

NEW ZEALAND PRINCIPALS' FEDERATION LEGAL SUPPORT SCHEME APPLICATION FORM

This new contract is to be issued in the name of: **(please tick only one)**

The Principal (for their own benefit and who is a member of NZPF) NZPF Membership #

The School (for the benefit of any Principal who is a member of NZPF)

1. Name of Principal ("the Principal")

2. Name of School ("the School")

3. Email Address

4. Duty of Disclosure:

You must tell us all information you know which would influence the decision to accept this application on behalf of the NZ Principals' Federation, such as an existing situation which could result in the Principal needing legal support. When in doubt, please disclose below. There will be no assistance for any issue that predates the acceptance of this application.

Please ensure that the information is accurate and complete as any inaccuracy in the requested information or non-disclosure of material facts is a serious breach of your agreement with NZPF and could result in the agreement being cancelled and the costs of any benefits provided being recoverable from you.

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DECLARATION:

I/We declare that:

1. All answers and statements made in this application are correct and complete in every respect and that no information has been withheld which is likely to affect PASL's decision to accept this application of NZPF's behalf.
2. Should any situation which could result in a need for legal assistance arise before or after the inception date of the agreement to which this application relates I/We will give immediate notice to PASL.
3. I/We agree that this application and declaration is incorporated into any agreement concluded between the Applicant and PASL as scheme managers and confirm that the applicant has current membership of the New Zealand Principals' Federation.
4. I/We am/are aware that I/We have rights of access to and correction of this information.
5. I/We agree that the agreement will not be in force until the application has been accepted and the NZPF contract is confirmed by PASL.

Signature Date

Please email this application form to jacquie@pasl.nz

Note: By signing this application you acknowledge that a decision on whether to accept this application is at PASL's sole discretion on behalf of The New Zealand Principals' Federation.

AGREEMENT SUMMARY

LIMIT PAYABLE: Any one issue **LEGAL ASSISTANCE**
\$30,000 (GST Inclusive)

SERVICES PROVIDED: **LEGAL FEES**
The cost of legal representation (to the limit payable) for any employment dispute between the Principal and their employer (other than the fixing of conditions of employment), or for any legal proceedings arising directly from the Principal's employment including any criminal prosecution (subject to any specific exclusions in the Agreement).

LEGAL HOTLINE

Principals may contact Anderson Lloyd Lawyers for the purpose of obtaining specialist legal advice about matters relating to their employment (whether or not these involve potential legal proceedings). This service provides up to an hour of legal advice on any one issue with no additional charge. Enquiries should be made to:

Fiona McMillan LLB, BA, BEd, Dip Tchg, PGDip Child Advocacy
Jessica Higgins LLB, BA
Anderson Lloyd Lawyers, Dunedin
Telephone: (03) 477 3973
E-mail: fi.mcmillan@al.nz / jessica.higgins@al.nz

LEGAL PROCEEDINGS

Principals must contact the hotline (details above) **immediately they become aware of a situation in which legal assistance may be required.** In general, any matter in which a Principal would consider involving their union representative should first be reported to the hotline. Anderson Lloyd Lawyers will advise the Principal if union representation is sufficient in the circumstances, or they will appoint a lawyer of their choice to assist the Principal if they consider the situation requires professional legal representation.

The NZPF Legal Support scheme is administered on behalf of the New Zealand Principals' Federation by Principals' Advice & Support Limited.

For any enquiries email jacquie@pasl.nz phone 021 385 014

Cost: \$390

NZPF LEGAL SUPPORT

Your employment is a major part of your life and, as such, problems or difficulties with your job can provide significant stress and anxiety. School principals are particularly vulnerable because of the regular changes to the makeup of Boards of Trustees, their employers. The NZPF Legal Support Scheme is designed to relieve such concerns by providing principals with immediate access to expert legal assistance when needed. In most cases, disputes between principals and boards can be settled without recourse to litigation; however, it is helpful to know what your rights are in any given situation, and how best to resolve any difficulties.

Union representatives can provide a valuable resource in assisting with employment difficulties but must quite rightly take into account their on-going relationship with the Board, and the interests of their other members in the school. A lawyer is there to represent the principal alone, and has no other responsibilities.

WHERE THE CONTRACT IS HELD BY A NAMED PRINCIPAL

This contract has been entered into by the named Principal, (who is a member of the NZ Principals' Federation) and during its term entitles the Principal to Legal Benefits whilst they are working as a Principal at any schools in New Zealand or during their retirement from a Principal's position if the retirement option is selected.

WHERE THE CONTRACT IS HELD IN THE NAME OF A SCHOOL

This contract is between the NZ Principals' Federation and the School but is for the benefit of the Principal or a teacher acting as Principal of the School from time to time (who is a member of the NZ Principals' Federation). When a Principal leaves their position the benefit of the contract will transfer to the replacement Principal or Acting Principal (who must become a member of the NZ Principals' Federation). The leaving Principal will continue to be entitled to Legal Benefits in respect of events which occurred at the school during their tenure, but which were not raised at the time, provided that they have become a Principal at another school which has or immediately arranges Legal Benefits cover for the Principal, or where the Principal personally acquires an individual contract from the date of such transfer.

CO-PRINCIPALS:

A School which has two or more co-Principals must advise PASL and enter into a separate agreement for the benefit of each co-Principal.

LEGAL HOTLINE AND REPRESENTATION

Employment law has become a progressively more complex area of law requiring comprehensive legal expertise and experience. Purchased as part of this package is the hotline facility, which gives principals access to legal advice from a suitably qualified lawyer on matters that could affect them personally in relation to their employment. Common questions relate to difficulties being experienced with the Board of Trustees, or complaints against the Principal from parents or staff.

Experience has shown that the telephone advice received through the support scheme can often solve a problem before it escalates; however, if that is not possible, the Legal Support contract will provide specialist assistance from a qualified employment lawyer. This will give the legal advice and representation necessary to try to resolve the problem. It may include mediation in the Employment Relations Service or pursuing a claim in the Employment Relations Authority or Employment Court if necessary.

This legal representation and advice is provided for the Principal up to a limit of \$30,000 per issue. If any claim results in a successful Exit Package being negotiated, PASL may recover reasonable costs from the Principal to a maximum of 20% of the net cash payment included in the Exit Package. Note that matters involving the Principal as Trustee (internal Board issues), the Principal as teacher (Teachers Council investigations), or as union member (disputes with NZEI) are excluded, as are criminal investigations and prosecutions.

PRIVACY STATEMENT

As a member of the NZPF Legal Benefits Scheme, and its Appointed Representative will collect personal information from you, including the information supplied in this Application. We need this information to check your membership of NZPF is up to date, and to advise and support you under the Scheme. NZPF and the Appointed Representative may share this information with each other on a confidential basis for this same purpose.

If you choose not to provide the information sought, you may be not eligible for the benefits available to you under the Scheme.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you would like to ask for a copy of your information please contact the Privacy Officer, Jacquie Kenton, on 021 385 014. Further information about privacy can be found in our Privacy Policy <http://www.nzpf.ac.nz/legal-advice.html>