



## DELEGATIONS of AUTHORITY

### Preamble:

1. This policy was approved by the Board of Trustees (“the Board”) of New Plymouth Girls’ High School (“the School”) at its meeting on 23 April 2007 and became active at this date. The Policy and attached Schedule set out those responsibilities that can only be exercised by the Board, the responsibilities delegated to the chief executive (“the Principal”), and those responsibilities that the Principal can delegate to specified staff positions.
2. The purpose of the Delegations is to ensure that the effectiveness of the governance and management of the School is maintained, to provide an agreed basis by which the School’s senior management can exercise its responsibilities, and to enable the responsibilities delegated to be monitored. It is the Board’s expectation that Delegations made will be properly exercised and the persons who hold such Delegations will be held accountable. If these principles are observed then the Board can be certain its responsibilities in terms of the Education Act 1989, the Crown Entities Act 2004 and the Financial Reporting Act 1993 will have been properly fulfilled.
3. If persons who exercise responsibilities on behalf of the Board have any doubts or concerns in the execution of a specific action the expectation is that they will check with the person or group who made the delegation in the first place. The intention of this expectation is that should doubt arise in the exercise of a delegated responsibility it is preferable to verify the bona fides of the intended action rather than make an error of judgement and be held accountable for this.
4. These Delegations do not in themselves provide the right to senior management and staff to exercise the responsibilities delegated. The right to exercise these responsibilities must be set out in a Memorandum of Delegations which sets out the delegations and is signed by the parties involved.
5. The Principal shall ensure that a copy of each memorandum is safely retained and shall be made available to the Board, the school’s auditors and officers of any Court hearing a case related to the school’s finances.

### Approval:

1. The Delegations outlined in the attached Schedule were unanimously agreed by the Board and approved as a Schedule to this policy document at its meeting held on 23 June 2014.
2. When the Board approved the attached Schedule it agreed that no variations of this Schedule or amendments to it can be made except by the majority approval of those trustees present at any Board meeting.

3. As part of its approval the Board requires the Principal to include this policy and schedule in the School Policy Manual and to be available to staff electronically. The Board requires that the Principal arrange for all new staff to be made aware of this policy.

**Note**

Delegations should be given only by Board resolution, with the nature and conditions of the Delegations to be specified in writing and provided by notice to the delegated person or persons as specified in section 66 and 66A of the Education Act 1989. See attached as Schedule 2.

## **SCHEDULE ONE**

### **Responsibilities Retained by the Board**

The Board retains for itself and does not delegate to any senior management or staff position the following responsibilities:

- (a) Approval of all operating, capital, cash flow and property maintenance budgets and amendments of these budgets;
- (b) Commitment of operating expenditure for any invoice in excess of \$50,000;
- (c) The commitment or purchase from capital expenditure;
- (d) The disposal of fixed assets with a cost price in excess of \$2,000;
- (e) Signing applications for special grants for additional buildings, and agreements to build via the Ministry of Education's local office;
- (f) The appointment of the Principal;
- (g) The appointment of any permanent Assistant/Deputy Principal, Heads of significant Departments and/or faculties and the Business Manager.
- (h) Leave on full pay granted to any staff member to attend training sessions or courses outside the school for a period greater than two weeks beyond the staff entitlement.
- (i) The termination of employment of any paid employee;
- (j) Formal communications and agreements with the Minister of Education and any other Minister of the Crown or Member of Parliament;
- (k) Responses to the Secretary of Education or any other permanent head of a Government department which was initiated by a report, written communication, request for information or required declaration received from such persons and addressed to the Board or Board Chairperson;
- (l) The initiation of any legal actions and any communications in relation to those actions;
- (m) Signature of any formal or legal agreement which is in the name of the School and must involve the Board.

**Note:** These responsibilities are in addition to those specified in Acts and regulations by which the Board is bound.

## SCHEDULE TWO

### **66. Boards may appoint special committees –**

- (1) Any Board may at any time –
  - (a) Appoint a special committee of trustees for a specified purpose or purposes; and
  - (b) Delegate to the committee any of its powers and functions in respect of the purpose or purposes specified (other than the power to borrow money) as it sees fit.
- (2) Subject to all directions and conditions (if any) given or imposed by the Board when appointing the committee, a special committee may exercise and perform all the powers and functions delegated to it as if they were conferred directly by this Act.
- (3) In the absence of proof to the contrary, a special committee purporting to act under delegation from the Board is presumed to be acting in accordance with the terms of the delegation.
- (4) A Board may revoke any delegation made to a special committee.
- (5) A Board may dissolve a special committee.
- (6) The delegation of a function or power to a special committee does not prevent its performance or exercise by the Board.
- (7) A Board may vary the membership of a special committee.
- (8) Until revoked, a delegation to a special committee continues in force, even if the membership of the Board or committee change.

**66A. Boards may delegate powers to staff –** Any Board may at any time delegate to any of its employees any of its powers and functions (other than the power to borrow money); and section 66 shall apply accordingly as if the employee is a special committee of the Board.

### **Board Financial Delegations to the Principal:**

The Board will delegate to the Principal the following responsibilities:

- (a) The day-to-day curriculum and resource management of the school and the achievement of the Government's key achievement and requirements as specified in official educational policy documents;
- (b) The implementation of any other requirements as specified in official educational policy documents;
- (c) Approval of any orders for goods and services up to the value of \$50,000, provided such an order will not exceed the Board approved budget allocation for the expenditure item involved;
- (d) Transfers of on-call deposits of any amounts, provided such transfers are for periods less than 6 months and provided that current invested amounts and interest rates are reported to the Board on a monthly basis as part of the Finance and Property report;
- (e) Ordering fixed assets for which the capital expenditure has the prior approval of the Board;
- (f) The appointment of relieving and casual staff provided such appointment is within the budget allocation for this particular person;
- (g) The appointment, determination of salary, and terms and conditions of staff in excess of the Ministry of Education staffing entitlement, up to no more than 3 fulltime equivalent teachers, provided that such appointments do not require Board approval, under clause (g) of Responsibilities Retained by the Board;

- (h) The appointment of long term relieving or permanent or teaching staff, below the level of Head of Department of a significant department;
- (i) The appointment of support staff with the exception of the Business Manager appointment;
- (j) Interviews with the media and the distribution of media releases on matters which involve the school, provided that potentially controversial matters must first be discussed with the Chairperson of the Board;
- (k) Communications with parents, officials, representatives of educational organisations and other firms and organisations with whom the Principal deals as part of her curriculum, student welfare and resource management responsibilities; and
- (l) Delegations in writing of responsibilities to specified staff in accordance with the sample Memorandum of Delegations to Specified Positions, set out below.

The Principal's Delegations complement those responsibilities and achievements specified in the Principal's annual performance agreement with the Board.

During any absence of the Principal from the School for more than 5 days a limited number of the Principal's delegations shall be exercised by the Acting Principal. All such delegations must be exercised in consultation with the Board Chairperson. In such an absence the Acting Principal will sign a Memorandum of Delegation for Acting Principal for the relevant period.

I have read and understood this Schedule of Delegations. I accept responsibility for the proper execution of the requirements set out in the Board's Policy and Schedule of Delegations.

**Signed:**



**Date Signed:**

**Date of Ratification:** December 2017

**Next Review Date:** 2020

**SAMPLE – Principal’s Delegations to Specified Positions**

**MEMORANDUM OF DELEGATION**

Further to the Board’s Delegation to me as Principal, and the Board’s approval to delegate to a specified staff position, I hereby delegate to \*\*\*\*\* the following responsibilities:

These Delegations are to be exercised in terms of clause \*\*\* of the Principal’s Delegations

Signed by the Principal

\_\_\_\_\_

Dated this \*\*\*\* day of \*\*\*\*, \*\*\*\*\*

I accept responsibility for the proper execution of the Delegations assigned to me as \*\*\*\*\* and I will exercise these in terms of the requirements set out in the Board’s Policy and Schedule of Delegations. I acknowledge that I cannot further delegate those powers delegated to me by the Principal.

Signed by \*\*\*\*\*

\_\_\_\_\_

Full name

\_\_\_\_\_

Position of Responsibility

Dated this \*\*\*\* day of \*\*\*\*, \*\*\*\*\*

Note: two identical copies of this memorandum must be signed. One copy is to be filed in the School’s Delegation File and the other is to be kept by the delegate.



## DELEGATION OF AUTHORITY TO THE PRINCIPAL

The New Plymouth Girls' High School Board of Trustees resolves to delegate to the Principal the following powers and responsibilities:

- 1 The day-to-day curriculum and resource management of the School.
- 2 Employment of:
  - Non-teaching staff (with the exception of the Business Manager, the Board Secretary and the Hostel Manager)
  - Casual and relieving staff
  - Teaching staff up to and including the level of heads of departments unless an external permanent appointment to a large department or faculty.
  - All staff required for long term relieving and fixed term positions.
- 3 The appointment, determination of salary, and terms and conditions of teaching staff in excess of the Ministry of Education staffing entitlement, up to no more than three full time equivalent teachers, providing such appointments do not require Board approval, under clause (g) of 'Responsibilities Retained by the Board'.
- 4 Performance management, disciplinary action excluding dismissal of non-teaching staff.
- 5 Competency procedures in relation to teaching staff in accordance with the Secondary Teachers' Collective Agreement through to the completion of the evaluation report as set out in clause 3.3.2 (d) of the STCA. The report and any recommendation will then be provided to the Board for any decision as set out in clause 3.3.2 (e) of the STCA.
- 6 Undertaking any inquiry into a possible breach of discipline. In the event the issues under investigation are not resolved informally by discussion or the Principal is of the view that the matter should proceed to the Board, then the Principal may initiate formal disciplinary procedures by forwarding relevant documents to the Board for this purpose.
- 7 Suspending any employee during any inquiry or following receipt of a complaint if satisfied that the welfare and interests of any student attending the school or of any employee at the school so requires.
- 8 Grant and/or require the following in relation to leave:
  - Medical certificate for an absence on sick leave in excess of five days
  - Discretionary leave not exceeding two weeks beyond the entitlement
- 9 Signing of declarations on behalf of the Board in relation to information required by the Ministry of Education, NZQA, the Education Review Office, the Teachers Council, overseas students and other external agencies that the school deals with in the normal course of its business.
- 10 Authorising student EOTC activities with the exception of overseas trips.

- 11 Overall authority for the management of the Hostel.
- 12 Interviews with the media and the distribution of media releases on matters which involved the School, provided that potentially controversial matters are discussed first with the Chair of the Board.
- 13 Other delegations of authority recorded on the attached schedule and financial delegations.
- 14 Mandatory reports to the Teachers' Council, the Ministry of Education, the Education Review Office and other external agencies that the school deals with in the normal course of its business.

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Loretta Roberts  
Chair, Board of Trustees

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Victoria Kerr  
Principal

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Date

.....  
Date



## DELEGATION OF AUTHORITY – ACTING PRINCIPAL

The document is to be read in conjunction with the Delegations of Authority to the Principal and the Financial Delegations.

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The delegations of authority to the Principal by the New Plymouth Girls' High School Board of Trustees will apply along with the following limitations:

**1 Employment:**

The employment of non-teaching staff must be in consultation with and involve the Business Manager and in the case of the Hostel, employment of staff must also involve the Hostel Manager.

Permanent teaching appointments must be in consultation with the Board Chair.

**2 Performance management:**

The advice of the NZSTA Field Officer and the Board Chair must be sought from the outset in all staff performance, discipline and/or competency matters.

**3 Policy and new initiatives:**

There is to be no change in policy direction or the introduction of school-wide initiatives without the approval of the Board of Trustees. Powers and responsibilities are limited to the school's operations, i.e. ensuring that the school operates smoothly on a daily basis.

**4 Media:**

There is to be no contact with the media beyond operational matters without the consent of the Board Chairperson.

**Note:** In the absence of the Board Chair the Deputy Chair is to be referred to.

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Chair, Board of Trustees

.....  
Principal

.....  
Date

.....  
Date



## DELEGATION OF AUTHORITY – HOSTEL MANAGER

The Principal resolves to delegate to the Hostel Manager the following powers and responsibilities:

- 1      Employ ancillary staff with the exception of the Chef.  
*Note: All employment agreements are to be prepared by the Principal's PA and signed off by the Principal.*
  
- 2      Authorise expenditure/payments up to the value of \$500 with the exception of operational expenditures.
  
- 3      Undertake inquiry into issues involving students/staff with the proviso that the Principal will be informed of issues of a serious nature.  
*Note: The decision to discipline a staff member remains with the Principal.*
  
- 4      Discipline students in accordance with the guidelines in the Hostel Handbook.  
*Note: The decision to stand down or expel a student from the Hostel remains with the Principal.*
  
- 5      Request medical certificates from staff for an absence on sick leave in excess of three days.
  
- 6      Pay staff salaries in accordance with the appropriate employment agreements and rates of pay.
  
- 7      Staff performance management including staff performance appraisals.
  
- 8      The day-to-day operational management of the Hostel.

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Principal	Hostel Manager

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Date	Date