

# Deep Dive: Council's role, strategy, activity and costs

Pre-consultation discussion paper for co-design sessions with stakeholders

27 & 29 October 2021

Disclaimer: Any costs included in this document are estimates of actual and reasonable costs and are subject to final confirmation. Such costs relate to the operating costs of delivering the Teaching Council's mandatory functions, not what government grants, recoveries, and teacher fees and/or levies currently pay for.



**Teaching  
Council of  
Aotearoa  
New Zealand**

Matatū. Tū Mataora.

**Stand tall. Shape the future.**

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# Glossary

ITE – Initial Teacher Education

TER – Teacher Education Refresh

PC – Practising Certificate

CAC – Complaints Assessment Committee

DT – Disciplinary Tribunal

PGC – Professional Growth Cycle

Code - Code of Professional Responsibility | Ngā Tikanga Matatika

Standards - Standards for the Teaching Profession | Ngā Paerewa

Act – Education and Training Act 2020

## Our Code, Our Standards



### Standards Based

**The teaching profession sets the standard for a high quality workforce**

- Establishes and maintains standards and code
- Lifting the bar on cultural competency
- Sets criteria for entry
- Assures ongoing growth against standards
- Manages issues of competence and conduct



### Service Based

**The teaching profession serves our communities, striving to support our children and young people to be successful**

- Focused on serving our children and young people and communities
- Working together to create new solutions and new practice to help our learners succeed
- Meeting the needs of diverse learners
- Becoming more inclusive
- Having high expectations for each learner
- Sharing what works



### Knowledge Based

**The teaching profession's knowledge and practice is continually shared, developed and innovated to enable a world leading education system**

- New expectations of Initial Teacher Education and Induction
- Professional development that lifts effectiveness
- Collaborative sharing and creating expertise
- Visionary and inspirational leadership

# Introduction

In its 30 August 2021 submission to Select Committee on the Education and Training (Teaching Council fees and costs) Amendment Bill the Teaching Council stated its intention to invite stakeholders to co-design a new consultation to ensure all voices are heard.

This document sets out a clear breakdown of costs to assist understanding the key activities of the Council and what drives these costs.

At the same time as consulting on fees and levies, every three years the Council undertakes consultation with teachers, the government, and the public on its strategic plan.

Both of these consultation processes provide every teacher the opportunity to have a say on the key strategic priorities the Council should be focused on over the next five years and the costs of delivering its statutory functions. This document provides you with information to support you to engage with us on the future design of those consultation processes.

Together with 3-yearly elections for seven members of our governing Council, the strategic plan is a key accountability mechanism between the Council and the

teaching profession.

For the Teaching Council, strategy is about making choices and setting long-term goals that describe both *what* we are going to achieve and *how* this will help us meet our purpose and vision.

We would love to hear your voice in this kōrero and encourage you to help us shape the future.

Teachers have always been change leaders within education and our communities, and we believe that teacher-led change leadership has the potential to answer some of the most vexing educational issues we face. It is pleasing to see that the government has agreed to fund this work directly.

We understand there is much work to do to rebuild trust and are absolutely committed to working with the profession, not only through the consultation process ahead, but also in other mahi around supporting the profession and our kaiako to achieve the best possible outcomes for our tamariki.

“This document sets out a clear breakdown of costs to assist understanding the key activities of the Council and what drives these costs”



Nicola Ngarewa

Chair

Teaching Council of Aotearoa New Zealand | Matatū  
Aotearoa

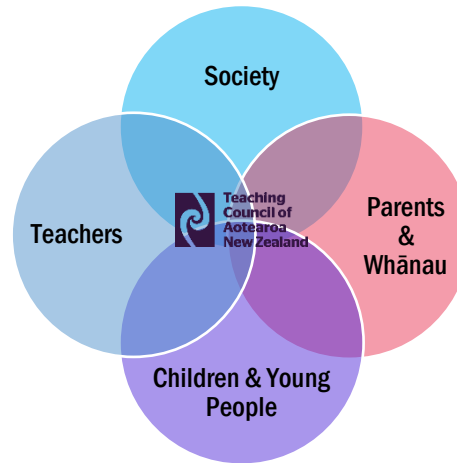


# Our Role: Mana Aki

## Trust in teachers is based on:

- Teachers' role in looking after our children, supporting their wellbeing, and helping them gain the skills and knowledge they need to succeed in the future.
- Society's belief that teachers are good people who behave ethically, protect the vulnerable, and are honest.
- Society's expectation that government has established systems and processes to maintain trust in teachers and to protect children and young people.

**Teachers are one of the most trusted groups of professionals in New Zealand.**



## The Teaching Council's role in maintaining trust:

- Supporting teachers to develop and adapt their practice to meet a changing future.
- Maintaining a Code of Professional Responsibility and Standards for the Teaching Profession to ensure that all teachers are meeting a minimum set of requirements to continue to teach.
- Setting the standards for Initial Teacher Education to ensure new teachers are appropriately trained and have the skills and knowledge needed to be effective in the classroom.
- Setting the requirements to ensure that new teachers receive support early in their careers through induction and mentoring from more experienced teachers.
- Setting the standards and criteria for teacher Registration and Certification to ensure that all teachers in our classrooms are of good character, fit to be a teacher, and satisfactorily trained to teach.
- Maintaining a public register of all teachers to provide assurance to schools, centres and the public that their teachers are of good character, fit to be a teacher, and satisfactorily trained to teach.
- Investigating and acting on issues relating to teacher conduct or competence to ensure the safety of children and young people.

# Benefits for teachers

- The Teaching Council was established to provide assurance to the public, the Government, and the profession of the quality of teachers and the safety of learners, and to ensure the profession will continue to adapt and develop so that quality is enduring into the future.

Teaching Council Function	Benefit for Individual Teacher
<ul style="list-style-type: none"><li>• Set standards for qualifications that lead to teacher registration</li></ul>	<ul style="list-style-type: none"><li>• Able to enrol in an approved ITE programme that leads with certainty to Registration and certification on completion</li></ul>
<ul style="list-style-type: none"><li>• Approve teacher education programmes</li></ul>	
<ul style="list-style-type: none"><li>• Maintain criteria for teacher Registration</li></ul>	<ul style="list-style-type: none"><li>• Able to be gain Registration as a teacher</li></ul>
<ul style="list-style-type: none"><li>• Maintain criteria for practising certificates and standards for ongoing practice</li></ul>	<ul style="list-style-type: none"><li>• Able to gain or continue employment as a teacher in New Zealand</li></ul>
<ul style="list-style-type: none"><li>• Co-ordinate Police vetting for all teachers</li></ul>	<ul style="list-style-type: none"><li>• Able to gain or continue employment as a teacher in New Zealand</li></ul>
<ul style="list-style-type: none"><li>• Establish and maintain a Code of Conduct for the teaching profession</li></ul>	<ul style="list-style-type: none"><li>• Trust and confidence in colleagues</li></ul>

Teaching Council Function	Benefit for the teaching profession
<ul style="list-style-type: none"><li>• Perform disciplinary functions relating to teacher misconduct and convictions</li></ul>	<ul style="list-style-type: none"><li>• Protect the public perception of the teaching profession as being highly trusted</li></ul>
<ul style="list-style-type: none"><li>• Perform functions relating to teacher competence</li></ul>	<ul style="list-style-type: none"><li>• Protect the reputation of the teaching profession as highly trained and highly skilled</li></ul>
<ul style="list-style-type: none"><li>• Set criteria for reporting serious misconduct and for reporting on competence issues</li></ul>	<ul style="list-style-type: none"><li>• Protect the public perception of the teaching profession as being highly trusted</li></ul>
<ul style="list-style-type: none"><li>• Monitor and enforce mandatory reporting requirements</li></ul>	
<ul style="list-style-type: none"><li>• Enhance the status of teachers and education leaders</li></ul>	<ul style="list-style-type: none"><li>• Public trust and confidence in the teaching profession is enhanced as the profession is seen to stay relevant and show leadership in education</li></ul>
<ul style="list-style-type: none"><li>• Provide leadership to teachers and direction for the education profession</li></ul>	

# Our kawa, purpose and values

## KAWA (OUR GUIDING PRINCIPLES)

The Teaching Council and all its strands of work are led by Te Tiriti o Waitangi demonstrated by the taonga of values. These taonga further cement the agreement between tangata whenua and tangata tiriti. This will guide our doing and being.

### Te Tiriti o Waitangi

- 1. Kāwanatanga (governance):** Active partnerships with mana whenua.
- 2. Tino rangatiratanga (self determination):** opportunities for Māori leadership, engagement, and participation.
- 3. Oritetanga (equity):** reducing systematic inequities in education access and outcomes.
- 4. Te Ritenga (right to beliefs and values):** honouring the beliefs, values and aspirations of Māori learners, teachers and whānau across all our activities.

## OUR VALUES



### Whakamana

empowering all learners to reach their highest potential by providing high-quality teaching and leadership



### Manaakitanga

creating a welcoming, caring and creative environment that treats everyone with respect and dignity



### Pono

showing integrity by acting in ways that are fair, honest, ethical and just



### Whanaungatanga

engaging in positive and collaborative relationships with our learners, their families and whānau, our colleagues and the wider community

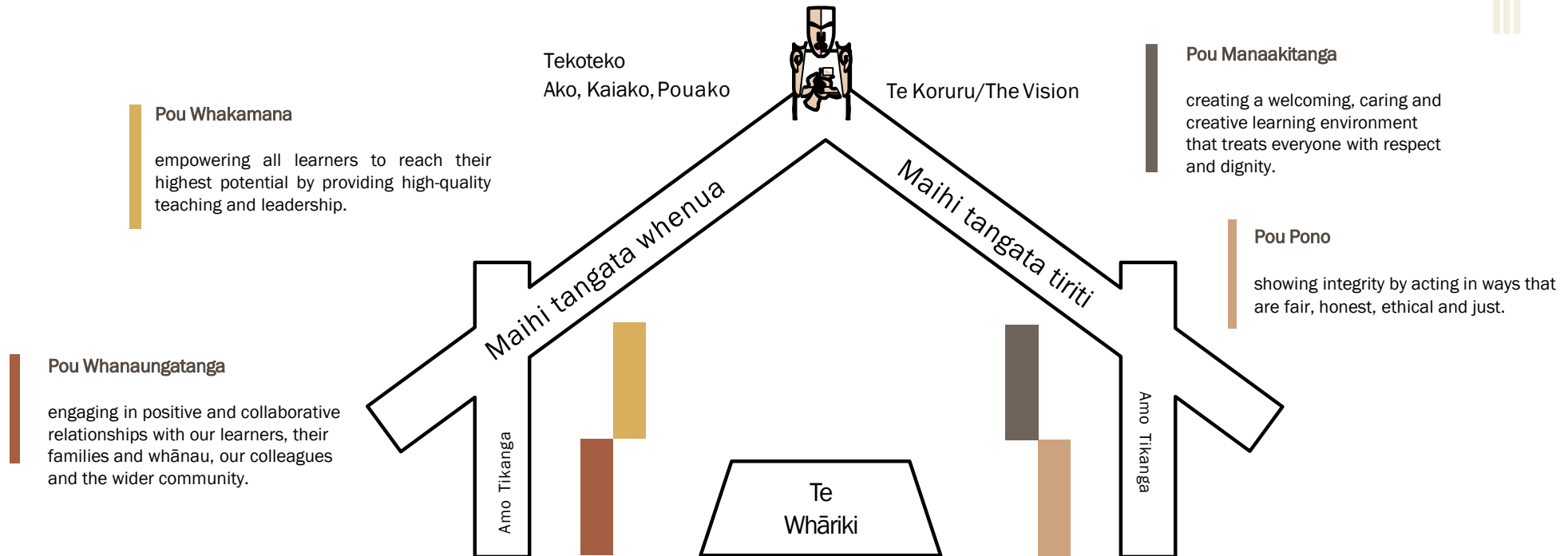
## ARONGA (OUR PURPOSE)

To ensure safe and high quality leadership, teaching, and learning for children and young people in early childhood, primary, secondary, and senior secondary schooling in English medium and Māori medium settings through raising the status of the profession.

## TE PAE TAWHITI (OUR VISION)

To enable and support the teaching profession to maximise the success of every learner in Aotearoa through highly effective leadership and teaching

# Our Te Whare Tiriti





# Te Pātū o te Whare - Wall of Identity

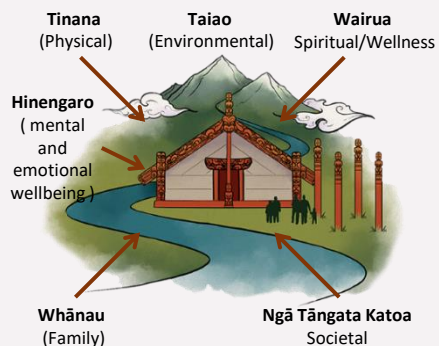
## Kawa – Our ways of being driven by our non-negotiables

The Teaching Council and all its strands of work are led by **Te Tiriti o Waitangi**, our values and the wall of identity demonstrated by our tukutuku patterns and its narrative. Each of these tukutuku patterns are bound to each other by Te Tiriti o Waitangi and our values and in doing so amplify individual and collective wellbeing.



### Hauora / Wellness

The panel of individual and collective Hauora.



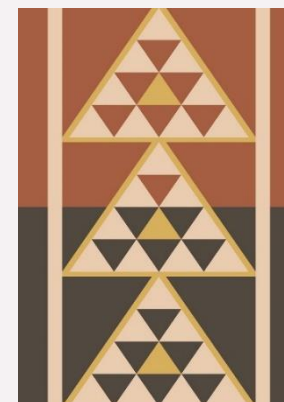
MANA WHENUA / TANGATA WHENUA



BI-CULTURAL

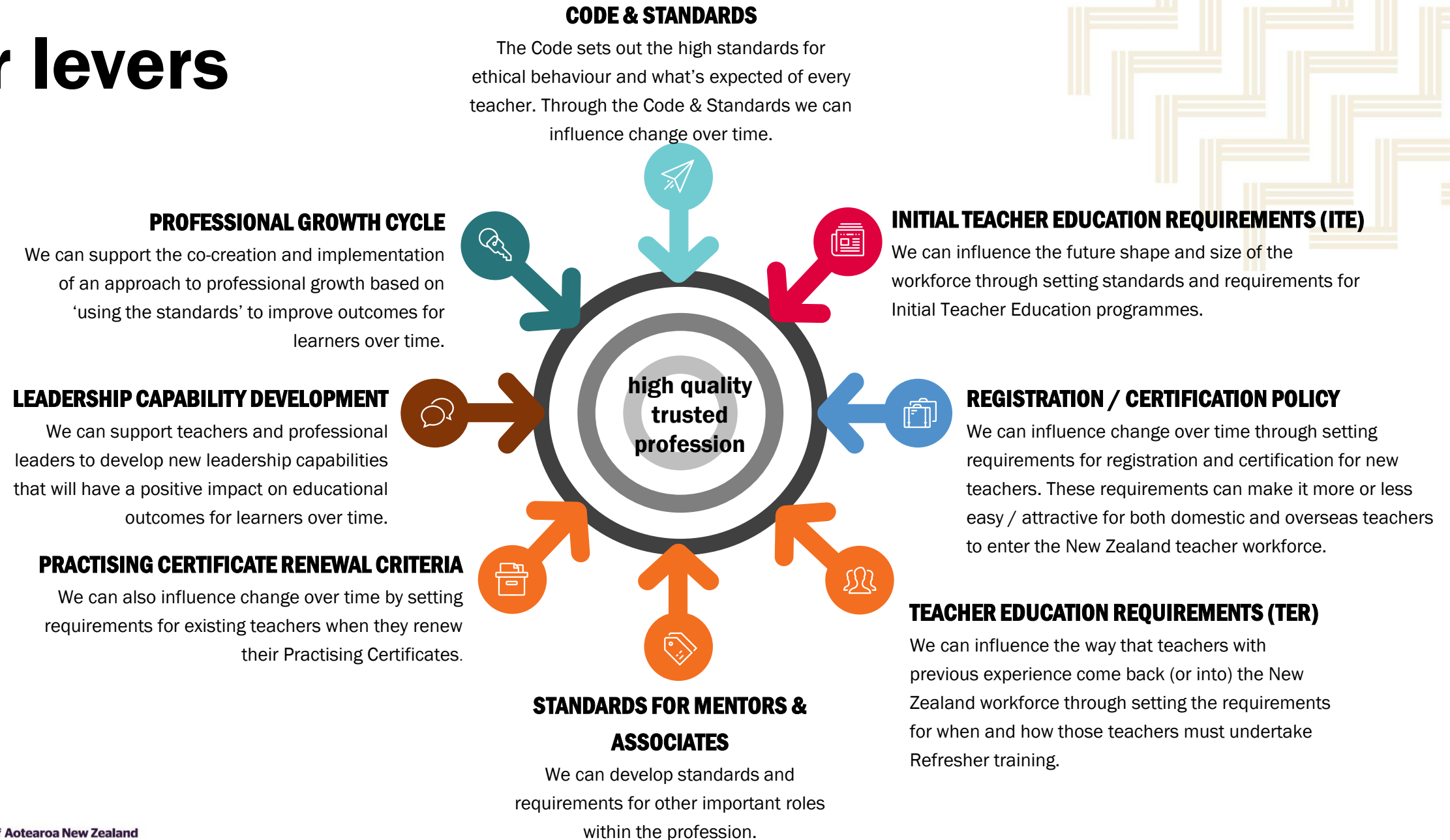


TANGATA MOANA, PASIFIKA

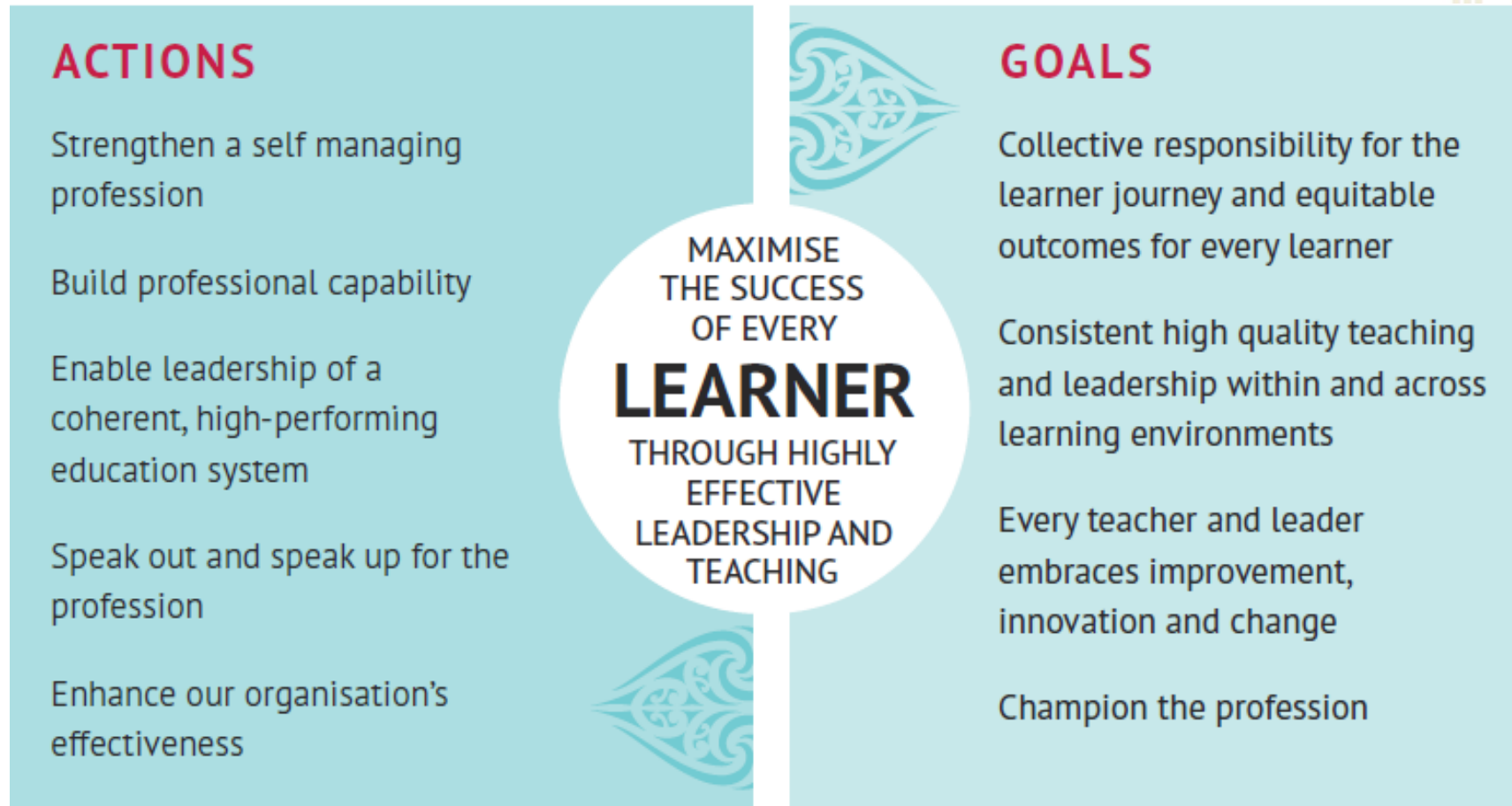


MULTI CULTURAL

# Our levers



# Our strategic goals 2019-2024



# **We've made good progress on delivering our strategic goals**

- New requirements for ITE programmes – all providers to have programmes approved under these by January 2022
- Developed new Standards and Code
- New streamlined Registration Policy including Evidence-Based Language Competency Policy Requirements
- All applications for registration and renewal of practising certificates now 100% online, with 65% of renewals completed in 5 working days (down from 20 working days)
- Development and launch of the Professional Growth Cycle to replace appraisal
- Progressing changes to conduct and competence processes
- Launch of Rauhuia | Leadership Space
- Launch of Unteach Racism in Education
- ECE Endorsement for Overseas Trained Teachers

# We've made good progress on delivering our strategic goals (cont)

- Worked collaboratively with teachers, professional leaders and academics to co-develop the *Leadership Strategy for the Teaching Profession*
- In response to feedback from the profession, commissioned NZCER to develop the *Educational Leadership Capability Framework*
- Secured the mandate to implement the Leadership 'Centre'
- Nationwide workshops and suite of online resources for *Tapasā Cultural Competencies Framework for Teachers of Pacific Learners*
- Legislative changes to physical restraint



# Financial Sustainability – not a new issue

FY2021-22 Budget	\$ (approx.)	%
Costs proposed to be paid by teachers*	\$17m	100%
Revenue from teacher fees	\$8m	47%
Operating deficit	(\$9m)	53%

\* After recoveries, costs awards, and ongoing government grants

- The New Zealand Teachers Council had a financial deficit of over \$1.0m in its last two years of operation
- Government policy is that the Teaching Council | Matatū Aotearoa should be financially independent and fully funded by teachers to ensure the quality of teaching and the safety of children
- Government has told the Council that it will not provide further funding for its core professional regulatory functions

# Fees and levies consultation plan

- We're thinking about a two-step process:
  - Step one: share | listen | shape
    - extensively engage with stakeholders, peak bodies, and community groups to share information, get feedback, and shape the design of the future consultation with all teachers
  - Step two: ask | respond
    - undertake a formal consultation process with all teachers based on the outcomes of step one

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# Deep Dive: Activity and Costs

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# Regulatory Framework

- An Independent Statutory Body established by Parliament in 2015
- A registered Charity
- Our operation is governed by the Education and Training Act 2020, and **40** other acts and regulations (Health & Safety at Work Act, Privacy Act, Official Information Act, Ombudsmen Act etc.)
- Governed by a Board consisting of 7 members elected by the profession and 6 members appointed by the Minister

## Key Accountability mechanisms:

- annually present to the House of Representatives an annual report on its operations, including financial statements audited by Audit New Zealand
- at least every 3 years, following consultation with teachers, the Government, and the public, publish a report setting out its strategic direction for the next 5 years
- every 3 years hold elections for the seven elected Board members
- gazette notices relating to fees, Rules, changes to the code of conduct etc. which are subject to review by Parliaments Regulations Review Committee
- subject to the Official Information Act and Privacy Act.

# Regulation with the right touch

The Teaching Council operates according to the following good practice regulatory Principles<sup>1</sup>:

- proportionate: regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised
- consistent: rules and standards must be joined up and implemented fairly
- targeted: regulation should be focused on the problem, and minimise side effects
- transparent: regulators should be open, and keep regulations simple and user friendly
- accountable: regulators must be able to justify decisions, and be subject to public scrutiny
- agile: regulation must look forward and be able to adapt to anticipate change.

<sup>1</sup>Professional Standards Authority. (11 April 2016). “Right-Touch Regulation 2015”. <https://www.professionalstandards.org.uk/publications/detail/right-touch-regulation-2015>



# Key activities & costs

**We work with around 130,000 registered teachers and each year we:**

- Process around **40,000** registration and certification applications
- Receive around **110,000** phone calls or emails from teachers or professional leaders
- Receive around **600** complaints or Mandatory Reports
- Undertake around **300** conduct investigations
- Undertake around **30** competence investigations
- Review or approve around **25** ITE programmes
- Respond to around **100** OIA requests
- Undertake **4-5** consultation processes relating to rules or other key processes

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Costs proposed to be paid by teachers*	<b>\$17m</b>	<b>100%</b>
Revenue from teacher fees	<b>\$8m</b>	<b>47%</b>
Operating deficit	<b>(\$9m)</b>	<b>53%</b>

Net Costs by function	\$ (approx.)	%
Conduct	<b>\$7.3m</b>	<b>43%</b>
Competence	<b>\$1.5m</b>	<b>9%</b>
Registration	<b>\$4.7m</b>	<b>28%</b>
ITE	<b>\$1.8m</b>	<b>11%</b>
Code & Standards	<b>\$0.8m</b>	<b>6%</b>
Leadership Centre	<b>\$0.0m</b>	<b>0%</b>
Other	<b>\$0.5m</b>	<b>3%</b>
<b>Total</b>	<b>\$17m</b>	<b>100%</b>

# Staff and resources

FTE Staff	Direct FTE	%	Indirect FTE (Finance, IT, HR, Admin etc.)	%
Conduct	31.7	31%	20.3	20%
Competence	7.6	8%		
Registration	31.9	31%		
ITE	7.3	7%		
Code & Standards	2.7	3%		
Leadership Centre	0.0	0%		
Other	0.5	0%		
<b>TOTAL = 101.9</b>	<b>81.6</b>	<b>80%</b>	<b>20.3</b>	<b>20%</b>

- Inside the Council, the way people are organised into teams is based around the *type* of work undertaken, not statutory functions:

Team	Statutory Function
Registration	Registration
Professional Responsibility	Conduct
Teacher Capability & Collaboration	Competence, PGC & Registration, ITE, Code & Standards
Communications and Advice	Registration, Conduct
Policy & Implementation	Conduct, Competence, Registration, Code & Standards, ITE, Education System
Finance, IT, HR & other support functions	To ensure Council performs or exercises its functions, duties, and powers efficient and effectively and operates in a financially responsible manner <sup>1</sup>

<sup>1</sup>Clause 9, Schedule 19, Education and Training Act 2020

# What's driven cost increases since 2016?

1. The impact of changes to conduct functions prescribed by law e.g. introduction of mandatory reporting and lowering the threshold for cases requiring Disciplinary Tribunal hearings to all those that “may possibly constitute serious misconduct”
  - these changes have driven increases in the volume (by up to 50%), complexity and cost of investigating and resolving mandatory reports
  - Council is working with the MoE to address this through the Education and Training Amendment Bill No. 2 – cost savings (if any) will be passed on to teachers through lower levies in the future.
2. To mitigate critical risks posed by lack of organisational support capability and historic chronic underinvestment in support functions like Health and Safety, Finance, IT, HR, cybersecurity etc.
3. Increased costs arising from change in organisation structure (State Owned Enterprise) to Independent Statutory Body and changes to governance model
4. To support the development and delivery of new core regulatory functions prescribed by law (e.g. Code and Standards)
5. Wage inflation – which amounts to over 20% for the period Q2 2016 to Q2 2021

# Conduct Activity & Costs

Net Cost: Conduct	\$ (approx.)	%
Salaries / temps	\$3.27m	45%
Legal costs	\$1.05m	14%
Hearing Costs	\$0.65m	9%
Other	\$0.68m	9%
<b>Total Direct Costs</b>	<b>\$5.65m</b>	<b>77%</b>
Indirect Costs including HR, IT, Finance	\$2.12m	29%
Recoveries / grants	-\$0.46m	-6%
<b>Total</b>	<b>\$7.31m</b>	<b>100%</b>

- Complaints and Mandatory reports received and assessed ~600 pa
- Detailed investigations undertaken ~300 pa
- Average months to investigate for CAC, longer if referred to DT:
  - No Further Action required: 2 months
  - Medium complexity: 6 months
  - High complexity: 8 months
  - These timeframes include delays beyond Council's control (e.g. waiting for responses from external parties)
- Average external legal cost per investigation:
  - Low complexity: \$4,000
  - Medium complexity: \$6,000
  - High complexity: \$15,000
- 31.7 FTE staff

Standards  
Based

# Conduct Performance Standards & Options

## Current Baseline

- Average time from receipt of a complaint or Mandatory Report to referral to a panel **~8 months**
- **67%\*** of cases resolved in Triage within 2 months
- **38%\*** of CAC outcomes reached within 8 months
- **42%\*** of DT outcomes reached within 8 months

\*FY2020-21

## Why all teachers contribute to the disciplinary costs for the small number of teachers involved in disciplinary processes

- Professions play a vital role in providing trusted expertise founded on established code of behaviour and ethics that are policed to ensure community expectations of good practice and social purpose are met.
- It is expected that all those within a profession will bear the cost of a disciplinary regime, but the practitioner who is undergoing discipline must contribute to it.
- For this reason, professional bodies commonly charge all their members a disciplinary levy and seek to recover a portion of the costs related to disciplinary proceedings from those practitioners involved.
- The courts have already established a number of principles regarding costs awards – should not be punitive, should not deter the right to be heard, should give regard to the ability to pay. The DT follows these principles when considering costs.



# Conduct Cost Awards & Recoveries

## Costs Awards

- Costs are awarded only in relation to hearing costs
- In general, cost awards are less than 40% of the hearing cost consistent with court guidelines
- 70% of all costs awards < **\$5,000**
- Costs award ~ **3%** of total conduct costs

## Recoveries

- Of the \$0.8m awarded in costs since 2016, only 44% has actually been paid
- Only ~10% of teachers pay costs awards immediately
- The rest is recovered via payment plans or through debt collection
- On average it takes 5.5 years to recover costs awards once a payment arrangement is made

# Questions on Conduct for feedback

- Do you agree that teachers undergoing discipline must contribute to the cost of the disciplinary regime?
- Do you agree that the cost of the disciplinary regime that is not recovered from teachers undergoing discipline should be shared across the profession?
- If costs of the conduct function are apportioned across the teaching profession, what are the options to do this in a manner that is fair and equitable?
- What information do teachers need in order to engage with consultation on this issue?

# **Reviewing our conduct and competence processes**

- What are we proposing and why?
- What needs to change?
- Seeking feedback on changes to triage

**MORE**

# Registration Activity & Costs

Net Cost: Registration	\$ (approx.)	%
Salaries / temps	\$2.64m	56%
Software Licences	\$0.38m	8%
Priority Police Vetting	\$0.09m	2%
Other	\$0.75m	16%
<b>Total Direct Costs</b>	<b>\$3.86m</b>	<b>82%</b>
Indirect Costs including HR, IT, Finance	\$1.45m	31%
Recoveries / grants	-\$0.60m	-13%
<b>Total</b>	<b>\$4.71m</b>	<b>100%</b>

- Registration and certification applications finalised (all types):  
**~40,000 pa**
- **~70%** of all applications are renewals
- Calls & emails received:  
**~110,000 pa**
- **31.9 FTE**

Standards  
Based

# Registration Service Performance & Options

## Lower Service Level Options

- Standard police vetting service - **within 20 working days** and/or
- 65% of all renewal applications completed within **20 working days** and/or
- Answer less calls / increased call wait time

## Current Service

- Expedited Police vetting service
  - 90% processed in 5 working days
- 65% of all renewal applications finalised within 5 working days<sup>+</sup>
- Answer 79% of all calls received
- Average call wait time of 2'16"

<sup>+</sup> Once Council receives the application after endorsement and vetting is completed

## Higher Service Level Options

- 65% of all renewal applications processed in **3 working days**
- Answer 100% of calls within 30 seconds



# Questions on Registration for feedback

- Do you think the Council should offer a slower lower-cost 'standard' service level and a faster higher-cost 'express' service?
- If costs of the Registration function are apportioned across the teaching profession, what are the options to do this in a manner that is fair and equitable?
- What information do teachers need in order to engage with consultation on this issue?

# Summary of Actual Costs per teacher<sup>1</sup>

Function	Net Cost to Deliver	Cost per teacher per 3-year PC
Conduct	\$7.31m	\$181.21
Competence	\$1.47m	\$36.50
Registration	\$4.71m	\$116.76
ITE	\$1.81m	\$44.82
Code & Standards	\$0.83m	\$20.70
Leadership Space	\$0.0m	\$0.00
Other	\$0.50m	\$12.38
Total	\$16.7m	\$412.35
Plus GST		\$474.20

**Current fees are \$192.00 plus \$28.80 GST**

On a fortnightly basis this equates to \$6.08 per teacher

<sup>1</sup>Based on an estimated 40,327 applications per annum

# Benchmarking reasonable costs

- 28% of staff salaries less than \$70K, 68% less than \$100K
- Roles within the Council are sized by an independent external expert using a robust methodology and remuneration is tied to public-sector rates for similar roles

Professional Body	Fee to Renew an Annual Practising Certificate
Teaching Council*	<b>\$74</b>
Nursing Council	<b>\$110</b>
Occupational Therapy Board	<b>\$415</b>
Social Workers Registration Board	<b>\$468</b>
New Zealand Psychologists Board	<b>\$490</b>
Physiotherapy Board	<b>\$556</b>
Midwifery Council	<b>\$700</b>
Pharmacy Council	<b>\$892</b>
Psychotherapists Board	<b>\$1,050</b>

Australasian Teacher Registration Bodies	Victoria	NSW	QLD	WA	SA	TAS	New Zealand
# Authorised teachers	136,470	150,000	111,175	55,710	36,335	11,718	108,992
Annual renewal fee <sup>+</sup>	A\$108	A\$100	A\$95	A\$90.50	A\$110	A\$102	NZ\$73.60*
Responsible Organisation	VIT	NESA	QCT	TRBWA	TRBSA	TRBTAS	Teaching Council
Total Expenditure	A\$14.9M	A\$153.7M	A\$12.1M	A\$6.0M	A\$4.6M	A\$1.6M	NZ\$16.7M
Revenue derived from Registration and application fees	A\$15.5M	A\$14.6M	A\$11.1M	A\$6.7M	A\$4.1M	A\$1.3M	NZ\$7.6M

\*Annual equivalent only for comparison purposes. New Zealand teachers are required to renew their Practising Certificates every three years at a cost of \$220.80

<sup>+</sup>Excludes a range other costs including police checks, 5 yearly renewal fee. Some of these fees are exempt from GST

# Next steps

- Do you need more information to help you understand Council's actual costs?
- What other information do you need to help determine whether Council's costs are reasonable?
- What activity, performance or financial information do teachers need in order to engage with consultation on fees and levies?



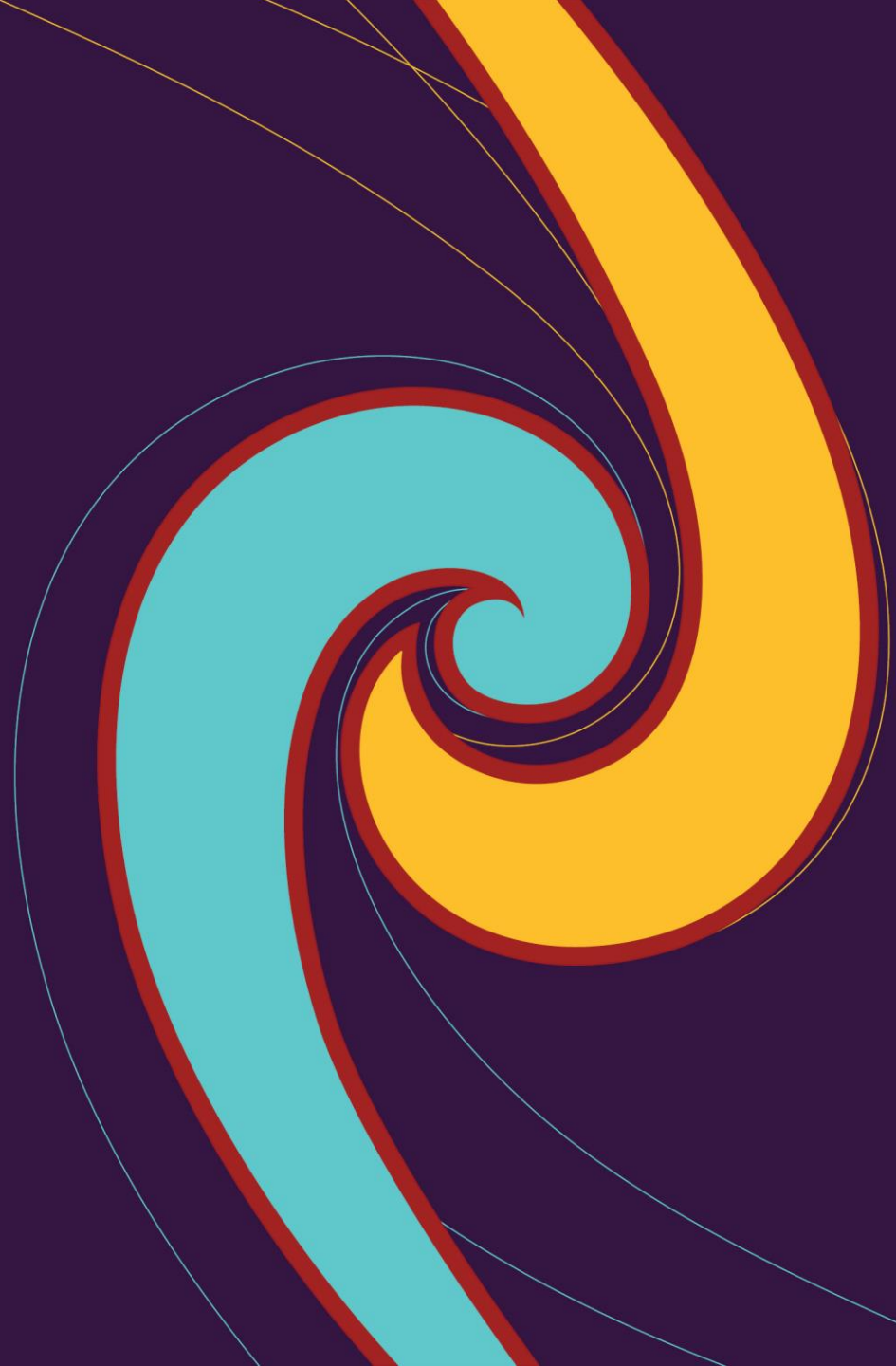
Matatū. Tū Mataora.  
**Stand tall. Shape the future.**

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# Competence, ITE, Code & Standards, Indirect Costs

9. Competence Function

10. ITE Function

11. Code and Standards Function

12. Indirect Costs

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# Competence Activity & Costs

Net Costs: Competence	\$ (approx.)	%
Salaries / temps	\$0.89m	61%
Other	\$0.26m	18%
<b>Total Direct Costs</b>	<b>\$1.15m</b>	<b>79%</b>
Indirect Costs including HR, IT, Finance	\$0.43m	29%
Recoveries / grants	-\$0.10m	-8%
<b>Total</b>	<b>\$1.47m</b>	<b>100%</b>

- Competence cases received ~**60 pa**
- Detailed investigations undertaken ~**30 pa**
- Average time to investigate ~**2 months**
- Cases referred to Competence Authority ~ **10 pa**
- 7.6 FTE staff

Standards  
Based

# Competence Performance Standards & Options

## Current Baseline

- Average time from receipt of a competence case to referral to a panel **~8 months**
- **74%\*** of CA outcomes reached within 10 months

\*FY2020-21

Why all teachers contribute to the competence costs for the small number of teachers involved in competence processes

- Maintaining a high level of public confidence in the capability of teachers is critical for all teachers and the reputation of the profession
- ECE services and schools provide support and guidance to teachers through mentoring, professional growth cycle, development and coaching – however sometimes this isn't enough, or the teacher doesn't receive what they need
- Mandatory reporting enables the Council to step in to support a teacher back into competence, and therefore provide a pathway back into quality teaching or, to make a decision that the teacher should not remain in teaching
- Teachers subject to a competence assessment are vulnerable and many end up being lost to the profession – we are seeking to shift this through changes to approach. Seeking costs from these teachers likely to alienate them further

# Questions on Competence for feedback

- Do you agree that it is inappropriate to ask teachers undergoing competence to contribute to the cost of the competence regime?
- Do you agree that the cost of the competence regime should be shared across the profession?
- If costs of the competence function are apportioned across the teaching profession, what are the options to do this in a manner that is fair and equitable?
- What information do teachers need in order to engage with consultation on this issue?

# Initial Teacher Education Activity & Costs

Net Cost: ITE	\$ (approx.)	%
Salaries / temps	\$1.04m	58%
Travel Costs	\$0.15m	8%
ITE Review Panels	\$0.13m	7%
Other	\$0.15m	8%
<b>Total Direct Costs</b>	<b>\$1.47m</b>	<b>81%</b>
Indirect Costs including HR, IT, Finance	\$0.55m	30%
Recoveries / grants	-\$0.20m	-11%
<b>Total</b>	<b>\$1.81m</b>	<b>100%</b>

- New ITE Programme Approval, Monitoring and Review Requirements were published in 2019
- Existing ITE providers have until 01 January 2022 to have new programmes approved
- As at end September 2021 ~65% of programmes had been approved under the new requirements
- 7.3 FTE

Standards  
Based

Knowledge  
Based

# ITE Next Steps

- **With the transitional phase of programmes being approved under the new ITE Requirements coming to an end, the Council is focussing on the next steps:**
  - a system level look at new graduate teachers
  - an evaluation of key policy shifts
  - ensuring that the first two years of teaching is better supported as beginning teachers progress to full practising certificates
  - refreshing the ITE requirements in line with the curriculum review – the Council has a representative on the Curriculum Voices Group to ensure there is alignment with the literacy and numeracy curriculum reviews currently underway
  - looking at how we might ensure greater consistency across key teaching tasks, while still providing ITE providers with sufficient flexibility to meet the needs of their communities
  - addressing the impacts of Covid-19 on ITE, and ensuring that our requirements are fit-for-purpose in an environment where practical experience in schools may be harder to come by
  - researching and co-designing an integrated quality assurance programme
  - further support to strengthen authentic partnerships.
- **The Council is reconvening the ITE Advisory Group to provide advice and support for this mahi.**

# ITE Recoveries

- ITE programme approval, review and monitoring costs are charged to providers
- Recoveries from providers cover the direct costs of panels, teaching council staff, including a portion of overhead costs
- Recoveries do not include staff time providing guidance in understanding new requirements – this is a necessary investment to ensure we have high quality programmes submitted
- Higher recoveries from providers would likely result in ITE becoming less viable and costs being passed on to students



# Questions on ITE for feedback

- Do you agree that only the direct costs of approval, review and monitoring of ITE programmes should be recovered from ITE providers?
- Do you agree that the costs of setting the profession's requirements for ITE programmes should be paid for by teachers?
- If costs are apportioned across the teaching profession, what are the options to do this in a manner that is fair and equitable?
- What information do teachers need in order to engage with consultation on this issue?

# Code & Standards Activity & Costs

Net Costs by function	\$ (approx.)	%
Salaries / temps	\$0.48m	58%
Other	\$0.13m	16%
<b>Total Direct Costs</b>	<b>\$0.61m</b>	<b>74%</b>
Indirect Costs including HR, IT, Finance	\$0.23m	26%
Recoveries / grants	-\$0.00m	-0%
<b>Total</b>	<b>\$0.83m</b>	<b>100%</b>

- Establishing and maintaining the Code and Standards and related competency frameworks (Tātaiako & Tapasā )
- Evaluating effectiveness and relevance
- Providing guidance and resources to support teacher reflection and development
- Developing policy or guidance e.g. physical restraint, professional boundaries
- Code and Standards provide foundation to ITE, Registration and Certification and Professional Growth
- 2.7 FTE

Standards  
Based

Service  
Based

Knowledge  
Based

# Questions on Code & Standards for feedback

- If costs of the Code & Standards function are apportioned across the teaching profession, what are the options to do this in a manner that is fair and equitable?
- What information do teachers need in order to engage with consultation on this issue?

# Indirect Costs – Finance, HR, Admin, IT

- Indirect costs total \$4.95m (27%) and span Finance, HR, Admin, IT etc.
- These support functions have an important role in ensuring the Council performs or exercises its functions, duties, and powers efficient and effectively and operates in a financially responsible manner<sup>1</sup>
- 20.3 FTE

Indirect Costs	\$ (approx.)	%
Salaries / temps	\$2.34m	47%
Computer licences and maintenance	\$0.27m	5%
Depreciation	\$0.37m	7%
Building Costs	\$0.67m	14%
Other	\$1.3m	27%
<b>Total</b>	<b>\$4.95m</b>	<b>100%</b>

<sup>1</sup>Clause 9, Schedule 19, Education and Training Act 2020

# Reviewing our Conduct and Competence processes

# Introduction

- What are we proposing and why?
- What needs to change?
- Seeking feedback on changes to triage



# Why?

- The Teaching Council wants to serve teachers better
- We want our focus to be on preserving the mana of all who are engaged in the processes we are responsible for applying, while acting in accordance with the rules of natural justice
- We have a responsibility to be as efficient and effective as we can be so that issues are resolved quickly and the overall cost to teachers can reduce over time
- We're expecting changes to the law around CAC referrals to the DT

# What we've done so far

- Eliminated backlog in cases at DT
- Appointed more CAC members, and holding more CAC meetings to hear cases more quickly
- Appointed more Investigators for the CAC to improve timeliness
- Changed the investigations report template to be simpler, shorter, and neutral
- Instigated change in law so fewer cases will go to the DT

# What still needs to change?

## Where we are now

- Euro-centric
- Legalistic
- Diminishes mana
- People leave profession
- Punitive approach
- Focus on individual
- Natural justice applied



## Where we want to be

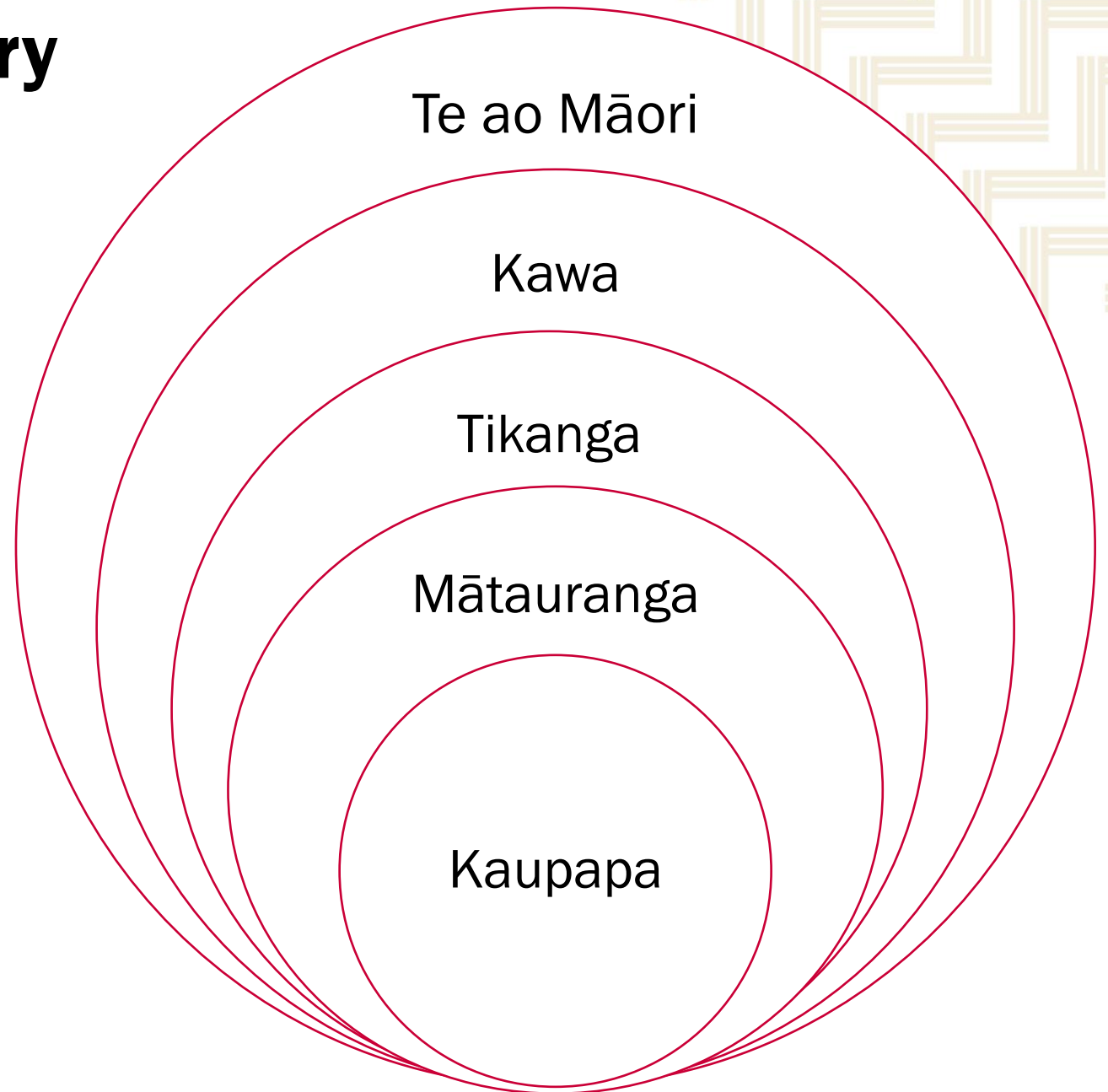
- Te Tiriti-led
- Values-based
- Preserve mana of all
- Retain people in profession
- Restorative approach when appropriate
- Recognition of environmental factors
- Natural justice applied

# Principles

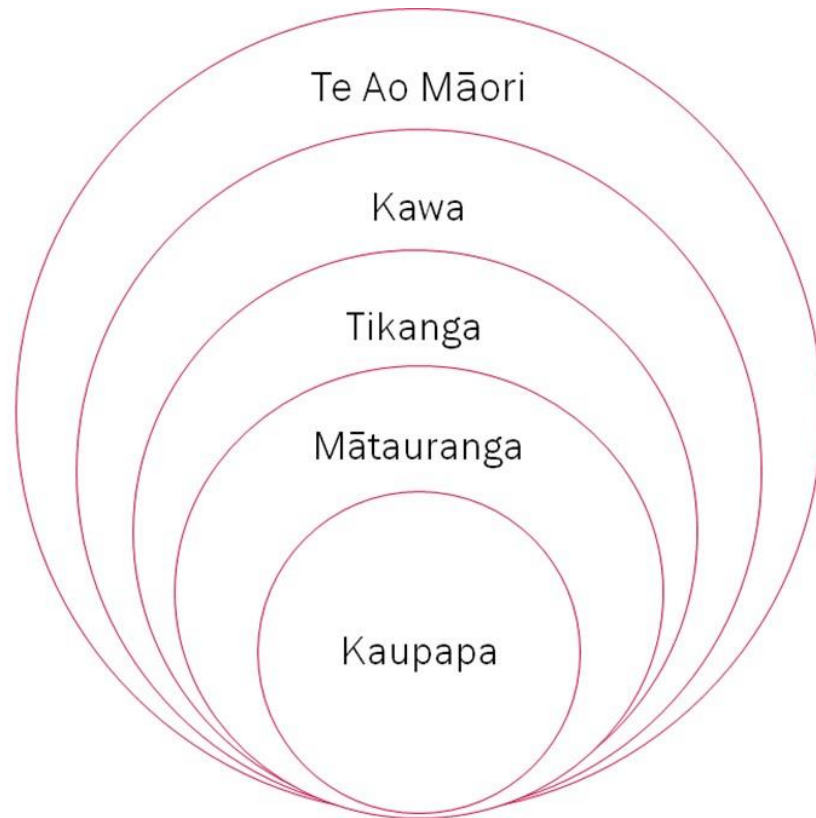
- Te Rau Kotahi – the first reference point is the PERSON not the event
- The first law of Aotearoa is/was tikanga
- Everyone has mana – there is a power balance. He mana tō te tangata
- Whakapapa – everyone belongs to someone
- Kia ngākau maraetia ngā tāngata – everyone's identity is valued

# Te Ao Māori led Regulatory Process

- The concepts outlined are **foundational** and **fundamental** to understanding a Māori perspective.
- They inform and reinforce each other and cannot be separated. They represent centuries of tradition and knowledge and can be complex to navigate.
- Developing a solid knowledge of these concepts is the key to incorporating the regulatory processes into Te Ao Māori.



# Understanding of the terms

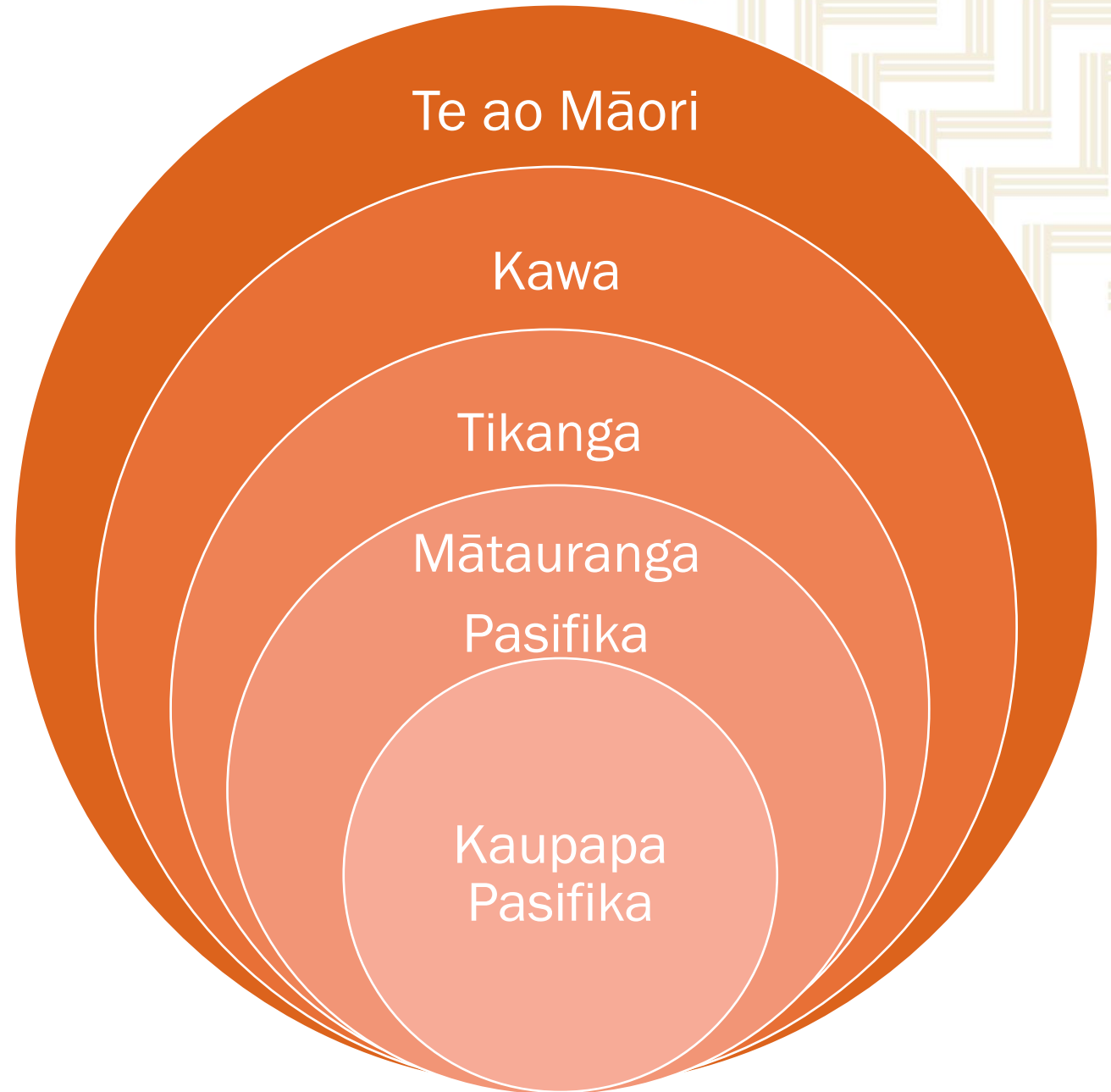


- Te Ao Māori – Māori world view that is set in the origins of Māori culture and Identity.
- Kawa – Non-negotiable, those things set that cannot be changed in the moment
- Tikanga – The How, ways of doing and being
- Mātauranga Māori – The Knowing from a lens that is Māori.
- Kaupapa Māori – Contextualized Topics/Projects to Mātauranga Māori



# Kaupapa Pasifika led Regulatory Process

- As we create a Te Ao Māori led process, we are holding space to ask the important question at the same time What is a Kaupapa Pasifika process look like that is based on Te Tiriti?
- Will it resemble parts of Tapasā?
- This will be something we will navigate with the Teaching Council's Pacific Education Steerage Group going forward.



# Triage - improvements we're proposing

- Seeking the voice of kaiako before the Triage Committee meets:
  - to give the appropriate context or information to triage before making a decision on next steps
  - early contact with kaiako, provides an opportunity to identify those kaiako who would prefer the process to adopt tikanga principles and allow the Council to tailor the process accordingly
  - increases the opportunity for the triage process to identify early on if there are potential protected disclosure issues involved
  - may also allow for impairment issues to be identified earlier on, allowing a kaiako who needs support to avoid a conduct or competence process but to enter more quickly into a process designed to address their impairment issues
  - potentially increases time taken to go through triage – so will need to decide how long is a reasonable time to hear from the kaiako
  - some additional administrative burden liaising with kaiako and their representatives
  - **however, kaiako involvement early in the process better aligns with our objectives of protecting mana and enhancing natural justice.**

# Triage - improvements we're proposing (cont)

- Including the voice of Māori:
  - important that the Triage Committee understands the context that kaiako Māori based within English medium settings, Kura Kaupapa Māori and Kura-ā-Iwi work in, to ensure tikanga Māori principles can be considered
  - we will grow our capacity to have Māori staff on Triage Committee or a Māori cultural advisor in attendance.
- Kaituitui role
  - the role of kaituitui (a weaver who stitches together many threads of knowledge in their community) aims to ensure there is a meaningful and respectful flow of communication between individuals and/or different groups so people feel comfortable and safe, especially in environments that are unfamiliar to them
  - assigning a kaituitui to a kaiako who enters the waharoa | gateway provides an opportunity to support the kaiako through a process often described as formal and intimidating
  - we intend to explore different models to implement the concept before we evaluate
  - the kaituitui in this context would be independent of our investigative or evaluative processes, but knowledgeable about them.

# Triage and Competence

- Competence issues arise when a teacher does not have the knowledge, skill or experience required to meet the standards – our goal is to provide the support and guidance they need whilst safeguarding children
- More clarity and transparency needed on when a mandatory report or complaint is considered “competence” rather than “conduct”
- Competence complaints or mandatory reports are not currently defined anywhere – so link to the standards is a practice, but not in the rules
- Currently our rules require any competence issue to be referred to the employer if we judge this is possible

# Questions on Triage for feedback

- Do you support the proposed improvements to triage?
- Any particular issues or concerns or things we need to watch out for?
- How would you differentiate between Conduct and Competence?
- Do you think that schools and centres are best-placed to manage competence concerns?

Matatū. Tū Mataora.  
**Stand tall. Shape the future.**

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