

Briefing Paper

To:	Members of the Council
From:	Clive Jones, Acting Deputy Chief Executive – Operational Services
Subject:	Fees Consultation – findings and preliminary conclusions
Date:	29 April 2020
For:	Information

Recommendations

It is recommended that the Council:

- i. **Note** the governing body ('the Council') of the Teaching Council of Aotearoa New Zealand ('Teaching Council'), and the governing body of its predecessor (Education Council), have devoted significant time in determining how the organisation can become independently financially sustainable as it is required to do so under the Education Act and under the terms of previous funding agreements with the Ministry of Education on behalf of government.
- ii. **Note** that between 28 January 2020 and 13 April 2020 the Teaching Council, acting on the instructions of the Council, undertook a consultation process with the teaching profession on possible increases in registration/certification and other fees from 1 July 2020. Full details of the proposals can be found in Annex One and an overview of the consultation process and the results can be found in Annex Two.
- iii. **Note** that, consistent with the requirements of S382(3) of the Education Act 1989 to act in accordance with the rules of natural justice when performing its functions and exercising its powers, the Teaching Council has ensured that through the consultation process described in ii above, teachers and affected parties have been given:
 - a. Adequate notice of proposals to increase registration/certification and other fees; and
 - b. Adequate relevant information including disclosing costs and charging practices to the extent possible; and
 - c. Adequate time to respond; and
 - d. Careful consideration of their views, and that no decisions were made prior to affected parties being given the opportunity to have their say.
- iv. **Note** that consistent with the and Office of the Auditor General (OAG) and Treasury guidelines, the fees proposed in the Consultation document are cost based.
- v. **Note** that the Council have been provided with access to all the submissions received, have read in full all the briefing papers provided summarising the results of the consultation, and that all the



submissions have been considered by the Council or Teaching Council (who has then fully briefed the Council).

- vi. **Note** that the Council have discussed and carefully considered the alternate proposals that have been provided by submitters during the consultation process with an open mind and have now reached preliminary conclusions with regard to each of these.
- vii. **Note** that on 17 April Council instructed the Chief Executive to request consideration from the Minister of Education for additional funding support in recognition of the grave impacts of the COVID-19 pandemic on New Zealand teachers, learners, communities and economy.
- viii. **Note** that we have received confirmation that government has agreed to provide \$16.5 million in additional funding to the Teaching Council for the specific purpose of supporting a transition to annualised fees requested by teachers during consultation to alleviate the need to pay a larger lump sum every three years.
- ix. **Note** the funding is comprised of \$11.0 million of FY2020/21 and \$5.5 million for FY2021/2, is **budget secret** until 14 May 2020, assumed to be exclusive of GST, and subject to negotiation of an appropriate funding agreement on terms and conditions acceptable to Council.
- x. **Note** that further extensive financial modelling and analysis have been undertaken to determine the viability of transitioning from a triennial fee to an annual fee with the transitional government funding and the Teaching Council's forecast cash reserves.
- xi. **Note** that a separate recommendations paper has been provided summarising draft recommendations for registration/certification and other fees, and to record the final decisions of the Council.



Contents

Purpose	4
Introduction	4
Key findings	4
Preliminary conclusions	5
The impact of COVID-19 on Teaching Council fees / funding	6
Additional Preliminary Conclusions	6
Background to fees consultation	6
Legal authority to set fees.....	8
Principles for setting fees	9
Current sources of funding	9
Teaching Council reserves	9
Proposals for consultation	10
Consultation process and approach	11
Pre-consultation.....	12
Consultation with the teaching profession - overview.....	12
Who was consulted	13
Adequate time to respond	13
Notification of consultation.....	14
Information provided	14
Method of submission.....	14
Summary of key themes	15
Annex One – Summary of proposals	17
Proposed Professional Responsibility Levy.....	18
Annex Two – Summary of feedback	19
Beginning teachers should pay a lower fee	20
Overseas teachers should pay a higher fee.....	20
Provisionally certificate teachers should pay a higher fee to move to full certification.....	20
The Late Fee should increase.....	20
Fees rebates should discontinue	21
Preference for the two fees options proposed	21



Purpose

1. To summarise the outcomes of the fees consultation process, consideration of the feedback and alternate proposals, and preliminary conclusions.

Introduction

2. The governing body ('the Council') of the Teaching Council of Aotearoa New Zealand (Teaching Council), and the governing body of its predecessor (Education Council), have devoted significant time in determining how the organisation can become independently financially sustainable as it is required to do by statute and under the terms of previous funding agreements.
3. In December 2019, the Council instructed the Chief Executive to undertake consultation with the teaching profession on proposed fees increases for registration / certification, and other fees. The details of the proposals can be found in Annex One.
4. The consultation process was undertaken between 28 January 2020 and 13 April 2020. An overview of the process and the results can be found in Annex Two.
5. Teachers and other affected parties were encouraged to provide feedback via an online survey that sought their views on several propositions including:
 - a. Whether teachers applying for Registration and their first three-year practising certificate should pay a lower fee. **60% of respondents agreed.**
 - b. Whether overseas teachers should pay a higher fee for Registration and their first Provisional Practising Certificate to reflect the additional costs involved in evaluating their applications. **60% of respondents agreed.**
 - c. Whether Provisionally certificated teachers or teachers certificated 'Subject to Confirmation' should pay a higher fee when applying for full certification to reflect the additional costs involved in evaluating those applications. **76% of respondents disagreed.**
 - d. Whether the Late Fee for a teacher to renew their practising certificate after the expiry date of their current certificate should increase from \$50 to \$100. **69% of respondents disagreed.**
 - e. Whether Fee Rebates should discontinue for teachers who move from provisional certification to full certification. **50% of respondents disagreed.**
 - f. Whether they preferred fees Option One, fees Option Two, or had no preference. **33% of respondents preferred Option One, 35% Option Two, and 32% expressed no preference.**
6. In total the Teaching Council received 24,331 responses to the online feedback survey, 33 written submissions, and 258 email submissions.
7. A thematic analysis of all qualitative feedback received was undertaken by specialist research company PublicVoice. The foundation for the thematic analysis used by PublicVoice is the methodology developed by Braun and Clarke, 2006.

Key findings

8. Twenty-three percent of all teachers and professional leaders holding a current Practising Certificate provided feedback on the proposals. Most submitters were opposed or strongly opposed to an(y) increase in fees, with other key themes from the feedback as follows:
 - a. Implementation of any increase should be delayed as the notice to teachers was too short.
 - b. Fee increases should be introduced more moderately over time.
 - c. Disproportionate impact of increases on beginning teachers, part-time/relief teachers, ECE teachers.
 - d. Lack of value from / cost of current Teaching Council services should be addressed before any increases are proposed.



- e. Proposed increases likely to exacerbate the issues with recruiting and retaining quality teachers in particular relievers and teachers at the end of their career.
- f. Practising certificate fees should be borne by employers or government, not teachers.
- g. Conduct and competence processes and the Leadership Centre should be funded by government, not by teachers.
- h. Teachers want annual fees in place of having to pay a larger lump sum every three years.

Preliminary conclusions

9. The Council has discussed and carefully considered the alternate proposals that have been provided by submitters during the consultation process with an open mind, and have reached the following preliminary conclusions regarding these:

Alternate Proposal from 2020 fees consultation	Preliminary Conclusions
1. No fees increase	Without further government funding that can be specifically utilised to subsidise existing fees and/or a fees increase, the Teaching Council would become insolvent before the end of FY20/21 based on Council's financial modelling.
2. Defer fee increase	Based on current financial forecasts, the Teaching Council, using existing cash reserves would likely be able to fund the cost of deferring any fees increase to 1 February 2021.
3. Stage increase over a longer time period / in smaller increments	Without further government funding that can be specifically utilised to subsidise existing fees and/or a fees increase, the Teaching Council would become insolvent before the end of FY21/22 based on Council's financial modelling.
4. Lower fees for beginning and/or part-time/relief, and/or ECE teachers	Without further government funding that can be specifically utilised to subsidise existing fees and/or a fees increase, the Teaching Council either would become insolvent before the end of FY21/22 or other teachers would be required to subsidise those lower paid teachers by paying substantially more than proposed in the consultation based on Council's financial modelling.
5. Reduce costs / increase value before any increase considered	The Teaching Council continues to improve its operations to reduce costs, improve service levels to teachers, and offer services of value to the teaching profession. However, without further government funding that can be specifically utilised to subsidise existing fees and/or a fees increase, the Teaching Council is concerned that it would be unable to deliver all its statutory functions / maintain current service levels.
6. Will have negative impact on overall size of workforce	There are many factors which impact on teacher supply, with fees being just one consideration.
7. Practising Certificate fees paid by employer	Outside the scope of the Council's statutory powers to require others to pay on behalf of teachers.
8. Conduct and competence process (part)-funded by government	Outside the scope of the Council's statutory powers to require others to pay on behalf of teachers.



The impact of COVID-19 on Teaching Council fees / funding

10. At their Special Meeting of 17 April 2020, the Council agreed that they were reluctant to *implement* any decision to potentially raise fees in the extraordinary circumstances in which teachers, along with all New Zealanders, now face in dealing with COVID-19.
11. Given this, they instructed the Chief Executive to write to the Minister of Education asking for consideration of a number of options for additional funding to support teachers and the Teaching Council to maximise the future success of every learner in Aotearoa.
12. On Friday 24 April the Chair received advice from Minister Hipkins that government had agreed to provide the Teaching Council with a total of \$16.5 million in additional funding for the specific purpose of supporting the Teaching Council to transition to annualised fees.
13. The additional government funding is comprised of \$11.0 million of FY2020/21 and \$5.5 million for FY2021/2, is **budget secret** until 14 May 2020, assumed to be exclusive of GST, and subject to negotiation of an appropriate funding agreement on terms and conditions acceptable to Council.
14. Subsequent to confirmation of the availability of government funding to support a transition to annualised fees, the Teaching Council has undertaken further extensive financial modelling and analysis to determine the viability of transitioning from a triennial fee to an annual fee with the transitional government funding and the Teaching Council's forecast cash reserves.
15. Council have received separate additional papers containing (i) the analysis of the transitional funding, and (ii) recommendations for registration / certification, and other fees for information and for decision respectively.

Additional preliminary conclusions

16. The modelling and analysis undertaken indicate that the \$16.5 million in government funding for together with a portion of the Teaching Council's forecast cash reserves is materially sufficient to support a transition to annualised fees from 1 February 2021.
17. Moving to annualised fees, with the support of transitional government funding offered for this specific purpose, addresses a number of key concerns expressed by teachers in their feedback including around the size of the increase proposed, the need for a longer notice period, and the disproportionate impact on groups of lower paid teachers.

Background to fees consultation

18. The current triennial fee of \$220.80 paid by New Zealand teachers for registration/certification, and renewal of a practising certificate, was last increased in 2010 by the Teaching Council's predecessor, the New Zealand Teachers Council, and has not been increased since.
19. A 2012 [Review of the New Zealand Teachers Council](#) concluded that income from teachers' registration fees was insufficient to register teachers, maintain the register and share registration information with legitimate users, let alone undertake building a broad professional community, public reputation, quality assurance or professional leadership. The 2012 report recommended reviewing the current fee levels to bring them in line with other major state sector social service professions, but this was not subsequently actioned.
20. In response to increasing operating deficits, in November 2014 the New Zealand Teachers Council commissioned financial specialist Jeffrey Bull to undertake an analysis of the organisation's finances, to assess the efficiency of the current operation and the case for an increase in fees.



21. The Bull review concluded that there was a strong need for a fees increase to preserve the New Zealand Teachers Council's financial position and prevent it from becoming insolvent by October 2017.
22. The Education Amendment Act 2015:
 - (a) Disestablished the New Zealand Teachers Council;
 - (b) Established the Education Council of Aotearoa New Zealand (the Education Council) as an independent statutory body as at 1 July 2015;
 - (c) Substantially expanded the Council's statutory role, functions, and powers compared with its predecessor; and
 - (d) Required the Council to operate in a financially responsible manner and to prudently manage its assets and liabilities.
23. In 2015, the new Education Council noted the recommendation of the 2014 Review that fees should be reviewed; but decided not to seek an increase in fees until further analysis and consultation could be undertaken and to honour the commitment made by the Transition Board in March 2015 not to increase fees in the first year of establishment.
24. A further analysis of the financial position of the new Education Council in early 2016 indicated that without additional revenue, the Council could be insolvent by March 2018.
25. In October 2016, Cabinet agreed to provide the Education Council with interim funding of \$21.34m for the period through to 30 June 2019 to enable sufficient time for the Education Council to fully investigate issues relating to financial sustainability and to consult with the profession on new fees that would take effect from 1 July 2019.
26. To determine the level of fee revenue required for the Council to be financially sustainable, the costs of delivering the statutory functions of the Council were modelled in February/March 2017 with the assistance of Deloitte (who had been engaged as the Education Council's financial advisors).
27. The Deloitte financial modelling used to determine proposed new fees was reviewed by the Ministry of Education as part of their review of the Council's development of a Business Plan. PricewaterhouseCoopers also reviewed the modelling when they undertook a further independent financial review of the Council in October 2017.
28. The Education Council consulted the teaching profession and other stakeholders on the introduction of new fees and fee increases in April 2017 and considered the feedback on the proposed fees and related issues over the course of several subsequent meetings. In September 2017, the Teaching Council agreed a new fees regime and were ready to announce new fees. However, due to the initially unclear outcome of the September 2017 general election, the Council subsequently decided to defer making an announcement at that time until they had spoken to the new Minister of Education about funding.
29. In November 2017, the new Minister of Education announced a review of Tomorrow's Schools including a review of the roles and functions of education sector entities such as the Education Council of Aotearoa New Zealand. Considering this announcement, the Council decided in February 2018 to put any decision on fees on hold until the functions of the Council were confirmed as this could impact on the level of fee income required.
30. When it became apparent that the outcome of the Tomorrow's Schools review was not likely to be finalised until after the 30 June 2019 deadline to achieve financial sustainability, Council engaged with the Ministry of Education to discuss options post 30 June 2019.
31. At that time, the financial model was further reviewed, and it confirmed that the Education Council would have a deficit of approximately \$9.6m in the 2019/20 financial year without an



increase in fees or alternative revenue. A briefing paper to the Minister was prepared by the Ministry (with assistance from the Council) in October 2018 that provided three options. They were:

- (a) That the Council go ahead and announce new fees; or
 - (b) That the Minister extends the funding agreement by a further year (the Council sought a two-year extension; however, this was not supported by the Ministry or the Minister); or
 - (c) That the Minister agrees to extend the funding agreement and the Council announces a partial fee increase.
32. In February 2019, Cabinet approved an extension to the funding agreement for a further year to 30 June 2020, on condition that the Teaching Council would be financially sustainable from 1 July 2020.
33. Following the first Teaching Council elections in March 2019, the current Teaching Council commenced their three-year term of office on 1 July 2019.
34. Following its review of the Teaching Council's financial model and the requirement to become financially sustainable from 1 July 2020, the Teaching Council resolved that it needed to consult with the teaching profession and other affected parties this financial year on proposed fee changes by mid-2020.
35. This is consistent with the Teaching Council's statutory obligation under clause 7 of Schedule 21 of the Education Act to ensure that it operates in a financially responsible manner and, for this purpose, that it prudently manages its assets and liabilities.

Legal authority to set fees

36. The Teaching Council has the power to set fees under sections 364, 372 and 383 of the Education Act 1989, including for:
- (a) registration effected in different circumstances;¹
 - (b) the issue of practising certificates of different kinds;²
 - (c) the granting of a limited authority to teach;³
 - (d) any addition or alteration to a person's registration as a teacher;⁴
 - (e) any addition or alteration to a person's limited authority to teach;⁵
 - (f) any addition or alteration to a person's practising certificate;⁶
 - (g) inspection of the register of registered teachers or any other register or any other documents kept by the Teaching Council that are open to inspection;⁷
 - (h) the supply of a copy of any entry in a register or other documents kept by the Teaching Council that are open to inspection.⁸
 - (i) the provision of professional leadership;⁹
 - (j) costs relating to the performance of disciplinary functions;¹⁰

1 Education Act 1989, s 364(1)(a). The Teaching Council may also charge fees for any addition or alteration to a person's registration as a teacher (s 383(1)(a)), and recover any reasonable costs incurred in the proposed or actual cancellation of a person's registration as a teacher (s 364(5)).

2 Education Act 1989, s 364(1)(b). The Teaching Council may also charge fees for any addition or alteration to a person's practising certificate (s 383(1)(b)).

3 Education Act 1989, s 372(1).

4 Education Act 1989, s 383(1)(a).

5 Education Act 1989, s 383(1)(b).

6 Education Act 1989, s 383(1)(c).

7 Education Act 1989, s 383(1)(d).

8 Education Act 1989, s 383(1)(e).

9 Education Act 1989, s 383(1)(f).

10 Education Act 1989, s 383(1)(g).



- (k) any other matter for which this Act provides that the Teaching Council may charge fees;¹¹ and
 - (l) the provision of goods and services.¹²
37. The Teaching Council's fee-setting powers are broadly stated, and do not prescribe criteria limiting when the Teaching Council may fix a fee, or the level of such a fee. Nor does the Teaching Council, as an independent statutory body, require Ministerial approval in order to prescribe fees.
38. Section 361(4)(a) (ii) and (b)(ii) of the Education Act also authorise the setting of annualised fees and not just three yearly fees.

Principles for setting fees

39. Although the Teaching Council has a broad statutory discretion when prescribing fees, it has also considered existing guidance on setting charges in the public sector, including the Treasury's *Guidelines for Setting Charges in the Public Sector*¹³ and the Office of the Auditor General's *Good Practice Guide: Charging fees for public sector goods and services*, in developing the proposed fee changes.¹⁴

Current sources of funding

40. Excluding temporary financial support from the government, at present, the Teaching Council's funding is mainly derived from fees charged for teachers' registration, practising certificates, and limited authorities to teach. These fees comprised \$7.631 million of the Teaching Council's total revenue of \$23.031 million (33%) in the 2018/19 fiscal year.
41. Fees are the primary fixed source of income the Teaching Council receives to meet all ongoing costs associated with its statutory functions, as well as its operating and administration expenses and secretariat costs.

Teaching Council reserves

42. The Teaching Council's Investment Cash and Reserves policy provides that the Council seek to maintain an Operating Reserve equivalent to three months average operating expenditure. The purpose of the reserve is to ensure that the Council can financially weather any unexpected events.
43. The Teaching Council is forecasting to have approximately \$6.8 million in reserves as at 30 June 2020, around \$1.7 million more than the minimum specified requirement.
44. The Teaching Council carefully considered using some portion of its reserves to lessen the impact of any fee increase on teachers. However, this one-off use of reserves would not address the ongoing funding shortfall. The Teaching Council considered the short-term benefit of an initial lower fee for the first three years against the long-term loss of reserves in case of unexpected events.
45. The Teaching Council has decided to retain the current level of reserves in order to meet its statutory duty to operate in a financially responsible manner and to prudently manage its assets and liabilities.

¹¹ Education Act 1989, s 383(1)(h).

¹² Education Act 1989, s 383(5).

¹³ The Treasury Guidelines for Setting Charges in the Public Sector (2002).

¹⁴ Office of the Controller and Auditor General Good Practice Guide: Charging fees for public sector goods and services (2008).



Proposals for consultation

46. The government has provided nearly \$40 million in funding since 2016 to support the Teaching Council to deliver its statutory functions whilst it becomes independently financially sustainable. The last of that transition funding for the Council ends on 30 June 2020.
47. Our new governing body spent considerable time since their appointment on 1 July 2019 considering how best to ensure the Council becomes independently financially sustainable from 1 July 2020.
48. To support that work, the Teaching Council undertook financial modelling which showed that over the 3-year period starting 1 July 2020 \$55.9 million in funding was required to deliver the Councils statutory functions, and that the fees currently paid by teachers would contribute \$23.9 million.
49. After carefully considering how to achieve financial sustainability, the governing body decided that consultation on a proposed fees increase from 1 July 2020 should be undertaken.
50. No final decision on an increase will be made until after those affected have been consulted, and their views considered with an open mind.
51. **Consultation option one** included proposed fees of \$470 for both teachers renewing their Practising Certificates for three years, and for beginning teachers to gain Registration and their first provisional Practising Certificate for three years.
52. **Consultation option two** included proposed fees of \$500 for teachers renewing their Practising Certificates for three years, and \$300 for New Zealand trained teachers to gain Registration and their first provisional Practising Certificate for three years.
53. By way of comparison teachers currently pay \$220.80 for a 3-year Practising Certificate – a fee that was last set in 2010.



I am...	What you currently pay	What's proposed you would pay under Option 1	What's proposed you would pay under Option 2
A Registered teacher renewing my current practising certificate:	\$220.80 for 3 years	\$470 for 3 years which includes a Professional Responsibility Levy of \$135	\$500 for 3 years which includes a Professional Responsibility Levy of \$135
A graduate from an approved New Zealand Initial Teacher Education (ITE) programme applying for Registration and a Provisional Practising Certificate:	\$220.80 for 3 years	\$470 for 3 years which includes a Professional Responsibility Levy of \$135	\$300 for 3 years which includes a Professional Responsibility Levy of \$135

Beginning teachers and experienced teachers should pay the same amount

Beginning teachers should pay a lower amount to support their entry into the teaching profession

54. Both proposed options included a Professional Responsibility Levy of \$135 to reflect the actual costs to the Teaching Council of carrying out its statutory responsibilities with respect to teacher conduct and competence processes.
55. Both proposed options also include increases to other fees including to fees charged to overseas trained teachers applying for Registration / Certification, for processing late renewal applications, and for provisionally Certificated teachers applying for full Certification.
56. While both proposals involve sizable increases due to current teacher fees only covering around 40% of the expenditure required to carry out the Teaching Council's statutory functions, the proposed increases are slightly smaller than the proposals the Education Council consulted the teaching profession on in April 2017.

Consultation process and approach

57. After carefully considering how to achieve financial sustainability, the Council decided to consult on a proposed fee increase from 1 July 2020. No final decision on an increase was made ahead of consulting those affected, and considering their views with an open mind, consistent with the Teaching Council's statutory obligations.
58. The Teaching Council has now completed consulting with the teaching profession and other affected parties on proposed new fees from 1 July 2020, consistent with its obligation to act in accordance with the rules of natural justice.¹⁵

¹⁵ Education Act 1989, s 382(3).



59. The submissions will now be considered by the governing body of the Teaching Council with an open mind before making a final decision on any fee increase.

Pre-consultation

60. The Teaching Council undertook a pre-consultation process on 16 December 2019 with a number of key stakeholder groups including education unions and peak bodies to seek feedback on the adequacy of:
- The consultation document, associated materials, and their content;
 - The online feedback questionnaire; and
 - The timing and duration of the period for teachers and other stakeholders to consider the proposals and respond.
61. The pre-consultation meeting held on 16 December 2019 with the following invitees¹⁶:
- **Jack Boyle, New Zealand Post Primary Teachers' Association**
 - **Liz Hawes, New Zealand Principals' Federation**
 - **Lorraine Kerr, New Zealand School Trustees Association¹⁷**
 - **Deidre Shae, Secondary Principals' Association of New Zealand**
 - Jason Swann, New Zealand Pasifika Principals Association
 - Myles Ferris, Te Akatea NZ Maori Principals Association
 - **Peter Reynolds, Early Childhood Council**
 - **Kathy Wolfe, Te Rito Maioha Early Childhood New Zealand**
 - **Jill Bond, New Zealand Kindergartens**
 - **Karina Bird, NZEI Te Riu Roa**
 - **Cathy Wilson, Montessori Aotearoa**
62. At the meeting the attendees were given a briefing on the background to the 2020 fees consultation process, along with a draft copy of the consultation document on an in-confidence basis, and details of the proposed timeline and process for consultation with the teaching profession, and were invited to provide feedback on the adequacy of these aspects.
63. Subsequent to the meeting on 16 December 2019, an email was sent on 24 December 2019 by the Acting Deputy Chief Executive to all the invited attendees summarising the feedback received and inviting any further feedback by early January 2020.
64. The Teaching Council took the feedback received at the meeting into account in finalising the consultation document and the key communications used to inform teachers. No further feedback was received as a result of the email of 24 December 2019.

Consultation with the teaching profession - overview

65. The consultation process commenced on Monday 27 January 2020 with an email sent to key stakeholders (including those invited to participate in the pre-consultation). The email contained an embargoed copy of the information to be sent to teachers on 28 January 2020.
66. Consultation with teachers commenced on 28 January 2020 with an email template that was sent to 105,394 teachers and professional leaders using the email addresses held by the Teaching Council for registration/certification.

¹⁶ Attendees indicated in bold

¹⁷ Could not attend the meeting on 16 December but met separately with the Acting DCE and CFO on 18 December



67. The email was sent from 10am on Tuesday 28 January 2020, being the first working day after the Auckland Anniversary day holiday in the first official week of term 1 2020.
68. The email, which was sent via the Teaching Council's [mailchimp](#) account, was titled 'Have your say on proposed fees', and incorporated a Teaching Council developed template. Mailchimp was used to allow the inclusion of unique links to the online feedback survey and for its analytic tools which include the ability to track open and engagement rates.
69. The email template included information on the rationale for the proposed increase in fees, an outline of the proposed options for registered teachers renewing their practising certificates and for beginning teachers applying for registration and a provisional practising certificate, together with a request to provide feedback via the online feedback survey by 21 February 2020. The template provided links to:
 - (a) [The online feedback survey](#);
 - (b) [A detailed one-page summary of the proposed fees in full](#);
 - (c) [The full consultation document](#);
 - (d) [Further explanation on the proposed Professional Responsibility Levy](#).
70. A copy of the mail template can be found at [Appendix One](#).
71. At the same time that the email was sent to teachers, the Teaching Council website was updated to publish all the key information and documents in relation to fees consultation (<https://www.teachingcouncil.nz/content/fees-consultation>), and provided an 8-page FAQ document to answer some common questions around the fees proposals, and 4 short Q&A videos. During the period 28 January to 21 February 2020 the fees consultation page(s) on the Teaching Council website had 12,842-page views.
72. The Teaching Council 'Matatū' e-newsletter sent to subscribers on 18 February 2020 included extensive information on the fees consultation (including FAQ's, Q&A videos, media articles, key information on the proposals, and information on how to provide feedback before the 21 February deadline) and was viewed or opened by 31,417 people.
73. A reminder email was sent to those teachers and professional leaders who had not identifiably already completed the survey on Wednesday 19 February 2020 at 1:14pm.
74. Of the 105,394 emails sent to teachers and professional leaders, analytics show that 103,774 were successfully delivered and that the email was opened by 41,572 people. 97,141 teachers and professional leaders received the reminder email, and 41,744 opened it.
75. When the consultation period closed at 5pm on 21 February 2020, over 22,000 submissions had been received via the online feedback survey.

Who was consulted

76. There was no restriction on who could submit as part of the Teaching Council's consultation. The Teaching Council has welcomed submissions from teachers, professional leaders, unions, peak bodies and other collective organisations involved in education, and other interested parties.

Adequate time to respond

77. The consultation took place over 25 days from 10am on 28 January 2020 to 5pm on 21 February 2020. This period included either 17 or 18 working days, noting regional or national public holidays on 3 February (Nelson Anniversary day) and 6 February (Waitangi Day).
78. If submitters requested, they could be given an extension if the submitter provided the Teaching Council with an adequate reason for needing an extension. Seventeen such requests were



received including the Post Primary Teachers' Association (PPTA) who applied for an extension in order to provide notice of and undertake paid union meetings with their members.

79. Where extensions were approved, the submitter was provided with a separate link to the online feedback survey that allowed additional submissions up to 5pm on Friday 13 March 2020.
80. NZEI also requested the opportunity to provide an oral submission to the Council, as this was provided at the regular meeting of the governing body on 27 February 2020.
81. Whether or not submitters requested an extension beyond the 21 February 2020, in the interests of natural justice, all submissions received by 5pm Friday 13 March 2020 have been taken into account.
82. Approximately 10,000 submissions were received via the online feedback survey in the first 24 hours of the consultation period, equivalent to the total number of submissions received in the entire 2017 consultation process.

Notification of consultation

83. As outlined in the overview section, the teaching profession was alerted to the consultation in the following ways:
 - (a) Direct email to 105,394 registered / certificated teachers;
 - (b) Consultation information published on the Teaching Council website;
 - (c) Further notification of the consultation was sent via the Teaching Council's Matatu e-newsletter sent on 18 February;
 - (d) A reminder email sent to all those original 105,394 teachers that had not identifiably already completed the online feedback survey
84. There was also significant media and social media coverage about the proposed fees increases including [radio](#), [TV](#), and [newspaper](#).

Information provided

85. As outlined in the overview section, the following information was provided to the teaching profession to inform them of the consultation around proposed fees increases from 1 July 2020:
 - (a) [Email template](#) with a concise summary of the proposed fees increases, rationale, timeframe and ways to provide feedback;
 - (b) [Consultation document](#) (26 pages) with detailed information on the background and rationale for proposed increases, together with detailed financial analysis (including revenue and expenditure), details of all the proposed fees, and ways to provide feedback / submissions.
 - (c) [One-page summary](#) of the proposed fees in full;
 - (d) Further [explanation](#) on the proposed Professional Responsibility Levy;
 - (e) Website page(s) on www.teachingcouncil.nz containing all of the key communications, documents, a six page [Frequently Asked Questions](#) document, how to provide feedback, and a set of four question and answer videos;
 - (f) All of the key written communications were available in English and Te Reo Māori.

Method of submission

86. Submitters were given a number of options on how to submit feedback on the proposals:
 - (a) Via a unique link to the online feedback survey contained in the direct email;



- (b) Via a generic link to the online feedback survey contained in the consultation document and on the Teaching Council website;
- (c) By email to feedback@teachingcouncil.nz
- (d) On the submission template included in the consultation document
- (e) Via an oral submission if requested.

87. The submission template and the online feedback survey asked the same questions. The submission template is attached as [Appendix Two](#).

Summary of key themes

88. A meta-analysis of the free text feedback from the online feedback survey and the written submissions was undertaken and is summarised below:

Key themes from online feedback survey free-text comments	Key themes from written submissions
<ul style="list-style-type: none"> • Unacceptable scale of the increases proposed / too expensive • Opposition to any increase • Affordability for teachers and particularly the impact on teachers on lower salaries including part-time/relief teachers and ECE teachers • Lack of value from / cost of current Teaching Council services • Deterrent effect on entering or remaining in the teaching profession • Likelihood of exacerbating the shortage of teachers • Government, not teachers should pay registration/certification fees 	<ul style="list-style-type: none"> • The scale of increases proposed is unreasonable and unfair • Implementation of any increase should be delayed as the notice period for teachers is too short • Fee increases should be introduced more moderately over a longer period of time • Disproportionate impact of increases on beginning teachers, part-time/relief teachers, ECE teachers • Proposed increases likely to exacerbate the issues with recruiting and retaining quality teachers • Practising Certificate fees should be borne by employers or government, not teachers • Conduct and competence processes and the Leadership Centre should be funded by government, not by teachers
<p>Combined Themes</p> <ul style="list-style-type: none"> • The scale of increases proposed is unreasonable and unfair • Implementation of any increase should be delayed as the notice period for teachers is too short • Fee increases should be introduced more moderately over a longer period of time • Disproportionate impact of increases on groups of lower paid teachers including beginning teachers, part-time/relief teachers, ECE teachers • Lack of value from / cost of current Teaching Council services should be addressed before any increases are proposed 	



- Proposed increases likely to exacerbate the issues with recruiting and retaining sufficient quality teachers
- Practising certificate fees should be borne by employers or government, not teachers
- Conduct and competence processes and the Leadership Centre should be funded by government, not by teachers



Annex One – Summary of proposals

I am...	What you currently pay	What's proposed you would pay under <i>Option 1</i>	What's proposed you would pay under <i>Option 2</i>
A Registered teacher renewing my current practising certificate ¹⁸ :	\$220.80 for 3 years	\$470 ^a for 3 years	\$500 ^a for 3 years
A graduate from an approved New Zealand Initial Teacher Education (ITE) programme applying for Kaiako Whai Rēhitanga Teacher Registration and a Tiwhikete Whakaakoranga Tōmua Provisional Practising Certificate:	\$220.80 for 3 years	\$470 ^a for 3 years	\$300 ^a for 3 years
An overseas trained teacher ¹⁹ applying for Kaiako Whai Rēhitanga Teacher Registration and a Tiwhikete Whakaakoranga Tōmua Provisional Practising Certificate:	\$302.57 for 3 years	\$570 ^{a,b} for 3 years	\$400 ^{a,b} for 3 years
A provisionally certificated or certificated 'Subject to Confirmation' / Tiwhikete Whakaakoranga Pūmau Full Practising Certificate (Category Two) teacher now applying for Tiwhikete Whakaakoranga Tūturu Full Practising Certificate (Category One):	\$302.57 for 3 years	\$570 ^{a,c} for 3 years	\$600 ^{a,c} for 3 years
Lodging my renewal application <u>after the expiry date</u> of my current practising certificate ²⁰ :	\$270.80 ^f for 3 years	\$570 ^{a,d} for 3 years	\$600 ^{a,d} for 3 years
Applying for a Tūranga Whakaako Whaiherenga Limited Authority to Teach (LAT):	\$168.66 for 3 years \$112.44 for 2 years \$56.22 for 1 year	\$470 ^a for 3 years \$313 ^e for 2 years \$157 ^e for 1 year	\$500 ^a for 3 years \$333 ^e for 2 years \$167 ^e for 1 year
A Registered teacher who hasn't completed any teaching in New Zealand in the last 5 years applying for a Returning to Teaching in Aotearoa New Zealand Practising Certificate ²¹ :	N/A	\$470 ^a for 3 years	\$500 ^a for 3 years
A graduate from an approved New Zealand ITE programme applying for Kaiako Whai Rēhitanga Teacher Registration only:	N/A	\$470 for 3 years	\$300 for 3 years

¹⁸ Under the new '[Policy for Teacher Registration, Practising Certificates and Limited Authority to Teach](#)' which will come into effect on or before 1 July 2020 this will apply to any teacher renewing a current Practising Certificate including Tiwhikete Whakaakoranga Tūturu | Full Practising Certificate (Category One) and Tiwhikete Whakaakoranga Pūmau | Full Practising Certificate (Category Two) and Tiwhikete Whakaakoranga Tōmua | Provisional Practising Certificate

^a Includes the proposed [Professional Responsibility Levy](#) of \$135

¹⁹ Includes applications made under the Trans-Tasman Mutual Recognition Agreement (TTMRA)

^b Includes an additional fee of \$100 in consideration of the additional costs incurred in evaluating overseas applications

^c Includes an additional fee of \$100 in consideration of the additional costs incurred in evaluating these applications

²⁰ The Late Fee applies where a teacher is currently employed in a teaching position where they do not hold a current certificate of the kind required to legally undertake that role and applies for registration or certification.

^f Includes the existing Late Fee of \$50

^d Includes the proposed Late Fee of \$100

^e Includes the proposed Professional Responsibility Levy of \$135 per 3 years on a pro-rata basis

²¹ Comes into effect under the '[Policy for Teacher Registration, Practising Certificates and Limited Authority to Teach](#)' or before 1 July 2020



Proposed Professional Responsibility Levy

Both proposed options include a Professional Responsibility levy of \$135 in the total fee which represents the current cost of operating the mandated conduct and disciplinary processes under the current legislation and [Teaching Council Rules 2016](#). This approach reflects our view that teaching professionals collectively have the greatest ability to influence positive changes in regard to conduct and competence matters within the teaching profession.

Other professional bodies have chosen to charge a separate disciplinary levy that reflects the actual costs of dealing with complaints and disciplinary matters. The Teaching Council is not proposing such a separate fee but is proposing to clearly identify the current professional responsibility (teacher conduct and competence) costs within the total fee proposed.

The Teaching Council is currently undertaking work to review the reasonableness of the current threshold for serious misconduct under the legislation and Teaching Council Rules in case law reform is needed. *If the current threshold was to change or where the costs associated with the Teaching Council's Professional Responsibility functions were to materially reduce, we would seek to transparently pass those savings on to teachers through a reduction in fees in subsequent years.*



Annex Two – Summary of feedback

1. An email was sent to **105,394 teachers and professional leaders** informing them of the fees proposals and how to make a submission
2. **103,774** or 98.5% of those emails were **successfully delivered**
3. **41,572** or 40% of recipients **opened the email**
4. In total the **email was opened 85,139** times, including 571 individuals who opened the email 11 or more times, and 12 individuals who opened the email 100 or more times
5. **10,758** or 10% of the recipients **clicked one or more links within the email** including:
 - i. 10,357 clicks on the [fees summary table](#)
 - ii. 5,457 clicks on the unique link to the online feedback survey
 - iii. 2,139 clicks on the additional information on the proposed [Professional Responsibility Levy](#)
 - iv. 904 clicks on the [full consultation document](#)
 - v. 91 clicks on the [te reo version](#) of the email
6. **19,876** or 82% **complete responses** and **4,455** or 18% **partial responses to the online feedback survey** were received during the consultation period²² (n=24,331)
7. Responses to the online feedback survey were received from New Zealand (99%) and 45 other countries (1%)
8. Within New Zealand, responses to the online feedback survey were received from 300 discrete locations including Auckland (37%), Wellington (8%), Christchurch (12%), Hamilton (5%), Tauranga (4%), Dunedin (3%),
9. **17,981** or 83% of all **respondents** to the online feedback survey **identified themselves as teachers**, while a further 2,726 or 13% **identified themselves as professional leaders** (n=21,732)
10. **9,176** or 39% of respondents to the online feedback survey identified themselves as working in the **secondary sector**, **7,982** or 34% identified themselves as working in the **primary sector**, and **3,676** or 16% identified themselves as working in the **Early Childhood sector** (n=23,645)
11. 33 written submissions were received during the consultation period²²
12. 258 emails²³ to feedback@teachingcouncil.nz were received during the consultation period²²
13. Key themes from the feedback were:
 - 13.1 The scale of increases proposed is unreasonable and unfair
 - 13.2 Implementation of any increase should be delayed as the notice period for teachers is too short
 - 13.3 Fee increases should be introduced more moderately over a longer period of time
 - 13.4 Disproportionate impact of increases on groups of lower paid teachers including beginning teachers, part-time/relief teachers, ECE teachers
 - 13.5 Lack of value from / cost of current Teaching Council services should be addressed before any increases are proposed
 - 13.6 Proposed increases likely to exacerbate the issues with recruiting and retaining sufficient quality teachers
 - 13.7 Practising certificate fees should be borne by employers or government, not teachers

²² Includes the extension period for PPTA and members to 5pm Friday 13 March

²³ All feedback, regardless of how it was received has been included in the analysis



Palmerston North (3%), New Plymouth (2%), and Nelson (1%)

13.8 Conduct and competence processes and the Leadership Centre should be funded by government, not by teachers

Beginning teachers should pay a lower fee

- 11,712 or 60% of respondents to the online feedback survey **agreed** with the statement that “Teachers applying for Registration and their first three-year practising certificate should pay a lower fee” (n=19,589)
- 6,649 or 34% of respondents **disagreed** with the same statement, while 1,228 or 6% didn't know / were unsure
- Respondents working in the tertiary sector were 23% more likely to **agree** with the statement while those working in the ECE sector were 11% more likely to **disagree** than the base sample.

Overseas teachers should pay a higher fee

- 11,702 or 60% of respondents to the online feedback survey **agreed** with the statement that “Overseas teachers should pay a higher fee for Registration and their first Provisional Practising Certificate to reflect the additional costs involved in evaluating their applications” (n=19,587)
- 6,127 or 31% of respondents **disagreed** with the same statement, while 1,758 or 9% didn't know / were unsure
- Respondents working in the ECE sector were 17% more likely to **agree** with the statement while respondents from the secondary sector were 19% more likely to **disagree** than the overall base sample.

Provisionally certificate teachers should pay a higher fee to move to full certification

- 14,824 or 76% of respondents to the online feedback survey **disagreed** with the statement that “Provisionally certificated teachers or teachers certificated 'Subject to Confirmation' should pay a higher fee when applying for full certification to reflect the additional costs involved in evaluating those applications” (n=19,564)
- 3,292 or 17% of respondents **agreed** with the same statement, while 1,448 or 7% didn't know / were unsure
- Respondents working in the tertiary sector were 17% less likely to **disagree** with the statement, while respondents from the ECE sector were 21% more likely to **agree** than the overall base sample.

The Late Fee should increase

- 13,396 or 69% of respondents to the online feedback survey **disagreed** with the statement that “The Late Fee for a teacher to renew their practising certificate after the expiry date of their current certificate should increase from \$50.00 to \$100.00” (n=19,539)
- 5,047 or 26% of respondents to the online feedback survey **agreed** with the same statement, while 1,096 or 6% of respondents didn't know / were unsure
- Respondents working in the ECE sector were 38% more likely to **agree** with the statement, while respondents from the secondary sector were 7% more likely to **disagree** than the overall base sample.



Fees rebates should discontinue

- 9,634 or 50% of respondents to the online feedback survey **disagreed** with the statement that “Fee Rebates should discontinue for teachers who move from provisional certification to full certification” (n=19,365)
- 5,045 or 26% of respondents to the online feedback survey **agreed** with the same statement, while 4,686 or 24% of respondents didn’t know / were unsure
- Respondents working in the ECE sector were 15% more likely to **agree** with the statement while those working in the secondary sector were 6% more **likely** to disagree than the overall base sample.

Preference for the two fees options proposed

- 6,252 or 33% of respondents to the online feedback survey **agreed** with the statement that “I would prefer Option 1 - Beginning teachers and experienced teachers should pay the same amount” (n=19,003)
- 6,588 or 35% of respondents to the online feedback survey **agreed** with the statement that “I would prefer Option 2 - Beginning teachers should pay a lower amount to support their entry into the teaching profession” (n=19,003)
- 6,163 or 32% of respondents to the online feedback survey **agreed** with the statement that “I have no preference for either option” (n=19,003)
- Respondents working in the primary sector were 11% more likely to prefer option 1, while those working in the ECE sector were 35% more likely to prefer option 1 than the overall base sample
- Respondents working in the tertiary sector were 39% more likely to prefer option 2, while those working in Kura were 12% more likely to prefer option 2 than the overall base sample.

