



**NZSTA**  
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## **Governance support resources**

### **Casual vacancy for a staff representative**

When a staff representative resigns as a member of school staff, or for another reason is not able to be a board member before their term of office has ended at the next triennial election, a casual vacancy is created.

If the casual vacancy arises on or after 1 October in the year before a triennial election the board can decide not to fill it. It must make this decision within 28 days and the position will then be vacant until the next triennial elections.

In any other timeframe the board must fill the staff representative casual vacancy by holding a by-election. This is different from when a parent representative resigns, and the board might have the option to fill the vacancy by selection.

The board needs to set the by-election date and appoint a returning officer by passing a resolution and recording the decision in the board minutes.

When setting the election (voting) date, please note that the election process takes 9 weeks. You can use the election planner tool [here](#) to input the board's chosen election date, and it will automatically generate a timeline for all critical dates during the process.

Once appointed by the board the returning officer should register on the Trustee elections website. They can also download the Returning Officers' Handbook which details the legislated timetable and election processes they must follow.

When the returning officer is preparing the voting roll all permanent staff members can go straight on the roll, but fixed term employees must have been continuously employed for two months on the date the roll closes.

Some staff are also parents or caregivers, so are eligible to opt onto the parent voting roll at the triennial elections. Staff who have opted onto the parent roll at the last triennials cannot participate in a staff by-election. They stay on the parent roll until the next triennials, when they could opt back onto the staff roll.

#### **Useful links**

[Trustee elections website](#)  
[Education website](#)  
Education and Training Act 2020

Resources and information for boards  
Resources and funding board elections  
[schedule 23\(12\)-\(13\)](#)



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*For further advice please contact the Advisory and Support Centre on 0800 782 435, option 1 or email [govadvice@nzsta.org.nz](mailto:govadvice@nzsta.org.nz)*