

MEETING SUBJECT:	Minutes from the Governing Council Hui Teaching Council Matatū Aotearoa
DATE OF MEETING:	27 April 2023
TIME OF MEETING:	09.19 to 15.22
VENUE:	Teaching Council Office – Wellington and Microsoft Teams
ATTENDEES:	Robyn Baker (Tiamana Chair), Dagmar Dyck, Elg Anderson (from 10.38), Fiona Ell, Hongyu (Carol) Cheng, John Tait, Karen Coutts, Lorraine Carr, Melody Stuckey, Mike Connor, Pat Newman and Patrick Walsh Lesley Hoskin (Tāhūhū CE), Clive Jones (Tātai Heke Ratonga Mahi DCE Operational Services), Pauline Barnes (Tātai Heke Ngaio DCE Professional Services) and Sanja Antonijevic (Governance Advisor)
PRESENTER:	██████████ (Lead Lawyer; 11.16-12.10 and 15.02-15.16) and Ian McEwan (CFO; 12.58-13.53)
APOLOGIES:	Ripeka Lessels (Tiamana Tuarua Deputy Chair) and Tamahau Rowe (Tātai Heke Māori DCE Māori)

3. Meeting Opening

Following karakia and an in-committee session, the Chair opened the meeting at 09.19 welcoming the Executive and the Governance Advisor.

The Chair provided a verbal update on the in-committee discussions regarding:

- Agreement that Council decisions are captured as a consensus rather than by motion.
- Reimbursement of the members' employers for any relief during the member's absence, in order to ensure equal opportunities for stakeholder engagement on behalf of the Teaching Council.
- Claiming fees for out of cycle tasks: Governing Council members will only claim fees for the meetings that are minuted, where opportunity to charge will be signalled.
- Human Resources and Remuneration (HR&R) Committee's completion of the CE performance review.

3.1 The Council noted the apologies from Ripeka Lessels and Tamahau Rowe. The Chair informed the Council that Elg Anderson will join the hui later.

3.2 The Council noted a few updates to the Interest Register, noting any changes should be disclosed to the Governance Advisor in a timely manner.

3.3 Minutes from the hui on 30 March 2023 were taken as read; the Council approved the minutes as a true and accurate record of the meeting.

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

Actions GC20230223/4c and GC20230330/5c were closed.

Actions GC20230223/6d, GC20230223/6e, GC20230223/5a, GC20221124/8a and GC20220825/8a remain open. Action GC20230330/6b was referred to RAF.

4. Organisational performance

4.1. Chief Executive's Report

The Chair provided an overview of the report, noting a positive impact of the Council's feedback on the structure and content of the current meeting. The report was taken as read, and the Council thanked the CE for adding a section on her priorities at the front page.

The CE provided an update on the Teaching Council's strategic priorities for 2022/23:

- Understanding tangata o le moana to support the Pacific teachers within te tiriti space and te whare o te Matatū
- Driving momentum with Unteach Racism and Rauhuia with the professional leaders. The CE provided a summary of Rauhuia, the Leadership strategy and the capability framework. The Council noted the Teaching Council's role in ensuring the education system takes a coherent and connected approach to leadership learning, aligned with the Leadership strategy, that progress is measured from the beginning with an agreed learning and measurement framework, and that the system creates the environment for teachers to develop their leadership capabilities, including through the Professional Growth Cycle (PGC).

The meeting paused for morning tea 10.16-10.29.

The Council noted a substantial number of submissions received on the competence and conduct rules review, which will be summarised and presented to the Council after legal advice is considered. The Council discussed the importance of receiving robust legal advice before any decision is made to ensure the best outcome for the profession and the work of the Teaching Council.

The DCE OS provided a verbal update on the performance dashboard data, which was omitted from the papers due to a pending Salesforce implementation.

Elg joined at 10.38.

The Council discussed the Teaching Council's work on professional boundaries in ensuring that the Code of Professional Responsibility has clear guidance and noted a consultation document will be drafted for their review and approval before it is circulated widely to teachers and other stakeholders for feedback. The Council agreed that the work needs to acknowledge and address requirements of disabled teachers and students. In addition, the Council discussed potential timing of the Code and Standards review.

The Council thanked the CE for the report.

4.2. Health, Safety and Wellbeing Report

The Council noted the Health, Safety and Wellbeing update for April and discussed the confidentiality of information in the EAP quarterly report.

4.3. Issues Register – March

The Council received the Issues Register for March and discussed two papers requested by the action GC20230223/4c from 23 February 2023.

Action GC20230427/4a: Ensure more time is allocated for the Issues Register and mark any updates in different font colour for visibility.

Lead Lawyer joined at 11.16.



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Lead Lawyer left at 12.10.

4.4. Policy Dashboard

The Council noted the Policy dashboard for April, with an addition of pending law change. The Council discussed the implications of the paused curriculum refresh to ITE work.

4.5. Communications

4.5.1 Communications Dashboard

The Council noted the Communications dashboard for March.

DCE OS provided a verbal update on the survey from the publication of a new Matatū newsletter format, stating 60% of the feedback was positive. The Council noted that the newsletter will be published every two months.

The Council noted the Unteach Racism stats report for March 2023. The DCE OS provided a context behind the joint initiative with the Human Rights Commission, to address the education system's failure to meet the needs of specific cohorts of children by ensuring teachers have the tools to dismantle racism in schools. The Council noted the three phases of the Unteach Racism initiative: identify, confront and dismantle racism in education, and the role of the Code and Standards in supporting teachers' learning to make a change in the country.

5.5.2 Media report

The Council noted the Media Report for March.

The hui adjourned for lunch 12.25–12.58. The CFO joined at 12.58.

5. Finance, Audit and Risk

The Council noted a RAF meeting was held on 20 April. The RAF Chair provided a summary of the key issues arising from the meeting.

5.1 Finance

5.1.1 Finance reports – March

The Council noted that the finance report outlines alignment with the budget. Management were congratulated on a good work on debt collection.

5.1.2 Re-forecast 2

The Council:

- i. **Noted** that Matatū Aotearoa has completed a forecast for the financial year ending 30 June 2023.
- ii. [REDACTED]
- iii. [REDACTED]
- iv. [REDACTED]
- v. **Agreed** that the fees and levy budget is not changed for the period March to June.
- vi. **DECISION GC20230427/5a: Approved** the forecast.

5.1.3 Business Plan update

The Council noted the update on the Business Plan initiatives for the third quarter.

5.1.4 Delegated contract signing levels: Amendment

The RAF Chair provided a summary of the discussion at the RAF Committee meeting highlighting the balance of risk management and efficiency required when delegation levels are considered.

The Council noted the paper and:

- i. **Noted** Matatū Aotearoa Delegations Policy is a Council owned Policy and is reviewed at least annually. The last review was completed in October 2022.
- ii. **Noted** that a review of contract signing delegations has been undertaken by the RAF Committee. [REDACTED]
- iii. **Noted** that contract delegations relate to the full cost over the contract life, which is often a multi-year commitment.
- iv. **DECISION GC20230427/5b: Approved** the proposed changes to the Delegation Policy.

5.1.5 Audit and assurance

There were no new updates on audit.

5.1.6 Risk register

The Council noted the updated feature of the risk report, discussed the ongoing changing environment and its implications on the responsibilities of the Council as an owner of the risk register. The Council agreed that an annual deep dive into risk review is crucial to ensure risk register is reflective of the circumstances.

Action GC20230427/5a: Management to propose a date for the next risk review, noting last review was in October 2022.

5.1.7 Cybersecurity risk update

The report was taken as read, noting that RAF Committee were provided additional information prior to their meeting.

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vi.

The Council discussed the financial implications of system improvements and the importance of a balanced approach.

The Council acknowledged the RAF members and management for the work undertaken, noting additional mitigation actions to reduce the residual risk will be brought to RAF and then Council for consideration in July.

6. Items for decision

6.1 Statutory Delegations Register

The Chair introduced the register and its role in ensuring the organisation uses its statutory powers under the Education and Training Act 2020 (Act).

The Council noted the 26 direct responsibilities of the Governing Council and the statutory powers delegated through the CE to ensure the organisation can carry out its statutory purpose in an efficient manner.

The Council:

- i. **Noted** the Act provides the Council with statutory (legal) powers in order to undertake its functions at law.
- ii. **Noted** that with a few specific exceptions, the Council can delegate its statutory powers under the act to the Chief Executive who can then delegate to other Teaching Council staff.
- iii. **Noted** that the CE and all other staff appointed to roles with approved delegations are required to sign a form accepting the delegations and conditions of use at the time of appointment (including temporary delegations for staff in acting roles).
- iv. **Noted** the purposes of delegating statutory authority include:
 - a. to ensure the effective and efficient delivery of the organisation's statutory functions;
 - b. to ensure that the appropriate officers have been provided with the level of authority necessary to discharge their responsibilities;
 - c. to ensure that delegated statutory authority is exercised by the most appropriate and best-informed individuals within the organisation; and
 - d. to ensure internal controls are effective.
- v. **Noted** the Statutory Delegations Register is Governing Council 'owned' and any changes require the approval of the Governing Council.
- vi. **Noted** the current Statutory Delegations Register was approved by the previous Council in March 2022 and has an annual review cycle (i.e., required to be reviewed each year).
- vii. **Noted** that any time the Education and Training Act 2020 or Teaching Council Rules (secondary legislation) change, the Statutory Delegations Register should be reviewed to ensure staff can continue to lawfully exercise statutory powers that have previously been delegated to them.
- viii. **Noted** the current Register has been reviewed and the updated draft Statutory Delegations Register provided for approval incorporates a small number of changes relating to the following:
 - a. Changes to the Act as a result of the Education and Training Amendment Act 2022 which impact the Teaching Council's functions and statutory powers;

- b. Cosmetic changes for improved clarity / readability; and
 - c. Changes to existing statutory delegations arising from changes to roles within the organisation.
 - d. Inclusion of statutory obligations of teachers, employers, and others and applicable offences under the Act as appendix for information.
- ix. **Noted** that RAF Committee had endorsed the approval of the register on 20 April.
- x. **DECISION GC20230427/6a: Approved** the Statutory Delegations Register and **noted** that a further review will be required once the new conduct and competence rules are gazetted in 2023.

Action GC20230427/6a: Upload the updated Statutory Delegations Register to Diligent Boards Resource Centre.

The CFO left at 13.53.

6.2 Proactive Release Policy review

The Council:

- i. **Noted** the Proactive Release of Official Information Policy, previously agreed to be trialled before Council reviewed its operation and made a final decision.
- ii. **Noted** that the regular proactive release of official information is good practice, and a more effective use of teacher funding than having to respond multiple ad-hoc requests under the OIA.
- iii. **Discussed** the draft Proactive Release of Official Information Policy and noted the latest OIA requests have significantly impacted the workload of the Privacy Officer.
- iv. **DECISION GC20230427/6b: Approved** the draft policy subject to the agreed amendments in scope: Research reports, Council meeting minutes, briefings to ministers and OIA responses of public interest will be proactively released.

7. Strategy and evaluation

7.1 Stakeholder meetings and events

The Council noted that the CE prioritises stakeholder engagement and referred to the update in the CE Report.

The Council noted that Sharon Coulton, former ECE teacher and Teaching Council's Professional Responsibility Manager, is now seconded to the role of the Stakeholder Manager to focus on creating and strengthening connections with the stakeholders.

The Council thanked staff for the ongoing progress in the engagement space.

7.2 Council attendance at events on behalf of the Teaching Council

The Council noted that a few members' requests to attend events on behalf of the Council were approved. The Chair reminded of the responsibility of the Council members attending events to report any insights back to the whole Council.

The Council thanked Elg and DCE OS for the proposed slides that can be adapted and used by the members presenting at events on behalf of the Teaching Council.

Action GC20230427/7a: Add talking notes to the slides and upload them to Resource Centre.

The Council agreed on the fee-related decision made at in-committee (page 1).

7.3 Our story about Rauhuia

The Chair opened the item noting the importance of Rauhuia and a potential impact of the current and emerging environment on priority actions.

The Council noted that presentation on te Whare o Matatū led by the DCE Māori at the May's meeting will also have a connection with Rauhuia.

Action GC20230427/7b: Include deep dive on Rauhuia at the forward agenda for August or September.

8. Governance

8.2 Pacific Education Steerage Group (PESG): Update

The Council noted that the PESG is an advisory group to the Governing Council; however, the group also provides advice to the Teaching Council staff on relevant work streams.

The Chair of PESG provided a verbal update on the recent face-to-face meeting of the group, which occurred for the second time since its inception in 2021. The Council noted the agenda items discussed and key messages provided from the perspective of Pacific educators.

The PESG Chair acknowledged the recent addition to the group, Karen Coutts, and her perspective as a Council member with an interest in disability issues.

The Council discussed the importance of the work of the group, high calibre of the membership and opportunities that may arise in the Pacific space relevant to the Teaching Council's work.

8.1 Specified Offence: Role of the Governing Council

Lead Lawyer re-joined the meeting at 15.05.

The Lead Lawyer informed the Council of the upcoming specified offence case and the legislative functions of the Governing Council regarding the specified offence under the Children's Act 2014.

The Lead Lawyer left at 15.16.

8.3 Council evaluation: Self-review

The Chair reminded the Council members that self-evaluation forms are due on May 1.

8.4 Committee membership 2023-2024

The Council were reminded that per committees' terms of reference, regular annual review of the committee membership will occur at the June meeting. The Chair stated that all members have an opportunity to contribute to the work of committees during the triennial term and proposed that members could be on just one committee at a time. The Chair proposed the following structure, indicating that committees would be discussed in May, with decisions at the June meeting. The Chair suggested that RAF and the HR&R committee are common committees of most governance groups, but there is always scope for additional committees to enable concentrated governance work in an area of particular current importance.

1. RAF Committee: Carol Cheng will remain in the chair role due to her specialised expertise; additional three members will be nominated, noting the Council Chair will remove herself from the committee but will attend any relevant meetings in an ex-officio capacity.

2. HR&R Committee: three members
3. Strategic Stakeholder Engagement Committee (SSEC): four members
4. PESG: Dagmar Dyck remains the chair due to her background and connection with the group.

9. Any other business

No other business was discussed.

The Council thanked the Chair for the meeting and it ended at 15.22 with a karakia led by John.

Signed:

Approved by the Governing Council on 25 May 2023

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Robyn Baker, Chair