



Governance framework

Introduction, with key legislative requirements, to board governance framework

The board of Taupo Intermediate School is focused on the ongoing improvement of student progress and achievement within an environment that provides inclusive education. **Refer to the** *New Zealand Curriculum, Te Tiriti o Waitangi, New Zealand Bill of Rights Act 1990, Human Rights Act 1993, New Zealand Disability Strategy and United Nations Convention on the Rights of Persons with Disabilities.*

To ensure effective school 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
<p>The ongoing improvement of student progress and achievement; that the school is an inclusive and safe place for all students and staff; that the school gives effect to Te Tiriti o Waitangi are the board’s primary objectives.</p> <p>The board acts in a stewardship role and is entrusted to work on behalf of all stakeholders. It is accountable for the school’s performance, emphasises strategic leadership, sets the vision for the school and ensures compliance with legal and policy requirements.</p> <p>Board policies are at a governance level and outline clear delegations to the principal. The board and principal form the leadership, with the role of each documented and understood. The principal reports to the board as a whole with committees used sparingly and only when a need is identified in order to contribute to board work.</p> <p>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 school.</p>	<p>The board delegates all authority and accountability for the day-to-day operational organisation of the school to the principal who must ensure compliance with both the board’s policy framework and the law of New Zealand (for detail, see operational policies).</p>

Education & Training Act 2020

In developing the above definitions for Taupo Intermediate School, the board is mindful of the sections of the **Education & Training Act 2020** and the **Education (School Board) Regulations 2020** set out below.

The Education & Training Act 2020 came into force on 1 August 2020 and clarifies the governance role of the school board and its primary objectives. Most of the powers and functions of boards are now set out in the Education (School Boards) Regulations 2020, with the principal’s role as chief executive specified in section 130 of the Act

Education & Training Act 2020 – School boards

125 Board is governing body

- (1) A board is the governing body of its school.
- (2) A board is responsible for the governance of the school, including setting the policies by which the school is to be controlled and managed.
- (3) Under section 130, the school's principal is the board's chief executive in relation to the school's control and management.

126 Bylaws

- (1) A board may make bylaws that the board thinks necessary or desirable for the control and management of the school.
- (2) Before making a bylaw, the board must consult its staff, its students (to the extent that the board considers appropriate), and the school community regarding the proposed bylaw.

127 Objectives of boards in governing schools

- (1) A board's primary objectives in governing a school are to ensure that—
 - (a) every student at the school is able to attain their highest possible standard in educational achievement; and
 - (b) the school—
 - (i) is a physically and emotionally safe place for all students and staff; and
 - (ii) gives effect to relevant student rights set out in this Act, the [New Zealand Bill of Rights Act 1990](#), and the [Human Rights Act 1993](#); and
 - (iii) takes all reasonable steps to eliminate racism, stigma, bullying, and any other forms of discrimination within the school; and
 - (c) the school is inclusive of, and caters for, students with differing needs; and
 - (d) the school gives effect to Te Tiriti o Waitangi, including by—
 - (i) working to ensure that its plans, policies, and local curriculum reflect local tikanga Māori, mātauranga Māori, and te ao Māori; and
 - (ii) taking all reasonable steps to make instruction available in tikanga Māori and te reo Māori; and
 - (iii) achieving equitable outcomes for Māori students.
- (2) To meet the primary objectives, the board must—
 - (a) have particular regard to the statement of national education and learning priorities issued under [section 5](#); and
 - (b) give effect to its obligations in relation to—
 - (i) any foundation curriculum statements, national curriculum statements, and national performance measures; and
 - (ii) teaching and learning programmes; and
 - (iii) monitoring and reporting students' progress; and
 - (c) perform its functions and exercise its powers in a way that is financially responsible; and
 - (d) if the school is a member of a community of learning that has a community of learning agreement under [clause 2](#) of Schedule 5, comply with its obligations under the agreement; and
 - (e) comply with all of its other obligations under this or any other Act.

128 Staff

A board may, in accordance with the [Public Service Act 2020](#), appoint, suspend, or dismiss school staff.

131 Board has complete discretion

- (1) A board has complete discretion to perform its functions and exercise its powers as it thinks fit
- (2) Subsection (1) is subject to this Act, any other enactment, and the general law of New Zealand.

Education (School Boards) Regulations 2020

8 Delegation

- (1) A board may, by resolution and in writing either generally or specifically, delegate any of the functions or powers of the board or of a board member to any of the following persons:
 - (a) a board member or members:
 - (b) the principal or any other employee or office holder of the board:
 - (c) a committee consisting of at least 2 persons at least 1 of whom is a board member:

- (d) a person approved by the Minister:
- (e) any class of persons that comprises any of the persons listed in paragraphs (a) to (d).
- (2) Subclause (1) does not apply to any functions or powers specified in the Act as not being capable of delegation.
- (3) The board must not delegate the general power of delegation.
- (4) A person to whom any function or power is delegated may perform the function or exercise the power in the same manner and with the same effect as if the person were the board or board member (subject to any restrictions or conditions imposed by the board).
- (5) A person purporting to act under a delegation—
 - (a) is, in the absence of proof to the contrary, presumed to be acting in accordance with the delegation; and
 - (b) must produce evidence of the person's authority to do so if reasonably requested to do so.
- (6) A person to whom any function or power is delegated may delegate that function or power only—
 - (a) with the prior written consent of the board; and
 - (b) subject to the same restrictions, and with the same effect, as if the subdelegate were the delegate.
- (7) A delegation under subclause (1)—
 - (a) is revocable at will by resolution of the board and written notice to the delegate (or by any other method provided for in the delegation);
 - (b) does not prevent the board or the board member performing the functions or the exercising the powers;
 - (c) does not affect the responsibility of the board for the actions of any delegate acting under the delegation;
 - (d) is not affected by any change in the membership of the board or of any committee or class of persons.

Education & Training Act 2020 - Control and management of State schools

130 Principal is chief executive of board in relation to school's control and management

- (1) A school's principal is the board's chief executive in relation to the school's control and management.
- (2) Except to the extent that any enactment, or the general law of New Zealand, provides otherwise, the principal—
 - (a) must comply with the board's general policy directions; and
 - (b) subject to paragraph (a), has complete discretion to manage the school's day-to-day administration as they think fit.