

Self-Audit Checklist
Section 4 – Personnel

*Section title – Personnel – and numbering cross reference to the August 2020 Board Assurance Statement*

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# **Safety Checking of the workforce 5 (early review)**

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 5 | **Children’s Act 2014 - Safety Checking of Workforce** |
| **For *persons* that the Board employed or engaged as a paid *children’s worker\**, the following checks have been undertaken:** |
| Identity Confirmation, either by: |
| 1. using an electronic identity credential to check that the identity is not claimed by someone else; or
 |  |  |  |
| 1. checking an original primary identity document (e.g. NZ passport); and
 |  |  |  |
| 1. a secondary identity document (e.g. NZ driver licence);
 |  |  |  |
| [Note: if there are no photos of the person in the documents in (b), the board must require an identity referee to authenticate/verify identity of the staff. If the person’s name is different on a document in (b) the board must require a supporting name change document from the person]; |
|  \*\* searching the board’s personnel records to check whether the identity is being used or has been used by any person currently or previously employed/engaged by the board after the board has sighted the documents in (a) or (b) including the matters under ‘Note’ above. |  |  |  |
| **Criminal Convictions** |
| 1. obtaining and considering information from NZ Police vet
 |  |  |  |
|  | [Note: no need for Police vet if the person already had one in the last three years or person is a registered teacher] |
| **Other Information** |  |  |  |
| 1. obtaining and considering a chronological summary of work history for preceding five years from the person; and
 |  |  |  |
| 1. whether person is registered with the Teaching Council, and if so, board has confirmed this with the Teaching Council;
 |  |  |  |
| 1. obtaining and considering information from at least one referee (not related to the person or part of the extended family) and
 |  |  |  |
| 1. any other information the board considers relevant for risk assessment;
 |  |  |  |
| 1. interviewed the person, in person or by telephone or other communication technology;
 |  |  |  |
| [Note: the requirements in (e), (g),(h) and (i) do not apply if the person is currently employed or engaged by the board in another role – write N/A in this case] |
| **Risk Assessment** |
| 1. evaluation of all the information above to assess the risk the potential children’s worker would pose to the safety of children if employed or engaged, taking into account whether the role is a core children’s worker or non-core children’s worker.
 |  |  |  |
| **Notes:** |
| 1. \*Children’s workers who are *core workers* work alone with or have primary responsibility or authority over children, eg teachers, teacher aides or support staff. Also applies to persons undertaking unpaid children’s work as part of educational or vocational training course.
 |
| 1. \*\* the purpose of paragraph (c) is to establish that the applicant is the sole claimant of the identity.
 |
| 1. The above checks apply to all new core workers from 1 July 2015, and all new non-core workers from 1 July 2016 before commencing employment and are guidelines only.
 |
| 1. For details the board should refer to the relevant provisions of the Children’s Act 2014, and regulations 5 – 8 of the Children’s (Requirements for Safety Checks of Children’s Workers) Regulations 2015 – [www.legislation.govt.nz](http://www.legislation.govt.nz).
 |
| For more information visit: [www.childrensactionplan.govt.nz](http://www.childrensactionplan.govt.nz), and [Children’s worker safety checking under the Children’s Act 2014 [PDF, 1.2 MB](http://www.childrensactionplan.govt.nz/assets/CAP-Uploads/childrens-workforce/Childrens-worker-safety-checking-under-the-Vulnerable-Children-Act-RC-v1-02.pdf) |
| 1. Seek independent advice, e.g. from NZSTA if you are uncertain.
 |
| 1. Keep accurate records about each aspect of the safety checking process, and have appropriate policies and procedures
 |

# **Ensuring teachers have practising certificates 7, 8 (early review)**

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 7 | Ensured that persons without a practising certificate are not permanently appointed to a teaching position? [Section 92(2) Education and Training Act 2020].[92](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS176239) [Restrictions on appointment of teachers](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS176239) |  |  |  |
| 8 | **Ensured that it does not continue to employ in any teaching position, any person—** |  |  |  |
| 1. whose registration as a teacher has been cancelled, and who has not since been registered as a teacher again; or
 |  |  |  |
| 1. whose LAT has been cancelled, and who has not since been granted an authorisation again or registered as a teacher; or
 |  |  |  |
| whose practising certificate or LAT is suspended by the Disciplinary Tribunal? |  |  |  |
| [*Reference section 93(1) Education and Training Act 2020*].[93](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS177671) [Restrictions on continued employment of teachers](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS177671) |

# **Mandatory reporting to the Teaching Council 10 (early review)**

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 10 | **As employer, reported to the Teaching Council in compliance with the mandatory reporting requirements under the Education Act 1989 in the following situations: *[Write N/A if not applicable].*** |
| 1. when a teacher has been dismissed for any reason (section 489)?

[489](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172226) [Mandatory reporting of dismissals and resignations](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172226) |  |  |  |
| 1. If, within the 12 months before a teacher’s resignation (including a fixed-term position) or expiry of the teacher’s fixed-term contract, the board had advised the teacher that it was dissatisfied with, or intended to investigate, any aspect of the teacher’s conduct or teacher’s competence (section 489)?

[489](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172226) [Mandatory reporting of dismissals and resignations](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172226) |  |  |  |
| 1. the board receives a complaint about the teacher’s conduct or competence while he/she was an employee within 12 months of after the teacher ceases to be employed (section 490)?

[490](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172227) [Mandatory reporting of complaints received about former employees](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172227) |  |  |  |
| 1. the board has reason to believe that the teacher has engaged in serious misconduct (section 491)?

[491](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172228) [Mandatory reporting of possible serious misconduct](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172228) |  |  |  |
| 1. the board is satisfied that despite undertaking competency procedures with the teacher, the teacher has not reached the required level of competence (section 492)?

[492](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172229) [Mandatory reporting of failure to reach required level of competence](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172229) |  |  |  |

# **Police vetting of employees and contractors 9 (early review)**

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 9 | **In accordance with s 104 of the E&T Act, has the board obtained a Police vet for every person:** |
| 1. whom the board appoints or intends to appoint to a position at the school; and
 |  |  |  |
| 1. who is to work at the school during normal school hours; and
 |  |  |  |
| 1. who is not a registered teacher or holder of a limited authority to teach [LAT]?
 |  |  |  |
| Has the board obtained a Police vet of every contractor, or employee of a contractor who has, or is likely to have unsupervised access to students at the school during normal school hours? |  |  |  |
| Has the board ensured that the Police vet is obtained before every person/contractor or their employee noted above has, or is likely to have unsupervised access to students at the school during normal school hours? |  |  |  |
| Has the board obtained a Police vet every three years of every person /contractor or their employee noted above who still works at the school?*Reference: Clauses 9, 10, 11, and 12 Schedule 4 Education and Training Act 2020.***Note:** Nothing in the provisions above limits or affects Part 3 of the Children’s Act 2014 in relation to the safety checking of children’s workers [refer clause 14 of Schedule 4 E&T Act 2020]. [104](http://www.legislation.govt.nz/act/public/2020/0038/latest/whole.html?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1#LMS200424) [Required Police vetting](http://www.legislation.govt.nz/act/public/2020/0038/latest/whole.html?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1#LMS200424)[Schedule 4](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS176165) [Police vetting](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS176165)  |  |  |  |

# **Implementing human resource management practices 3 (early review)**

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 3 | **Documents showing that suitable human resource management practices are implemented including:** |
| 1. selection and appointment procedures showing that:
 |
| * 1. the appointment panel has the proper delegation from the board;
 |  |  |  |
| * 1. applicants are registered for teaching positions; and
 |  |  |  |
| * 1. for non-teaching positions, a Police Vet has been carried out;
 |  |  |  |
| * 1. the background of an applicant’s character, competence, qualifications, and experience is carefully checked;
 |  |  |  |
| * 1. original or certified documents are properly sighted; and
 |  |  |  |
| * 1. certified documents are authenticated by persons authorised to do so
 |  |  |  |
| 1. the job/role descriptions;
 |  |  |  |
| 1. induction procedures into the school;
 |  |  |  |
| 1. a system of regular appraisal; and
 |  |  |  |
| 1. provision for professional development.
 |  |  |  |
| [Section 599/600 Education and Training Act 2020; Good practice; MoE Guidelines][599](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS267847) [Performance of teachers](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS267847)[600](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS267849) [Equal employment opportunities](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS267849) |  |  |  |

|  |  |
| --- | --- |
| **Further thoughts** |  |
| **Thinking about each of the elements above, does the board see any areas where you would like to see improvement?**  | **Comments/notes** |
| *Elements to consider*Safety checking of the workforceMaintaining up to date teacher practising certificatesPolice vetting of employees and contractorsImplementing rigorous appointment processes |  |
| **Space for further comments as needed**  |
|  |

# General personnel and industrial policies 1-2 (over time review)

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 1 | **Does the Board -** a. operate an employment policy that complies with the principle of being a good employer; andb. make that policy (including the equal employment opportunities programme) available to its employees; and c.ensure its compliance with that policy (including its equal employment opportunities programme) and report in its annual report\* on the extent of its compliance.\***Note**: s 87 of the Education Act 1989 continues to apply until 1/1/2023 and requires Boards to prepare the annual report for the Secretary for Education. [Ref: section 597(1) Education and Training Act 2020.Section 597(2) of the E&T Act defines the meaning of ‘good employer’][*Personnel provisions in relation to education service*](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS285163)

|  |  |
| --- | --- |
| [597](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS242159) | [General principles](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS242159) |

 |  |  |  |
| Being a good employer as defined in the State Sector Act 1988, and complied with the conditions contained in employment contracts applying to teaching and non-teaching staff?  [NAG 3; s 77A State Sector Act]. |  |  |  |
| 2 | Has the Board taken into account matters prescribed by the Secretary for Education for assessing the performance of teachers? [s 599 Education and Training Act 2020; and relevant; Collective Employment Agreement].

|  |  |
| --- | --- |
| [599](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS267847) | [Performance of teachers](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS267847) |

 |  |  |  |

# The Principal’s annual appraisal 4 (over time review)

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 4 | Annually assessed the principal against all the professional standards for principals? [NZ Ed Gazette: and relevant employment agreement]. |  |  |  |

# Protected Disclosures 11 (over time review)

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 11 | Implemented appropriate internal procedures for receiving and dealing with information about serious wrongdoing under the Protected Disclosures Act 2000? [*Please note this Act will be repealed and replaced by a new Act*] |  |  |  |

# Payroll records 6 (over time review)

| **Please tick all questions including bullet points or write N/A if not applicable.** | Yes | No | Unsure |
| --- | --- | --- | --- |
| 6 | Kept all records for the purposes of the payroll service and given the Secretary for Education all information in accordance with section 578 of the Education and Training Act 2020?[578](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172517) [Payroll service](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172517) |  |  |  |
|  | Complied with section 580 of the Education and Training Act 2020 and the relevant Principals’ Collective Agreement (i.e. sought the written consent of the Secretary for Education) before paying any additional remuneration to the principal?[580 Restrictions on payment of salaries of regular teachers by boards of payrolled schools](http://www.legislation.govt.nz/act/public/2020/0038/latest/link.aspx?search=ta_act_E_ac%40ainf%40anif_an%40bn%40rn_25_a&p=1&id=LMS172522) |  |  |  |

|  |
| --- |
| **Further thoughts** |
| Thinking about these personnel areas as a whole, does the board see any areas for improvement? |
|  |