



He Whānau Manaaki o Tararua
Free Kindergarten Association Incorporated

Date Effective: February 2021

Review Date: February 2022

Consultation

Responsible to:	Chief Executive Officer,
Applies to:	All staff
Purpose:	To ensure that there is a transparent process for appropriate consultation in the decision-making processes of the Association
References:	Education (Early Childhood) Regulations 2008 Whānau Manaaki Kindergarten Rules

Policy

1. Whānau Manaaki Kindergartens (WMK) will apply the following Principles of Consultation in its day-to-day operations, as described in the Employment Court: Judge Goddard in CEWU v Telecom, 1993.
 - i. The word 'consultation' does not require that there be agreement.
 - ii. On the other hand, it clearly requires more than mere prior notification.
 - iii. If there is a proposal to make a change, and such change requires to be preceded by consultation, it must not be made until after consultation, it must not be made until after consultation with those required to be consulted. They must know what is proposed before they can be expected to give their views.
 - iv. This does not involve a right to demand assurances, but there must be sufficiently precise information given to enable the person to be consulted to state a view together with a reasonable opportunity to do so. This may include an opportunity to state views in writing or orally.
 - v. The requirement for consultation is never to be treated perfunctorily or as a mere formality. The person or body to be consulted must be given a reasonably ample or sufficient opportunity to express views or to point to problems or difficulties: they must be free to say what they think.
 - vi. Consultation must be allowed sufficient time.
 - vii. Genuine effort must be made to accommodate the view of those being consulted, consultation is to be a reality, not a charade.
 - viii. Consultation does not necessarily involve negotiation towards an agreement although this can follow as the tendency in consultation is to seek at least consensus.
 - ix. Consulting involves the statement of a proposal and not finally decided upon, listening to what others have to say, considering their responses, and then deciding what will be done.
 - x. The party obliged to consult, while quite entitled to have a working plan already in mind, must keep its mind open and be ready to change and even start afresh.

- xi. There are no universal requirements as to form or as to duration of consultation.
- xii. Consultation cannot be equated with negotiation in the sense of a process which has, as its subject, arriving at agreement.

Procedures

1. Ensure that the matter to be consulted on is clearly communicated to those concerned, setting a realistic timeframe for feedback.
2. Submissions can be made both verbally and in writing.
3. WMK will consult with stakeholders on relevant issues and actions under consideration, which impact on the various stakeholders. This may include WMK's Strategic Plan, policies and possible changes to kindergarten operations.
4. Teachers will consult with parents and whānau in their kindergarten service about:
 - Their child's learning and development
 - The kindergarten programme including the environment.