

MEETING SUBJECT:	Minutes from the Governing Council Hui Teaching Council   Matatū Aotearoa
DATE OF MEETING:	26-27 October 2022
TIME OF MEETING:	09.19-16.57 on 26 October and 11.09-13.55 on 27 October
VENUE:	Teaching Council Office – Wellington and Microsoft Teams
ATTENDEES:	Robyn Baker (Tiamana   Chair), Ripeka Lessels (Tiamana Tuarua   Deputy Chair), Dagmar Dyck, Elg Anderson, Fiona Ell, Hongyu (Carol) Cheng, John Tait, Karen Coutts, Lorraine Carr, Melody Stuckey, Mike Connor, Pat Newman, Patrick Walsh  Lesley Hoskin (Tāhūhū   CE, attended on 26 <sup>th</sup> ), Clive Jones (Tātai Heke Ratonga Mahi   DCE Operational Services), Pauline Barnes (Tātai Heke Ngaio   DCE Professional Services) and Sanja Antonijevic (Governance
APOLOGIES:	Tamahau Rowe (Tātai Heke Māori   DCE Māori) on both days Carol Cheng on 26 <sup>th</sup> October Dagmar Dyck and Lesley Hoskin on 27 <sup>th</sup> October
PROACTIVE RELEASE: As agreed on 29 September	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Rationale

### 3. Meeting Opening

Following karakia and an in-committee session, the Chair opened the meeting at 09.19 on 26 October welcoming the Executives and the Governance Advisor.

#### 3.1 Apologies

The Chair noted the apologies from Carol Cheng and Tamahau Rowe for 26 October.

#### 3.2 Interest Register

The Council noted the Interest Register and agreed to send any updates to the Governance Advisor in a timely manner.

#### 3.3 Minutes from prior hui

Minutes from the hui on 29 September 2022 were taken as read, and the Council **approved** them as a true and accurate record of the meeting.

Lorraine MOVED  
John SECONDED  
CARRIED

#### 3.4 Action List

The Council **noted** the Action List and updated actions as follows:

Actions GC20220728/4a, GC20220825/4a, GC20220825/4b, GC20220825/10a, GC20220929/3a, GC20220929/4a, GC20220929/4b, GC20220929/4c, GC20220929/4d, GC20220929/5a, GC20220929/5b, GC20220929/6b, GC20220929/6h, GC20220929/7a and GC20220929/8a were updated on and closed.

Actions GC20220828/8a, GC20220929/6a, GC20220929/6c, GC20220929/6d, GC20220929/6e, GC20220929/6f and GC20220929/6g remain open.

## 4. Organisational Performance Part 1

### 4.1. Chief Executive's (CE) Report

The report was taken as read noting Conduct and Competence Review update will be discussed separately.

The CE provided an update on a milestone achieved with a first Rauhuia Symposium for teachers, "Tino Rangatiratanga me Mana Motuhake", which was run on 18 October via Zoom. The CE noted the difference between the number of teachers registering and the much smaller number of actual attendees, which will be investigated to see what can be done differently in the future, while also noting video recordings will be available on the website for any subsequent viewings.

The Council noted positive feedback personally received from the Symposium attendees and the great line-up of speakers, while discussing the benefit of analysing the enrolment data.

**Action GC20221026/4a: CE to provide enrolment data from the first Rauhuia Symposium to help understand any opportunities and gaps for the stakeholder engagement (data provided on 27 October).**

The Council noted the modest increase in correspondence on registration matters, including fee and levy affordability, and that this is being monitored as an operational risk.

The CE spoke about the Royal Commission of Inquiry's faith-based institutions response hearings and their impact on the Teaching Council's workload, with potentially more teachers answerable to their profession. The Council noted the cross-agency working group made up of Oranga Tamariki, Police, Ministry of Education (MoE) and Teaching Council focusing on child safety.

The Council provided a verbal update on the recent payments error, which resulted in 183 teachers being overcharged two- or three-times on 19 October as a result of an error on the part of BNZ bank.

The Council noted the work underway to undertake a test of Council's Business Continuity Plan.

The hui paused for morning tea 09.53-10.08.

The hui resumed with questions on the CE's Report.

The Council noted a concern regarding the untimeliness of the advice from the MoE's Physical Restraint Advisory Group due to be published mid-November. The DCE PS advised that the timing of the advice aligns with the MoE's legislative timelines.

**Action GC20221026/4b: DCE PS to share Council's concern regarding physical restraint guidelines to the MoE.**

The Council discussed feedback from the principals, tumuaki and ECE leaders on the Professional Growth Cycle (PGC) for Leaders and noted that key stakeholders' assistance is required to reach out to more teachers and principals. The Council noted the Teaching Council Executives had recently met with NZPF and NZSTA who were both enthusiastic about using their networks to share the intent and practical application of PGC.

### 4.2. Health, Safety and Wellbeing Report

The report was taken as read.

The CE provided an update on the appointments within the HR team and planned future changes to the design of GOSH reporting.

The Council discussed privacy implications of EAP reporting and were assured that the high-level thematic reporting was solely for the purpose of ensuring staff are adequately supported.

## 5. Stakeholder Engagement

### 5.1. Meetings and events

The Chair thanked the CE for the update on actions from the meeting with PPTA on 21 September. The Council noted the future bimonthly meetings with the PPTA and the beginning of a more trustful relationship.

The CE noted that the PowerPoint presentation on pathways to return to teaching was subsequently refined, an effort which was appreciated by the PPTA.

### 5.2. Conduct and Competence Review

5.2.1 The DCE PS provided a verbal update on the first day of the Conduct and Competence Review Stakeholder Hui occurred 25-26 October. The Council noted the legislative changes and timeframes for the Complaints Assessment Committee rules, which will better reflect cultural values by ensuring the mana, voice and culture of the teachers and initiators in disciplinary matters are protected.

**Action GC20221026/5a: Include Conduct and Competence Review on the Pacific Education Steerage Group agenda.**

The Council noted that feedback from the hui will be collated and presented to them with advice, after which a legal review and consultation with the teachers will follow.

5.2.2 The Strategic Stakeholder Engagement Committee (SSEC) Chair provided an update on the first day of the Conduct and Competence Review Stakeholder hui, which was attended by the members of the Committee on behalf of the Governing Council. The Committee Chair noted positive feedback received by the stakeholders and outlined common themes from the hui.

The Council noted a high standard of staff engagement and presentation at the hui.

### 5.3. Stakeholder perspectives on Competence and Conduct Review

The stakeholders were welcomed with mihi whakatau led by John at 11.20 following by introductions.

The stakeholders included representatives from the education sector:

[REDACTED] (NZEI), [REDACTED] (PPTA), [REDACTED] (Te Rito Maioha), [REDACTED] (NZ Kindergartens), [REDACTED] (Te Puna Reo o Ngā Kākāno), [REDACTED] (Early Childhood Council), [REDACTED] (Kindergartens Aotearoa), [REDACTED] (NAMSA), [REDACTED] (NZ Principals Federation), [REDACTED] (SPANZ), [REDACTED] (NZSTA), [REDACTED] (NZ Council of Deans), [REDACTED] (New Zealand Pasifika Principals Association), [REDACTED] (hui facilitator), [REDACTED] (MoE) and [REDACTED] (Teacher Education Forum).

After a welcome and introductions, the Council Chair opened the session noting the importance of the relationship between the Teaching Council and the teachers for the benefit of the profession. She noted the Teaching Council's strong commitment to the values of the profession and the unique contribution to the Council in setting, promoting and reviewing the professional standards. The Chair underlined the importance of this work in upholding teaching as a profession and giving the public confidence and trust in the profession. She also noted the need to review processes in the context of the changing environment and at times this required a law change, such as to improve Competence and Conduct practices.

The Strategic Stakeholder Engagement Committee Chair extended gratitude to the stakeholders for joining the hui. He noted the requirement to mutually co-construct the rules to achieve better processes.

The Committee Chair noted the following themes from the Stakeholder hui on 25 October:

- cost reduction and minimising financial impact on teachers
- time-efficient processes to reduce stress and anxiety
- robust, culturally inclusive and respectful processes (mana for all)
- clearer and more precise definition of the rules and processes
- apologies for historic practices
- clash of the Westminster (process-focused) and tikanga (people-focused) systems
- minimising Disciplinary Tribunal escalation
- more compassionate communications
- reduction of decision wait time; providing reasons for any delay
- triage process and impairment committee understanding.

The Council Chair opened the floor for any questions from the stakeholders.

The stakeholders and Councillors discussed accountability expectations and mechanisms for elected Council members to meet the expectations of their constituents, by being the conduit between them and the Council. Some of the matters discussed were increased input from the practising teachers on the procedural issues, stakeholder engagement plans, alternative funding options for the Teaching Council, transparency of the appointment process for appointed members, and the argument for government funding based on the public-good aspect of the Council's work.

The hui paused for lunch 12.12-12.48, after which the stakeholders left, and the Councillors began their governance Induction with [REDACTED], Kōrora Consulting.

The hui resumed at 16.05.

## 7. Governance

7.1. The Chair tabled an annual calendar and agenda of the Governing Council hui for Council's review and approval. It was based on the feedback received from the Councillors and the organisational financial, HR and strategic reporting cycle.

The agenda proposed keeping the monthly meeting cadence from June to July (excluding December and January), including additional half day meetings in quarter 1, 3 and 4. The committee cadence was based on the terms of reference and the financial year's rhythm.

The Council discussed the agenda structure, noting that an ideal would be to allocate about 60% of the time to strategy, including reviewing progress with implementation of the current plan, and environmental scanning, including monitoring current and emerging risks. This would leave 40% of the time to discuss the reports provided by the Executive team.

Dagmar Dyck left at 16.00.

The Council noted the importance of understanding the education sector and global education trends.

CE left at 16.30.

**Action GC20221026/7a: Defer decision on the proposed annual calendar and agenda for 27 October.**

7.2. Member fees

The Council noted the discrepancy between the information provided to appointed members at the time of appointment versus elected members at the time of election. The Chair noted the requirement for adhering to the procedures and the *Governance Manual*, while proposing future steps to ensure transparency and consistency of the process.

Action GC20221026/7b: Chair to send letters with relevant information to the future elected members to ensure transparency for all members about the process for claiming fees.

### 7.3. Professional learning and development (PLD)

Following up on action GC20220929/8a, the Chair noted PLD interest from three members. The Council noted Institute of Directors online course options for increasing the members' understanding of governance and finance.

Action GC20221026/7c: Organise a meeting with the members interested in IoD courses.

### 7.4. Any other business

[REDACTED]

[REDACTED]

[REDACTED]

The hui adjourned for a day at 16.57 with a karakia led by John.

The hui continued from 11.09 on 27 October, after a risk workshop facilitated by [REDACTED], IQANZ.

The Chair informed members of the agenda for the day.

## 2. Organisational Performance Part 2

### 2.1. Performance Dashboard – October

The DCE OS discussed trends in the number of teachers holding a current practising certificate or LAT, and the importance of this metric to Council's future financial sustainability.

The Council noted that with 66% service performance in September (applications of all types completed in five working days), staff will be more under pressure during peak months (November to January).

The Council discussed data from survey responses and agreed that although a progress is being made, more work will be required to enhance positive sentiments.

Action GC20221027/2a: DCE OS to provide commentary on how more information might be collected on the overall customer experience by February 2023.

The Council discussed an apparent misunderstanding from some stakeholders on the number of open CAC and DT cases.

Action GC20221027/2b: DCE OS to investigate and clarify the number of open CAC and DT cases and make any changes to the Performance dashboard.

### 2.2. Issues Register

The Council discussed the requirement for physical restraint guidance to be added as an issue to the register.

Action GC20221027/2c: DCE PS to add physical restraint to the Issues Register.

The DCE PS provided an update on current appeals.

### 2.3. Policy Dashboard

The Council noted the usefulness of the Policy Dashboard in presenting education-sector policies.

The Council discussed the feedback for the principals' eligibility criteria provided to the Working Group. The Council noted that an updated version of the Principal Eligibility Criteria will be provided for our feedback.

### 2.4. Communications

2.4.1. The Council noted the Communications dashboard for September with an improved satisfaction rate, which was credited to the efforts of the Contact Centre. The Council noted that with peak month starting in November, the team will be under more pressure.

Action GC20221017/2d: DCE OS to pass Governing Council's appreciation to the Contact Centre.

The hui paused for lunch 11.42-12.05.

## 3. Risk, Audit and Finance

### 3.1. Update from RAF Committee

The RAF Chair provided an update from the last RAF meeting held on 19 October, noting that with agreed direction from the risk workshop, CFO will come back with an updated risk register in November.

The Council noted that audit is underway and that RAF members will be meeting with the auditors in November.

The Council noted that budget reforecasting is due in November, when any changes to the budget will be made.

The CFO joined the hui at 12.09.

### 3.2. Financial Reports – September

The RAF Chair provided a detailed update on the financial reports for September, noting financial indicators, variance thresholds and trends.

The Council noted an update on the financial impact of the recruitment process and where there was an increased expenditure, such as liability insurance.

The Council were assured that management were closely monitoring of the cash flow and debtors and discussed the graphical presentation of the expenditure and revenue tracker as part of the variance analysis.

Action GC20221027/3a: CFO to add a graphical tracker of revenue and expenditure across months to the variance analysis.

Action GC20221027/3b: CFO to present a list of large expenses to help the Council in monitoring and oversight.

### 3.3. Risk Register – October

The Council discussed the benefit of the risk workshop facilitated by [REDACTED] from IQANZ in the morning of the 27 and noted that RAF Committee will be revising risks before they are brought back to the Council in November.

**Action GC20221027/3c: Send any additional risks in a form of IF statements to the CFO by 7 November.**

The Council noted and discussed the updated Risk Assessment Framework and agreed to approve it pending agreed changes.

**DECISION: GC20221027/3: The Council approved the updated Risk Assessment Framework after additional risks, identified at the risk workshop, are added.**

Carol MOVED  
Ripeka SECONDED  
CARRIED

### 3.4. Cybersecurity Dashboard

The RAF Chair provided an update from the cybersecurity session at the last RAF Committee meeting.

The Council noted regular staff training on ICT and Privacy issues as part of their induction process, and the ongoing implementation of the recommendations from the December 2021 external information security assessment.

The Council discussed the recent BNZ payments error incident. The DCE OS advised that the generic response plan template had been made available to all the managers. The Council noted that, the top information security action item was the security reassessment of Hapori Matatū which was currently underway.

## 4. Items for Decision

### 4.1. Delegations Policy

The Council noted the draft Delegations Policy (financial and non-financial delegations) due for an annual review with proposed minor changes discussed by RAF Committee on 19 October:

- a. Minor changes to manager titles and cost centre responsibilities in the table associated with paras 8 and 15;
- b. Addition of a new **non-financial delegation** to approve the appointment of ITE panel Chair (page 6 of 8);
- c. Addition of a new **non-financial delegation** to approve the appointment of new ITE panel members (page 6 of 8);
- d. Addition of a new HR Delegation to for managers at levels 1a-4 to approve employee leave requests within individual entitlement/accrual and policy provisions (page 7 of 8).

The Council discussed the proposed policy and noted that RAF Committee will discuss if any other changes are required after management provides advice on contractual delegation in November.

**DECISION GC20221027/4a: The Council agreed to approve the proposed minor changes to the Delegations Policy.**

Patrick MOVED  
Lorraine SECONDED  
CARRIED

The CFO left at 13.20.

#### 4.2. Temporary change to the policy for issuing LATs

The Council discussed the results of the *Consultation on proposal for a temporary change to the policy for issuing Tūranga Whakaako Whai-herenga | Limited Authority to Teach*, analysis and recommendations provided.

The Council thanked the management and staff for all the work invested to prepare and consult on the temporary policy changes for issuing LATs in a short timeframe.

The Council noted:

- a. that if the temporary policy is approved, the Council will brief the Ministry of Education and the unions and encourage them to contribute to a shared information sheet relating to remuneration for LATs issued under the temporary change policy.
- b. that following a decision on a temporary change to the policy, this decision will be advised to the Minister of Education.

The Council discussed the positive engagement from the sector and ways of disseminating the information by utilising regional principals' groups.

**DECISION GC20221027/4b: The Council approved the following recommendations:**

- a. That applications for a LAT from current or previously registered kaiako | teachers who do not hold a current practising certificate can be made under a temporary LAT policy change until the end of term one 2023.
- b. That LATs issued under these circumstances will be issued for one year and will not be renewed under the temporary LAT policy.
- c. That the Council monitors numbers of LATs approved under the temporary LAT policy and reports on outcomes at the end of the issuing period.
- d. That the Council prepares an information sheet for tumuaki | principals outlining criteria for utilising the temporary change and options for supporting kaiako | teachers who may be issued with a LAT, including highlighting it is the choice of the teacher to agree to the salary offered under a LAT (likely to be lower than as a teacher).

Pat Newman MOVED  
John SECONDED  
CARRIED

## 5. Any other business

- 5.1. The Council discussed summary of themes and feedback received from the first day of the Conduct and Competence Review Stakeholder hui on 25 October and stakeholder session on 26 October.

The Council discussed the ways to engage with the stakeholders at the regional locations of the Council members.

**Action GC20221027/5a: DCE PS to provide feedback from the Stakeholder hui and a direction that will precede Rule change to the next meeting, while also including talking points for the Councillors to ensure messages and our story are championed.**

- 5.2. The Chair provided clarity on member fee entitlements for October and mentioned that Elg will attend the next meeting online.
- 5.3. The SSEC Chair informed that SSEC will meet in November prior to the Council hui to finalise draft Action Plan for stakeholder engagement.
- 5.4. Following up on action point GC20220825/4a, Fiona advised that ITE Advisory Group will not be established at this point and that any issues will be raised at the Governing Council hui. The Council noted that Fiona will write an introduction for the next ITE newsletter.



5.5. After September's discussion on the Human Resources and Remuneration (HRR) Committee's Terms of Reference, the Council discussed the structure of the committee [REDACTED]

**DECISION GC20221027/5: The Council agreed to appoint Deputy Chair Ripeka Lessels as the Chair of the HRR Committee and co-opt Karen Coutts to lead the work [REDACTED]**

The Council noted that two days of hui and induction provided an opportunity for building knowledge and developing a greater sense of direction for the governance work and thanked all those involved in the planning and organisation of the meetings.

John led a closing karakia at 14.55, after which the Executives and Governance Advisor left the hui; in-committee session took place until 15.30.

Signed:

Approved by the Governing Council on 24 November 2022

[REDACTED]

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Robyn Baker, Chair