



EMPLOYMENT FACT SHEET

Advertising for Special Character Schedule 6, Clause 47 and Clause 50 Positions

Background

The Education and Training Act 2020 and the Integration Agreement for each school require certain wording related to conditions of appointment in advertisements for special character schedule 6, Clause 47 (CI 47) and Clause 50 (CI 50) positions.

The State Sector Act 1988 requires that all permanent and long-term relieving vacancies must be advertised in such a way that all suitably qualified people can apply. Due to this requirement, teaching vacancies are advertised nationally in the Education Gazette. This does not exclude additional advertising. All advertisements must satisfy all statutory requirements. Detailed information about the position is provided in the job description.

Advertising for special character CI 47 and CI 50 positions

Nature of school

If the name of the school does not include the word “Catholic”, then NZCEO recommends it should be stated within the body of the advertisement. This advises intended applicants the nature of the school, including its special character.

Statutory Requirements

- The advertisement must state that the school is state integrated, and its organisation – for example, a girls’ school for new entrants to Year 6. For general free advertisements in the *Education Gazette* these automatically occur when the name of the school and its number are entered. For paid *Education Gazette* advertisements and ones with other media outlets the advertisement wording must include these.
- For CI 47 positions the minimum wording requirement of the Education and Training Act, Schedule 6 and Integration Agreement is:

“A willingness and ability to participate in religious instruction appropriate to the special character of the school is a condition of appointment”

This exact wording of the Act must be used.

For Secondary CI 50 positions (Deputy Principal)

Consult your school's Integration Agreement. The minimum wording that is usually required by the Integration Agreement is:

“Capabilities to assist in planning and organising the courses and programmes at the school to ensure they reflect the special character of the school shall be a condition of appointment”

For Primary CI 50 positions (Deputy Principal)

Consult your school's Integration Agreement. The minimum wording that is usually required is:

“Capabilities to maintain programmes and activities that reflect the Special Character of the school shall be a condition of appointment”

(Note that the Integration Agreement **may require** that the position to be a CI 47 rather than a CI 50 position, for example if the Deputy Principal is responsible for junior classes (Education and Training Act, Schedule 6, CI 47 (d)).

For Primary Assistant Principal positions

When the appointment is for a primary assistant principal with responsibility for supervising senior classes, the Integration Agreement **may require** it to be a CI 50 position. If the Deputy Principal (Primary) is required to be a CI 47 position as stated above, then the Assistant Principal (Primary) must be a CI 50 position.

Extra wording for Principal positions

The Integration Agreement usually requires the wording:

“The principal shall accept and recognise a responsibility to maintain and preserve the special character of the school”.

This does not have to be stated in the advertisement but must be contained in the job description.

Extra wording for DRS positions

The Integration Agreement usually requires the wording:

“give guidance and provide effective leadership in religious education and observances throughout the school”.

This does not have to be stated in the advertisement but must be contained in the job description.

Failure to observe advertising requirements for special character CI 47 and CI 50 positions

If the advertisement of any CI 47 or CI 50 position is not worded correctly, any appointment that is made could result in a legal challenge. If these guidelines are not followed, the Proprietor of the school could also seek a declaratory judgement in the High Court. On a few occasions in recent years an appointment has been declared null and void because Boards have not followed the legal process in appointing staff to tagged positions.

The Diocesan Catholic Education Office can help word advertisements and prepare job descriptions and other documents relating to appointments. Its staff are also willing to assist a Board or its appointments committee while senior appointments are being made.

Advertising positions other than under CI 47 and CI 50

There are no statutory requirements for the wording of positions that are not special character CI 47 and CI 50. However, Boards could include in the advertisement that the successful applicant for these positions will accept the condition to support, uphold and be positively involved in the special character of the school.