



## Personnel Policy

### NAG 3 Personnel

**Toko School Board of Trustees in accordance with the legislation of employment and personnel matters, will:**

1. develop and implement personnel and industrial policies, within policy and procedural frameworks set by the Government from time to time, which promote high levels of staff performance, use educational resources effectively and recognise the needs of students;
2. be a good employer as defined in State Sector Act 1988 and comply with the conditions contained in the employment contracts applying to teaching and non teaching staff.

**Toko School Board of Trustees meets its obligations to NAG 3, by ensuring that the following documentation is developed, implemented and reviewed as part of the Board's self review process.**

#### **Policies**

Appointments  
Principal Appraisal  
EEO  
Personal Grievance  
Sexual Harassment  
School Disciplinary Policy for Employees  
Classroom Release Time  
Discretionary Leave

#### **Key Supporting Documents**

Appointment Documentation  
Appraisal Cycle  
BOT Job Descriptions  
Collective Employment Agreements  
EEO programme  
Job Descriptions  
Management Unit Job Descriptions  
Ministry Gazette notices and circulars  
Official Information Act  
Performance Agreements  
Performance Standards  
Staff Personnel Records  
Staff Appraisal Programme/Record  
Toko School Charter, including Strategic and Annual Plans

#### **Procedures**

Delegations

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Job descriptions  
Meetings – Staff  
Performance Management  
Personnel files  
Police Vetting  
Privacy  
Protected Disclosures  
Relieving Teachers  
Safe Practice  
Staff Development  
Staff hours  
Staff leave  
Trade Unions

**This policy is reviewed on a 3 year cycle in line with the Board’s document self review plan.**

**Approved: March 2006**  
**Principal Review: July 2006**  
**Principal Review: August 2007.**  
**Board Review: October 2008.**  
**Board Review: Term 3 2008**  
**Principal Review: April 2010**

### **NAG 3 PROCEDURES**

#### **DELEGATIONS:**

The Chairperson of the Board will be responsible for any delegations given to Board members.  
The Principal will be responsible for staff delegations.

#### **ALLOCATION OF UNITS**

The responsibility for allocating units is delegated to the Principal. The Principal will consult with staff, and manage the process.

When changes are made to unit allocation the Principal will inform the Board.

Permanent units will be used to acknowledge levels of responsibility.

Units can be used to recruit new staff, retain existing staff, or acknowledge the level of responsibility undertaken by a staff member.

The allocation of fixed term units will be based on goals identified

In the event of the school needing to reduce the number of units the appropriate procedures will be followed. **Refer NZEI documentation**

#### **JOB DESCRIPTIONS:**

1. There will be a job description in place for all employees.
2. This job description will be the subject of regular review i.e. yearly.
3. Individual job descriptions will be reviewed during the appointment of a new employee.

#### **MEETINGS-STAFF:**

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### **Teacher Staff meetings**

This is the main way of professional development for whole teaching staff. Meetings generally run for one and half hours when professional development is incorporated. Meetings are generally on a Monday at 8am for 30 minutes and Monday afternoon beginning and at 3.30 pm. This meeting may well run to 5pm. This time needs to be made available for these planned meetings. Teachers should only miss them on rare occasions for important reasons.

During the implementation of the new curriculum morning meetings are held on Wednesday and Thursday for 10 minutes. They are short sharp and focussed on the implementation of the revised NZ Curriculum. In 2010 the focus shifts to implementation of National Standards.

Every second Thursday we hold a meeting, focussing on the review of a curriculum area. In 2009 and 2010 this is moderating children's writing.

### **PERFORMANCE MANAGEMENT:**

#### **Principal's Appraisal**

The Chairperson of the board will conduct the appraisal of the Principal according to a procedure agreed to between the parties involved. The chairperson may delegate parts of the appraisal process to a mutually agreed agent. **Please refer to Principal Appraisal policy.**

#### **Guidelines relating to Provisionally Registered Teacher**

1. Each beginning teacher will be allocated a tutor teacher, who has overall responsibility for the programme of advice and guidance.
2. On a regular basis the beginning teacher and tutor will meet. At times the Principal will be involved to preview the programme for the upcoming term and review progress so far.
3. The programme of advice and guidance will include:
  - a) regular meetings
  - b) timetabled opportunities to observe teachers with particular expertise
  - c) opportunities to visit other schools of particular interest
  - d) participation in any appropriate course set up to help beginning teachers
4. The process of assessment will include:
  - a) formal assessments undertaken by the tutor teacher.
  - b) informal and formal visits by the Principal
  - c) the tutor will keep a written record of meetings and observations.
  - d) in meeting the requirements above, the beginning teacher will also be meeting the requirements set out in the schools appraisal procedures.

#### **Guidelines relating to Staff seeking Salary Progression / Renewal of Practising Certificate and guidelines for Teaching Staff Staff.**

1. All staff must have signed job descriptions.
2. Incorporated in all job descriptions will be the relevant set(s) of National Professional Standards.
3. All staff will be assessed **annually** against the appropriate set(s) of professional standards.
4. **The Principal will be responsible for the assessments of all teaching staff.**
5. At the start of each year the Principal will confirm with each staff member the focuses for the year in regards to **annual plan, learning targets, and professional development**. All staff are expected to endorse and support these school wide initiatives. All staff are expected to take the opportunity to read and understand school documentation.
6. The process of appraisal will take two forms:
  - a) **Classroom observation by the principal.** The frequency of which is a minimum of

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one per year, and usually more.

- b) Opportunity for review meetings to discuss performance expectations. These may not always be necessary.
7. Where a staff member is in disagreement regarding their assessment, a local review process is available (**see CEC clause 5.6.4.**).
8. The results of this annual assessment will be used for both decisions about: areas for improvement and growth, areas of strength that should be shared with others, salary progression and renewal of practising certificate.
9. All documentation on performance appraisal is confidential to the person being appraised, his or her supervisor and the Principal.
10. The Board's responsibilities are confined within its governance role, ensuring that:
  - \* the policy is carried out as defined
  - \* there is a training budget
  - \* the performance appraisal is reviewed on a regular basis
11. Other than exercising its direct responsibilities for the Principal's appraisal the Board does not play a 'hands-on' role in the school's staff performance appraisal process.

### **Guidelines relating to Teachers causing concern**

1. If the Principal has a concern about whether a teacher is fulfilling one or more aspects of the relevant National Standards, s/he must discuss the area(s) of concern, with the teacher and put in place an appropriate programme of assistance and guidance.
2. If the programme fails to remedy the concern the provisions of clause 3.6 (a-e) of the Collective Agreement will apply.
3. The Principal should contact NZSTA personnel/industrial relations adviser on employment related issues, and particularly at the first signs of any potential problem which may escalate into a dispute, disciplinary issue, or involve teacher competency.
4. Failure to contact NZSTA will place Employer liability insurance at risk.

### **Ancillary/Support Staff**

1. The Principal will be responsible for the appraisal of ancillary staffing. The Principal *may* elect to delegate aspects of the review process to agreed reviewers eg teaching staff or Deputy Principal.
2. In February/ March the Principal will meet individually with support staff to review their job descriptions and responsibilities and conditions of service for the coming year.
3. These will be agreed to and be signed by the parties involved.
3. A self appraisal may be undertaken by ancillary staff and will form the basis for discussion for future development.

### **PERSONNEL FILES:**

Confidential files must be held by Boards as part of good management of staff. The types of information held will include;

- CV with application for employment.
- Letters of offer and acceptance for the position.
- Documentation outlining position, hours of work and hourly rate for non teaching staff,

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personal details.

- Correspondence entered into with the employee during employment.
- Performance Appraisal documentation.
- Any disciplinary action undertaken.
- Applications for leave.

Personnel files to be kept in a cabinet in the Principal's office. Should a staff member wish to see their own file, they should make a request to the Principal who will arrange a time for the file to be viewed. **No contents may be taken from the school site or given to another person other than the employee themselves unless there is signed agreement to do so prior to requests.**

All files to be kept for six years after the employee leaves. (This is because employees can make a wage claim going back six years and can also claim a breach of contract for dismissal which can be backdated six years.)

### **POLICE VETTING:**

1. All new employees will require a police vet.
2. The principal is responsible for the police vet check and these will be sent for before the appointment is made.
3. The Principal will check the vet and if there is nothing untoward it will be put in the employee's file **and the appointment confirmed. All appointments are conditional on a clear police vet.**
4. If the vet shows up something untoward a decision needs to be made whether to appoint or not.

### **PRIVACY:**

The Official Information Act extends the strict limited imposed by Principle 11 on Disclosure to third parties.

The Privacy Officer's (Richard Bradley) duties are to:

- a. Encourage compliance by the School with the 12 privacy principles.
- b. Deal with access and correction requests made to the School.
- c. Assist the Privacy Commissioner in relation to the investigation of complaints.
- d. Otherwise ensure compliance by the School with the Act.

Provide internal procedures for dealing with access requests (refer above)

Annually review all personal information the school currently holds to ensure that:

- a. It is securely held.
- b. It is accurate and up to date.
- c. Redundant information is deleted.
- d. Unique identifiers (ID numbers) are adopted for individuals only where appropriate.

Review the procedures for obtaining personal information (including stationery and forms) in order to ensure that:

- a. The requirements of the Act are complied with.
- b. The "purpose of collection" is sufficiently widely defined and established.

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- c. All consents and authorisations necessary to allow all proposed uses of information are obtained at the time of collection.
- d. Any consents and authorisations necessary to obtain information from third parties, including other schools, are obtained.

Review current or proposed uses of personal information to ensure that the use is consistent with the purpose of collection and that future use will not breach the principles.

Review procedures for release of personal information to ensure that:

- a. Appropriate consents are obtained prior to release; or
- b. The statutory obligations are otherwise complied with.

Ensure that school staff stay current in their understanding of their obligations under Privacy Act.

### **Purpose of collection of personal information:**

Personal information will be collected only for a purpose connected with the function of the school, and only where collection is necessary for that purpose.

### **Source of personal information:**

As far as is practicable, personal information will be collected from a parent or the adult concerned.

### **Collection of information from individuals:**

When collecting personal information from an individual, reasonable steps will be taken to ensure that the person is aware of:

- the fact that information is being collected and the purpose of collection
- the intended recipients of the information
- the consequences of refusing to provide the information
- the right of access to and correction of personal information

### **Manner of collection of personal information:**

Personal information will not be collected by unlawful, unfair or unreasonably intrusive means

### **Storage and security of personal information:**

Reasonable steps will be taken to ensure that all personal information is protected against loss, unauthorised access and misuse

### **Access to personal information:**

Individuals are entitled to access information about them that is held by the school in a readily retrievable form

### **Correction of personal information:**

Individuals are entitled to request correction of personal information

### **Accuracy etc. of personal information:**

The school shall take responsible steps to ensure that information used is accurate, up-to-date, complete, relevant and not misleading

### **Agency not to keep personal information for longer than necessary:**

The school will not keep personal information for longer than is necessary for the purposes for which the information may lawfully be used

**Limits on use of personal information:**

The school will not use personal information collected for one purpose for any other purpose

**Limits on disclosure of personal information:**

The school will not disclose personal information to any other party unless disclosure is one of the purposes, or is directly related to the purposes for which the information was obtained.

**Unique identifiers:**

The only “unique identifier” that shall be used by the school shall be an individual student’s “Enrolment Number”.

**PROTECTED DISCLOSURES PROCEDURES:**

**INTRODUCTION:**

**Who can make a protected disclosure?**

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.

**What is a Protected Disclosure?**

A protected disclosure is a declaration made by an employee where they believe serious wrongdoing has occurred. Employees making disclosures will be protected against retaliatory or disciplinary action and will not be liable for civil or criminal proceedings related to the disclosure.

**What is a serious wrongdoing?**

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

- (a) an unlawful, corrupt, or irregular use of funds or resources of a public sector organisation; or
- (b) an act, omission, or course of conduct that constitutes a serious risk to public health or public safety or the environment; or
- (c) an 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) an act, omission, or course of conduct that constitutes an offence; or
- (e) an act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement;
- (f) whether the wrongdoing occurs before or after the commencement of this act.

**Conditions for Disclosure:**

Before making a disclosure the employee should be sure the following conditions are met:

- \* the information is about serious wrongdoing in or by the school; and
  - \* the employee believes on reasonable grounds the information to be true or is likely to be true;
- and
- \* the employee wishes the wrongdoing to be investigated; and
  - \* the employee wishes the disclosure to be protected.

**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

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- \* 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.

### **PROCEDURES:**

#### **1. How to submit a disclosure:**

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 Principal.

The employee should submit the disclosure in writing using the appropriate school form.

#### **2. Information to be contained:**

On the appropriate school form the disclosure should contain detailed information including the following:

- \* the nature of the serious wrongdoing
- \* the name or names of the people involved
- \* surrounding facts including details relating to the time and/or place of the wrong doing if known or relevant.

#### **3. Where to send disclosures:**

A disclosure must be sent in writing to the Principal who has been nominated by the Board of Toko School Trustees under the provision of Section 11 of the Protected Disclosures Act 2000 for this purpose.

If you believe that the Principal 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 Chair of the Board.

#### **4. Decision to investigate:**

On receipt of a disclosure, the Principal/Chair of the Board must within 20 working days examine seriously the allegations of wrongdoing made and decide whether a full investigation is warranted.

If warranted a full investigation will be undertaken by the Principal/Chair of the Board or arranged by him/her as quickly as practically possible, through an appropriate authority.

#### **5. Protection of disclosing employees name:**

All disclosures will be treated with the utmost confidence. When undertaking an investigation and when writing the report, the Principal/Chair of the Board will make every endeavour possible not to reveal information that can identify the disclosing person, unless the person consents in writing or if the person receiving the protected disclosure reasonably believes that disclosure of identifying information is essential:

- \* to ensure an effective investigation
- \* to prevent serious risk to public health or public safety or the environment
- \* to have regard to the principles of natural justice

#### **6. Report of investigation:**

At the conclusion of the investigation the Principal/Chair of the Board will prepare a report of the investigation with recommendations for action if appropriate, which will be sent to the person making the Protected Disclosure.

#### **7. Disclosure to an appropriate authority in certain circumstances:**

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A disclosure may be made to an appropriate authority (including those listed below) if the employee making the disclosure has reasonable grounds to believe:

- \* the Principal/Chair of the Board in the school responsible for handling the complaint is or may be involved in the wrongdoing; or
- \* immediate reference to another authority is justified by urgency or exceptional circumstances;
- \* there has been no action or recommended action within 20 working days of the date of disclosure.

Appropriate Authorities include (but are not limited to)

- \* Commissioner of Police
- \* Controller and Auditor General
- \* Director of the Serious Fraud Office
- \* Inspector General of Intelligence and Security
- \* Ombudsman
- \* Parliamentary Commissioner for the Environment
- \* Police Complaints Authority
- \* Solicitor General
- \* State Service Commissioner
- \* Health and Disability Commissioner
- \* The head of every public sector organisation

### **8. Disclosure to Ministers and Ombudsman**

A disclosure may be made to a Minister or an Ombudsman if the employee making the disclosure

- \* Has made the same disclosure according to the internal procedures and clauses of this policy
- \* Reasonably believes that the person or authority to whom the disclosure was made:
  - has decided not to investigate; or
  - has decided to investigate but not made progress with the investigation within reasonable time;
  - has investigated but has not taken or recommended any action; andcontinues to believe on reasonable grounds that the information disclosed is true or is likely to be true.

### **9. Why can't I just go to the appropriate authority myself?**

There are three circumstances when you can 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 which 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.

### **10. What happens if even the appropriate authority does nothing?**

You could then make the disclosure to the Ombudsman (unless they were the authority you have already disclosed to) or a Minister of the Crown.

The act does not protect you if you disclose information to the media or a member of parliament other than a Minister of the Crown in the circumstances referred to above.

### **11. Where can I find out more information?**

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If you notify the Office of the Ombudsman verbally or in writing, that you have disclosed or are considering a disclosure under this Act, they must provide information and guidance on a number of matters including those discussed here and the protections and remedies available under the *Human Rights Act 1993* if the disclosure leads to victimization.

A copy of the Act can be found on the Internet at Legislation on Line  
<http://rangi.knowledge-basket.co.nz/gpacts/actlists.html>  
Click on "P" then scroll down to *Protected Disclosures Act 2000*.

### **RELIEVING TEACHERS:**

1. **All leave other than sick leave must be approved by the Principal in advance.**
2. A teacher informs the Deputy Principal they will be absent – if becoming ill overnight by **7am**.
3. The Deputy Principal is responsible for the administration and management of relieving teachers.
4. Whenever possible classroom teachers are responsible for ensuring that all available teaching materials, timetables and work plans are in place and class and school rules are displayed for ready reference.
5. A checklist will be supplied to relievers with essential information about school systems and routines. **Available on staffroom wall.**
7. In the event where a suitable reliever cannot be found then the Principal in consultation with Staff will make a decision as to whether:
  - the class can be offloaded within other classes in the school.
  -

### **SAFE PRACTICE:**

#### **Restraint of students**

- Learn to use anger management and classroom skills to isolate and restrict students from injuring themselves.
- Learn appropriate ways to restrain students. **Involve the Principal as early as possible.**
- If the student cannot be controlled **in any other way**, physically restrain the student as appropriately as possible and seek immediate principal assistance.

If a staff member has reason to suspect a child of theft .... **Seek assistance**

**Do not body search students as this could lead to allegations of physical or indecent assault.**

- If it is necessary to undertake a search of property because you suspect theft, drugs or dangerous weapons **involve the Principal** to supervise.
- Tell the student what you are looking for.
- Ask the student to tell you where the item is.
- Get the student to check all likely places for the item.
- Ask the student to empty out his/her pockets and if the student is wearing a jacket ask him/her to remove it.
- Ask the student to empty out their school bag.

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- Ask the student to empty out their pencil case.
- Ask the student to put onto the table anything they have tucked away in their clothing.
- **If this is not successful, involve the police and the parent/caregiver.**

### **Attacks on staff/intimidation**

- Try to protect yourself without causing injury to the student or adult involved.
- Move away or restrain the student if this is possible.
- Get assistance immediately.
- Report to the Principal, immediately.

### **Toileting**

- This is not a regular job expected of teachers or support staff, but it may happen from time to time eg accidents. **Ensure other staff know you are toileting a student.**

### **Being alone with a student**

- Avoid situations where you are alone with a student, including student monitors/helpers.
- If you are alone with a student use extremely careful judgement, **but chances are you shouldn't be!!!!** Keep the door open and try to have someone else nearby.

### **Transporting a student**

- Staff should avoid transporting a student on their own at all times.

### **Physical contact with students and its cultural acceptability**

- Some cultures frequently use affection and positive physical contact.
- Regardless of a student's cultural customs staff must avoid inappropriate physical contact.

### **Personal Safety**

- Staff are encouraged to not work alone at school after the hours of darkness.
- If there is a need then buildings should be kept locked when staff are working beyond normal operating hours.
- Staff are asked to avoid any situation where they act in isolation.

### **STAFF DEVELOPMENT: The Principal is responsible for all matters related to Professional Development.**

1. The professional development needs and interests of staff will be determined by senior management in consultation with staff by the end of February for the current year. All staff will be expected to participate in professional development programmes on an annual basis. The content will vary based on decisions made.

An annual allocation of resources will be made in each year's budget.

Release time will be made available when practical for teachers to engage in professional development work.

#### **2. Staff development may be organised on an individual, team, curriculum and school basis.**

\* Staff will have the appropriate release time (Inclusive of Teacher Only Days) allocated for staff development purposes.

\* A separate allocation will be made for staff development including professional development for ancillary and support staff.

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### **3. All staff accept a professional responsibility to help their colleagues and to assist in their professional development.**

- \* Staff development can take place both within and outside the school environment.
- \* Sufficient funds will be made available to allow release for all teachers.
- \* While the concept of equity will be considered; the ultimate decision made by the Principal will be based on need and benefit to staff and pupils taking into account the overall development plan of the school.
- \* That teachers will be encouraged to seek professional development outside of teaching time so that the best use is made of funds and there is less disruptions to class programmes.

### **STAFF HOURS :**

1. Teaching staff are required to be at school for the length of time, prior to the arrival of their pupils, that it takes them to prepare their programme, their environment and themselves adequately.
2. **All teachers are expected to be in their classrooms from 8.30 - 9.00 am to prepare resources and be available for children if needed.** This is our job. This is a very good time to assist those children that need more assistance managing themselves eg homework completion, a helpful ear, classroom environment.
3. **Teachers will be required to remain after school until all necessary duties have been completed. (3.30 pm is considered to be the minimum requirement).** If teachers have an earlier commitment please let the Principal know. Teachers leaving before 3.30pm is not a good look for the school.
5. Teachers will also be responsible for playground duty and supervision as prescribed by the Principal. Do duty fully, including opening the school up in the morning.
6. Support staff, caretaker and cleaners will negotiate their hours of work before acceptance of their position.

### **STAFF LEAVE :**

1. The Board will observe the current Collective Employment Agreement criteria. Leave without pay will be granted by the Principal in accordance to the personel policies and emplyment contracts.
2. For application for leave read the appropriate policy document.
3. The Principal has authority to approve discretionary leave applications up to a duration of two weeks with or without pay, subject to the availability of suitable relieving staff. The Board will consider applications for longer periods.
4. It is important that such leave does not unreasonably impinge upon the operational requirements of the school.
5. The Deputy Principal in discussion with the class teacher and Principal, will be responsible for

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the appointment of the required relievers.

6. All discretionary leave applications must be submitted in writing to the Principal in sufficient time to allow a suitable reliever to be employed.
7. Unless there are special circumstances all applications for leave, with or without pay, are to be made in writing at least 10 days before the leave is required and five days before the next Board meeting.
8. Leave for greater than two weeks may be granted by the Board according to the following guidelines:
  - in general the Board will not grant any special leave in conjunction with vacations and normally they expect teachers to arrange for private business to be conducted during vacations. There must be special circumstances for this leave to be granted during the term.
  - leave may be granted if a minimum of three years continuous teaching service has been completed.
  - leave may only be granted for a maximum of up to one year.
  - leave will only be granted if suitable relieving staff can be employed.
9. Sickness leave beyond 3 days is to be supported by a medical certificate.
10. Staff may apply for leave without pay for jury service.
11. Factors to be considered for leave; each case is considered on its merits, the amount of disruption to the management and organisation of the school, precedents set, leave the person has already taken, availability of a suitable reliever, affordability.

### **TRADE UNIONS:**

Toko School recognises the Education Sector Unions and the relevant Agreements.

Provision will be made for Union discussions and reception of Union officials to meet with staff. This is expected to take place during non-contact time.