# Logo: Te Tāhuhu o te Mātauranga  Ministry of Educationā

Draft Code of Conduct for State School Board Members and eligibility requirements

We are seeking your views on:

* a draft mandatory code of conduct for school board members; and
* whether the current eligibility requirements for school board members are sufficient and fit for purpose.

# The code of conduct

Sections 166-169 of the Education and Training Act 2020 (the Act) allow the Minister of Education to issue a code of conduct for state school boards that sets out the minimum standards of conduct that each member is required to meet.

The Act also enables the Minister of Education (upon application from other board members) to remove a board member for a significant or persistent breach of the code.

Individual boards of schools/kura can decide to expand the minimum standards in this code to protect the special character, different character, or principles of Te Aho Matua and any special characteristics of the school or its community.

The purpose of all school boards is to govern the school. Board members share the common objectives, as outlined in [section 127 of the Act](https://www.legislation.govt.nz/act/public/2020/0038/latest/LMS274508.html). It is important that individual board members understand how to conduct themselves appropriately to promote these common objectives.

We are seeking your feedback on a draft code of conduct for the Minister of Education to issue. The draft content of the code of conduct is as follows:

## I am honest and open

I act with high standards of professional and personal integrity.

## I am culturally responsive and fair

I do not act or advocate in a way that unjustifiably favours, or discriminates against, particular individuals, groups, identities and interests.

## I actively promote a safe school environment

I speak up when I see unethical behaviour in the school. I treat all concerns raised seriously. I encourage an open culture where all staff, communities and students feel safe speaking up.

## I support my fellow board members and the character of my school

I follow the board’s policies and procedures. I work with my fellow board members in a respectful way. If I am a board member of a designated character school or State-integrated school I act consistently with the school’s character. I act consistently with Te Aho Matua where the school is a Kura Kaupapa Māori.

## I respect the principle of collective decision-making

I recognise that only a member authorised by the board to do so may speak on behalf of the board. I do not act independently of the board’s decisions.

## I treat all school staff with respect

I treat the principal, staff employed by the board, and volunteers, with courtesy and respect.

## I take responsibility for ongoing development in my role

I make myself available to undertake appropriate professional development, including a focus on Te Tiriti o Waitangi.

## I engage with our community in sensitive and appropriate ways

I work with my fellow board members to authentically engage with all people in our school community, including local Māori communities, iwi and hapū, fairly, impartially, promptly, and sensitively to help inform the decisions we make.

## I speak up for all students

I put students’ wellbeing, progress and achievement first and foremost, unaffected by my personal beliefs or interests.

## I come prepared

I come to Board meetings prepared to fully participate in decision-making.

## I use my position responsibly

I maintain confidentiality when I receive non-public information gained in the course of my duties and use it only for its intended purpose. I publicly represent the school in a positive manner and do not publicly disclose information that may be harmful to the school. I do not pursue my own interests at the expense of the school or community’s interests.

## I do not seek gifts or favours

I follow our board policy procedures in relation to any offers of gifts or hospitality. I never seek gifts, hospitality or favours for myself, members of my family or other close associates.

## I am politically impartial in my role as a board member

Irrespective of my political interests, I conduct myself in a way that enables me to act effectively under current and future governments. I do not engage with or campaign for a political party or candidate in my capacity as a school board member.

## I meet statutory and administrative requirements

I act in accordance with all statutory and administrative requirements relevant to the role of the school board (including as an employer) and will seek guidance and support if and where required.

## I identify and manage conflicts of interest

I identify, disclose, manage and regularly review all interests. I become familiar with, and follow, all conflicts of interest requirements, including those of the board, the school, and all statutory requirements.

# Support for school boards to implement the new code

Boards will be supported by guidance and advice from local Ministry of Education staff and the New Zealand School Trustees Association (NZSTA).

# School board member eligibility requirements

It is important that school boards members are fostering safe environments for students and school staff. Schedule 23 Clause 9 of the Act lists certain people who are not eligible to become school board members. Those people who are not eligible include undischarged bankrupts, and people who have been sentenced to imprisonment (or who have been convicted of a crime punishable by two years or more) and who have not yet completed their sentence or served the penalty imposed on them. We are interested in hearing your thoughts on whether there should be any changes to these eligibility requirements.

# How you can provide feedback

Please email your comments and feedback on the draft Code and whether eligibility requirements are sufficient and fit for purpose to SchoolBoard.Consultation@education.govt.nz

Feedback on school board member ineligibility criteria will remain open until **21 November**.

Feedback on the draft code of conduct will remain open until **4 December**.

## Privacy information

The *Privacy Act 2020* contains principles about the collection, use and disclosure of information about individuals. Any personal information you supply in your submission will only be used for developing advice relating to the code of conduct.

After this consultation is complete, we will a publish a feedback summary based on the submissions. This summary will be anonymised.

## Submissions are official information

Submissions you make become official information. The content of submissions can be asked for under the *Official Information Act 1982* (OIA). Under the OIA, we must make information available unless there is good reason for withholding it.

Contact us at SchoolBoard.Consultation@education.govt.nz if you have any objections to the release of any information used in your submission, particularly which part(s) you believe should be withheld, along with the reason. Reasons might include that it is commercially sensitive or it is personal information. We will take into consideration any objections when responding to OIA requests. However, any decision the agencies make to withhold information can be reviewed by the Ombudsman, who may tell us to release it.