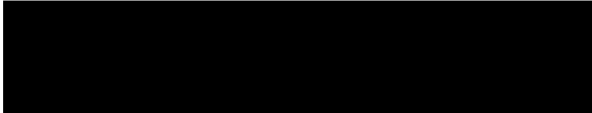


	<p>representative of the Minister, Ministry or the Board to lobby or solicit information in relation to the RFA (except where allowed for during the Clarification period).</p> <p>c. has not attempted to influence, or provide any form of personal inducement, reward or benefit to any representative of the Minister, Ministry or the Board.</p>	
Offer validity period:	The Applicant confirms that this Application remains open for acceptance for a period of 180 days from the Closing Date.	confirmed
Applicant interview	The Applicant acknowledges that if requested, the Applicant will be available to attend an interview in Wellington at a location to be determined by the Board over a one week period, with time slots given on a first-in first-served basis.	agree
Declaration:	<p>The Applicant declares that in preparing this Application it:</p> <p>a. has provided complete and accurate information in all parts of the Application, in all material respects</p> <p>b. has secured all appropriate authorisations to submit this Application and is not aware of any impediments to its ability to enter into a formal contract to deliver the outcomes.</p> <p>The Applicant understands that should it be successful in being awarded a contract with the Minister then the falsification of information, supplying misleading information or the suppression of material information in relation to this RFA will be grounds for termination of the contract.</p>	agree
DECLARATION <p>This Application has been approved, and is signed by, a representative of the Applicant who has the authority to do so. This representative is named below.</p> <p>This representative declares that the particulars provided above and in the attached Application documents are accurate, true and correct.</p>		
Signature:		s 9(2)(a) OIA
Full name:	Tureiti Moxon	
Title / position:	Managing Director	
Date:	15 April 2013	



REDACTED



REDACTED



REDACTED



REDACTED



REDACTED



REDACTED



REDACTED



REDACTED

Appendix 3: Policies

- Complaints Policy
- Equal Opportunities Policy
- Enrolment Policy
- Harassment Policy
- Health and Safety Policy
- Police Vet for all Adults Policy
- Policy on Drug Misuse and Abuse
- Protected Disclosure Policy
- Appointments Policy
- Teaching Staff Performance Policy
- Staff Conduct and Discipline Policy
- Student Behaviour Management Policy
- Student Discipline Policy
- Stand down, Suspension and Exclusion Policy

Complaints Policy

Rationale

This complaints policy is intended to provide a clearly laid out process for dealing with and resolving complaints against staff, students or anyone acting in the name of Te Kura Tuarua o Te Kohao. This policy and its procedures is intended to ensure fairness and justice to all parties.

Tikanga Principles

This Kura was established as a Charter to Kura to address the achievement issues for Maori student achievement specifically in Kirikiriroa. Accordingly the policies and procedures of Management and Governance are based on Tikanga Principles and Wairua.

General Guidelines

Complaints wherever practicable should be provided in writing.

All complaints should be forwarded to the EDUCATIONAL LEADERS in the first instance. If the complaint is against the EDUCATIONAL LEADERS, then the Charter Board Chair shall receive the complaint and this complaints policy should be interpreted accordingly.

Any complaint will be subject to the following consideration:

1. Whether the complaint is within the jurisdiction of the Kura and is properly capable of being addressed by the Kura.
2. Whether informal resolution is possible by discussion or other agreed means.
3. Determination of the appropriate procedure depending on the nature of the complaint and the identity of the person(s) being complained about. These options are set out under the complaint procedures.
4. The existence of the complaints procedure shall be notified to parents, staff and students at the start of each Kura year to ensure awareness of the procedures and access to them.

Initial Complaint Procedures

1. The EDUCATIONAL LEADERS (or Charter Board Chair as appropriate) shall review the complaint in the first instance and shall:
2. Acknowledge receipt of the complaint and outline the proposed process to the complainant.
3. Undertake an initial investigation if appropriate to ascertain the nature and/or validity of the complaint, this may involve interviewing the complainant or other witnesses. A record should be kept of all interviews and information gathered.
4. If, after initial investigation, it is determined that the complaint is vexatious or without substance, then the complainant will be advised in writing and given the opportunity to request the matter be reconsidered by the Charter Board who will establish a subcommittee to undertake a review. The Kura Kaumatua (s) shall be on this committee.
5. The subcommittee shall review the material presented to it and other relevant information before notifying the complainant in writing of its decision. Where the subcommittee decides that the complaint should be considered, then the process for this consideration shall be set out in the written advice to the complainant.
6. The Educational Leaders may decide to attempt to resolve the complaint informally where appropriate, including:
 - Undertaking an investigation in order to ascertain the nature of the facts and attempt to facilitate a resolution satisfactory to the complainant.
 - Engaging a mediator or services of an externally qualified person to assist with resolution.
 - Where the complaint is resolved to the satisfaction of the parties through this informal process, then the resolution will be recorded and a written report will be provided to the Charter Board.

Where the complaint is of such a nature that it is determined that a more formal procedure is appropriate or where the facts are in dispute and not able to be resolved, then the EDUCATIONAL LEADERS will initiate a formal inquiry process and advise the complainant of the procedure to be followed. The process may involve one of the following:

1. Where the complaint is against a staff member, (including the Educational Leaders) then the investigation shall be carried out in accordance with the staff conduct and discipline policy.
2. Complaints against student(s) shall be dealt with in one of the following ways:
 - a) By referring to the appropriate teacher in charge and/or the Kura's internal student disciplinary procedures.
 - b) The EDUCATIONAL LEADERS invoking the stand down or suspension procedures within the Education Act.
 - c) By an alternative agreed procedure including a combination of the above.
3. Complaints against the Board, a member of the Charter Board or involving Kura systems or procedures, shall be referred to the Board and dealt with in accordance with these procedures.

Formal Investigation

Where a complaint is to be formally investigated then the following principles shall be applied by those tasked with the responsibility:

1. The complainant shall be kept advised of the process and have the opportunity to respond to the accuracy (or otherwise) of information obtained during the inquiry process.
2. The observation of the principles of natural justice where any person may be detrimentally affected by the outcome of the inquiry.
3. The interviews of any witnesses shall be documented and all information collated as part of the inquiry wherever practicable is to be made available to those involved in the inquiry unless there is good reason to withhold information, such as maintaining the privacy of individuals.
4. Any inquiry shall be undertaken efficiently and without undue delay.
5. The outcome of any inquiry is to be recorded in writing and provided to the complainant and other parties whom it is considered have an interest in its outcome.

Complaints against the Educational Leaders

1. Where there are matters which are causing concern with respect to the Educational Leaders, the complainant is encouraged to discuss concerns with the Educational Leaders in the first instance.
2. If the complainant is dissatisfied with the outcome of the meeting, or feels unable to approach the Educational Leaders, they may take the concern directly to the Chairperson of the Charter Board.
3. Procedures set out in this policy shall apply.

Complaints against Board Members (or the Charter Board)

1. Complaints made with respect to the actions of a Board member(s), must be made in writing to the Chairman.
2. The Chairman (or delegated Subcommittee) will investigate the issue and report to the full Charter Board.
3. External agencies may be consulted in the process of the investigation.
4. Procedures set out in this policy shall apply.

Equal Employment Opportunity (EEO) Policy

Rationale

The School supports the development and implementation of an equal employment opportunities programme in accordance with requirements of the State Sector Amendment Act 1989, the Human Rights Act 1993 and NAG 3.

Purpose

To ensure the School provides equal access, consideration and encouragement in areas of recruitment, selection, promotion, conditions of employment and career development for all current and prospective staff.

Guidelines

EEO responsibilities will be managed by the Educational Leaders(s) of the Kura

The Educational Leader(s) will be responsible for the development and implementation of an EEO programme each year.

- Regularly review the EEO policy statement.
- Undertake a consultation and education process with all Board and staff on issues of EEO as needed.
- Monitor the annual EEO programme and identify any discrimination in employment, especially for target groups.
- Ensure personnel policies are developed and reviewed in line with EEO principles.

Conclusion:

Implementation of these guidelines will ensure that equal employment opportunities are a reality for all staff at Te Kura Tuarua o Te Kohoa

Enrolment Policy

Rationale

Te Kura Tuarua o Te Kohao is required to manage its student population so as to meet the parameters and criteria as a Charter School. A key component of this management is the process by which students are enrolled in the Kura to:

- Maintain the distinctive Character of the Kura
- Maintain rolls at desirable levels
- Specify the priority order of enrolments

Policy Statement

All tamariki wishing to gain admission to Te Kura Tuarua o Te Kohao must meet the stipulations of this Enrolment Policy and the Enrolment Procedures

Tikanga Principles

This Kura was established as a Charter to school to address the achievement issues for Maori student achievement specifically in Kirikiriroa. Accordingly the, wairua and ethos of the school, curriculum and management and Governance are based on tikanga principles

Guidelines

- The Kura's Enrolment procedures will be aligned to the Enrolment procedures of all other schools in Kirikiriroa
- The Board will have an Annual Plan with specified dates for the enrolment process, and roll numbers for each year level and for the total school.
- The Kura will adopt the priority order for enrolments as determined by the Charter School Legislation and regulations.
- In the event there are more applicants than spaces from within Kirikiriroa then Kaumatua will refine eligibility based on Tikanga issues.
- A ballot will be held in the event there are more applicants than spaces.

Enrolment Procedures

Enrolment dates 2014

- Enrolments open Monday 1st July 2013
- Enrolments close Friday August 30th 2013
- Ballot for enrolments Friday 6th September 2013

Enrolment intake 2014-2015

- In 2014 the intake will be limited to 40 students who in 2014 will be Year 7 or 8 students
- In 2015 the intake will include students in Years 9 and 10.
- The Total School roll will be limited to 80 students with no more than 20 students at any one year level.

Zone Information

- Tamariki who live within the city boundary of Kirikiriroa are deemed to be in zone for our Kura. If the numbers within zone are greater than the number of places available then a ballot will be held to determine entry.
- The first criteria will be to ascertain the students who meet the special character of our Charter School. This will be determined by a panel including our Kaumatua
- Once Tikanga and Te Reo Maori considerations are determined then if there are still more Applicants than places then a ballot will be held to determine who gains entry to our school.
- In the event that all places available are not taken by In Zone students then Out of zone students will be balloted for on the basis of:
- Priority One: Siblings of current students
- Priority Two: Children of staff of the organisation and or our sponsors.

Special Character considerations

- Our Kura targets Maori students who will commit to the values and beliefs of our school. – refer our Charter statement.

Harassment Policy

Rationale

The Board is committed to providing a learning environment and workplace at Te Kura Tuarua o Te Kohao that is free from all forms of harassment.

Tikanga Principles

This Kura was established as a Charter to school to address the achievement issues for Maori student achievement specifically in Kirikiriroa. Accordingly the, wairua and ethos of the school, curriculum and management and Governance are based on tikanga principles

Definition

Harassment is any verbal or physical behaviour that is unwelcome, inappropriate and offensive to the receiver. Harassment can occur between any members of the school community. It can include:

- sex orientated jokes, cartoons, posters, pin-ups
- offensive questions, comments, abuse, leering
- unwanted, unnecessary, deliberate physical contact, touching and gestures
- comments of a derogatory nature
- questions and comments about private life
- requests for sexual favours implying promises of favourable treatment or threats of unfavourable treatment

Guidelines

1. All complaints of harassment will be taken seriously, investigated quickly, confidentially and fairly.
2. Anyone with a complaint about harassment should contact one of the following:
 - the Kura Kaumatua
 - the Educational Leader(s)
 - a member of the Senior Management team
 - the union representative (PPTA).
 - the Human Rights Commission (ph (09) 309 0874. PO Box 6751 Auckland).
3. The complainant will be offered both an informal and a formal process for the resolution of complaints.
4. Informal Process - for low level complaints the Kaumatua can offer advice on dealing with the issue or complaint, or suggest a mediator to discuss the complaint with both parties and seek a solution.
5. Formal Process - for more serious complaints or complaints where mediation or the informal process has been unsuccessful.

A formal complaint (in writing) will be referred to one of the following bodies for investigation, whichever is preferred by the complainant:

- the Charter Board
- the PPTA/NZEI
- the Human Rights Commission

When the Charter Board receives a formal complaint it will follow the procedure set down in their Complaints Policy.

Health and Safety Policy

Rationale

Te Kura Tuarua o Te Kohao aims to provide a safe physical and emotional environment for everyone on site but specifically students and staff. We will comply with all current legislation which ensures the safety of our Whanau.

Purposes

- To provide a safe and healthy learning and working environment for students and staff at Te Kura Tuarua o Te Kohao
- To preserve the long term health of Whanau in our community by providing leadership and mentoring for health and welfare; and demonstrating care and concern for self, others and our environment.

Guidelines

1. Our Kura will have written policies and management statements or procedures that are actively practiced and regularly reviewed for compliance. This list will include, but not be limited to:
 - Harassment
 - Sexual, physical or emotional abuse and bullying
 - Protection from communicable diseases
 - Student conduct
 - Occupation Safety and Health
 - Protection from identifiable hazards
2. Education outside the Classroom will have a specific set of guidelines and procedures that safeguard our students and staff when they are engaged in school activities off the school site.
3. The Kura Management will include Health and Safety training in the professional development programme of the School. All staff will have the opportunity to gain First Aid Certification.

Police Vet for all Adults Policy

Rationale

It is part of our Health and Safety policy that all adults who have care of our students, or who are in close proximity of our students will be of proper standards of integrity and conduct. (State Sector Act 577A)

Purpose

To ensure that the school is, and remains, a safe place for all Whanau.

Police vetting is a screening process to identify potential risk. It is not a selection criteria.

Guidelines

- The Kura will use the Police Vetting process set up by New Zealand Teachers Council for all teachers, Tutors, Mentors
- All positions will be conditionally confirmed awaiting final Police vetting confirmation
- The Charter Board will reserve the right to employ or reject an Applicant taking into consideration a range of circumstances; including but not limited to:
 - How long ago the inappropriate conduct occurred
 - The circumstances of the conduct
 - The age of the Applicant at the time of the offending
 - Societal conditions at the time
 - The probability the Applicant will re-offend
- The risk potential to our Kura and its Whanau with specific emphasis on offences against children.
- All Applicants will be treated fairly and there will be absolute privacy over Police Vetting declarations
- All Parents who come to our Kura who will be assisting in classes, supervising other children in and out of class, and who are involved in Sport/cultural activities or EOTC must have a current Police Vet.

Policy on Drugs Misuse and Abuse

Rationale

For the purposes of this Policy; our Kura identifies as drugs all illegal drugs, legal (pharmaceutical) drugs for inappropriate use, solvents; as well as alcohol and tobacco.

Our Kura is a Smoke Free School as per the legislation.

We also recognise that misuse of drugs is a community and/or Whanau problem and therefore we see our role as protecting our young offenders and assisting with their care and rehabilitation.

Purposes

1. To ensure our Kura is a healthy and safe place for all Whanau
2. To provide guidance in handling drug related incidents
3. To ensure support is available for students involved with drugs.
4. To provide leadership on the issue of drug misuse in our community
5. To assist agencies target adults who supply our youth with drugs.

Guidelines

- For the purposes of this Policy we will act when a student is at school, on the way to or from school, on EOTC, or representing our Kura at any event.
- Every incident of drug use or involvement at our Kura as detailed above will be investigated and a written statement made and recorded.
- The Educational Leader(s) will determine the appropriate course of action; but Whanau will always be alerted to incidents involving their children.
- The focus of our enquiries will be an educative and collaborative approach, especially with first time offenders. In our investigations a focus will be on identifying the adults who supply our children with drugs
- The school will work with any and all agencies who have a focus on dealing with drug abuse and misuse but reserve the right on how we deal with such agencies
- Students involved with drugs will not automatically be stood down or suspended but this punitive punishment could be one solution to addressing an incident.
- The Kura will always alert the Police when illegal drugs are involved
- Adult use of Drugs at school will be dealt with pursuant to the Staff Conduct and Discipline Policy
- On all EOTC. Sports trips et al, our camps are “dry”. Adults and students are not to drink alcohol or smoke
- Our Kura Campus is a smoke free zone.
- The School programmes will include Units on Drugs, Tobacco and Alcohol misuse and abuse.

Protected Disclosure Policy

Rationale

The Protected Disclosures Act 2000 came into effect on 1 January 2001. The Act requires that public sector organisations such as schools have an internal process that staff can use if they wish to make a protected disclosure. The following information details this process and provides details about the protections given in the Act.

Policy

The Te Kura Tuarua oTe Kotao Charter Board ensures procedures are in place to meet the requirements of the Protected Disclosures Act 2000.

Procedures

Procedures for making a protected disclosure under the Protected Disclosures Act 2000 are:

1. If on reasonable grounds you believe you have information that a serious wrongdoing is occurring [or may occur] within the school and you wish to disclose that information so it can be investigated you can make a protected disclosure to the Protected Disclosure Recipient (Educational Leader(s)).
2. This can be done verbally or in writing. You should identify that the disclosure is being made under the Protected Disclosures Act and is following the Charter Board procedure, provide detail of the complaint [disclosure], and who the complaint is against.
3. If you believe that the Educational Leader(s) is involved in the wrongdoing, or has an association with the person committing the wrongdoing that would make it inappropriate to disclose to them, then you can make the disclosure to the Chairperson of the Charter Board or the Kura Kaumatua
4. It is then up to the person you disclose to, to decide if the disclosure constitutes a serious wrongdoing, and that the allegations need investigating. They can decide:
 - a) to investigate the disclosure themselves
 - b) to forward the disclosure to the board or a committee of the Board to investigate
 - c) whether it needs to be passed on to an appropriate authority. If it goes to an appropriate authority they will advise you that they are now investigating the complaint.
5. If you believe that both the Educational Leader(s) and the Chairperson of the Board/ Kura Kaumatua may be a party to the wrongdoing or in close relationship with the person/s involved in the wrongdoing you can approach an external "appropriate authority" directly yourself.

Who is an "appropriate authority"?

As noted above, in some circumstances the disclosure could be made to an appropriate authority by yourself or the person to whom you have made the disclosure. An appropriate authority is defined in the Act as including:

(a)

- the Commissioner of Police
- the Controller and Auditor-General
- the Director of the Serious Fraud Office
- the Inspector-General of Intelligence and Security
- an Ombudsman
- the Parliamentary Commissioner for the Environment
- the Police Complaints Authority
- the Solicitor-General
- the State Services Commissioner

- the Health and Disability Commissioner; and

(b) includes the head of every public sector organisation, whether or not mentioned in paragraph (a).

Clause (b) can mean that in certain circumstances the appropriate authority could be the Secretary for Education of the Ministry of Education or the Chief Review Officer of the Education Review Office (ERO).

There are three circumstances when a person may go directly to the appropriate authority:

- a) When you believe that the head of the organisation is also a party to the wrongdoing or has an association with the person that would make it inappropriate for them to investigate.
- b) If the matter needs urgent attention or there are other exceptional circumstances.
- c) If after 20 working days there has been no action or recommended action on the matter to which the disclosure related.

Otherwise an internal process must be followed.

If even the appropriate authority does nothing about the issue, then the disclosure should be made to the Ombudsman [unless they were the authority already disclosed to] or a Minister of the Crown.

The Act does not protect from disclosure of information to the media or a Member of Parliament other than a Minister of the Crown in the circumstances referred to above.

More information:

If the Office of the Ombudsman is notified verbally or in writing, that a disclosure is being considered under this Act, they must provide information and guidance on a number of matters including those discussed in this document, as well as the protections and remedies available under the Human Rights Act 1993 if the disclosure leads to victimisation.

Protected Disclosures Act 2000

Information for Staff

Introduction

The Protected Disclosures Act 2000 came into effect on 1 January 2001. The Act requires that public sector organisations such as schools have an internal process that staff can use if they wish to make a protected disclosure. The following information details this process and provides you with information about the protections given in the Act.

Are you:

- A staff member [either temporary or permanent]
- A contractor supplying services to the school
- A former staff member [either temporary or permanent]

If you fit into any of these categories you are able to make a disclosure under the provisions of this Act.

Note: The Act does not apply to parents or Charter Board members unless they are staff members of the school. It is for the protection of employees. For the purposes of this Act the Charter Board is the employer.

As a public sector organisation boards are required to have an internal procedure for staff, mentors, or former employees to make protected disclosures within the school.

What is a “protected disclosure”?

Protected means that as long as you have reasonable grounds to believe that a serious wrongdoing is being done by or in the organisation by the above people you can report in good faith asking that the wrongdoing be investigated without worrying about negative consequences.

It is important to remember that this is an Act to protect employees and the disclosure will be about the employer or another employee/s not a student or parent.

What is a serious wrongdoing?

The Act defines a serious wrongdoing as being any of the following an:

- a) unlawful, corrupt, or irregular use of public funds or public resources; or
- b) act, omission, or course of conduct that constitutes a serious risk to public health or public safety or the environment; or
- c) act, omission, or course of conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial; or
- d) act, omission, or course of conduct that constitutes an offence; or
- e) act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes “gross mismanagement.

How am I protected?

You are “protected” when making a disclosure in the following ways:

- your identity will be confidential unless you give permission to be identified*
- you cannot be victimised by your employer for having disclosed the information
- you are not liable for civil or criminal proceedings for disclosing the information
- if you believe that you have been unfairly treated in your job or unreasonably dismissed following a disclosure you can take a personal grievance against your employer.

*There are some limitations to this described in the Act. These are:

1. *Every person to whom a protected disclosure is made or referred must use his or her best endeavours not to disclose information that might identify the person who made the protected disclosure unless
 - (a) that person consents in writing to the disclosure of that information; or
 - (b) the person who has acquired knowledge of the protected disclosure reasonably believes that disclosure of identifying information:
 - (i) is essential to the effective investigation of the allegations in the protected disclosure; or
 - (ii) is essential to prevent serious risk to public health or public safety or the environment; or
 - (iii) is essential having regard to the principles of natural justice.
2. A request for information under the Official Information Act 1982 [other than one made by a member of the police for the purpose of investigating an offence] may be refused, as contrary to this Act, if it might identify a person who has made a protected disclosure.”

This protection depends on you making the disclosure in accordance with the internal procedure.

Appointments Policy

Rationale

The best possible appointments must be made to both teaching and non-teaching (support) vacancies to ensure the goals of the school can be achieved.

Tikanga Principles

This Kura was established as a Charter to school to address the achievement issues for Maori student achievement specifically in Kirikiriroa. Accordingly the, curriculum and management and governance policies are based on tikanga principles

Guidelines

1. All appointments to teaching and non-teaching positions within the school will comply with relevant legislation and employment criteria.
2. All procedures will comply with the Appointments Procedure attached to this policy.
3. All persons involved in the appointments process will respect the confidentiality of every application and its accompanying referees reports, written or verbal.
4. All appointments will be made taking into consideration the Board's EEO Policy.
5. The Charter Board will be responsible for the recruitment, and selection of the Educational Leader(s), and Lead teacher.

****For all other positions the CEO and Educational Leaders will be delegated responsibility to make appointments**

6. For the appointment of the Educational Leader(s) the Appointments Committee will comprise the Chairperson, at least two other members of the Charter Board, School Kaumatua and any other professional adviser deemed appropriate. For all other appointments for which the Appointments Committee is required it will comprise the Educational Leader(s), the Chairperson, one other member of the Board and Kura Kaumatua
7. In any of the appointment processes, outside professional advice may be sought or used in the selection process if it is thought appropriate.
8. For all other appointments, teaching and non-teaching, the Charter Board delegates its power of recruitment, selection and appointment to the Educational Leader(s). The Educational Leader(s) will consult with Heads of Department and other senior staff where appropriate.
9. All teaching applicants for the Lead teacher position(s) must be registered with the New Zealand Teachers Council Registration. If the teacher is unregistered, evidence must be supplied to demonstrate that application to the NZTC is being processed. In these cases an extension (from the New Zealand Teachers Council) may be sought prior to appointment.
10. All appointments are subject to a satisfactory Police vet.
11. If no suitable applicant for a particular position is available then no appointment will be made. (Temporary staffing measures will be provided until the position is re-advertised).

Appointments Procedure:

1. Appointments Committee is constituted when required, giving consideration to the appointment being made.
2. Timeline is decided from date of advertisement to intended appointment.
3. Appointment documentation is produced:
 - Job Description
 - An Application Form (incl. Teacher Registration and