

What's happening out there

And are we ready for it

Fi McMillan - PASL
NZPF Conference 2025

25 years of PASL



What's happening out there?



2024 - 1,270 members

- Over 200 calls to the Hotline, with:
 - 91 Board/operational (early notice of potential issues)
 - 99 employment advice to principals
- 31 files open
 - 14 - issues resolved
 - 12 - principals resigned for various reasons
 - 5 - issues were ongoing (2 principals later resigned)

What's happening out there?

- Legal costs per file in 2024
 - 33% of files were resolved with costs under \$5K
 - 65% of files were resolved with costs under \$15K
 - 16% of files reached the maximum available

What's happening out there?

- **2025** (to July): 1,290 members
 - 28 files
 - 84 calls to the Hotline
 - 50% Board/Operational
 - Over half of which relate to staffing
 - 50% employment
 - Over half of which related to parent issues

Are we ready?

It is better to be in the Scheme and not need it
than to have to pay for your own legal advice



I don't want to alarm you but

- 2023: Post Board election issues
- New Board members not a “new Board”



Be Prepared

- Engaging with Governance training
 - Do your Board members understand their role?
- Understanding policies in practice
 - Staff & Board must know concerns & complaints
- Review Delegated Authorities
 - principal and committees

Establishing a strong basis

- Appropriate parameters around interactions
- Community Expectations
- Staff Code of Conduct
- Formal letters – putting on notice



Stronger steps

You don't have to put up with unreasonable conduct

- Work with the Board & take advice (NZSBA, MOE, Police)
- Trespass notice
- Restraining Order if you are being harassed

<https://www.ombudsman.parliament.nz/resources/managing-unreasonable-complainant-conduct>

Code of Conduct for Board Members

- Sets out **minimum standards** of conduct that each board member is required to meet. **15 total**, including:

Act with integrity	Actively promote a safe school environment
Respectful of fellow board members	Respect the process of collective decision-making
Treat the principal, staff, students and members of the community with respect	Take responsibility for ongoing development in role
Engage with community in sensitive and appropriate ways	Attend board meetings prepared
Use position responsibly	Meet statutory and administrative requirements
Identify and manage conflicts of interest	Be culturally responsive and fair

Privacy Act 2020

- Privacy Officer is an active role
- New Privacy Guidelines for children and young people
- Mandatory notification of a breach that is likely to cause serious harm

<https://www.privacy.org.nz/responsibilities/privacy-breaches/notify-us/>

- NotifyUs is for organisations and businesses to work out if privacy breaches are notifiable and report them to us.
- Breach management (contain, assess, notify, prevent)

<https://www.privacy.org.nz/responsibilities/poupou-matatapu-doing-privacy-well/breach-management/>¹²

Consult with PASL

- **Breakout session
on Employment
1:40pm Monday**
- **Free consults on
Tuesday morning
Tawhirimatea E**



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