trustee Board to the offending person

As well as online reporting the Trustee Board should write a cease and desist letter to the offending parent/person. This letter should request that they remove the offending material from the internet. This provides the person the chance to remove the offending material at will, without receiving a warning from the social media website. This may be beneficial to the complainant as it may result in the material being removed quickly.

e. Letter from a lawyer

If the offending material is not removed, or if the person continues to post such comments online, then a sterner letter from a lawyer may be necessary. A letter from the NZPF Legal Advisor stating, for example, that their behaviour may amount to a breach of the law of defamation may be enough to make the person see sense and tone down their behaviour.

f. Downside of online reporting

The Harmful Digital Communications Act 2015 imposes new duties on online content hosts like Facebook and Twitter to promptly notify publishers of complaints and remove content in certain circumstances.

However, there is still a risk that the online content host will be unresponsive, especially if they are small, emerging in popularity or are not properly managed.

2. Harmful Digital Communications Act 2015

The Harmful Digital Communications Act 2015 (“HDCA”) provides a number of useful options for victims of harmful digital communications to have offending material removed. The HDCA also introduces a new criminal offence for serious harmful digital communications, and a civil redress option for less serious harmful digital communications



Most of the provisions of the HDCA came into force on 3 July 2015. Those due to come into force at a later time have now all done so.

The HDCA provides members, Trustee Board and staff with avenues to remove and redress harmful digital communications targeted at them. However, it is important to note that the HDCA only protects natural persons and not organisations themselves or body corporates.

a. New Criminal Prohibitions

It is now a criminal offence for a person to intentionally post a digital communication that would cause a reasonable person in the victim's shoes serious emotional distress, and actually causes serious emotional distress to a person.

Under the HDCA, it is an offence for a person to post a digital communication which:–

- Is intended to cause serious emotional distress to the victim; and
- Would cause serious emotional distress to an ordinary reasonable person in the position of the victim; and
- Actually causes serious emotional distress to the victim.

Posts a digital communication means transfers, publishes, disseminates or otherwise communicates by means of digital communication –

- any information, whether truthful or not, about the victim; or
- an intimate visual recording of another individual.

However, whether a reasonable person would suffer serious emotional distress depends on the circumstances. Factors in determining this include the age or vulnerability of the victim, whether the communication was repeated, whether extreme language was used, and/or how widely the communication is circulated.

Note that, even if a digital communication is true, the offence may still be triggered.

This offence carries heavy **penalties** of imprisonment for up to 2 years or a fine of up to \$50,000 for an individual, or up to \$200,000 for a body corporate.

b. Civil Prohibitions

These are now civil options for victims to redress harmful digital communications.

The HDCA introduces **Communication Principles** that state that a digital communication should not –



1. disclose sensitive personal facts about an individual;
2. be threatening, intimidating, or menacing;
3. be grossly offensive to a reasonable person in the position of the affected individual.
4. be indecent or obscene;
5. not be used to harass an individual;
6. make a false allegation;
7. contain a matter that is published in breach of confidence;
8. incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual;
9. incite or encourage an individual to commit suicide; or
10. denigrate an individual by reason of his or her colour, race, ethnic or national origins, religion, gender, sexual orientation, or disability.

Since November 2016 a victim of harmful digital communications has been able to lay a complaint with NetSafe, who will consider alleged breaches of these Communications Principles and may investigate, mediate, negotiate and, if possible, resolve the complaint.

NetSafe was appointed by the government to investigate and attempt to resolve complaints under the HDCA. It is an independent non-profit organisation that focuses on online safety and security.

If NetSafe is unable to adequately resolve the complaint, the victim, the victim's parent or guardian, the victim's school (where the victim is a student), or the Police (where safety is threatened) can apply to the District Court for help.

If the District Court is satisfied that there has been a serious or repeated breach of the Communication Principles (above), and the breach is likely to cause serious emotional distress to an individual, then the Court can make some useful orders.

The District Court can order:

- the offending communication/material to be removed/disabled;



- the offending person to stop the offending conduct or stop encouraging other persons to engage in similar conduct;
- a correction to be made
- the victim's reply to be published; and/or
- an apology to be published.

If the offending person fails to comply with the orders then they commit a criminal offence and can face significant penalties including imprisonment.

3. Defamation

A claim of defamation cannot be brought by the board of trustees, it must be brought by the complainant in his/her own capacity.

While the law of defamation is capable of addressing the situation where a member is attacking a staff member or board of trustee member via social media, the cost of bringing such legal proceedings can provide a barrier to bringing a claim under defamation. It can also be a long time before the plaintiff receives his/her desired result.

The law on defamation

There is no doubt that defamation can be committed by those who disseminate information in any form of media, be it on a website, a blog, Facebook, or Twitter. It has been held that publication in cyberspace is just as much publication as other forms of dissemination. Judge Ross has said: "I know of no forum in which an individual has the freedom to say what he likes and in any manner he wishes about another individual citizen with immunity from suit for all consequences. Merely because the publication is being made to cyberspace does not alter this."

Defamation is the branch of law which protects a person's reputation against unjustifiable attack. The Defamation Act 1992 abolished defamation as a criminal offence in New Zealand. Defamation is now only a tort.

The law of defamation requires a balance to be struck between protection of reputation and freedom of expression as protected by s14 of the NZBORA 1990.

The plaintiff in a defamation action must establish that:

1. a defamatory statement has been made



2. the statement was about the plaintiff, and
3. the statement has been published by the defendant

1. Defamatory statement has been made

Defamation has been defined by the common law as: the publication of a statement about someone that lowers him or her in the estimation of right-thinking members of society generally, where no defence is available.

An imputation of incompetence or unfitness for the job is one of the more common grounds of defamation actions.

2. Identification of the plaintiff

To succeed in an action for defamation the plaintiff must prove that the defamatory words were published about him/her: in other words it must be proved that it is the plaintiff who has been defamed. The test is: “are the words such as reasonably in the circumstances would lead persons acquainted with the plaintiff to believe that he was the person referred to?”

3. The statement has been published by the defendant

To succeed the plaintiff needs to show that the publication was conveyed to at least one other person. There is no doubt that publication on the internet is publication for defamation purposes.

4. Defences

a. Truth

The publisher will succeed with a defence of truth if the publisher can prove, on the balance of probabilities, that the story was true.

b. Honest opinion: True facts + opinion

Honest opinion is the very essence of freedom of expression: Any individual has a right to express an opinion, even if it is critical of someone and harmful to their reputation. Provided this opinion is honestly held, and the speaker has got his/her facts right, it does not matter how unusual, or extreme, or damaging the opinion may be. The rules regarding honest opinion are as follows:



- the opinions must be clearly comment, not assertions of fact
- the facts must be either: stated in the publication, sufficiently referred to or, sufficiently well known in the public domain
- the facts upon which the opinion is based must themselves be true
- the opinion must be honestly believed by the statement maker
- the opinion must be a matter of public interest

Sometimes allegations of incompetence will be defensible as honest opinion (Botterill v Whytehead (1879) 41 LT 588).

c. Privilege

Some statements are protected against liability for defamation even though they are false and harmful. Examples of privileged statements include:

- statements made by members of parliament on the floor of the house of parliament
- statements made by witnesses in court proceedings
- statements made by someone with a social, moral, or legal duty or interest to tell someone something, and they have a corresponding interest in receiving it

5. Remedies

a. Damages

The usual remedy for defamation is an award of damages. Damages for defamation are normally compensatory only, but in exceptional cases an award of punitive damages may be made.

b. Compensatory damages

Compensatory damages are to restore the plaintiff to the position he or she would have been in if the defamation had not occurred.

c. Punitive damages

In exceptional cases, exemplary or punitive damages may be awarded against the defendant. Purpose is to punish and deter the defendant.



d. Injunction

Injunctions are available but courts will only grant them if convinced that there is no tenable defence.

e. Correction

The plaintiff may seek a recommendation from the court that the defendant publish, or cause to be published, a correction of the matter that is the subject of the proceedings.

f. Declaration

Section 24 of the Defamation Act 1992 permits a plaintiff to seek a declaration that the defendant is liable to the plaintiff in defamation. The plaintiff will be awarded solicitor-client costs unless the court orders otherwise.

g. Settlement: Retraction and reply

At common law it is always open to a defendant to agree to publish a suitable statement by way of retraction, correction, or apology with or without the payment of money in settlement of a defamation claim.

4. Criminal law

If the attack on the complainant was sufficiently serious to amount to a criminal offence then the Trustee Board or complainant should report the matter to the Police.

Threats

It is an offence to threaten to kill or cause grievous bodily harm to a person. It is also an offence to send a person, or to cause to be received by a person, with knowledge of its contents, any letter or writing that contains a threat to kill or to do grievous bodily harm.

Both these offences are punishable by imprisonment for a term of up to seven years.

A separate offence proscribes sending or causing to be received, and with knowledge of the contents, any letter or writing threatening to destroy or damage any property, or to destroy or injure an animal. The offence is punishable by imprisonment for up to three years.



The generality of these offences means that they will normally be adequate to deal with threats however communicated.

Harassment

Under the Harassment Act 1997 it is a criminal offence to harass another person with intent to cause that other person to fear for their own safety or the safety of a family member.

Harassment can be constituted by making contact with a person, whether by telephone, correspondence, or in any other way, or giving offensive material to a person or leaving it where it will be brought to the attention of that person.

In order to amount to harassment the person must have engaged in a pattern of behaviour that is directed against that other person, being a pattern of behaviour that includes doing any specified act to the other person on at least two occasions within 12 months.

The Harmful Digital Communications Act 2015 makes it clear that harassment applies to the use of electronic media where it is likely that it will be seen by, or brought to the attention of, that person.

Telecommunications Act 2001

Section 112 provides that every person commits an offence who uses or causes or permits to be used, any telephone device for the purpose of disturbing, annoying or irritating any person. “Telephone device” is defined as “any terminal device capable of being used for transmitting or receiving any communications over a network designed for the transmission of voice frequency communication.”

Whether this applies to any communication via computer is not absolutely clear.



What can the Trustee Board do where a member of staff is placing inappropriate messages, pictures, and/or videos on social media sites?

Where the Trustee Board is faced with a situation where a member of staff is placing inappropriate messages, pictures and/or videos on social media sites the Trustee Board has a number of options depending on the seriousness of the offending material.

The same reporting mechanisms as set out above are available where a teacher or other member of staff posts inappropriate material on social media sites.

1. Online Reporting:

a. Facebook

Where a member or member of staff posts material on Facebook the material can be removed if the content transgresses Facebook's rules in some way.

The following communication may be reported and removed:

- any credible threat to harm another;
- any promotion or encouragement of self-mutilation, eating disorders, or hard drug abuse;
- any bullying, harassing, or abusive behaviour;
- any hate speech, including any attack on a person based on their race, ethnicity, national origin, religion, sex, gender, sexual orientation, disability, or medical condition ;
- any graphic content for sadistic pleasure;
- any pornographic content; or
- where certain limitations are breached, nudity.

b. Twitter

As already stated, Twitter is more tolerant of material which could be perceived as offensive or inappropriate by some members of society. Twitter's terms of service clearly state that "by using the services, you may be exposed to content that might be offensive, harmful, inaccurate, or otherwise inappropriate." The following publications will however defy their terms and is worthy of reporting:



- publication of private and confidential information about others without authorisation or permission
- publication of threats of violence against others
- publication of obscene or pornographic images

Where a teacher or other member of staff is contravening Facebook's standards or Twitter's terms of service the Trustee Board can report the offending material. If the material is on some other social media site NetSafe or the orb website can be used to report the online material.

2. Disciplinary action

a. The Law in New Zealand

It is now well-established that an employer can discipline or, in repeated or serious cases, dismiss an employee for inappropriate use of social media, even when done outside of work.

Normally, to justifiably dismiss an employee for this type of conduct, it must take place at work, or be directly connected with the employment. This is because in principle an employer hires an employee to provide their labour for a certain period each day and consequently what happens outside that time should be of no concern to the employer.

However, case law now suggest that an employee can be disciplined for their online conduct outside of work if it is sufficiently connected to their work, and it breaches their employment obligations.

The Court of Appeal¹ held that "there must be a clear relationship between the conduct and the employment. It is not so much a question of where the conduct occurs but rather its impact or potential impact on the employer's business, whether that is because the business may be damaged in some way; because the conduct is incompatible with the proper discharge of the employee's duties; because it impacts



upon the employer's obligations to other employees or for any other reason it undermines the trust and confidence necessary between employer and employee."

The Employment Relations Authority² recently confirmed that an employer was justified in dismissing an employee for 'liking' a derogatory Facebook post about their employer and then commenting that the post was 'interesting' and 'informative'.

The Authority held that 'liking' a post was analogous to endorsing and supporting it.

It must be noted that here the employee's job was included on their Facebook profile, the employee's 'liking' and commenting was publically disseminated to a significantly large audience, and the employee was the 'face' of the employer and in a management/leadership position. Further, the employee refused to later accept that she had done anything wrong.

The Authority accepted that a reasonable employee would have reached the conclusion that the employee breached their duties of loyalty, trust and confidence, and could not fulfil essential core functions of their role.

In another case³, a government ministry was held to be justified in dismissing an employee who posted comments on Facebook stating that she was 'a very expensive paperweight who was highly competent in the art of time wastage, blame shifting and stationery theft'.

However, it should be noted that in that case the employee had a history of past behaviour that harmed the relationship of trust and confidence and supported the decision to dismiss.

b. Overseas approach

In Canada an employee was dismissed for posting derogatory comments online about her colleagues and workplace. The employee was held to be justifiably dismissed on



the basis that her actions had damaged the employment relationship beyond repair and potentially harmed the employer's reputation.

c. Application of the law

It is likely that a staff member's online behaviour, posted in their own time, can be used to justify the Trustee Board taking disciplinary action against the employee where there is a sufficient relationship between the conduct and the employment. This is supported further by the fact that teachers have added obligations regarding their fitness to practice so out of work conduct could more easily be said to reflect on their employment.

3 Caution

While misconduct outside work is not necessarily beyond the reach of an employer, considerable care needs to be taken. An employer's moral objections to an employee's conduct should not be grounds for dismissal in the absence of a very clear connection between the conduct and the employment. It is important that the nexus between work and non-work conduct is rigorously scrutinised and any work related consequences clearly justified by being explicitly linked to the employment.

Employers should be sure to adopt a fair procedure by thoroughly investigating the suspected misconduct and ensuring the employee is given a fair opportunity to respond to any allegations before any discipline occurs. Only if the requisite connection can be found between an employee's misconduct and their employment, through the use of a fair process, will an employer be justified in taking disciplinary action.

1 Smith v Christchurch Press Co [2001] 1 NZLR 407; [2000] 1 ERNZ 624

2 Blylevens v Kidicorp Limited [2014] NZERA Auckland 373

3 Dickinson v Chief Executive, Ministry of Social Development [2010] NZERA AA 508/10

4 Government of Alberta and Alberta Union of Provincial Employees – Grievance of R (Contents of Blog (2008) AGAA No 20)



Guidance from the Office of the Auditor-General on “sensitive expenditure”

Introduction

What is termed “sensitive expenditure”. This relates to: donations, koha, personal use of communications technology and gifts (such as gifts to retiring board of trustees or staff members).

Donations

1.1 A donation is a payment (in money or by way of goods or services) made voluntarily and without expectation of receiving goods or services in return.

Issues and principles

It is expected entities ensure that:

- donations are for purposes that are consistent with the business of the entity making the donation; and
- the size of the donation is appropriate in the circumstances.

1.2 The principles of preserving impartiality and integrity, and moderate and conservative expenditure, are particularly relevant. Making a donation should not result in any counterpart obligation on individuals or entities, other than to apply the donation to the purposes of the recipient.

Guidance

1.3 It is expected donations to be:

- lawful in all respects;
- disclosed in aggregate (where required);
- made to a recognised organisation by normal commercial means – not to an individual and not in cash; and
- non-political.



Koha

2.1 Koha is a gift, a token, or a contribution given on appropriate occasions.

Issues and principles

2.1 The issue associated with giving koha is that it is not a transaction in the usual sense – for example, there is often no written acknowledgement of receipt.

2.2 The principle of a justified business purpose is particularly relevant. Entities need to have a policy on, and controls over, giving koha.

Guidance

2.3 It is expected that:

- the policy on koha includes the means of determining the size of any koha;
- a koha reflects the occasion;
- koha are not confused with any other payments that an entity makes to an organisation; and
- koha are approved in advance at an appropriate level of authority.

Communications technology

3.1 Communications technology – such as cellphones, telephones, and e-mail and other access to the Internet – is widely used in the workplace. While some level of personal use of this technology may be unavoidable (such as for dealing with a family emergency during work hours), excessive use incurs costs that are a diversion of public money from the business purposes of the entity. Such costs include lost productivity (including from incoming personal e-mails and phone calls) and the direct cost of the technology.

Issues and principles

3.2 The risk associated with personal use of an entity's communications technology is the cost to the entity of it being used excessively.

An entity should not install communications technology exclusively or predominantly for personal use by staff.



3.3 A further risk includes the technology being used for purposes that are not consistent with the entity's goals. An example would be use of Internet access for downloading or e-mailing unacceptable material.

3.4 The principles of a clear business purpose, and moderate and conservative expenditure, are particularly relevant. Any personal use of communications technology must be well managed through adequate controls and regular monitoring and reporting.

Guidance

3.5 It is expected to:

- have policies on personal use of communications technology and ensure that staff are well informed of them; and
- where it is administratively possible and cost-effective for them to do so, require reimbursement of personal use of communications technology.

Gifts

4.1 A gift is usually given as a token of recognition of something provided by the recipient.

4.2 Gifts may be given – such as to an employee for long or outstanding service, or in international relations when the giving of gifts is customary – or may be given by another organisation to a public entity or an entity staff member.

4.3 Gifts usually take the form of some tangible object, but might also be in the form of, for example, free use of a corporate box at a sporting event or privileged access to goods or services.

Issues and principles

4.4. The major risks with gifts include that:

- the value or nature of a gift is inappropriate or excessive to the occasion or the reason for it being given;
- the gift is given in explicit or implicit expectation of favour in return; and
- the gift is given in substitution for legitimate payment or remuneration.



4.5 The principles of a justified business purpose, moderate and conservative expenditure, and acting with integrity and preserving impartiality are particularly relevant.

Guidance

4.6 We expect to have a policy on giving gifts, including specifying the purposes for which and occasions on which it is acceptable, and the nature and value of gifts that are appropriate to particular occasions.

4.7 We recognise that receiving a gift is not strictly an issue of sensitive expenditure. This is because it does not involve expenditure on the part of the organisation or individual receiving a gift. Receiving a gift is nevertheless a sensitive issue, and one that entities need to manage carefully. It is especially important that receiving a gift does not alter an entity's or individual's decision-making, as this could be perceived as acting without impartiality or integrity.

4.8 We expect to:

- require receipt of gifts, except for inexpensive gifts that are openly distributed by suppliers and clients, to be disclosed, to be recorded in a gifts register, and to remain the property of the entity;
- allow staff to personally acquire only infrequent and inexpensive gifts that are openly distributed by suppliers and clients (for example, pens, badges, and calendars); and
- have policies defining "infrequent" and "inexpensive" in relation to receiving gifts.



Overview of the Governance Internal Evaluation Tool

Purpose

This governance internal evaluation tool is for use by the Trustee Board to identify areas requiring improvement in governance practice. This will ensure ongoing improvement in student performance and well-being. It uses an explicit set of criteria for identifying the strengths and weaknesses of governance in individual Centres, groups of Centres, and nationally. Individual Centre data is confidential to each Centre.

Using the tool

The tool consists of an online survey that is completed by groups within the organisation. The responses are collated automatically and are compiled into a report for the board to review and decide on actions required.

The survey is filled out anonymously and a unique survey address is created and password protected by the user ensuring the results of individual boards cannot be shared unless the board gives permission.

The survey is based on the following four areas of governance:



Accountability

The board takes its accountability for the performance of students and Playcentre seriously and ensures that the Playcentre is well managed, well prepared and on track towards achieving its aims, objectives and targets.

Leadership

Boards provide strategic leadership and direction to Playcentre through the Constitution and policy framework which give direction to guide all Playcentre activities and decisions. Leadership involves setting direction, vision and strategy to ensure that every student achieves their educational potential.

Representation

The board, and individual trustees, are elected to act in an independent, stewardship role on behalf of those who cannot sit around the board table. The representation role includes effective succession planning, options for governing, and the importance of effective and meaningful community consultation and engagement.

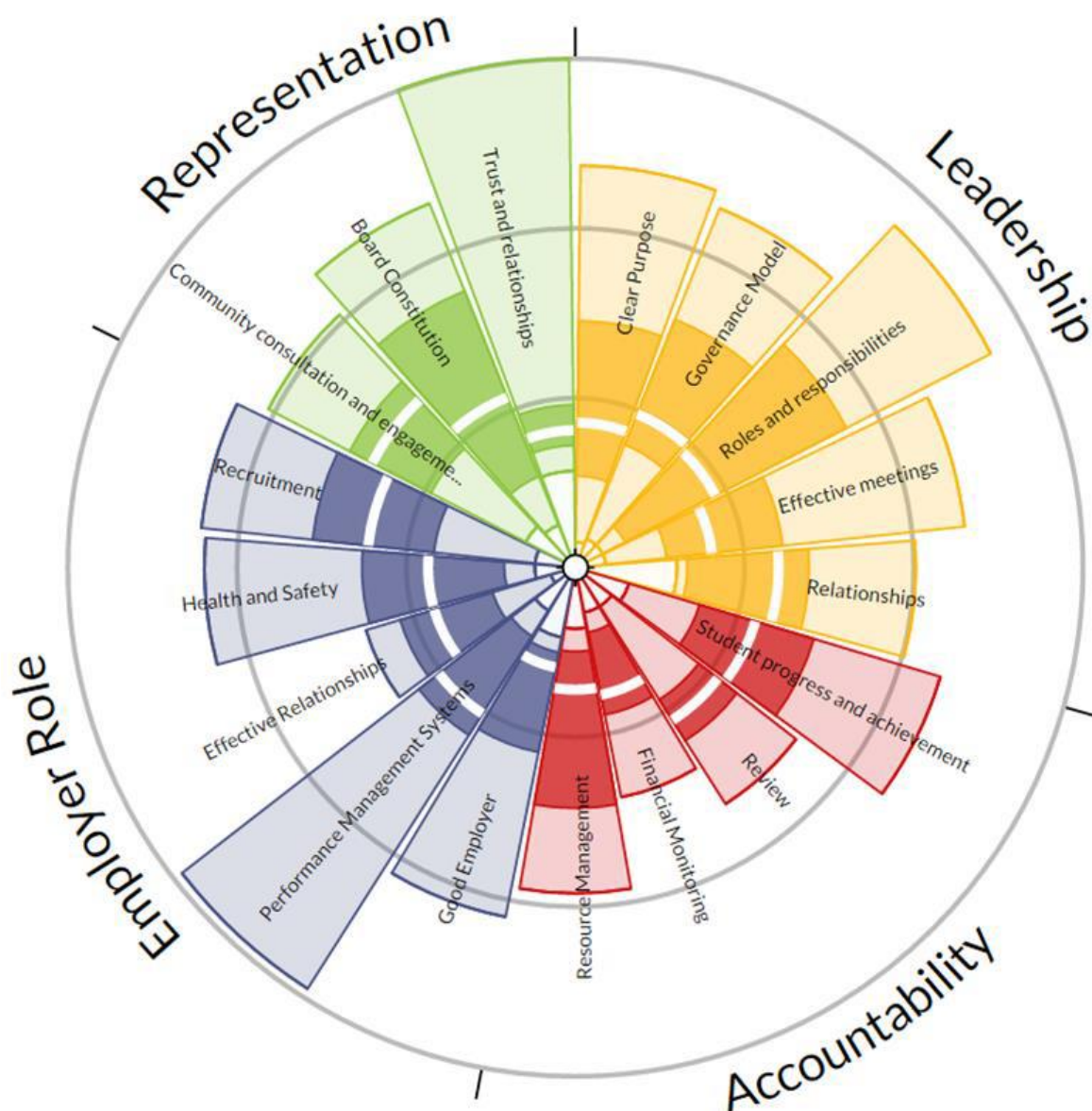
Employer Role

One of the most important responsibilities of the board is that of the legal employer of all staff. The board is responsible for a range of decisions and tasks that arise during the employment relationship, including ensuring there are policies, plans and programmes in place to meet all requirements related to this role.



Interpreting the polar map

A polar map is generated providing a summary of responses in the four key areas of governance. Each section can be drilled into for further investigation.



Why use the tool?

This internal evaluation tool will help a board to determine:

- Where are we at now?
- What does integrated practice (practice that is embedded in everything that we do) look like?
- What are our next steps?
- What progress have we made?

It has been designed for use in a variety of situations including:

- Boards of trustees to use themselves as part of their regular internal evaluation process
- An external facilitator to work through with the board and develop a professional development action plan
- An external provider to use as part of a needs assessment to determine areas requiring professional development and support.



Board succession planning – or planning for success



GOVERNANCE
POLICIES

It is important that all boards have good succession and induction plans in place. A succession plan helps ensure a good mix of representation and expertise on a board. An induction plan assists in bringing new trustees up to speed as quickly as possible. And, of course, a well-functioning board helps ensure the main focus is achieved i.e. The objects of Playcentre Aotearoa are charitable and will be for the advancement of education within Aotearoa New Zealand (clause 2(1) of Kaupapa Ture / Constitution of Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa)

Succession planning and induction procedures are especially important in an election year as defined by the constitution. Those trustees who have been recently selected may be able to provide valuable input as to what assistance and information they would have liked prior to and when first joining a board.

While the prime requirement to be an effective trustee is the desire to be part of a governance team that ensures all our members (includes those not in training) achieve to their potential, there may be particular expertise that the board is looking to target. For example, this could be people with:

- ✓ leadership skills
- ✓ good strategy skills
- ✓ analytical skills
- ✓ practical skills
- ✓ good communication skills
- ✓ the ability to be a good team player

And, of course, all trustees need to operate with integrity and honesty, and be prepared to commit the time required to be an effective trustee. This involves being prepared to commit to ongoing training. Legislation and the environment in which trustees work can (and does) change. Trustees need to keep up to date with such changes.



To sum up, the following questions may assist in confirming you have good succession and induction procedures in place or identify that work is required to improve your procedures.

Has your board documented the role of the board?

For example, this could be:

- set and, as needed, modify the vision, mission, and values of the organisation
- protect the special character of the organisation
- ensure a sensible and feasible strategic plan is in place as agreed to at AGM
- approve and monitor the annual plan

Has your board a folder of relevant information for prospective trustees to read before deciding to stand for your board?

The Trustee Board will have access to a Governance Manual with all relevant information, via Microsoft Teams and Office 365. The Board Secretary will bring 1 hard copy to all Trustee Board meetings. The hard copy will remain with the Secretary at all times.

Has your board a planned induction programme?

An induction package has been developed and will be reviewed within the Policy Review Schedule

Has your board an up to date governance manual that new trustees can use?

This manual will be updated regularly in conjunction with the Policy Review Schedule

Has your board a plan for your new trustees' professional development?

The Policy Review Schedule will provide the opportunity for professional development if and when required



Trustee Board Calendar: 2018 - 2019



	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Meeting Schedule													
General Meeting			15-17		12-14				9-11		18-20		
Fly in, fly out							28						
Induction	7-9												6-8
Strategic Formulation													
Strategic Planning workshop			15-17										
Approve/Review strategic plans			R-1/2		R-3/4				A-1/2		A-3/4		
Approve/Review annual plans							R-28						
Approve budget													
• Concept							22						
• Final									9-10				
Strategy Implementation													
Playcentre Adult Education			15										
Employment					12								
Property & Assets									9				
Business unit, activity or function 4 (People/PR)?											18		
General Manager													
Finalise/Review contract	14												
Approve performance KPI's			11										
Assess performance (half yearly)		7											



Assess performance (full year)									27				
Review remuneration				11									
Review succession planning									28				
Review senior management with General Manager			14?				27?						
Accountability													
Financial reports													
• <i>Approve half year</i>		15?											
• <i>Results – management</i>		15?			12?				9?		18?		
• <i>review substantially audited full year</i>													
• <i>approve full year</i>													
Full year results – commentary													
Approve full year forecast													
Annual report													
• <i>concept/drafts</i>													
• <i>approved</i>													
Monitoring and Supervision													
Review General Manager report format									10				
Review board reporting requirements									10				
Whole of Playcentre risk review							28		10				
Policy Making and Review													
Review constitution	7-9												
Review remuneration policy													
Review risk management policy													
Review delegated financial authority	8												
Review delegations													
Review compliance policy													
Review code of conduct											19		
Review communications policy	8		16										



Governance													
Review board performance, including board succession	8		16		13			10			19		
Hui ā-Tau Māori	Prep	24		23-26								22	
Tangata Tiriti Hui	Prep				25		14-16					22	
Review terms of reference and composition		31											
• [Name] Committee/Working Groups													
• [Name] Committee/Working Groups													
• [Name] Committee/Working Groups													
Meetings without management	7-9												6-8
Stakeholder Communication													
Approval of AGM Notice and documentation													
Annual Report content													
Meeting with members (delete if not required)													
Other key stakeholder events													



Risk Governance Checklist



GOVERNANCE
POLICIES

It is good governance for any organisation to ensure that all Trustees and the General Manager have a shared understanding of risk, which is the effect of uncertainty on an organisation achieving its strategic objectives and maintaining its long-term sustainability and reputation. This checklist incorporates the key elements of risk governance, which includes the board itself, compliance risk and organisational culture along with risk management.

NOTE: This checklist is only meant as a guide to establishing good practice risk governance. The presence or absence of many of the topics in the questions below will be dependent on the maturity and lifecycle of the organisation – for example, a small organisation will be unlikely to have an internal audit function.

#	Question	Yes	No
Governance			
1.	Is the board of sufficient size and composed of people with an appropriate range of skills and independence to ensure its responsibilities are met?		
2.	Do all board members understand their duties as Trustees?		
3.	Are there written terms of reference for the board and for board committees?		
4.	Is the level of delegation to board committees and operations appropriate and clear?		
5.	Is there a conflict of interest policy?		
6.	Is there a conflict of interest and related party transactions register?		
7.	Has the board specified the nature, source, format and frequency of the information that it requires from operations?		
8.	Does the board monitor the quality of the information it receives and ensure that it is of a sufficient quality to allow effective decision-making? E.g. ERO Effective Internal Evaluation for Improvement Framework.		



Compliance

9.	Does the board ensure management has established effective systems that facilitate and monitor compliance within the organisation?		
10.	Is the compliance framework based on a recognised standard, e.g. Australian Standard <i>AS/NZS ISO 19600 Compliance management systems</i> ?		
11.	Is the compliance management system aligned with the organisation's strategic objectives and risk appetite?		
12.	Has the board established a compliance policy?		
13.	Does the compliance policy:		
13.1	Identify a clear compliance framework within which the organisation operates?		
13.2	Promote a consistent, rigorous and comprehensive approach to compliance throughout the organisation?		
13.3	Seek to ensure standards of good corporate governance, ethics and community expectations?		
13.4	Set out the organisation's compliance obligations, e.g. legal, contractual, common law, equitable obligations, relevant industry codes and compulsory standards, organisational policies, procedures and guidelines?		
13.5	Outline who is involved in compliance management and what their responsibilities are?		
14.	Does the organisation have a register of compliance obligations?		
15.	Is the compliance register kept up to date?		
16.	Is the compliance register linked to the risk register?		
17.	Is there a committee tasked with helping the board deal with its compliance oversight responsibilities?		
18.	Does the organisation have a policy for the selection and appointment of the external auditor?		
19.	Is there an independent and adequately resourced internal audit function?		
20.	Are staff fully trained in the compliance obligations that affect their role and their responsibility for reporting any compliance breaches?		
21.	Does the compliance management framework ensure that prompt and appropriate investigations of compliance breaches are undertaken, ensures appropriate disciplinary action is taken where necessary, and corrective measures are implemented to prevent future occurrences?		
22.	Is there is a comprehensive whistleblower policy that allows whistleblowers to divulge unethical or illegal practices to their manager, whistleblower protection officer and/or regulatory authority; and provides protection for whistleblowers?		
23.	Are there formal record-keeping processes to ensure that important documents are maintained and important dates are recorded and reported to the board (where are the employment agreements, title deeds, certificate of incorporation and insurance certificates of currency)?		



Risk management and internal controls

Does the board ensure that risks facing the entity have been identified, assessed and that the risks are being properly managed?		
Is there a specific board committee that deals with risk?		
Has the board established a risk management policy?		
Does the risk management policy:		
Provide an overview of the risk governance structure of the organisation to indicate who is involved in risk management and what their responsibilities are?		
Outline the steps involved in the risk management process?		
Describe how risk management is integrated and embedded into organisational processes?		
Specify risk categories to be included in the risk register and in risk reporting (e.g. strategic, regulatory, financial, environmental, safety, people, reputation, business continuity risks (including succession planning))?		
Specify the purpose of the risk register?		
Outline the risk reporting requirements?		
Outline how the performance of risk management will be measured?		
Articulate the organisation's risk appetite through a risk appetite statement?		
State how often and who will review the risk management policy?		
Does the board set the risk appetite for the organisation?		
When determining the key risks, does the board focus on those risks that, given the organisation's current position, could threaten its business model, future performance, solvency or liquidity, irrespective of how they are classified or from where they arise?		
Does the board approve how the key risks will be managed or mitigated and which controls will be put in place?		
Is the risk register kept up to date?		
Is the ownership of risks and risk treatment actions assigned to relevant roles within the organisation?		
Is the risk management system based on a recognised standard, e.g. <i>AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines</i> ?		
Does management report to the board in relation to the effectiveness of the organisation's risk management and internal control system in managing the organisation's risks?		
Does the organisation have adequate insurance for its level of operations and staff numbers?		
Are staff fully trained in their risk management responsibilities?		



Assurance			
37.	Do the General Manager and CFO provide the board with certifications/assurance that:		
37.1.	The financial records of the organisation have been properly maintained?		
37.2	The risk management and internal control systems to the extent they relate to financial reporting are operating effectively, in all material respects, based on the organisation's risk management system?		
Culture			
38	Is there a corporate code of conduct or ethics?		
39	Do the members of the board demonstrate the qualities that the organisation seeks to embody its culture?		
40.	Do the members of the senior management team including the CEO demonstrate the qualities that the organisation seeks to embody in its culture?		
41.	Is the risk culture integrated with the corporate culture, i.e. working behaviours and practices?		
Business continuity management			
42.	Does the organisation have appropriate plans and systems in place to minimise the effects of a broad range of disruptions and to ensure that business operations are maintained within acceptable limits?		
43.	Does the organisation follow an appropriate framework with respect to business continuity planning, e.g. Australian standard <i>AS/NZS 5050:2010 Business Continuity – Managing disruption-related risk</i> ?		
Strategy and risk			
44.	Does the board ensure that any discussion around strategy considers the full range of key risks that the organisation is exposed to?		
45.	Is risk monitoring and review integrated with strategic planning, performance management, budgeting, and other management processes?		



Strategic decision-making checklist



GOVERNANCE
POLICIES

1. Before Decision-making

DO NOT START UNTIL THIS IS COMPLETE

Is the matter for decision clear and well formulated?	
Are the options well specified?	
Do we need to make this decision now?	
Has this decision been considered previously? If so, why are we revisiting it?	
Do the board and related papers contain sufficient information?	
Has the board encouraged honest disclosure of estimates?	
Do we need to obtain additional information?	
How reliable is the data?	
Do we need an opinion from an independent, external advisor?	

2. Decision-making

EVALUATE EACH DECISION HERE

Is the decision aligned with the organisation's vision, mission and values?	
Will the decision assist us to achieve the organisation's goals?	
If the question was framed another way, would we make the same decision?	
Are one or more people strong advocates for a particular course of action?	
Have counter arguments and alternatives been adequately explored?	
Has a balanced case been made for the proposed course of action?	
Is this a case of potentially continuing to back a failed decision?	
Have one or more board members taken a 'black hat' role in the discussion?	
Have we been given sufficient time to discuss the decision?	
Do we know the maximum, minimum and most likely outcome of this decision?	
Is the return on investment realistic?	
Has the impact of this decision on all stakeholders and the organisation been considered?	
Do we understand the maximum potential loss of this decision?	
Have all the risks associated with this decision been considered?	

3. After Decision-making

WHAT HAPPENS AFTER THE DECISION IS MADE

Has the best approach for communicating the decision been decided?	
Do all parties understand the communication protocol for the decision?	
Has someone been assigned responsibility for implementation of the decision?	
Have KPIs been established to monitor implementation of the decision?	
Do we need to review the implementation or the decision? If so, when?	



Delegated Authorities Policy and Schedule

Introduction

This policy and the schedule of delegations are intended to provide clarity on the authority required for specific tasks within the New Zealand Playcentre Federation Inc.

A delegation is authority to act for or represent another or others. Delegations are intended to ensure that the organisation operates effectively by empowering its people with appropriate authority so they can carry out their responsibilities.

The NFPA Constitution

The NZPF Constitution says:

- The Trustee Board acts for the organisation on all matters between meetings of the Playcentre Aotearoa, creates and maintains the policy framework of the organisation ... and acts in a governance role.
- 9.4.8. fostering collaboration, modelling partnership, innovation, shared decision making and accountability;
- 9.4.9. performing the fiduciary and legal responsibilities of governance, ensuring sound internal control and management of risk;
- 9.4.10. providing wise stewardship of Playcentre Aotearoa assets and resources;
- and 9.4.11. setting standards for, and evaluating performance.

Principles

- Clear accountability and delegation limits protect TWTNA-PA and individuals.
- The Trustee Board may delegate a function, but this does not absolve responsibility. The Trustee Board remains accountable for what occurs.
- The Trustee Board has the right to revoke any delegations.



- No person shall exercise any delegation or approve any payment which relates to, or is of any benefit to themselves.
- Delegations need to take into account the requirements of the position (is delegation required to effectively carry out the role?) and the risk (does the delegation expose the organisation to too much budgetary or other risk?).

Policies

Approval of Delegations:

- Financial Delegations and any changes to delegations must be approved by the Trustee Board.
- Delegations apply to the position not the particular individual.
- A delegation given to a position will apply to any subsequent person who holds that position.
- Exercising Delegations:
- Delegations need to be exercised with due regard to budget limitations
- Before processing any payment the Accounts Manager will check that it has been approved by a person with the correct level of authority.
- All payments must be authorised by any two signatories approved by the Trustee Board.

Authorities

The Federation (at the AGM) has authority to:

- 10.10.1. be held within three months of the end of financial year;
- 10.10.2. receive the Annual Report;
- 10.10.3. consider the audited Financial Statements;
- 10.10.4. consider the strategic direction of Playcentre Aotearoa by confirming key outcomes, goals and priorities;
- 10.10.5. consider the policies developed by the Trustee Board;
- 10.10.6. consider the budget and determine the levy to be paid by Playcentres;
- 10.10.7. endorse the Co-Presidents selected by each House;



- 10.10.8. endorse up to four (4) Trustees selected by Te Whare Tikanga Māori;
- 10.10.9. endorse up to four (4) Trustees selected by Tāngata Tiriti House;
- 10.10.10. appoint an Auditor, and an Honorary Legal Advisor;
- 10.10.11. consider any remits that have met the requirements of clause 11.6.;
- 10.10.12. confer National Life Membership as appropriate.
- 10.10.13. consider any other business properly the subject of discussion.

In-between general meetings of the Trustee Board has the authority to act as necessary on all matters except those specified above.

Delegated Financial Authorities Schedule

The New Zealand Playcentre Federation (NZPF) delegated authority levels (dependent on the operational re-set) are:

TB	Trustee Board
GM	General Manager
CFO	Chief Financial Officer
SDM	Service Delivery Manager
TBM	Trustee Board Member
HR	Human Relations Manager
PD	Professional Development Director
PAM	Property and Assets Manager
TC	Training Co-ordinator
RM	Regional Manager
CSC	Centre Support Co-ordinator
MDM	Māori Development Manager
OS	Other Staff of NZPF and Federation Officers
AD	Administrator
Nat Exec	National Executive



Financial Delegations (per item)	Authority Level Required ¹
Contract Commitments incl lease agreements	
Approve MOE Licencing Contracts	TB
Approve other Contracts over \$100,000 pa	TB
Approve other Contracts up to \$100,000 pa	GM
Approve Contracts up to \$20,000 pa	CFO
Approve contracts up to \$5,000 p.a. with a maximum contract period of 3 years	SDM
Approve contracts up to \$2,000 p.a. with a maximum contract period of 2 years	RM
Approve SELO 1 and 2 Professional Learning and Development Ministry of Education Contracts	PD
Approve SELO 3 Professional Learning and Development Ministry of Education Contracts	TB
Operational expenditure	
Payroll and GST transactions	CFO, SDM
Purchase Orders/Supplier Invoices Outside Budget over \$50,000	TB
Purchase Orders/Supplier Invoices Outside Budget up to \$50,000	GM
Purchase Orders/Supplier Invoices Outside Budget up to \$10,000	CFO
Purchase Orders/Supplier Invoices Outside Budget up to \$1,000	SDM
Purchase Orders/Supplier Invoices Outside Budget up to \$500	RM
Purchase Orders/Supplier Invoices Within Budget over \$100,000	GM
Purchase Orders/Supplier Invoices Within Budget up to \$20,000	CFO



Purchase Orders/Supplier Invoices Within Budget up to \$5,000	SDM, MDM
Purchase Orders/Supplier Invoices Within Budget up to \$2,000	RM
Purchase Orders/Supplier Invoices Within Budget up to \$500	CSC
Purchase Orders/Supplier Invoices Within Budget up to \$200	OS
Capital Expenditure (including unbudgeted items) – Fixed Assets	
Capital Expenditure over \$50,000	TB
Capital expenditure up to \$50,000	GM

Financial Delegations (per item)	Authority Level Required¹
Capital Expenditure up to \$10,000	CFO
Capital Expenditure up to \$5,000 (within budget)	PAM
Capital Expenditure up to \$1,000	SDM
Sale and Purchase of Real Estate	TB
Disposal of capital assets over \$10,000	GM
Disposal of capital assets up to \$10,000	CFO
Disposal of capital assets up to \$1,000	SDM
Disposal of capital assets up to \$500	PAM
Write off of assets (excl debtors detailed below)	CFO



Insurance Settlement Payments Forwarded onto Centres	
Approving insurance settlement payments being reimbursed to Centres	PAM up to \$30,000 then follow Operational Expenditure rules above. (Before approving any reimbursement, written confirmation must be obtained from the Senior Accounts Administrator that the specific insurance payment funds have been
Investments	
Investing Surplus Cash on Short-Term Fixed Deposit	CFO
Investments in Long Term (12 months or more)	GM
Withdrawing Money on Term Deposit before Maturity	CFO
Signatories, payments and fund transfers	
Approve/change/remove signatories	TB
Funds transfers between NZPF Bank Accounts	CFO
Governance expenditure (Trustee board and Nat Exec)	
Board Expenses within Budget	SDM
Board Expenses outside Budget	TB (Both co-presidents to approve)
Travel and Hospitality	
Staff travel and hospitality expenses	Line Manager up to \$500, then follow “Operational Expenditure” rules above
Volunteer expenses/reimbursements	Follow “Operational Expenditure” rules above
Meeting Organisation	
National Meeting Contracts within budget up to \$70,000	AD
National Meeting Purchase Orders/Supplier Invoices within budget up to \$10,000	AD



Trustee Board and Employee Meeting Contracts within budget up to \$2,000	AD
Trustee Board and Employee Meeting Purchase Orders/Supplier Invoices within budget up to \$500	AD
Claims and Reimbursements	
<p>Approval of monthly reimbursements</p> <p><i>Expenditure must be accompanied by receipts with detailed explanations of the nature and purpose of the expense, including (where applicable) the name of any other party.</i></p>	<p>Line Manager up to \$500, then follow “Operational Expenditure” rules above.</p> <p>PD staff’s line manager can approve PD staff expenses up to \$1,500.</p> <p>All General Manager expenses to be approved by one co-president of</p>

Financial Delegations (per item)	Authority Level Required¹
	<p>All Trustee Board members expenses to be approved by one co-president of trustee board.</p> <p>Co-President of Trustee Board to be approved by the other co-president.</p>
Accounts Receivable	
Authority to recover debt from associations using debt collectors or netting against monies owed by NZPF to association	CFO
Authority to recover debt from employees private expenses paid by NZPF	CFO
Authority to Write Off Debt < \$20,000	CFO
Authority to Write off Debt > \$20,000	GM



Personnel Delegations (per item)	Authority Level Required ²
Human Resources - Positions	
Establishing or disestablishing paid positions	GM
Establishing or disestablishing Federation Officer positions	Nat Exec
Appointment to established positions – PD Facilitators	PD
Appointment to established positions – Other Staff	GM, RM, SDM, CFO, TC
Human Resources - Remuneration	
Establishing and reviewing salary levels within budget	HR
Establishing and reviewing salary levels outside budget	GM
Human Resources - Positions	
Accepting resignations	Line Manager
Redundancy	GM
Human Resources - Disciplinary	
Suspending an employee	HR
Issuing formal written warnings	HR
Issuing a final warning	HR
Dismissing an employee	GM
Human Resources – Employment Agreements	
Permanent, fixed term and casual individual agreement template sign-off	HR
Casual, fixed term and Contractor agreement sign-off within	RM, TC, HR, CFO and GM
Any individual or contractor agreement sign-off outside budget	GM
Casual individual agreement sign-off – PD Facilitators	PD
Human Resources – Hours of Work	
Approval of hours of work (of reporting staff)	Line Manager
Approval of overtime within budget	Line Manager
Approval of overtime outside of budget	CFO
Approval of time in lieu	Line Manager
Secondary employment approval	HR



Human Resources - Leave	
Annual leave	Line Manager
Leave without pay	HR, PD for PD Facilitators
Bereavement leave	HR, PD for PD Facilitators
Parental leave	HR, PD for PD Facilitators
Personnel Delegations (per item)	Authority Level Required ²
Special leave for jury service	HR, PD for PD Facilitators
Other Delegations (per item)	Authority Level Required ³
Funding	
Approval of contracts for sponsorship	GM
Approval of grant applications	SDM
Media, Communications	
Media Statements	GM and co-Presidents

² **Authority Level Required** column shows the minimum authority level required to carry out a delegation. For example, the Line Manager of the “Authority Level” personnel could also carry out the same delegation.

³ **Authority Level Required** column shows the minimum authority level required to carry out a delegation. For example, the Line Manager of the “Authority Level” personnel could also carry out the same delegation.



Absence of authoriser

When an Authority Level detailed in above Delegated Authority schedule, including the General Manager, is absent for more than one week the delegations detailed below shall take effect. Judgement should be exercised by the “Delegate” as to the seriousness of decisions they should make. Where a decision has significant implications or is of a serious nature consideration should be given as to whether the decision should be delayed until the relevant manager returns. Decisions of a minor nature should be made.

Authority Level absence	Delegate
General Manager	CFO
Chief Financial Officer	GM
Both General Manager & Chief Financial Officer	SDM
Human Relations Manager	GM
Line Manager	HR

Key contacts for relationships

Key Contacts	
Bank Accounts	CFO
Xero	CFO
Inland Revenue	CFO
Todd Foundation	SDM
Honorary Legal Advisor	GM
Auditors	CFO
Lotteries	SDM
Police Vetting	HR
Charities Services	CFO
Tertiary Education Commission	TEFM
NZ Qualifications Authority	TC
Government incl. Ministry of Education, Ministry of Social Development etc	GM



10.10.6. consider the budget and determine the levy to be paid by Playcentres



Annual General Meeting 2019 | Governance: AGM | Decision Paper

Introduction

Te Whānau Tupu Ngātahī o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.6. consider the budget and determine the levy to be paid by Playcentres;

Reference: Ministry of Education bulk funding notices, TWTNoPA constitution

Recommendation

The Annual General Meeting has considered the 2019-2020 budget that has been circulated, within the constitutional timeframes.

For the 2019-2020 financial year the meeting agrees to the following levies for bulk funding received between 1 September 2019 and 31 August 2020:

- 1) Levy for licensed Centre sessions of Playcentre Aotearoa - Retained at 50% of GST exclusive bulk funding based on Child Funded Hours only. Excludes those centres that are exclusively programme based sessions.
- 2) Levy for Centre sessions of Playcentre Aotearoa operating exclusively programme based sessions that Playcentre Aotearoa manage the full employment of - Be 100% of GST exclusive bulk funding based on Child Funded Hours only. Programmes that are recognised, but not limited to, are – SPACE, Babies can Play, CYCLE.
- 3) Levy **will not** be applied to Ministry of Education Equity payments being; Low Socio-Economic funding, Special Needs funding, Language, Isolation, Targeted Funding and ATIS funding.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
On behalf of NZPF Trustee Board (2018-2019)



10.10.7. endorse the Co-Presidents selected by each House

Annual General Meeting 2019 | Governance: AGM | Decision Paper



Introduction

Legal advice was sought to ensure the best possible option is put forward to the organisation.

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

- Te Whare Tikanga Māori shall be responsible for: 7.6.5. selection of a minimum of three (3) members up to a maximum of five (5) members of the Trustee Board and such other Officers as may be deemed necessary; and
- Tāngata Tiriti House shall be responsible for: 8.5.5. selecting of a minimum of three (3) members up to a maximum of five (5) members of the Trustee Board and other Officers as may be deemed necessary; and
- 10.10.7. endorse the Co-Presidents selected by each House.

Recommendation

The meeting endorse:

1. Avis Stewart, as Co-President from Te Whare Tikanga Māori
2. Ruth Jones, as Co-President from Tāngata Tiriti House

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018 - 2019)



10.10.8. endorse up to four (4) Trustees selected by Te Whare Tikanga Māori

Annual General Meeting 2019 | Governance: AGM | Decision Paper



Introduction

Legal advice was sought to ensure the best possible option is put forward to the organisation.

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

- Te Whare Tikanga Māori shall be responsible for: 7.6.5. selection of a minimum of three (3) members up to a maximum of five (5) members of the Trustee Board and such other Officers as may be deemed necessary; and
- 10.10.8. endorse up to four (4) Trustees selected by Te Whare Tikanga Māori;

Recommendation

The meeting endorse:

1. Char Martin, as Trustee Board Member from Te Whare Tikanga Māori and
2. Raneë Davies, as Trustee Board Member from Te Whare Tikanga Māori

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018 - 2019)



10.10.9. endorse up to four (4) Trustees selected by Tāngata Tiriti House

Annual General Meeting 2019 | Governance: AGM | Decision Paper



Introduction

Legal advice was sought to ensure the best possible option is put forward to the organisation.

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

- Tāngata Tiriti House shall be responsible for: 8.5.5. selecting of a minimum of three (3) members up to a maximum of five (5) members of the Trustee Board and other Officers as may be deemed necessary; and
- 10.10.9. endorse up to four (4) Trustees selected by Tāngata Tiriti House;

Recommendation

The meeting endorses:

1. Tiso Ross, as Trustee Board Member from Tāngata Tiriti House and
2. Michelle Hutton, as Trustee Board Member from Tāngata Tiriti House

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018 - 2019)



10.10.10. appoint an Auditor, and an Honorary Legal Advisor

Annual General Meeting 2019 | Governance: AGM | Decision Paper



Introduction

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.10. appoint an Auditor, and an Honorary Legal Advisor;

Recommendation

The Annual General meeting appoints BDO Wellington as Auditor and David McLay as Honorary Legal Advisor.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018-2019)



10.10.11. Consider any remits that have met the requirements of clause 11.6



Annual General Meeting 2019 | Governance: AGM | Decision Paper

Introduction

Te Whānau Tupu Ngātahī o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.11. consider any remits that have met the requirements of clause 11.6.;

11.6. Ngā Rīmiti / Remits:

11.6.2. All remits for consideration by the General Meeting shall be in the form of a resolution, and must be accompanied by a brief summary of arguments in support.;

Reference: Remits AGM 2019 document.

Background

The resolution below has been provided to ensure Playcentre's historical remits have been aligned to meet our amalgamated constitutional requirements. A brief summary of arguments in support of each historical remit is detailed in the 'Remits AGM 2019' document.

Recommendation

The Annual General meeting has considered the update of historical remits and resolves to retain/repeal/replace historical remits as outlined in the Remits AGM 2019 spreadsheet.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
NZPF Trustee Board (2018-2019)



10.10.12. confer National Life Membership as appropriate



Annual General Meeting 2019 | Governance: AGM | Decision Paper

Introduction

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.12. confer National Life Membership as appropriate.

Te Whare Tikanga Māori – Life Membership Nomination

Alaine & the trustee board supported Kaiwhakahaere of Te Kimiora when we were hosting hui-a a-Tāu at Te Māhurehure marae. The vision & principles of Te Whare Tikaanga Māori are a testament of Alaine's passion for weaving Te Ao Māori in Playcentre. Our whare is strong because we have Wahine Toa that are brave enough to take rito, nurture it and give it the mauri to bloom and grow.

Whāngaia ka tūpu ka puāwai

which gives Mana to

Whānau tupu ngātahi o Aotearoa

Ko Aoraki te Mauka, Ko Otakou te Moana, Ko Araiteuru te Waka, Ko KaiTahu, KatiMamoe ka Iwi, Ko Ruahikihiki te Hapu, Ko Otakou te Papakaika. Ka huri taku aro ki Te Tai Hauaauro, kurei tangara, o aku tini waka Kei Mohakatino Tokomaru tena. Puta noa ki te tini o Te Atiawa. Ko Taranaki te Maunga, Ko Moana-nui-a-Tawhaki, Ko Mangaoraka te awa wai-iti Ko Puketapu te Iwi, Ko Manutahi te Hapu, Ko Manutahi te Papakainga. Ko Ohau Tieke te Maunga, Ko Touwai te awa wai-iti, Ko Whanaunaupani me Kaitangata nga Hapu, Ko Ngapuhi te Iwi. Ko Chance, ko Rawiri, ko Chaz, ko Vanessa, Ko Dane me raua ko Cheyenne he Kakano i ruiuria mai ki Te Ao. Ko Terry Smith toku hoa

Na, ko Alaine Tamati-Aubrey tenie.

From a Playcentre baby to the inaugural Co President of Te Whānau Tupu Ngātahi o Aotearoa
- Playcentre Aotearoa



Turangawaewae/ Place of belonging

Alaine was an active member of Puriri Whakamaru o Taranaki roopu from 2004 to present day.

Along with the other members she was instrumental in implementing various practices and codes of conduct within the Taranaki Playcentre Association structure and in creating resources, programmes and opportunities for our centres to participate and embrace bi-cultural practices.

She was always available to offer support from a Te Ao Maori view to anyone who had a question or desired to further their understanding.

She worked directly with our TPA Management Team, Board of Governance and was also involved at centre level with her tamariki and mokopuna.

Within our roopu she was always encouraging of each of us to further our knowledge of Te Ao Maori and supported our emerging leadership within the Playcentre community and beyond.

We wish her well in the future and know that Alaine would have left a legacy within the Playcentre organisation to be proud of.

Puriri Whakamaru o Taranaki Team, Char, Kim Armstrong and Racheal Reade.

Te haerenga o Te Whānau Tupu Ngātahi o Aotearoa | The Playcentre Aotearoa Journey
Alaine is a partner, a mama to 6 and a nanny to 13. Her time at Playcentre, as an adult, has inflicted our organisation with her wisdom, passion, support, institutional knowledge and absolute belief in Whānau tupu ngatahi – families growing together. She has held many positions in her Playcentre and Association. Her National roles have been a team member of Promotions going onto being the Promotions Convenor, a team member for Association



Support Team to being a Co Convenor for the Association Support Team. She then became a member of Standing Committee which then transitioned into Trustee Board. She has been a part of the transition era from NZPF to Playcentre Aotearoa. Alaine will now retire as the inaugural Co President for Whānau tupu Ngatahi – Playcentre Aotearoa.

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross
On behalf of NZPF Trustee Board (2018-2019)



10.10.13. consider any other business properly the subject of discussion

Annual General Meeting 2019 | Governance: AGM | Decision Paper



Introduction

Te Whānau Tupu Ngātahi o Aotearoa – Playcentre Aotearoa constitution indicates that:

10.10. Annual General Meetings shall:

10.10.13. consider any other business properly the subject of discussion;

Nā mātou noa, nā,

Alaine Tamati- Aubrey, Ruth Jones, Avis Stewart, Michelle Hutton, Cynthia Murray, Tiso Ross

NZPF Trustee Board (2018 - 2019)



Ngā Whāinga o Te Whānau Tupu Ngātahi o Aotearoa | Playcentre Aotearoa 2020 – 2030

“Strategy is style of thinking, a conscious and deliberate process, an intensive implementation system, the science of insuring future success.”

Pete Johnson

He aha te aha | What is ...?

What is a Strategic Plan?

A plan that provides direction regarding how the whole of Playcentre Aotearoa will find success.

What is Strategic Planning?

Strategic planning is an organisational governance activity that is used to set priorities, focus energy and resources. It is implemented by the Operational arm of our organisation. Effective strategic planning articulates not only where an organisation is going and the actions needed to make progress, but also how we will know if it is successful. It is on a regularly scheduled review cycle.

How Has the Strategic Plan Been Developed?

Strategic Aspirations are statements about an ideal future. In Playcentre Aotearoa aspirations come from our governors. As your Kaitiaki/Trustees our role is to ensure we are carrying the voice of our governors from Playcentres and Rōpū Māori into the strategic plan.

There have been four pathways for governance voice through this strategic planning process:

- 1. AGM 2018** – delegates participated in a review workshop which looked back at what we had achieved and gathered themes and aspirations for future direction
- 2. Playcentres** – members were asked to complete the strategic planning survey



3. Hui ā-Tau Māori and Tāngata Tiriti hui 2019 – delegates captured further aspirations during workshops

4. Kaitiaki/Trustees - collated all the governors' voice and aspirations on behalf of Playcentre Aotearoa which informed the development of the Strategic Plan 2020 – 2030.

During July and August, the Trustee Board collated and analysed the results of the consultation pathways. The Trustees recognised that there were several common themes which were evident in the feedback received. At the August trustee board meeting the trustees consolidated this feedback into four themes and associated objectives. The Trustee Board then worked with the Operations team to develop specific actions related to each of the themes.

The result is the Strategic Plan 2020-2030, presented here.

Why is this Strategic Plan for 10 years?

As part of the strategic planning process the Trustee Board reviewed previous strategic plans. The Trustees noticed similar themes/objectives were evident across previous plans, some of which have not yet been achieved. Given this realisation, alongside knowledge of the significant work streams already in progress and the need for the organisation to diversify funding to reach these goals the decision was made to develop this strategic plan with a 10-year horizon.

Playcentre Aotearoa has identified four specific strategic priorities to achieve our moemoeā / vision.

It is these four strategic priorities that set the direction for the whole of Playcentre Aotearoa.



Whakakaha / Strengthen Support

Playcentre Aotearoa has data and information; this will be used to detect patterns, understand problems and determine solutions to support and strengthen Playcentres in a targeted and proportionate manner.

Whakatipu / Build Community

The Playcentre Aotearoa community will grow by valuing current members and providing opportunities to attract new whānau / members to participate.

Ari / Increase Visibility

As experts in the area of learning through play for all ages Playcentre Aotearoa will use our knowledge to increase our visibility and presence in the communities we support.

Kanorau / Diversify Funding

We will seek to increase and diversify the funding available to Playcentre Aotearoa to ensure the stability and growth of the organisation. We will make investments in people and technology to improve our efficiency and optimise the service we provide to our whānau and community.



Whakakaha / Strengthen Support

1

Strategic Priority: Playcentre Aotearoa has data and information; this will be used to detect patterns, understand problems and determine solutions to support and strengthen Playcentres in a targeted and proportionate manner

Whāinga / Goals

Playcentre Aotearoa will utilise robust information and trends to support and strengthen our Playcentres

Accurate historical and current information will be available to Playcentre members and Playcentre Aotearoa Operations to assist in supporting and strengthening Playcentres

Individual Playcentre information and overall organisational data will be used to develop ongoing plans for Playcentres to be implemented in partnership with Playcentre Aotearoa Operations

Playcentre Aotearoa Operations will work with Playcentres to develop networks, internally within the organisation and with external stakeholders, to strengthen and support Playcentres and their members

Playcentre Aotearoa will ensure that information is readily available to assist with research and to retain our stories / institutional knowledge



Whakatipu / Build Community

2

Strategic Priority: The Playcentre Aotearoa community will grow by valuing current members and providing opportunities to attract new whānau / members to participate

Whāinga / Goals

The membership of Playcentre Aotearoa will reflect the communities in which our Playcentres are based

Barriers to participation will be reduced for both our current and future whānau / members

Participation by whānau will increase and will be representative of the diverse population of Aotearoa New Zealand

A robust framework will ensure our tacit knowledge in and for Playcentre / Rōpū Māori is recorded and retained

Playcentre Education provision and delivery will meet the needs of both whānau / members and the organisation equally



Ari / Increase Visibility

3

Strategic Priority: As experts in the area of learning through play for all ages, Playcentre Aotearoa will use our knowledge to increase our visibility and presence in the communities we support

Whāinga / Goals

Playcentre whānau / members and staff will work to reenergise and promote the Playcentre Movement within our communities

Experienced Playcentre members and staff will be recognised as experts in the field of learning through play for all ages

Playcentres are visible in our communities and recommended as the preferred providers of support and education for pre-school tamariki and their whānau



Kanorau / Diversify Funding

4

Strategic Priority: We will seek to increase and diversify the funding available to Playcentre Aotearoa to ensure the stability and growth of the organisation. We will make investments in people and technology to improve our efficiency and optimise the service we provide to our whānau and community

Whāinga / Goals

Playcentre will be funded at a level that reflects the value of the services it provides to whānau in Aotearoa New Zealand

Playcentre Aotearoa will achieve measurable growth in secured funding across the organisation every year

Playcentres will be supported to achieve individual fundraising goals

The management of our financial resources will ensure the best outcomes for our Playcentres



Te Whānau Tupu Ngātahi o Aotearoa | Playcentre Aotearoa

Operational Budget 2019/2020

Income	National Expenditure	Governance	Education	PLD	Total	2018/19 Actual*	Commentary
Interest Received	180,000	-	-	-	180,000	169,810	Interest on cash balances held. Better investment and rebalancing of the accounts is expected to result in higher returns despite OCR drop.
Levies	5,375,493	-	-	-	5,375,493	5,296,053	Levy based on MOE bulk funding at the 50% rate.
Sundry Income	43,700	-	874,171	270,000	1,187,871	2,225,467	This revenue is predominantly Tertiary Education Commission and PLD funding. The budgeted figure is lower because of one-off property grants and insurance revenue received in 2018/19
Total Income	5,711,359		874,171	270,000	6,855,530	7,691,330	
Expenditure							
Wages	2,739,797	51,202	978,409	201,557	3,970,965	3,321,186	All other wages, including Management, National, Regional, Education and PLD. Increase in budget predominantly for increased Education wages with increased delivery.
Centre Facing Wages	1,589,947	-	-	-	1,589,947	1,587,779	Wages for Centre Administrators and Centre Support Workers
Other Employment	42,543	-	-	-	42,543	34,313	ACC levies and other employment assistance programmes.
Total Employment	4,372,287	51,202	978,409	201,557	5,603,455	4,943,278	
Building Costs	673,119	-	-	-	673,119	869,316	National property funding towards capital and maintenance projects at centres.
IT Licenses	472,722	-	8,100	-	480,822	397,583	Software licenses including Discover, Juniorlogs and Xero for over 400 centres. Increase in 2019/20 is due to increase in price for Discover and the cross over period between Discover and Juniorlogs.
Insurance Paid	441,860	-	-	-	441,860	492,937	Insurance costs, predominantly for Properties.
Telecoms	549,463	3,000	-	560	553,023	410,114	Telecommunication costs for telephone and internet. Increase due to connection of the last 120 centres expected to take place during this financial year.
Direct Expenses	2,137,163	3,000	8,100	560	2,148,823	2,169,950	



Travel	306,259	185,000	51,975	60,290	603,524	509,222	Travel costs driven by CA and CSW visiting centres, AGM and Hui travel, and Education PLD travel. Increase allows for more education travel and two AGMs to take place in the financial year (Nov 2019 & June 2020).
PR	69,858	-	-	-	69,858	75,968	Public relations on behalf of all centres.
Consultancy, legal Computer expenses	156,699	10,000	33,000	-	199,699	212,964	Employment (HR), recruitment and other legal costs - higher in 2018/19 year due to Amalgamation costs.
Rent and Home Office	118,720	2,400	10,000	9,120	140,240	146,957	Rent for offices that are not owned, plus home office allowances for work from home staff.
Utilities and office costs	183,094	2,500	75,200	9,601	270,395	256,876	Base utilities including electricity, rates and cleaning for regional and national offices.
Audit	60,000	-	13,500	-	73,500	60,000	Audit fees for Group audit and increase for a TEC initiated audit to take place in the 2019/20 year.
PLD	18,000	-	-	500	18,500	6,286	Staff professional development.
Other expenses	912,630	199,900	183,675	79,511	1,375,716	1,268,273	
Depreciation	500,000	-	-	-	500,000	160,398	Depreciation on full building stock from 4 June 2019. The budget has increased due to bringing all Association owned properties onto the national books. This item is non-cash.
Non cash expenses	500,000	-	-	-	500,000	160,398	
Total Operating Expense	7,922,080	254,102	1,170,184	281,628	9,627,994	8,541,898	
Total Operating Loss	-	-	-	-	-	-	
	2,210,721	254,102	296,013	11,628	2,772,464	850,568	
					500,000	160,398	
					-	-	
					2,272,464	690,170	

*2018/19 Actuals are based on extrapolated 11 months to July 2019 results.



Te Whānau Tupu Ngātahi o Aotearoa | Playcentre Aotearoa

Remits for Annual General Meeting 2019

New Zealand Playcentre Federation remits from 1975

For the purpose of this paper; Repeal = annul, remove, void etc

Federation Processes

Page	Year	Brief	Recommendation to: Retain / Replace / Repeal	Comments
2	1976	Formulation of Government Memoranda	Repeal	Standing committee defunct
2	1985	Nuclear Weapon free Playcentre's	Repeal	Playcentres are weapon free
2	1985	Treasurer's training meeting	Repeal	Associations defunct
2	1985	Attendance at Treasurer's meeting	Repeal	Associations defunct
2	1986	Birth to school on enrolment forms	Repeal	MoE responsibility
2	1986	CPR Courses	Repeal	Standard is higher
2	1987	PR Campaign	Retain	Playcentre continues to promote the ideals and practises
2	1987	Nursery & play facilities at National Gatherings	Repeal	Impractical, unable to uphold
2	1988	Salaries/expenses for centre support people	Replace	Employment contracts
2	1988	Funding for Association personnel visiting centres	Repeal	Associations defunct
2	1989	Guidelines for Occupation of Playcentre Buildings	Retain	Still relevant
3	1991	Playground safety standards	Retain	Legislation
3	1991	Commercially produced war toys free Playcentres	Retain	Part of Playcentre ethos
3	1991	Travel Pool extension	Repeal	No longer required



3	1992	Quality of Playcentre Training	Repeal	Associations defunct. NZQA & TEC approval required
3	1992	Equipment for Playcentres minimum standards	Repeal	Equipment Booklet and Playcentre Publications defunct
3	1992	War Toys in the Community	Repeal	No influence to effect change in the community
3	1993	Main Early Childhood Choice	Repeal	Current legislation states parent has choice
3	1994	Organic alternatives for weed control	Retain	Still relevant
3	1995	Press Releases	Repeal	Standing committee and Associations are defunct. Employment contracts replace responsibility
3	1995	Heighten awareness of Government Departments	Replaced	Playcentre currently is part of Early Childhood Advisory Committee which satisfies this remit
4	1995	Training Grant, Bulk Funding and weighted funding increase	Repeal	This remit has been achieved, however this is continuous and will be stabilised in due course
4	1996	Percentage Draft Budget	Repeal	No longer applicable, Associations defunct
4	1996	Remits Costings	Repeal	Associations defunct
4	1997	Consultation Time Frame	Retain/ replace	10.9 Playcentre Aotearoa constitution
4	2009	Baby Walkers	Repeal	Health and safety regulations supercede this remit
4	2012	Environmental Sustainability 1 & 2	Replace / Repeal	Point 1 - clause 11 of Playcentre Aotearoa constitution. Point 2 has expired



Federation Structure

Page	Year	Brief	Recommendation to: Retain / Replace / Repeal	Comments
5	1975	Playcentre Recognition as E.C. Family Education	Repeal	Associations defunct
5	1977	Playcentre Week	Repeal	Timing is agreed to biannually
5	1990	Establishment of Capital Works Fund	Repeal	Associations defunct
5	1991	Federation Treasurer Advisory Role	Repeal	Treasurer defunct, currently an employed role/s
5	1991	Regional Capital Works Fund Administration	Repeal	Associations defunct
5	1992	Association Special Needs Person	Repeal	Associations defunct
5	1994	Regional Capital Works Funds Financial Administration	Repeal	Associations defunct
5	1994	Recess of Regional Capital Works Funds	Repeal	Associations defunct
5	1995	Mission/Vision Statement	Repeal	Standing committee and Associations defunct
5	1997	Structure of Federation	Repeal	Standing committee defunct
6	2002	NZPF "Playcentre" Logo Investigation	Repeal	Logo has been established
6	2012	Repeal of the New Zealand Playcentre Federation Constitution	Replace	Amalgamation in 2019 has initiated Playcentre Aotearoa constitution



Te Tiriti O Waitangi

Page	Year	Brief	Recommendation to: Retain / Replace / Repeal	Comments
7	1983	Maori Language and Maoritanga Courses	Retain	Within education training. Te Reo is recognised as the official language of Aotearoa
7	1989	Biculturalism – Commitment	Replace	Clause 3.4 Playcentre Aotearoa
7	1989	Treaty of Waitangi – Endorsement	Replace	3.1.1 & 3.2 Playcentre Aotearoa constitution
7	1992	Association Pakeha Treaty Worker	Repeal	Positions defunct
7	1993	Treaty of Waitangi – Federation Personnel Training	Retain	Induction process
7	1994	Te Tiriti o Waitangi - Endorsement	Retain	3.1.1 & 3.2 Playcentre Aotearoa constitution
7	1994	Bicultural Working Party establishment	Repeal	Achieved this remit
7	1994	Treaty Partner representation at National Executive	Repeal	Associations defunct
7	1994	Treaty Partner representation at National Meetings	Repeal	Associations defunct
7	1995	Association Funding Midland Region Puriri Whakamaru	Repeal	Associations defunct
8	1996	Treaty Audit of Constitution	Repeal	Achieved this remit
8	1996	Treaty Partners Speaking Right	Repeal	Associations defunct
8	1996	Funding for Consultation process	Repeal	Standing committee and all positions stated are now defunct
8	1996	Waitangi Day Commemorations	Retain	Legislated
8	1996	Te Tiriti o Waitangi – ECC's Statement of Commitment	Repeal	Legislated
8	2002	The Treaty of Waitangi Audit of NZPF	Retain	Achieved this remit
8	2002	Establishing and Funding a Treaty Audit Working Party	Retain	Achieved this remit



8	2002	Establishment of an Annual National Maori Hui	Retain	Achieved this remit
8	2002	Funding for National Maori Hui	Retain	Achieved this remit
9	2003	Publication of Bi-cultural Resource	Retain	Achieved and ongoing
9	2004	Maori Language Strategy	Retain	Achieved and ongoing
9	2009	Te Tiriti o Waitangi Framework	Retain	Achieved this remit
9	2010	Te Tiriti o Waitangi Framework - Glossary of definitions	Retain	Achieved this remit
9	2011	Constitution Addition 3.3	Retain	Remains as 3.3 in Playcentre Aotearoa constitution

Outside Agencies

Page	Year	Brief	Recommendation to: Retain / Replace / Repeal	Comments
10	1975	Education Research by NZCER	Repeal	Achieved and completed
10	1975	Parent Education for immigrants	Repeal	Immigration law over rules this remit
10	1979	Tax Relief on token payments and National Ruling on collection	Repeal	Charitable status achieves this remit
10	1985	Tax advantages for single income families	Repeal	Legislation supercede's this remit
10	1987	Tax Deduction for Parenting Skills Courses and Subscriptions	Repeal	Current employee's required to negotiate with other agencies
10	1987	Tax Exemption on Honoraria	Repeal	Not achieved
10	1987	Education Tax Rebate maximum per child	Repeal	Beyond the scope of Federation - key word was to "urge"
10	1988	Parity with EC organisations	Repeal	Remains with the Government
10	1989	AA Road Signs for Playcentres - authorisation	Retain	Ongoing
10	1990	Unbleached Paper Products	Repeal	Dependant on centres and finances
10	1991	MOE Forms	Repeal	Beyond the scope of Federation



11	1991	Disposable Nappies to be Biodegradable	Repeal	Ideal unable to enforce
11	1992	Teacher/Pupil Ratios in Primary Schools	Repeal	Beyond the scope of Federation
11	1992	EC National Curriculum to be regulatory	Repeal	MoE and NZQA have responsibility
11	1992	Adult TV ads during Children"s TV	Repeal	Beyond the scope of Federation
11	1994	National Rolls	Repeal	Achieved and ongoing
11	1994	Plants – weather proof labels	Repeal	Centres to uphold
11	1994	Parents as First and Best Educators	Retain	Upheld
11	1995	Trees in EC settings	Repeal	Regulations over ride this remit
11	1997	Administration Grant	Repeal	Standing committee defunct
11	1998	Education on smacking	Repeal	Legislated
12	2002	Bulk Funding Alignment to School Term year	Repeal	MoE have responsibility

