



Whenuakite School

1055 Tairua Whitianga Road, RD 1, Whitianga, 3591 - P 07 8668630 – E admin@whenuakite.school.nz - W www.whenuakite.school.nz - F www.facebook.com/whenuakite

BOARD OF TRUSTEES

Whenuakite School Trustees' Code of Behaviour Policy

The board is committed to ethical conduct in all areas of its responsibilities and authority. Trustees shall:

1. Maintain and understand the values and goals of the school
2. Protect the special character of the school
3. Ensure the needs of all students and their achievement is paramount
4. Be loyal to the school and its mission
5. Publicly represent the school in a positive manner
6. Respect the integrity of the principal and staff
7. Observe the confidentiality of non-public information acquired in their role as a trustee and not disclose to any other persons such information that might be harmful to the school
8. Be diligent and attend board meetings prepared for full and appropriate participation in decision making
9. Ensure that individual trustees do not act independently of the board's decisions
10. Speak with one voice through its adopted policies and ensure that any disagreements with the board's stance are resolved within the board
11. Avoid any conflicts of interest with respect to their fiduciary responsibility
12. Recognise the lack of authority in any individual trustee or subgroup of the board in any interaction with the principal or staff
13. Recognise that only the chairperson (working within the board's agreed chairperson role description or delegation) or a delegate working under written delegation, can speak for the board
14. Continually self-monitor their individual performance as trustees against policies and any other current board evaluation tools
15. Be available to undertake appropriate professional development

Name:.....

I have read, understand, agree and will act in accordance to the above Whenuakite School Trustees' Code of Behaviour guidelines.

Signed:

Date:

Whenuakite School Trustees' Conflict of Interest Policy

The standard of behaviour expected at Whenuakite School is that all staff and board members effectively manage conflicts of interest between the interests of the school on one hand, and personal, professional, and business interests on the other. This includes managing potential and actual conflicts of interest, as well as perceptions of conflicts of interest.

The purposes of this policy are to protect the integrity of the school decision-making process, to ensure confidence in the school's integrity, and to protect the integrity and reputations of staff and board members. Upon or before election or appointment, each person will make a full, written disclosure of interests, relationships, and holdings that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated as appropriate.

In the course of meetings or activities, staff and board members will disclose any interests in a transaction or decision where their family, and/or partner, employer, or close associates will receive a benefit or gain. After disclosure, the person making the disclosure will be asked to leave the room for the discussion and will not be permitted to vote on the question.

Conflict of Interest Definitions

Financial Interest

The term financial interest means anything of monetary value, including but not limited to:

- Salary or payment for services (for example: consulting fees and honoraria);
- Equity interests (for example shares, share options and other ownership interests);
- Gifts;
- Allowances, forgiveness of debts, interests in real estate, or personal property, dividends, rents, capital gains; and
- Intellectual property rights (for example: patents, copyrights and royalties from these rights).
- Relationships with contractors who may undertake work for the school.

Personal Interest

A Board member has a personal interest in a matter if his or her spouse or partner, or other person in his or her family and whānau, or person with whom there is a friendship, could be advantaged or disadvantaged, by any decision that the staff member either can make, or does make, or is in a position to influence.

The term **Personal interest** means anything of personal views / interests, including, but not limited to:

- Holding or expressing strong political or personal views that may indicate prejudice or predetermination for or against a person or issue
- Being a relative or friend of someone who has one of these interests.

Members in such a position must carry out their official role fairly and free from prejudice. The current judicial expression of the test for bias is:

*Is there a real danger of bias on the part of a member of the decision-making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?*⁷

Also, there is a common law rule that a person who has a fiduciary obligation towards the school (such as a trustee) is not allowed to put themselves in a position where their official role conflicts with their personal interests.

Business Interest

A Board member will have a business interest in an enterprise seeking to do business with the School if he or she;

- Is a director of the business;
- Is an owner of, or partner in the business;
- Has a significant shareholding in the business;
- Has a close personal or familial relationship with a person who is an owner or partner, or significant shareholder in the business.

To mitigate risk to the integrity of Whenuakite School, Board of Trustees and Employees; including processes, perceptions and actions the Board will follow set process. Where the 'Conflict' may be Actual or Perceived, the following protocol will be followed:

- prohibit members from discussing and voting at meetings on matters in which they have an interest;
- require members to disclose interests before appointment, and/or in a register of interests, and/or at relevant meetings;
- prohibit members from having an interest in certain contracts with their entity;
- prohibit members from signing documents relating to matters in which they have an interest.

Name:.....

I have read and understand the Conflict of Interest Policy and guidelines. I will act in accordance to the above Whenuakite School Trustees' Code of Behaviour guidelines.

Signed:

Date:

Whenuakite School Conflict of Interest Declaration

I wish to inform the Whenuakite School Board of Trustees of an interest I hold under the categories noted. **The conflict of interest** may be considered perceived, potential or actual when exercising decisions and actions in my role within the organisation.

Conflict of Interest

A conflict of interest exists in any situation when a person has a financial interest, a private, personal or familial interest, a business interest sufficient to influence, or appear to influence, the impartial exercise of duties or professional judgments.

Please tick the categories that apply to your area of conflict of interest with Whenuakite School below:

Conflict of Interest Definitions	✓
<p>Financial Interest The term financial interest means anything of monetary value, including but not limited to:</p> <ul style="list-style-type: none"> • Salary or payment for services (for example: consulting fees and honoraria); • Equity interests (for example shares, share options and other ownership interests); • Gifts; • Allowances, forgiveness of debts, interests in real estate, or personal property, dividends, rents, capital gains; and • Intellectual property rights (for example: patents, copyrights and royalties from these rights). • Relationships with contractors who may undertake work for the school; where financial interest or remuneration is held. 	✓
<p>Personal Interest A Board member has a personal interest in a matter if his or her spouse or partner, or other person in his or her family and whānau, or person with whom there is a friendship, could be advantaged or disadvantaged, by any decision that the staff member either can make, or does make, or is in a position to influence.</p> <p>The term Personal interest means anything of personal views / interests, including, but not limited to:</p> <ul style="list-style-type: none"> • Holding or expressing strong political or personal views that may indicate prejudice or predetermination for or against a person or issue • Being a relative or friend of someone who has one of these interests. <p>Members in such a position must carry out their official role fairly and free from prejudice. The current judicial expression of the test for bias is:</p> <p><i>Is there a real danger of bias on the part of a member of the decision-making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?</i>⁷</p> <p>Also, there is a common law rule that a person who has a fiduciary obligation towards the school (such as a trustee) is not allowed to put themselves in a position where their official role conflicts with their personal interests.</p>	
<p>Business Interest</p>	

<p>A Board member will have a business interest in an enterprise seeking to do business with the School if he or she;</p> <ul style="list-style-type: none"> • Is a director of the enterprise: • Is an owner of, or partner in the business: • Has a significant shareholding in the business: • Has a close personal or familial relationship with a person who is an owner or partner, or significant shareholder in the business. 	
---	--

Please detail the Conflict of Interest you wish to disclose:

I understand that to mitigate risk to the integrity of Whenuakite School, Board of Trustees and Employees; including processes, perceptions and actions, the Board will follow set process below:

Where the 'Conflict' may be Actual or Perceived, the following protocol will be followed:

- prohibit members from discussing and voting at meetings on matters in which they have an interest;
- require members to disclose interests before appointment, and/or in a register of interests, and/or at relevant meetings;
- prohibit members from having an interest in certain contracts with their entity;
- prohibit members from signing documents relating to matters in which they have an interest.

Name of Board member (please print)	Position:
Signature	Date
Name of Board of Trustees Chairperson	
Signature of Chairperson	Date

Copy to the Board member. Original is maintained by Whenuakite School Board of Trustees in the register of interests.