

Policy for Te Kura O ngā Tautōhito (School of Skills)

Appendix 7

Employment Policy

Policy Manual:	Te Kura O ngā Tautōhito	Written by:	
Process owner:	CEO	Published date:	
SOP Number:	POL013	Review date:	
SOP Version:	1	Approved by:	<i>Bruce Howat</i>

Policy Statement

It is the objective of Te Kura O ngā Tautōhito to provide an employment environment where employees work together demonstrating:

- A customer focused organisation.
- A 'will do' attitude.
- Easy to do business with.
- A passion for developing skilled people.

Purpose of the Process

To outline some of the key requirements and conditions of employment at Te Kura O ngā Tautōhito.

Procedure

Prior to commencing recruitment

Is a replacement really needed?

What are the key duties that need to be performed now and in the future?

Ensure the job description is up to date and accurate.

What personal qualities, qualifications and competencies are required?

Approval to commence the hiring process must be obtained from the relevant Senior Management Team Member, the General Manager - HR and Quality and the CEO by completion of the Application to Hire Form.

Advertising

Except in exceptional circumstances, all roles must be advertised internally. Internal applicants should be carefully considered and given the courtesy of an interview or discussion.

Recruitment agencies may be used with Senior Management Team approval. The agency finding fee should be agreed prior to the assignment commencing.

External advertising may be used where necessary for example:

- Educational institutes
- Newspapers
- Specialist publications

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Interviewing

- Structured interview questions should be prepared prior to the interview.
- All applicants must complete and sign the Te Kura O ngā Tautōhito "Application for Employment" form.
- Key questions should be asked to ensure that all unusual or important responses shown on the completed application form are adequately covered to determine the applicant's suitability, and fit verses the competencies/skills being sought.
- Comprehensive and objective notes of the interview should be made and attached to the Application for Employment Form for future reference.
- The interview should:
 - Obtain information from the applicant;
 - Give job and organisation details to the applicant.
 - Be honest about the role and its responsibilities. Do not over sell the position.
- Hiring Managers during interviews should not:
 - Make commitments to applicants.
 - Be pressured by a good candidate insisting on an immediate decision
 - Make any "qualified" employment offer.
- When the interview concludes, the applicant should be clear as to "what happens next". Copies of all references and qualifications are to be retained.

In all recruitment assignments, the next level-up Manager must conduct a second interview of short listed candidates. A relevant SMT member must complete a final interview before any job offer is made.

Legislation

All interviews must comply with the following legislation:

- Immigration Act 1987: the ability to work legally in New Zealand
- Human Rights Act 1993: prevents discrimination on the basis of sex, marital status, religious or ethical beliefs, race, ethnic or national origins, colour, disability, age, political opinion, employment status, family status, sexual orientation (Refer –Human Rights Act).
- Privacy Act 1993: Prevents companies/individuals from using information for reasons other than which it was collected.

Assessment

The principle criteria when selecting the best candidate are:

- Professional ability –skills, knowledge and experience
- Personal qualities
- Physical capability – health and safety fit for the role.

All applicants need to be evaluated against the position description and person profile. Before an applicant is offered the position, verbal references, qualification checks and other assessments such as aptitude and personality tests where appropriate, must be completed.

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Reference Checks

Managers may only contact referees that the applicant has given authority to contact on the declaration contained in the Application Form.

- At least two verbal references are required prior to any job offer being made.
- References should be obtained first hand, rather than through an agency or consultant
- Reference checks should use the Te Kura O ngā Tautōhito Reference Check Form.
- When obtaining a verbal reference, advise the referee that the information will be regarded as confidential "evaluative material", used solely to assess employment suitability and will not be disclosed to the individual concerned.

Other assessments may include aptitude tests, personality tests or character reference.

Pre Employment Health Screening

Te Kura O ngā Tautōhito will take all reasonable measures to ensure that an individual is not appointed to a position that would endanger their safety and health, nor that of others, as outlined in the Health and Safety in Employment Act (1992).

Pre-employment health screening may be appropriate to identify the current health of an employee in relation to the hazards to which he/she will be exposed. This screening may include audiometric baseline testing. Pre-employment health screening will be paid for by the organisation.

All pre-employment health screening information will be held in strict confidence in personal files.

Job Offer

All elements of recruitment (e.g. reference checks, assessment) must be completed prior to any job offer.

Job offers should only be made once the following is completed:

- Authority to Hire Form must be approved by the relevant Senior Management Team Member, the General Manager - HR and Quality and the Chief Executive Officer.
- The salary and other remuneration (e.g. Car, laptop) information should be completed on the Application to Hire Form. Remuneration must be within the approved level set out in the Application to Hire Form.
- The Application to Hire Form should be forwarded to the General Manager - HR and Quality to prepare the Employment Agreement.
- The Employment Agreement must be in writing and signed by the Chief Executive Officer or Senior Management Team member as appropriate.

Only the person undertaking the recruiting should make the job offer, at which time they should restate:

- Key aspects of employment
- Remuneration
- A suitable starting date

Te Kura O ngā Tautōhito may offer the position pending completion of a satisfactory pre-employment health screening assessment, which may include Drug testing, and confirm the appointment on satisfactory completion of same.

Successful applicants are required to sign acceptance of the Employment Agreement and return to the General Manager - HR and Quality prior to commencing with the Te Kura O ngā Tautōhito.

Unsuccessful Applicants

All applicants must be advised (in writing) of the outcome of their application. This should be completed within three weeks. Unsuccessful applicant's CV's are to be returned. Accordingly, comments must not be written on CV's.

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Employees

General conditions of employment for all employees are set taking into account employment conditions within both the public and private sectors. Such conditions of employment will never be less than those laid down by the relevant statute, collective agreement or individual employment agreements.

As part of the conditions of employment there are a number of benefits, which are available to employees. It is the responsibility of all managers to ensure that employees are aware of Te Kura O ngā Tautōhito benefits.

An individuals' colour, race, ethnic or national origins, sex, marital status, religious or ethical belief, age, employment status, political opinion, family status or sexual orientation will have no influence on employment conditions or benefit levels.

Employment Agreements

All new employees must receive an employment agreement detailing their conditions of employment prior to commencing with Te Kura O ngā Tautōhito. The Employment Relations Act 2000 requires that you advise employees that they are entitled to seek independent advice about their intended employment agreement, and they must be given the opportunity to seek such advice.

Te Kura O ngā Tautōhito Policies and Procedures

All new staff members should receive a copy of the HR Policies and Procedures with their employment agreement. It is essential that all employees read the HR Policies and Procedures and clearly understand the contents before they commence work.

Individual and Collective Agreements

For all employees in areas covered by a Collective or Individual Employment Agreement, rates and conditions listed will apply.

Confidentiality

Employees will not (except so far as is necessary and proper in the ordinary course of their employment) disclose to anybody any information about the organisation, or any of its customers or suppliers and they will take all reasonable precautions to ensure that no unauthorised access is gained to any Te Kura O ngā Tautōhito premises, information or system.

Publications and Presentations

Employees will not publish any literature, general or technical/specialist work relating to any aspect of the organisation or its operation without the prior written consent of the Chief Executive Officer.

Te Kura O ngā Tautōhito acknowledges that some employees are members of professions and may be required to publish papers or conduct seminars or undertake similar activities in order to maintain standing within their profession.

Te Kura O ngā Tautōhito expects staff to apply to their manager in writing in the following circumstances:

- for approval to prepare papers for seminars for professional or public presentation or debate. This is required for the protection of unpublished or confidential departmental information.
- for approval to license publication of any papers including those which may have already been presented in a professional forum.

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Company Rights

All rights to any new process, technique, or computer program developed by employees whilst employed by Te Kura O ngā Tautōhito will be the sole property of the organisation.

All work produced by the employee in the performance of their duties is the property of the employer, and the employer is entitled to any copyright or merchandising rights in or arising from such work.

Courses of Study

Full time permanent employees who have completed six months consecutive service with Te Kura O ngā Tautōhito may apply to the Senior Management Team Manager for Educational Assistance. The study/course must be relevant to the employees' career within Te Kura O ngā Tautōhito and contribute to the strategic goals.

To qualify for approval the course must;

- Improve the employee's formal academic or professional qualifications;
- Be relevant to the type of work the employee is performing or is likely to perform;
- Be assessed by a recognised educational authority such as a University, Private Training Establishment or Technical Institution.

The Chief Executive may also grant study awards to enable employees to undertake full-time University study for recruitment and staff development purposes. Such awards may include the payment of full or part salary, study related expenses, transfer expenses and standard leave entitlements.

Fees

Upon Senior Management Team Manager's approval Te Kura O ngā Tautōhito will advance an employee tuition fees. Text book costs may also be paid for if the book is required for the organisation library.

Should a pass not be attained the amount advanced by Te Kura O ngā Tautōhito will be debited from the Employees salary. The cost of repeat studies or re-sit examinations will not be reimbursed.

Bonding

Should the Employee leave Te Kura O ngā Tautōhito within a period of twelve months from the date of completion of the course, the Employee will be required to repay all funds paid by the organisation. The completion date shall be deemed to be the date the employee obtained notification that they had successfully completed the course of study.

Study Leave

Courses should be undertaken in the employee's own time at evening classes or by correspondence. Where alternative course time is not available paid leave may be approved provided that:

- Work requirements can be met during the employee's absence.
- Such leave does not exceed –
 - a) Eight hours per week including travelling time, or
 - b) Ten working days per annum to attend block or on-campus courses.

Where workload necessitates the employee may be required to make up time without pay.

Employees may take paid time off during work hours to sit exams and, with their Manager's approval a further day for study purposes prior to each exam.

Employees should detail in writing the content of the study/course they wish to attend, the cost and the relevance to their role by completing the Application to attend Training course/Study Form. All study assistance must be approved in writing by the Senior Management Team and the CEO prior to enrolment for any study/course sponsored by Te Kura O ngā Tautōhito.

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Employees should not enrol in any course until they receive Senior Management Team Manager's approval.

Te Kura O ngā Tautōhito will reimburse an employee for the tuition costs and booking costs in advance, all reimbursements must be accompanied by the following:

1. A completed Organisation Expense Claim Form.
2. Attach original receipts showing payment of fees
3. Approved Application to Attend training Course/Study Form

Upon receiving exam results, employees must provide a copy of their academic record listing to the General Manager - HR and Quality to be placed on their personal file. Should the employee not pass the examination they must immediately advise the General Manager - Finance & IT and make arrangements to repay reimbursed fees. The fees and costs paid by Te Kura O ngā Tautōhito will normally be debited from the Employees salary/wages.

Induction

Complete Employee Induction Checklist, Standard Form 023, on appointment through to first day on the job and file in Personal File.

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Appendix 8

Harassment Policy

Policy Manual:	Te Kura O ngā Tautōhito	Written by:	
Process owner:	CEO	Published date:	
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SOP Version:	1	Approved by:	<i>Bruce Howat</i>

Policy Statement

It is the objective of Te Kura O ngā Tautōhito to provide an employment environment where employees and students work together demonstrating:

- A customer focused organisation.
- A 'will do' attitude.
- Easy to do business with.
- A passion for developing skilled people.

Purpose of the Process

To prevent harassment in any form occurring within Te Kura O ngā Tautōhito employment structure.

Procedure

Te Kura O ngā Tautōhito upholds high standards of professional behaviour. Harassment in the workplace is clearly contrary to this professional ethos. We regard any form of harassment, whether sexual or other, as a serious employment issue and will take appropriate action to ensure that harassment does not occur. If it does occur, Te Kura O ngā Tautōhito has a procedure for effective resolution, which addresses the rights of the employees concerned, and the organisation.

Harassment is any behaviour in the workplace, which is:

- Not legitimate in the circumstances; and is
- Unwanted or offensive to the recipient; and is
- Either repeated, or of such a significant nature that it causes detriment to the recipient.

Harassment is not constructive coaching and feedback. This policy is not to prohibit mutually enjoyed humour or the development of friendships between staff.

Te Kura O ngā Tautōhito policy is to ensure a safe working environment for everyone. No staff member shall harass another staff member/client/customer of the organisation. Harassment is serious misconduct. Any person who is found to have harassed another employee or third party such as a customer will be disciplined accordingly.

No person shall be victimised for making a complaint of harassment in good faith.

Definition

Harassment generally occurs when there is verbal or physical behaviours (including misuse of written or visual materials) where:

- The conduct is unwelcome and offensive to the recipient;
- The conduct is of a serious nature or is persistent to the extent that it has a detrimental effect on the conditions of an individual's employment, job performance or opportunities.

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Harassment Includes (but is not limited to):

- Personally offensive verbal comments.
- Sexual or smutty jokes.
- Repeated teasing or comments about a person's race or set of beliefs.
- Physical assault.
- Bullying.

Sexual Harassment Includes (but is not limited to):

- Repeated comments or teasing about a person's alleged sexual activities or private life.
- Persistent, unwelcome social invitations or telephone calls from workmates/customers at work or at home.
- Being followed home from work.
- Offensive hand or body gestures.
- Physical contact such as patting, pinching, touching or putting an arm around another person's body at work.
- Posters or cartoons displayed that have a sexual connotation.
- Sexual assault or rape.

Legislation

Harassment is unlawful under both the Employment Relations Act 2000 and the Human Rights Act 1993. Te Kura O ngā Tautōhito and individuals, when harassment is proven, may be legally liable. In addition, many of the aspects that constitute harassment are also offences or crimes.

Dealing with a Complaint – Three Options

OPTION 1:

Self Help

The organisation encourages any employee experiencing harassment to make it clear immediately to the person responsible that such behaviour is offensive and request that it stop.

OPTION 2:

Management Assistance

Should any employee feel unable to confront the harasser, or where the offensive conduct persists, the employee should approach their Manager to intervene. Should there be any difficulties in approaching their Manager, the employee should approach the Manager's Manager, General Manager - HR and Quality or the Chief Executive Officer.

OPTION 3:

Formal Complaint - Complaint to Manager in Writing

If self help or informal intervention have not worked or if the allegation is, in the employee's view serious enough to warrant formal action, the employee should submit a detailed written complaint to their manager copied to the General Manager - HR and Quality. Should there be any difficulties in approaching their Manager the employee should approach the Manager's Manager, General Manager - HR and Quality or the Chief Executive Officer.

Appropriate disciplinary action will be taken if the investigation shows the complaint to be justified. If the employee is not satisfied with the result of the investigation or action taken the matter can be taken up with the Manager's Manager or the General Manager - HR and Quality.

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Complaint to Employee's Representative

As harassment may be grounds for a personal grievance, the complainant may wish to discuss the complaint with his or her representatives/support person. The alleged offender may also have representation/support person.

NOTE: Managers should be aware that employees could take complaints to the Human Rights Commission as an alternative to a Personal Grievance. It is desirable that all harassment complaints be addressed internally wherever practical.

Receiving Complaints

A formal harassment complaint, serious incident or resolved incident should be referred by the General Manager - HR and Quality/or Manager to the Chief Executive Officer.

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it will require those concerned to exercise great tact and discretion.

Wherever possible it is desirable that harassment complaints be dealt with speedily, impartially, discreetly and as close as possible to the point of origin. Minimising the number of people involved and handling the complaint, in strictest confidence, with sensitivity and calmness can often satisfactorily resolve most of the minor incidents.

The following points must be considered:

- Do not pre judge the situation.
- Allow the complainant to bring another person to the interview if they wish.
- Listen to the complainant seriously and with empathy.
- Get a clear description of the incident in simple and direct terms. Two interviews may be needed.
- When taking accurate notes use the complainant's own words where possible.
- Confirm details with complainant.
- Get the complainant's agreement, allowing you to proceed with the matter, which may involve a formal investigation.
- Advise the complainant that although the process is confidential, the alleged offender will have to be told who has made the complaint and that any witnesses and persons directly involved in the complaint process will also learn the complainant's identity.
- Care must be taken to prevent any disadvantages to, or victimisation, of either the complainant or alleged offender.
- Keep all notes strictly confidential in a safe place.
- Parties may appreciate advice on counselling/support services.

Making the Decision

Decisions in this area require a civil standard of proof – i.e. on balance of probabilities. Both the respondent and the complainant are to be informed of the outcome of the investigation within 24 hours of the decision being finalised.

Whether the complaint is upheld or not Te Kura O ngā Tautōhito may need to provide refresher training about harassment issues after a formal complaint investigation.

To assist in reaching a decision, consider the following:

- Whether language used (written or spoken), visual material (poster, photographs etc) or behaviour was harassment.
- Credibility of the complainant, the alleged offender and of the evidence presented.

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- Check whether the allegations or events follow logically or reasonably from the evidence.
- Consider other similar fact evidence e.g.: have there been any previous accounts of harassment pertaining to the alleged offender.
- Draw up a table of allegations, defences and evidence for each, making these as concise and specific as possible.
- The decision should be reached from the facts established and must be recorded.
- Both parties are to be advised of the decision and reason. This must be documented.

NOTE: If it cannot be shown that the investigation and decision made was fair, both to the person who made the complaint or to the alleged offender, a personal grievance claim may follow, even if it is determined that the particular offence was not committed.

Where the complaint is upheld

Before any disciplinary action is taken against a respondent, they are entitled to direct representation to the decision maker. Any representation to the decision maker must be properly taken into account before any decision on appropriate action is made.

Disciplinary measures, which may be taken in relation to a respondent, include:

- Disciplinary counselling interview together with a warning and/or reprimand;
- Public or private, written or verbal apology;
- Harassment education and/or appropriate counselling
- Dismissal

The complainant in this instance may request:

- Counselling;
- Conflict resolution with the harasser

Complaint Substantiated

Where the complaint is admitted by the alleged offender, or where after full investigation and interview of the parties, the person investigating the complaint is of the opinion that the complaint is well founded, the following applies:

- In determining the appropriate action, consideration must be given to the offenders work record, seriousness of the offence, length of service etc.
- The Manager is to take the necessary steps to correct the situation, which may include counselling, transferring to another department, disciplinary action, dismissal.
- The Chief Executive Officer must be consulted if the case is serious enough that dismissal is considered.

Follow up, with the complainant, must occur to ascertain whether the behaviour has in fact stopped. The solution is working satisfactorily and if victimisation of either party is occurring

In some instances when a possible criminal offence has occurred, the complaint should be advised to contact the police.

Complaint Not Substantiated

If the alleged offender denies the complaint, and there is insufficient evidence to support the complaint or that the conduct does not amount to harassment, the following applies:

- Ensure both parties understand, that the matter has been fully investigated and what constitutes harassment. In addition, that the matter is now concluded and that neither will be disadvantaged within the Organisation.
- Follow-up to ascertain whether the issue has been resolved.

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Malicious Allegation

Any allegation/s of harassment, which are proven to be made maliciously against an employee, may result in disciplinary action being taken against the complainant.

Right of Appeal

If the complainant is dissatisfied with the outcome they have the right of appeal to the CEO who will review the case.

Responsibility of Managers

- To understand what can comprise harassment in the workplace;
- To ensure the employees understand that harassment will not be tolerated and may lead to disciplinary action;
- To model appropriate behaviour at all times;
- To ensure the staff within their supervision are aware of what can comprise harassment;
- To intervene in any inappropriate behaviour, and seek to stop it;
- To ensure that complainants are not victimised as a result of making a legitimate complaint;
- To investigate any allegations of harassment of employees by customers, clients or contractors to the firm;
- Take reasonably practicable steps to prevent the recurrence of any harassment that has been found to have occurred.

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Appendix 9

Health & Safety Policy

Policy Manual:	Te Kura O ngā Tautōhito	Written by:	
Process owner:	CEO	Published date:	
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SOP Version:	1	Approved by:	<i>Bruce Howat</i>

Policy Statement

Te Kura O ngā Tautōhito are committed to the safety of its people whom we view as our most important resource. The success of this policy ultimately rests on the willingness of everyone to co-operate and work collectively toward the goal of a safe and healthy working environment and to provide an accident free operation.

Responsibility

The overall responsibility for providing and maintaining a safe, and healthy work environment rests with the Chief Executive Officer. Managers, supervisors of employees and others in positions of responsibility share the accountability for managing health and safety within their areas of control as an integral part of their day-to-day activities.

Purpose of the Process

- To define Te Kura O ngā Tautōhito commitment to provide a safe, healthy work environment and practices.
- To ensure that Te Kura O ngā Tautōhito comply with the Health and Safety in Employment Act 1992.

Procedure

Te Kura O ngā Tautōhito goal of a safe and accident free environment will be achieved through the following responsibilities.

Managers Responsibilities:

- Take every practical step to provide and maintain a safe, healthy and accident free work and learning environment.
- Ensure appropriate safety equipment and protective clothing is made available to employees/students as applicable.
- Ensure that equipment, plant, technology is arranged, designed, made and maintained so that it is safe to use.
- Ensure physical and financial resources are available to maintain technology, machinery and equipment.
- Comply with Te Kura O ngā Tautōhito Hazard Identification and Control Policy. Isolate, minimise or eliminate all hazards to prevent any injury or damage.
- Provide education and training about correct procedures, safety standards, and personal protective equipment rules that apply to work areas.
- Encourage and support the continuous improvement of all aspects of Health and Safety in the workplace.