



# **EMERGENCY STAFFING SCHEME**

## **GUIDELINES / CODE OF PRACTICE 2020**

### **for ESS Pool Members**

# Information and requirements for ESS pool members

Principals are contracted as pool members to be available at short notice to provide emergency staffing in schools approved for ESS use by NZSTA's ESS National Coordinator.

NZSTA is not the employer of any pool member. Any board utilising the emergency staffing scheme becomes the employer of the pool member for the period the pool member is employed by that board.

Pool members enter into a Retainer Contract with NZSTA. This is not an employment contract but an agreement for the pool member to be available for employment.

Engagement as an ESS pool member does not imply or guarantee that the pool member concerned will receive employment with a board of trustees. The coordinator of the ESS scheme is the sole judge of whether ESS staffing is warranted, and which pool member is to be provided.

The engagement on retainer of pool members is:

- normally for no more than twelve months
- subject to the signing of an Emergency Staffing Scheme Retainer Contract
- dependent upon the pool member being available at short notice to fill a vacancy for any period of time up to 10 weeks for any one engagement.
- recognised through the payment of a retainer which is paid in quarterly instalments

The continued payment of the quarterly retainer is dependent on confirmation that the pool member remains available for emergency staffing and meets the terms and conditions of their retainer contract. Should the pool member's circumstances change, and this has not been notified to the coordinator, an overpayment of the quarterly retainer could arise. Pool members should note that in these circumstances NZSTA may seek to recover the overpayment.

The ESS coordinator is the pool member's first point of contact should there be any difficulties or queries.

Pool members:

- must be registered, hold a current full practising certificate (un-tagged) and have a quality teaching and principal background
- enter into an employment relationship with a board of trustees engaging the pool member under the ESS scheme for the period agreed
- normally undertake a period of engagement of up to ten weeks

The board of trustees, as the employer, is required to ensure contractual provisions are met including managing any performance concerns that may arise. Pool members need to be aware that if the board considers the pool member's performance to be unsatisfactory, the board is required to immediately report these concerns to the ESS coordinator/NZSTA.

NZSTA or the ESS coordinator will investigate any negative report furnished by the board to NZSTA, and after listening to and fairly considering the pool member's response, make a decision as to whether or not the pool member will be retained as a pool member. This may occur during a period of employment between the pool member and a board or at the conclusion of the period of employment.

NZSTA has the right to decide whether or not the pool member is in default of the contract of retainer to be available for employment and to cancel the contract in accordance with its provisions.

If the contract to be available as a pool member is cancelled, the payment of quarterly retainers will cease.

# Salary and Expenses

## Payment of ESS Pool Member's Salary

In most instances, positions to be covered by the ESS pool member will be vacant and their salary will be paid as per teacher's salaries.

The following table outlines how the ESS pool teacher's salary is to be paid:

If the position to be covered by the ESS pool member is...	then the ESS pool teacher's salary is...
currently vacant	paid from Teachers' Salaries. The board becomes the pool member's employer with the provisions of the relevant Collective Agreement applying.
to cover a teacher/principal on long-term leave with pay (and sick leave)	met by the board from its operational funding.  The board may seek additional relief teacher funding from the Resourcing Division in the usual way if your situation meets the conditions outlines in the <a href="http://www.education.govt.nz/school/running-a-school/resourcing/additional-relief-teacher-funding">additional relief teacher funding scheme</a> . <a href="http://www.education.govt.nz/school/running-a-school/resourcing/additional-relief-teacher-funding">http://www.education.govt.nz/school/running-a-school/resourcing/additional-relief-teacher-funding</a>

The board becomes the principal's employer with the provisions of the relevant CA applying. ESS pool members are paid at the rate applicable to their qualifications and experience. ESS pool members are not employed by NZSTA.

## Professional Development

A fund of \$500 is available for each pool member per annum as a contribution towards their professional development. To access this, pool members need to submit a professional development plan to the NZSTA National Coordinator prior to the release of this funding. The plan should identify the specific professional development needs of the pool member and the activities to be undertaken to help meet these needs.

## Expenses claimed by ESS pool member and reimbursed by the MoE

### Accommodation

- A daily allowance of up to \$110.00 per day (including weekends). This is to cover all living expenses. Where an appointment spans two terms or more, the accommodation allowance will not be paid for the school holiday period.
- If accommodation is unable to be found within the daily allowance, the MoE will consider a case from the employing board chair for the reimbursement of additional costs. An email requesting an increase to the daily allowance needs to be sent to the MoE through the ESS coordinator. It must state the reasons why the additional amount is being requested and the amount of difference being requested.

### Travel

For pool members living away from their normal place of residence and are who are travelling over 100km

- Travel from your normal place of residence to the accommodation you are staying at for the placement.
  - This is for one return trip per placement. If the placement is extended to a second term you will be able to claim for the second term etc.
  - This is claimed from the school board who then claim this from the MoE. It would help to attach a google map showing the distance.
- Generally, it is expected accommodation is close to the school, therefore daily travel will not need to be claimed. If travel is some distance due to no suitable accommodation being available close to the school a daily travel allowance may be able to be claimed. If this is the case the board chair of the school must request additional funding from the MoE. This submission must be made by email through the ESS national coordinator
  - You should claim this through the school board who then claim this from the MoE, again a google map would be helpful.

For pool members living at their normal place of residence

- travelling up to 60km each day from their normal place of residence
  - One return trip per day.
  - This is claimed from the school board who then claim this from the MoE. It would help to attach a google map showing the distance.
- travelling from 60km up to 100km per day from their normal place of residence
  - One return trip per day.
  - This is claimed from the school board who then claim this from the MoE. It would help to attach a google map showing the distance.
  - There is a cap of \$350 per week reimbursement from the MoE (the board will need to pay the excess).

Travel is reimbursed at the 'Transport Allowance for Relieving Employees' rate specified in the relevant collective agreement. The amount of mileage you can currently claim is \$0.76 per km.

If you are living away from your normal place of residence and you want to return home for a public holiday e.g Labour Weekend an additional reimbursement for return travel can be claimed. You don't need to note school holiday dates, as the letters of appointment are generally from term start to end, and the MoE don't look at dates outside of what has been included in the approval letters. At the top the 'period of ESS appointment' would be the term dates, and the 'period of this claim' would be the claim period, if they broke it down weekly or fortnightly for example. The lower section of holiday period would be any public holidays during the claim period.

For any other travel home during term time will be at the expense of the employee. The daily allowance, however, will continue to be paid.

## **Administration of Accommodation and Travel Claims**

The board employing the ESS pool member is responsible for the payment of travel expenses and the daily allowance. The Resourcing Division of the Ministry of Education will reimburse the board for their expenses.

Pool members are required to submit claims to their employing boards using the Emergency Staffing Scheme Claim form [see example below] available from the Ministry website at: [www.minedu.govt.nz/goto/resourcingforms](http://www.minedu.govt.nz/goto/resourcingforms)

The board should initially pay the qualifying expenses from its operational funding. Once these expenses are paid, the board should seek reimbursement of the actual costs paid from the Resourcing Division. Only those expenses listed above will be reimbursed.

Boards should send each claim for reimbursement of expenses to the Resourcing Division, Ministry of Education, PO Box 1666, Wellington (04) 463 8383, or fax to (04) 463 8374 and include:

- the completed Emergency Staffing Scheme Claim form
- a copy of the letter from the ESS National Coordinator to the board confirming the ESS pool member's appointment
- receipts for accommodation expenses for the ESS pool member.



## Emergency Staffing Scheme Application

Application information			
School Name		School no.	
Contact Email			
ESS Teacher's Name		MOE no.	
Place of residence			
Appointment details			
Period of ESS appointment	From	to	Period of this claim
			From
			to
For teachers living at normal place of residence:			
Daily travel between normal place of residence and school:	days x	km per day @ 76c per km=	\$
For Teachers living away from normal place of residence:			
Travel from normal place of residence to take up an appointment		km@76c per km	\$
Travel to normal place of residence at end of appointment		km@76c per km	\$
Accommodation Allowance (includes weekends/excludes school holidays)		Actual expenses up to @ \$110 per day	\$
Return travel to normal place of residence for holiday period (if applicable)		km@76c per km	\$
		Total claim	\$
Application must include:			
<input type="checkbox"/> A copy of the letter from the ESS regional co-ordinator confirming the ESS teacher's appointment <input type="checkbox"/> Evidence of payment of these expenses to the ESS teacher from Board funds			
Certification			
I certify that I have checked the information on this form, to the best of my knowledge, is true and correct in every particular			
Board of Trustees Chairperson signature:		Date:	
ESS Teacher signature:		Date:	
<b>Send to: <a href="mailto:resourcing@education.govt.nz">resourcing@education.govt.nz</a></b>			

# Appendix One

## ESS - Example Duties and Standards

### **Principals/Deputy Principal**

The pool member will be required to undertake the principal's/deputy principal's role ensuring the continuation of high quality education to the students of the school.

The principal:

- will report and be accountable to the school board of trustees through the board chairperson
- has the dual role of being a board member in his/her own right whilst undertaking the role of the chief executive of the school as per the principal's professional standards
- will be responsible for ensuring ongoing management and leadership of the school by taking direction from the school charter, the board, and the board's policies
- manage the day to day running of the school
- undertake teaching duties where required.

## Appendix Two

### NZSTA Contacts and Resources

If you require assistance, please contact:

Lucienne Shelley  
Regional Coordinator / ESS National Coordinator  
Phone: (03) 386 3400  
Email: [lshelley@nzsta.org.nz](mailto:lshelley@nzsta.org.nz)

#### NZSTA 0800 number services

Call 0800 782 435 for assistance and you will be given the following options:

- Option 1 – Governance advice
- Option 2 – Employment advice
- Option 3 – Professional development advice
- Option 4 – Office of the President
- Option 5 – Other enquires

#### Employment Issues

NZSTA maintains a free specialist advisory service which can be accessed by boards of trustees. This advisory service is available to assist boards of trustees with issues which may arise in the board's role as the employer. Boards are encouraged to utilise this service at the first sign of any employment related problem arising.

The work undertaken by the advisers ranges from answering quite simple helpdesk queries to assisting member boards through complex disciplinary or competency situations, which can take many months [and sometimes even a year or more] to resolve.

You can also contact us by sending an email to [eradvice@nzsta.org.nz](mailto:eradvice@nzsta.org.nz)