

Governance support resources

Community consultation

Why consult?

The school board is made up of representatives of the school's key stakeholders. Together with the principal, these board members have the mandate to govern the school as they see fit, within legislation. However, this does not mean that they have a mandate to 'go it alone' – part of their roles and responsibilities is to ensure that the governance of the school aligns to the aspirations and wishes of these stakeholders, to whom the board is accountable.

Legal obligations to consult

Boards are required by law to consult in some key areas of their work. Examples in the Education and Training Act 2020 of where consultation is required include:

- In giving effect to Te tiriti o Waitangi, the board must ensure that its plans, policies and local curriculum reflect local Tikanga Māori, mātauranga Māori and te ao Māori, [section 127](#)
- When preparing its draft strategic plan, [section 139](#)
- Every two years, before adopting its statement on the delivery of the health curriculum, [section 91](#)
- When making or reviewing a bylaw, [section 126](#)
- When adopting or revoking a cohort entry policy for new entrants, [section 65](#)
- When developing or reviewing an enrolment scheme, [schedule 20](#)
- Considering varying school hours on a permanent basis, [schedule 21](#)

As a Crown agent, the board also has a responsibility to consult whenever it is developing or reviewing critical aspects of its operations. and as part of ensuring key educational and administrative responsibilities are met.

Natural justice principles and human rights

The principles of natural justice, which include fairness, mean it is wise for boards to consult with their communities whenever it is in the process of making decisions which will strongly impact on its students and their families and whānau.

The Education and Training Act 2020 requires the board to give effect to students (human) rights.

Communities that have not been consulted before a controversial decision by the board would have good reason to challenge the decision in the High Court and the Office of the Ombudsman.

Community consultation and community engagement - ERO

Community consultation is an important aspect of community engagement. The Education Review Office includes the following in its school evaluation indicators:

- The board actively represents and serves the school and education community in its stewardship role
- School and community are engaged in reciprocal learning centred relationships
- Communication supports and strengthens reciprocal, learning-centred relationships
- Community collaboration enriches opportunities for students to become confident, connected, actively involved, lifelong learners.

Community consultation and board operations, policies and procedures

Community consultation is an integral part of the board's operations, for instance during the development and review of its strategic plan and policies.

Unless something unexpected occurs, consultation should not be ad hoc. The board should have a clear communication plan – either as part of its triennial review plan or as a stand-alone plan. An example of a triennial review plan can be found in the [NZSTA Governance framework](#) (C5.1)

Some boards have a community consultation policy, or provide for community consultation as part of specific policies. Examples could include:

- Reporting to students, parents and community on achievement policy
- Māori student achievement policy
- Special learning policy
- Te Tiriti o Waitangi and Māori Partnership policy

If the board is concerned that there is a sense of discontent in its school community, or a major change process is about to take place, a careful consultation process should be used.

What does the board want to know?

Avoid a wide range of subjects in the consultation. Once the board has decided it needs or wants to consult, we recommend that it limits the topics covered in any consultation. This avoids, for instance, an overlong survey that people don't end up completing and too much data that is not then able to be put to good use.

Avoid questions about things the board has no choice about providing.

It is also wise to only ask questions about issues where community feedback can affect an outcome. For instance, the board is required to ensure the delivery of the curriculum. So, even if all the survey respondents agree the school should stop teaching music to allow more time for maths, the school cannot implement such a change.

Who is the board going to consult?

The school community is defined in the Education and Training Act 2020 as:

- The parents, families, and whānau of the school's students
- The Māori community associated with the school
- Any other person, or group of persons, who the board considers is part of the school community for the purposes of the relevant provision

Student voice

Boards are generally used to consulting with parents and staff. There is also now increasing attention being given to ensuring that the 'student voice' is heard about decisions that affect them.

Consulting with students goes some way to ensuring that rights recognised in the [United Nations Convention on the Rights of the Child](#) are respected and that the board gives effect to students' rights under the [New Zealand Bill of Rights Act 1990](#) and the [Human Rights Act 1993](#).

Capturing student voice is a critical part of ensuring that the school is free of racism, stigma, bullying and any other form of discrimination.

Proprietor

For State integrated schools boards will operate in close consultation with their proprietor. Usually through the proprietor's appointees to the school board.

Kāhui Ako

Boards of schools that are members of a community of learning will need to maintain close liaison with other members. This may be via representation on the stewardship group.

Board's of schools that do not belong to a Kāhui Ako should still ensure communication with partners in the educational pathway for its students. For example, a primary school might liaise with its feeder early childhood education providers and the intermediate or secondary schools that it, in turn, feeds into.

Local hapū and iwi

As mentioned above, the board must ensure that its planning and programmes reflect local tikanga Māori. If unsure, the board should seek guidance around with whom it should consult.

Most iwi have an education plan for their tamariki and alignment between this and the board's own strategic planning would be a powerful tool in giving effect to Te Tiriti o Waitangi.

Numbers and range of those to be consulted

The smaller the number to be consulted, then the higher the chance of an error. For example, if there are fifteen families in the school community the board might want to hear from all fifteen in order to ensure it has covered all the bases.

On the other hand, if there are 3000 families in the school community, and the board has done a random sample of 300 families (10%), then provided they all respond, the chances are it has a reasonably good picture.

The opportunity to participate should be offered to all.

Consultation can take many forms and need not be limited by the size of a community hui or the number of paper surveys that make it home and back to school safely. Boards can make good use of the school's website, online communications and social media.



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For further advice please contact the **Advisory and Support Centre** on **0800 782 435, option 1** or govadvice@nzsta.org.nz