



What is the Board's Role in Maintaining School Property?

State Integrated School Board Professional Formation and Learning Series · 2024

BOARD GOVERNANCE · PROPERTY RESPONSIBILITIES

Protecting Special Character: Property as a Key Pillar

School property is one of four key aspects of protecting special character in state integrated schools. Understanding the legal framework around property is essential for every board member.

Proprietor Ownership

The Proprietor owns all land, buildings, and other improvements described in the school's Integration Agreement.

Legal Framework

Education and Training Act 2020, Schedule 6, cl 39 sets out the property obligations of the Proprietor in detail.

Minimum Standards

All property covered by an Integration Agreement must be safe, in a fit state of repair, and meet all statutory, regulatory, and Ministry of Education design standards.

Cyclical Maintenance Plan

Boards must annually prepare and deliver a cyclical maintenance plan to their Proprietor, assuring them that maintenance obligations are being met.

Who Owns the School Property?

Ownership and use of integrated school property is a carefully defined legal relationship between the Proprietor and the Board.

The Proprietor Owns the Land & Buildings

All land, buildings, and physical improvements belong to the Proprietor, typically a Bishop, Religious Order or proprietor trust board, not the Board or the Crown.

Exclusive Use Granted to the Board

The Proprietor grants the Board exclusive use of the integrated premises for the purposes of operating the school, as specified in the Integration Agreement.

Proprietor Access Rights

The Integration Agreement includes provisions about how and when the Proprietor may access or use the buildings. This is a shared responsibility handled through mutual agreement.

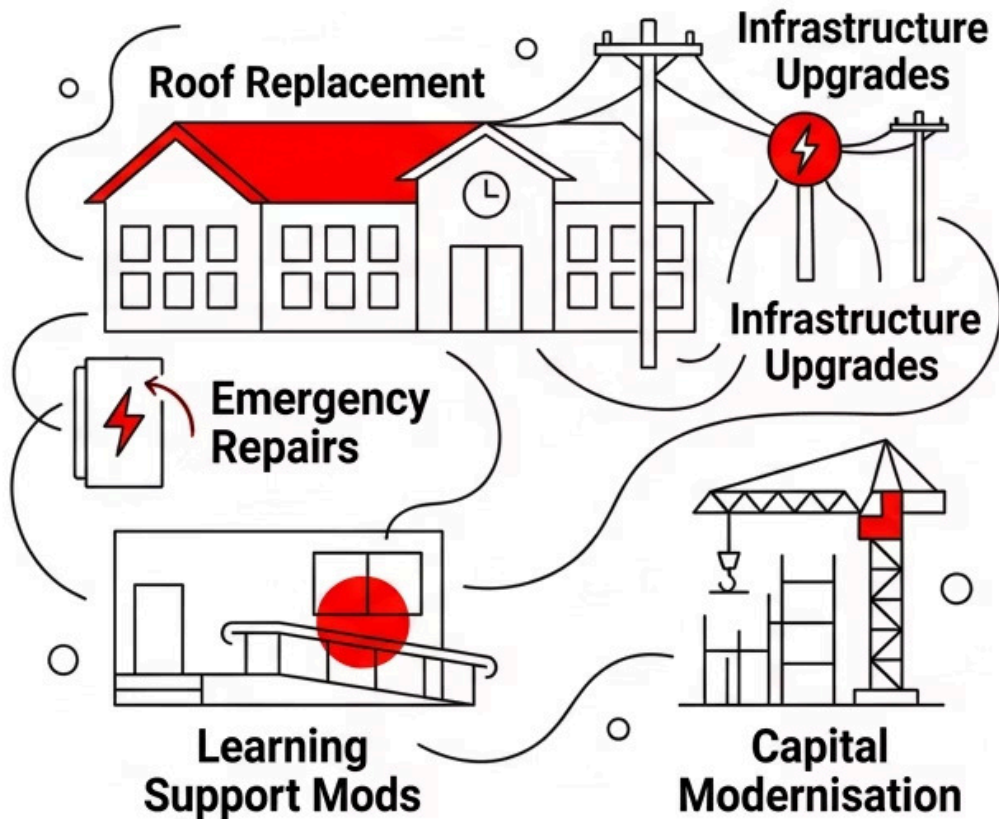


Who Funds What?

Funding responsibilities for school property are split between the Proprietor and the Board. Understanding these boundaries helps boards plan effectively and avoid inadvertently taking on costs that belong elsewhere.

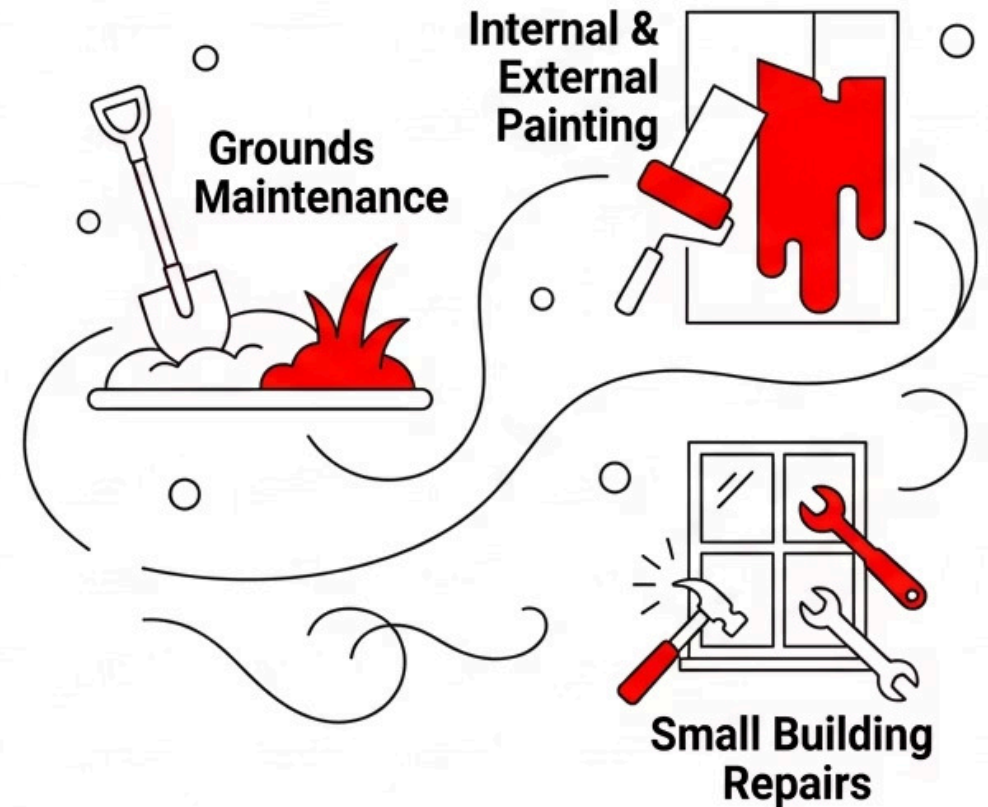
Proprietor Funding

Major Capital Works (>\$5,000)



Board Funding

Minor Repairs & Maint. (<\$5,000)



Who is Responsible for What?

Proprietor (Landlord) Responsibilities

The Proprietor funds major repairs and capital upgrades — generally costs **over \$5,000** per item, including:

- Replacing roofs, carpet, and lighting systems
- Infrastructure work such as power upgrades and security systems
- Significant emergency work not covered by insurance
- Learning support modifications
- Capital upgrades and modernisation projects

Board (Tenant) Responsibilities

The Board funds day-to-day upkeep — generally costs **\$5,000 or less** per item, including:

- Minor repairs to buildings
- Maintenance of school grounds and environment
- Internal and external painting
- General upkeep to keep the school safe and presentable

 When in doubt about which category a cost falls into, check with your Proprietor before proceeding.

Board-Funded Capital Works: Get Permission First



Before undertaking any board-funded capital works, boards **must obtain written permission from the Proprietor**. This protects both parties and ensures the project is properly authorised and compliant.

01

Clarify Responsibilities

Confirm who will be responsible for each aspect of the work — including project management, contractor engagement, and sign-off.

02

Insurance & Ongoing Maintenance

Agree in writing who will be responsible for insuring the completed works and maintaining them over time.

03

Health & Safety Compliance

Confirm that all works meet Health and Safety requirements under current legislation before any work commences.

04

Consents Required

Determine whether building consent or resource management consent is required and obtain these before proceeding.

Board-Funded Capital Works: Priority Four Projects



Board funds may be used for **Priority Four projects** – but only after all other priority property work assigned to the Proprietor has been completed. These are enhancement and amenity projects that improve the school environment beyond its functional baseline. **Check with the proprietor and the MOE first.**



Fencing

Perimeter and boundary fencing upgrades that improve safety and presentation.



Landscaping

Grounds improvements including gardens, plantings, and environmental enhancements.



Artificial Turf & Bike Tracks

Recreational surfaces such as astroturf and bike tracks for student wellbeing.



Paving

Hardstand areas and pathway improvements that enhance access and usability.



Always obtain consent from the MoE Schools Finance Advisor before undertaking any Priority Four project. Do not proceed until written approval is received.

Frequently Asked Questions: Board-Funded Project Requests

When applying to use board funds for a capital works project, the following documentation must be submitted to the school's **MoE Finance Advisor**. The board must **not proceed** with any project until written approval has been received.

Required Documentation

- A formal request from the board to spend the funds
- Relevant quotes for the proposed project(s)
- School board minutes approving the project(s)
- Most recent filed Annual Report, together with monthly financials for the current financial year
- Letter of support from the Proprietor

The Approval Process

Once all documentation is submitted to the Finance Advisor, the board will receive a **letter of approval** from an MoE adviser if the application is successful.



Do not commence any work until written approval has been received. Proceeding without approval may jeopardise funding and create legal complications.

For further guidance, contact your MoE Schools Finance Advisor or refer to the MoE website property section.

Key Legislation and Reference Documents

The following legislation and resources provide the legal and policy foundation for property responsibilities in state integrated schools. Board members and proprietors are encouraged to familiarise themselves with these documents.

Legislation or Document	Reference	Description
Education and Training Act 2020	Schedule 6 · Section 125 · Section 127	Governs state integrated schools; sets out board as governing body and objectives of boards in governing schools
Integration Agreement	MoE website — Integration Agreements	Read the property information in your school's specific Integration Agreement; ask your principal or proprietor for a copy
School Board Handbook	Handbook for Boards of Trustees · Governance Framework	Policy framework template for school boards; refer to the Governance Framework section
Capital & Maintenance Funding	MoE website — property section	Explains how to pay for capital and maintenance work and who holds responsibility
Board Raising Funds	MoE website	Boards of state integrated schools can raise funds in the same way as state schools
Capital Works for State Integrated Schools	MoE website	Guidance on applying to use board funds for capital works projects

 For the most up-to-date versions of all legislation and Ministry guidance, always refer directly to the official MoE and New Zealand Legislation websites.