

# **Review of the New Zealand Teachers Council**

**A Teaching Profession for  
the 21st Century**

Report to Hon. Hekia Parata, Minister of Education

November 2012



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*Follow the pathway of knowledge to strength and growth for future generations*

## Preface

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### A teaching profession for the 21st century

Teachers are amongst the most powerful influences in learning. To be successful requires specialist knowledge—in areas such as curriculum, assessment, pedagogy and learning. It requires insight into how each student understands new concepts, and the ability to give useful feedback that stretches their knowledge and ideas.

These are complex tasks. Teachers themselves need to work in a culture of learning, where assumptions are challenged, so they are able to see their practice in new ways and then do things differently.

Teachers work in a world of massive and ongoing social, economic and technological change, with exponential growth in knowledge. There are many implications for teachers and teaching.

There is an international demand for broad and deep expertise in the teaching profession. New Zealand is no different. Attracting highly qualified graduates and giving them high quality professional education and training, providing reliable and timely feedback on their teaching practice and developing attractive career pathways for them, are vital for a 21<sup>st</sup> century education system.

In large part, the New Zealand education system works well for most children enrolled in an early childhood service or a school. International comparisons support this view. Many students achieve well and gain enduring benefits from their years of compulsory schooling.

The Government, however, is rightly concerned about the students at the other end of the education spectrum whose years of schooling do not give them the skills and attributes they need for a successful life in the community beyond school. These students often face additional socio-economic barriers, exacerbating the inequity.

The Government believes that, to improve outcomes for all students and to address equity issues, New Zealand must have a flexible, skilled, culturally intelligent, and well-led professional workforce. This Review of the New Zealand Teachers

Council is part of a wider government undertaking to strengthen leadership in education.

Individuals, organisations and interested groups were invited to give their views to the Review Committee, and a wide range responded. After reading submissions and talking to individuals and groups throughout the education sector, the Committee concluded that to achieve the Government's aim the status of teaching must be lifted.

The Review Committee has arrived at a series of recommendations that it believes will benefit the education of New Zealand's children and young people and those who educate them.

Chiefly, we recommend the establishment of an independent professional body for teaching, contending that teaching practice would benefit substantially from teachers' participation in a distinctive professional organisation that would become the voice and face of the profession.

This path was foreshadowed by those who advised and made submissions to the Review.

The culture change needed to achieve this has several dimensions.

Firstly, now is the time for central education agencies to step back, think about how they could sponsor best practice in professional teaching, and then trust teachers to be accountable for their own performance as members of an international profession.

Secondly, now is the time for industrial advocacy organisations to back their stated support for the establishment of an independent professional teaching body that is capable of self regulation and self review. Union support and advocacy for teachers as employees should go hand in hand with a new opportunity for teachers to run their own profession.

The Review Committee has recommended a transition team to take the first steps.

The transition team will need stamina and be willing and able to engage teachers, principals and other educators in symposia and other means of debate. Consultation at the transition team's discretion will define its leadership role as it lays the groundwork for the proposed new teaching body.

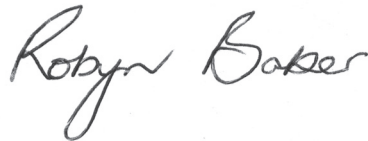
So, what value could a professional body add to high quality teaching practice? It could ensure that the entry threshold to the profession is high, that those who enter the profession share a common body of knowledge and skills and adhere to a common code of ethical values and conduct. It would nurture its members and take responsibility for their conduct. A professional body would allow teachers

to review their own contribution to the public interest and to the interests of the young learners they teach.

The Committee would like to thank all those who contributed so generously to this Review. We were impressed by the wealth of your experience and welcomed your innovative ideas for the future of education in New Zealand.



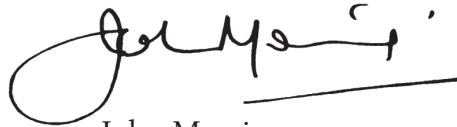
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**November 2012**

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# New Zealand Teachers Council Review 2012

## Executive summary

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### Background

On 28 September 2011, the Cabinet Social Policy Committee agreed that (as part of a wider work programme to support a culture of change through strengthening leadership of the teaching profession) the role, functions, capacity, capability and effectiveness of the New Zealand Teachers Council would be reviewed to ensure that the Council:

- sets and enforces clear standards for entry, progression and professional accountability
- has the full support of the profession
- is clearly differentiated from government and industrial advocacy organisations.

### The Terms of Reference

Cabinet's decision on 23 April 2012, when approving the Review of the New Zealand Teachers Council (NZTC), opened with the following words:

*A more flexible, skilled and culturally intelligent professional education workforce will deliver better and more equitable outcomes for every learner. Government's vision for the education workforce is to lift the quality and status of teaching and improve the retention of high quality teachers and education leaders as a key strategy to improve learner outcomes and address issues of equity.*

The Terms of Reference are set out in full in Appendix A.

### What the Review found

The main problems are two-fold.

Firstly, as currently structured, governed and positioned, the Teachers Council cannot effectively set and enforce clear standards for entry, progression and professional accountability with the full support of the profession. It has a unique role and purpose but these are not sufficiently differentiated from the work of both government and industrial advocacy organisations.

Secondly, there is little likelihood of achieving and sustaining enduring strength in professional leadership by the Teachers Council merely through changes to its structure or legislation.

On the one hand, the institutional and labour market context for professional leadership in teaching is dominated by big players who represent practising teachers and a wide variety of other education interests.

On the other hand there is no real space for an effective national body that is capable of providing a distinctive voice and face for teachers and that strives to put the public interest and interests of young learners ahead of its own self interest.

Creating a proper space for a professional teaching body will happen only with a change in the culture of the education sector.

The wider community already values teachers; the socio-economic system relies on teachers; and teachers themselves have the ability to change the life chances of their students. Recognising, respecting, supporting and enabling professional education leadership requires institutional generosity and trust.

### Critical barriers

The Review Committee found institutional, communication, methodological and other barriers that work against raising the quality of teaching practice and promoting professional leadership.

Critical barriers discussed in this report are:

- inflexibility in registration
- lack of engagement by teachers with their own Council
- lack of feedback on teaching as a profession
- lack of “meaningful engagement” with the profession
- poor public policy implementation
- lack of human resource capacity at school governance level
- variable capacity of professional leadership in schools, including succession planning
- perverse financial incentives
- professional standards embedded in collective agreements
- culture of the education sector.

### Capacity and capability of the New Zealand Teachers Council

The Teachers Council has the legislative authority to control three of the most important points in the teaching profession:

- a) when a candidate presents for initial education and training as a teacher
- b) when a trainee graduates from that initial teacher education (ITE)
- c) when a teacher applies to the Council for full registration.

In terms of the necessarily intellectual, evidence-based and skills-focused nature of teaching, the entry standards for ITE need to be raised. This is vital for both the professional status of teaching and the potential performance of New Zealand's education workforce.

Furthermore, quality assurance for the graduating standards that govern eligibility for initial registration needs strengthening and the Teachers Council should have more rigorous quality assurance processes for initial and ongoing registration and for granting Practising Certificates.

The Council's income from teachers' registration fees gives it sufficient capacity to register teachers, maintain the register and share registration information with legitimate users. However, even with its quality assurance and other revenue, it does not have sufficient capacity and capability to build a broad professional community, public reputation, quality assurance or professional leadership.

To some extent it is a question of scale, and whether all that is required of large Crown entities can also be expected of comparatively smaller agencies.

### Effectiveness of the Council's legislative and structural framework

In addition to its regulatory and standards-setting functions, the Teachers Council's statutory mandate requires it to provide professional leadership for the teaching workforce, to encourage and promote best teaching practice and to secure and retain the respect of both teachers and the public.

We found that the legislative and structural arrangements for its proscribed functions did not allow it to be fully effective, and we have recommended the establishment of a new professional teaching body.

To facilitate the smooth transition to this new body (set out in Recommendation D, overleaf) the Review Committee is recommending the establishment of a transition team for up to three years. Such transition will only work if it is carried out in respectful partnership with the sector—notably teachers themselves.

### Looking forward

The Review Committee looked critically at the role and functions of the Teachers Council, in terms of its own performance and in relation to its governmental and labour market context.

We have signalled where, in our view, there is scope and sound justification for legislative and other changes to lift the status of teaching as a profession and thereby increase the contribution that formal education adds to the quality of every student's learning.

Our Review and this Report stand on the shoulders of what is already regarded as an extremely capable, dedicated and internationally respected profession of teaching.

# Key recommendations

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- A. The Review Committee strongly endorses the recommendation of the final report of the Education Workforce Advisory Group (April 2010) that entry to the teaching profession be dependent on holding a post-graduate qualification.
- B. The Review Committee recommends that the Minister of Education either:
  - a) amend the Education Act 1989, Part 10A, s 139AD so that all members of the governing body of the New Zealand Teachers Council are appointed directly by the Minister, with opportunities for nomination from members of the teaching profession
  - or
  - b) take steps to ensure that every person appointed to the governing body of the New Zealand Teachers Council be knowledgeable about education and have successful governance experience in other fields.
- C. The Review Committee recommends that the Minister of Education:
  - a) review the utility, merits and risks of embedding definitions of ‘teaching position’ and ‘professional leader’ in Part 10, s 120 (Interpretation) of the Education Act 1989
  - b) if it is decided to retain statutory definitions, take steps necessary to:
    - i) remove from Part 10, s 120 the Education Act 1989 the current definition of “a teaching position” as “a position in the general education system that requires its holder to instruct students”
    - ii) in any remaining definition of the role and function or position of school principals, emphasise their two key roles as:
      - the professional leaders of their own schools’ teaching staff
      - contributors to the national teaching profession.
- D. The Review Committee recommends that, by 2015 and subject to support by the profession, the Minister of Education disestablish the New Zealand Teachers Council and, under legislation with a wider reach:
  - a) introduce legislation to establish a new professional teaching body and specify in the draft legislation that this body will:
    - i) be independent of ministerial direction, but informed by public education policy and best professional teaching practice
    - ii) be capable of identifying key public policy issues and lead professional and public debate on their implications for high-quality teaching practice
    - iii) be capable of publicly representing the voice and face of the teaching profession on education matters
    - iv) have statutory authority to register and discipline members of the profession
    - v) in addition to the conventional characteristics of any internationally highly regarded profession, have:
      - as a primary obligation, promotion of the public interest
      - a duty to the interests of the children and students
  - b) agree that the new professional body will be supported by the government for a specified setting-up period and, subsequently, resourced, largely or fully, by its members, as is the case for other major New Zealand professional societies.

E. In order to deliver the new body, the Review Committee recommends that the Ministers of Education sponsor a transition team that has the following purposes:

- a) to publicise and foster public and professional teachers' interest in and debate on the implications for the education profession of issues such as:
  - i) changing regional demographics
  - ii) the increasing ethnic and cultural diversity of New Zealand's urban and metropolitan communities
  - iii) New Zealand's changing position in the global economy
- b) to advocate for and encourage all teachers to support transition of the profession towards establishment of the statutory body set out in recommendation D above
- c) to enable leading educators to confer amongst themselves and with leading New Zealand and trans-Tasman academics and researchers as part of a professional community
- d) to promote professional standards and succession plans for principalship in the New Zealand school sector
- e) to engage actively in high-level consideration of key professional education issues, especially the changing national and international experience of how high-quality professional teaching practice can improve the learning outcomes for every student.

The Review Committee further suggests that this team be serviced by the current New Zealand Teachers Council.

Chapter 8 contains a full list of the Review Committee's recommendations.





# **CHAPTER 1**

## **Background to the Review**



# Chapter 1:

## Background to the Review

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### Introduction

On 28 September 2011, the Cabinet Social Policy Committee agreed that (as part of a wider work programme and to support a culture of change through strengthening leadership of the profession) the role, functions, capacity, capability and effectiveness of the New Zealand Teachers Council (NZTC) would be reviewed.

The intended outcomes of the proposed review are to ensure that the Teachers Council:

- sets and enforces clear standards for entry, progression and professional accountability
- has the full support of the profession
- is clearly differentiated from government and industrial advocacy organisations.

On 23 April 2012 Cabinet approved terms of reference and membership proposed by the Minister of Education for a Review of the Teachers Council.

The 2011 agreement had framed the organisational and workforce context for the 2012 NZTC review and the detail for the Review Committee's Terms of Reference, as set out below:<sup>1</sup>

Cabinet directed that, inter alia, the Review would investigate:

- a) the capability and capacity of the NZTC to lead the teaching profession with respect to:
  - developing and promoting the professional community of teachers
  - promoting effective teaching practice and engaging meaningfully with membership
  - leading and promoting public discussion to raise the status, interest and informed debate of education issues
  - setting robust standards for entry to the profession
  - setting and monitoring standards for registration, ongoing performance appraisal and professional development
  - holding teachers to account in terms of competence and conduct
  - quality assurance/approval of teacher education programmes and graduate outcomes, including the effectiveness of its relationship with the universities and other providers of initial teacher education.

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<sup>1</sup> Full Terms of Reference for the NZTC Review are set out in Appendix A.

- b) the effectiveness of the current legislative and structural arrangements in enabling the execution of the functions outlined in having particular regard to:
- the powers and functions of NZTC and how these relate to the functions of other agencies
  - the composition of the governing body and the approach to the selection/ appointment of its membership, including representation of the broader public interest
  - the status of NZTC as an autonomous Crown Entity.

### Reporting

The report will identify:

- strengths and weaknesses of the current roles, functions and relationships of the NZTC
- changes necessary to ensure NZTC effectively sets and enforces clear standards for entry, progression and professional accountability; has the full support of the profession; is clearly differentiated from government and industrial advocacy organisations
- NZTC's ability to represent the public interest with regard to the quality of teaching
- roles and functions that should be retained, changes in roles and functions that should occur and new roles and functions required
- options for re-configuring the NZTC in order to best deliver these roles and functions and the associated implications (including legislative and financial implications)
- how changes proposed support the Government's wider work programme for strengthening the education workforce
- areas that require further investigation.

Furthermore, in addition to recommendations on those matters, the Review Committee was directed to make recommendations on any other matters it considered relevant. The Review Committee was also directed to take account of recommendations of the *Ministerial Inquiry into the Employment of a Convicted Sex Offender in the Education Sector, Report to Hon. Hekia Parata, Minister of Education. June 2012 (June 2012 Ministerial Inquiry)*.

The Review Committee was directed by Cabinet to identify and access relevant evidence and material in relation to the review and to interview a large number of relevant people, including but not limited to the board, Chief Executive and senior staff of the New Zealand Teachers Council, officials in the Ministry of Education, the State Services Commission and the Treasury, members of the teaching profession and representatives of other professional bodies, along with other potential stakeholders such as employers, parents and the media.

The Review Committee was chaired by Pauline Winter, with members Judith Aitken, Robyn Baker, John Morris and Jonathan Krebs (who withdrew due to work commitments). It was convened in July 2012 when the Minister of Education set out her expectations for the project.

As directed by Cabinet, secretarial and administrative support was provided by the New Zealand Teachers Council and the Ministry of Education.

## Methodology

The Review Committee gave careful and detailed consideration to all the evidence and views presented to us, official documents and the literature we read, and used these as the basis for our recommendations.

We sought the views of all those identified by Cabinet. Written submissions were invited and along with direct discussions and advice from stakeholders these provided a rich source of data, comment, advice and analysis. Appendix B includes a summary of written submissions from national organisations. Appendix C lists the organisations or agencies with whom the Review Committee met at least once and, for some—including the Post Primary Teachers' Association, the New Zealand Educational Institute and the Teachers Council—on several occasions.

Focus group discussions were held with primary and secondary school principals from both state and private sectors from Auckland through to the West Coast and school trustees from schools with a wide range of deciles. Those we talked to included: the principal, senior staff and teachers, including three beginning teachers, of a primary school in the Wellington region; teacher trainees; teacher educators; union representatives; representatives of the Auckland Pasifika community; and senior Māori educators.

As directed, the Review Committee held regular meetings to set up the review process, to discuss where we would seek information and advice, agree on core issues and develop options and recommendations.

The Review Committee referred to New Zealand and international literature, historical documents relating to registration, matters raised in such meetings as the Minister's Cross-sector Forum and a Teachers Council seminar for the CEO of the General Teaching Council of Scotland (July 2012), advice and information provided by numerous government agencies and, in particular, information from the Chair, Director and members of the New Zealand Teachers Council, who engaged very helpfully with the Review.

Acknowledgements include our appreciation of the invaluable contribution made to the Review by all those who advised, wrote or talked to us.

Appendices set out: the terms of reference and the membership of the Review Committee; summaries of written submissions; people we met; information about other professional bodies; resource material and detailed information relating to specific parts of the Report; a glossary; and a selected bibliography of the literature and research material that Committee members read during the course of the Review.

# **CHAPTER 2**

## **The New Zealand Teachers Council**



## Chapter 2:

# The New Zealand Teachers Council

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The purpose of the Teachers Council is “...to provide professional leadership in teaching, enhance the professional status of teachers in schools and early childhood education and contribute to a safe and high quality teaching and learning environment for children and other learners.”

*- Teachers Council Annual Report 2010/11*

This chapter addresses Terms of Reference 1a and b and part of 2 and sets out our investigations as follows:

- Part A gives an overview of professions and professional bodies.
- Part B discusses the statutory and legal status of the Teachers Council (Term of Reference 1b).
- Part C sets out the roles and responsibilities of the New Zealand Teachers Council: registration; setting standards including entry standards; initial teacher education; conduct and competence; and professional leadership. It then investigates the Council’s professional leadership role. It includes a discussion on the capacity of the Council to “engage meaningfully with the profession” and whether, as a Crown entity responsible to a Minister, the present Council has “the full support of the profession.” (Terms of Reference 1a and b.)

The Committee drew extensively on the Teachers Council’s own publications and its website.<sup>1</sup>

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<sup>1</sup> <http://www.teacherscouncil.govt.nz/>

## Part A:

# Professions and professional bodies

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There is an extensive literature on professionalism, professions and professional bodies. A profession is characterised in the literature as having:

- a unique and specialised body of knowledge and skills
- the respect and trust of the public
- educational standards for entry and an acceptable standard of professional competence
- standards for ongoing practice and defined criteria for continuous professional development and learning
- an agreed code of conduct
- continuous self review against agreed standards
- responsibility for disciplinary procedures for members
- independence.

We commend these key characteristics as the basis for any further investigation of our structural investigations.

### Definition of a profession

We also commend the adoption of the Australian Council of Professions' (Professions Australia) definition of a profession,<sup>2</sup> as proposed by the PPTA in its written submission.

"A disciplined group of individuals who adhere to high ethical standards and uphold themselves to, and are accepted by, the public as possessing special knowledge and skills in a widely recognised, organised body of learning derived from education and training at a high level and who are prepared to exercise this knowledge and these skills in the interest of others.

Inherent in this definition is the concept that the responsibility for the welfare, health and safety of the community shall take precedence over other considerations."

### Attributes of a 21st Century Teaching Profession

We also endorse the attributes of the teaching profession, categorised below by the National Institute of Education, Singapore.

<sup>2</sup> <http://www.accc.gov.au/content/index.phtml/itemId/277772>

Learner-Centred Values	Teacher Identity	Service to the Profession & Community
<ul style="list-style-type: none"> <li>- Empathy</li> <li>- Belief that all children can learn</li> <li>- Commitment to nurturing and potential in each child</li> <li>- Valuing of diversity</li> </ul>	<ul style="list-style-type: none"> <li>- Aims for high standards</li> <li>- Enquiring nature</li> <li>- Quest for learning</li> <li>- Strive to improve</li> <li>- Passion</li> <li>- Adaptive and resilient</li> <li>- Ethical</li> <li>- Professionalism</li> </ul>	<ul style="list-style-type: none"> <li>- Collaborative learning and practice</li> <li>- Building apprenticeship and mentorship</li> <li>- Social responsibility and engagement</li> <li>- Stewardship</li> </ul>
Skills		Knowledge
<ul style="list-style-type: none"> <li>- Reflective skills thinking dispositions</li> <li>- Pedagogical skills</li> <li>- People management skills</li> <li>- Self management skills</li> <li>- Administrative and management skills</li> <li>- Communication skills</li> <li>- Facilitative skills</li> <li>- Technological skills</li> <li>- Innovation and entrepreneurship skills</li> <li>- Social and emotional intelligence</li> </ul>		<ul style="list-style-type: none"> <li>- Self</li> <li>- Pupil</li> <li>- Community</li> <li>- Subject Content</li> <li>- Pedagogy</li> <li>- Educational Foundation and policies</li> <li>- Curriculum</li> <li>- Multicultural literacy</li> <li>- Global awareness</li> <li>- Environmental awareness</li> </ul>

*Table 1: Attributes of a 21<sup>st</sup> Century Teaching Profession, National Institute of Education, Singapore, 2009*

### **The role of the governing body of a profession**

Professional bodies such as the New Zealand Law Society, the Institution of Professional Engineers New Zealand (IPENZ) and the Nursing Council all have a governing body with overall responsibility for leading the profession. They do this by:

- setting standards: the standards are set for public benefit, not to serve the interests of the profession or its individual members
- setting educational standards for entry into the professional programmes, standards for entry into the profession and standards for the maintenance and continued development of professional expertise
- setting ethical rules and professional standards of behaviour such as via a code of conduct



- upholding the standards
- monitoring to ensure the ongoing maintenance of the agreed professional standards
- undertaking disciplinary action as required and expelling members who are not meeting the agreed professional standards
- supporting professional learning and development
- contributing to the continued development of professional expertise
- ensuring that the services provided by those in the profession are relevant to the public today and in the foreseeable future
- using professional knowledge to inform the public about issues of importance in relation to its mandate
- engaging meaningfully with its members (without sustained engagement the professional body will atrophy over time and risk losing member and public confidence).

Those the Review Committee consulted from other professions acknowledged that, although essential, it is nonetheless questionable how far continuous self-review is achieved. In relation to teaching in New Zealand, we see this as part of a wider state sector challenge to institutional and occupational assurance systems.

### **Legal status of professional bodies**

There is considerable diversity in the regulatory framework, roles, functions, powers and accountability of professional bodies in New Zealand.<sup>3</sup>

They may be embedded in standard public service departments (for instance, professional evaluators, public relations advisers, inspectors). A professional body may be one of a variety of Crown entities, or a statutory body established under “legislation with a wider reach” (such as the Law Society under the Legal Practitioners Act 1982, or the Nursing Council, based in the Health Practitioners’ Act). These may have ministerial or Governor-General appointees but are not executive government bodies as such.

For a Crown entity with quasi-professional responsibilities, such as the New Zealand Teachers Council and statutory bodies with regulatory powers, the government’s role in appointing members to the governing body is usually through a nomination process.

The nature of government involvement in professional bodies varies across profession and jurisdiction. Government involvement does not necessarily mean that an occupational group such as teachers cannot form a recognised profession. However, application of the characteristics and attributes proposed above does raise specific issues about teaching as a profession, in the context of this Review.

<sup>3</sup> Refer to Appendix D

**Why should the State be involved in the profession of teaching?**

Internationally, government involvement in professional teaching bodies tends to be higher than in most other professions. There is a commonplace historical association between the state and national education systems. Although history demonstrates a range of risks, including inappropriate or coercive state intervention, this association does not preclude countries as varied as Australia, Finland and those in Southeast Asia—and New Zealand itself—from good educational performance.

Indeed, sustained state support can be of significant socio-economic benefit if it ensures equity of access, fair treatment of teachers, protection of rights, sustainable funding and appropriate settings for teaching and learning.

In New Zealand, and many other countries, state involvement is mainly due to the high stakes of learning and social outcomes and high investment relating to compulsory education. Governments tend to have a significant financial interest in the teaching profession through the payment of salaries and support towards beginning and continuing education.

As often occurs in New Zealand, we have adopted a mixed model that on the whole works well for both pragmatic and philosophical reasons.

Prima facie, the legal duty of the New Zealand Teachers Council to a Minister of the Crown, as defined in Part 10A, s 139AE of the Education Act 1989, may seem to preclude its ability to behave like the governing body of an independent profession.

As set out in Schedule 1, Part 2 of the Crown Entities Act 2004, the New Zealand Teachers Council is an Autonomous Crown Entity.<sup>4</sup> Although its functions should be carried out “at arm’s length” from the government of the day, it must have regard to government policy when directed by the responsible Minister and therefore cannot be independent of the executive government. The Minister has a strong interest in setting the Council’s direction, ensuring it achieves its objectives and observing the way it manages any risks to the Crown. Its governing body is a mix of elected and appointed members and has a chair appointed by the Minister.

However, it is highly significant that in Part 10A, subsection 139AG (1) (Ministerial directions) “the Minister may not give directions to the Council in respect of its functions under s 139AE (a) and (b) (which relate to professional leadership and best teaching practice)”.

The constraints on ministerial power in respect of professional leadership and teaching practice cut two ways. On the one hand, they give the Council some

<sup>4</sup> <http://www.dpmc.govt.nz/cabinet/circulars/co06/5> The website of the Department of Prime Minister and Cabinet provides detailed information on all five categories of Crown Entity, with particular reference to Statutory Entities, including Autonomous Crown Entities such as the New Zealand Teachers Council.

of the pragmatic independence that mirrors the professional autonomy of other more independent professions. On the other hand, this unusual exemption places particular responsibilities on the Council to deliver high-quality professional leadership and to facilitate best teaching practice.

This is very different from ‘Crown Agents’, such as ACC or district health boards, which must give effect to government policy as directed; or from “independent Crown entities” whose members are appointed by the Governor-General and, although subject to overall government policy directions, are considerably more independent of ministerial dictate.

The position of the Teachers Council is also quite different to that of professional bodies constituted as body corporates, such as the New Zealand Law Society (established under the Law Practitioners Act). They are legal entities in their own right and not subject to control or influence by government or members. They have roles and responsibilities that are consistent with professional bodies.

#### **The views of the Education Workforce Advisory group**

In 2010, the Education Workforce Advisory Group (WAG) was set up by the Minister of Education to provide an independent view on the issues facing New Zealand’s teaching workforce and asked to make recommendations on ways to lift its professional status and quality. Its members included: Barbara Ala’alatoa, Principal, Sylvia Park School; Byron Bentley, Principal, Macleans College; Barbara Cavanagh, Principal, Albany Senior High School; Peter Ferris, Principal, Ilminster Intermediate School; Emeritus Professor Gary Hawke, Victoria University; Professor Alister Jones, Dean, Faculty of Education, Waikato University; Dr John Langley, Chief Executive, Cognition Education; Sally Webb, Leadership Consultant.

WAG concluded that the status of the Teachers Council as an Autonomous Crown Entity was problematic. For example, its credibility amongst teachers’ unions and teachers themselves was questioned because it was seen as a central government body, an arm of executive ministerial policy. It was regarded as the voice of the Minister.

In 2004, Professor Noeline Alcorn, Waikato University, wrote that “if experience elsewhere is a guide [a teachers’ council]... will have a complex job establishing a balance between enhancing professionalism and meeting government and community demands for demonstrated and measureable accountability” (p133).<sup>5</sup>

In its submission on the 1997 Green Paper (Section 9: A Professional Body for Teachers)<sup>6</sup>, the Education Forum echoed the paradoxical nature of this issue. Questions posed 15 years ago by the Forum remain relevant to this 2012 Review of the Teachers Council.

<sup>5</sup> The New Zealand Annual Review of Education 2004.

<sup>6</sup> Ministry of Education. (1997). Quality teachers for quality learning. A review of teacher education. Wellington.

- How would a body with widely-defined constituent members and diverse accountabilities prioritise their interests and resolve any conflict of interests that arose?
- How would such a body ensure that the interests of highly organised national agencies (government departments, unions, major socio-economic advocacy groups) do not stifle and crowd out the interests of those who are not organised along national lines such as parents, or are joined in comparatively under-resourced and low-profile voluntary associations, such as school boards of trustees?
- How best should government's legitimate ownership, provider and other education interests be accommodated without it taking a leadership role in influencing teaching practice?

The Review Committee found that the notion of teaching being a profession is contested, partly because most teachers are state employees, which provides many benefits but may be perceived as a constraint on their professional autonomy. In any case, as is exemplified in the written submissions appended to this report, it is clear that education stakeholders want and expect teachers to demonstrate the characteristics of a profession.

WAG maintained that if teaching is a profession then it is important to ensure it has strong professional leadership that sets clear standards of entry, progression and professional accountability. To raise the quality most effectively, such leadership must be owned by the profession and distinct from government or industrial bodies.

WAG recommended that the Teachers Council be refocused as the professional body for the teacher profession with responsibility and ownership for:

- setting clear requirements for entry to the profession
- providing evidence of continuous professional learning and development for members of the profession that want to maintain registration
- ethical accountability of teachers and discipline
- promotion and development of the professional community of teachers.

WAG anticipated that expanding the role of the Teachers Council as the professional body for teaching may require changes to the way it is constituted. But in any case, WAG agreed that membership should emphasise effective sector leadership, clearly distinguished from representation. This would differentiate membership of such a council from membership of other sector bodies. WAG thought that tension could persist if the Council remained as a Crown entity with strictly limited professional independence.

In 2011 a forum was held to discuss the WAG report and submissions. The overall view of the forum<sup>7</sup> was that the Council's core role should be to provide for and enforce high entry standards into teaching and set expectations of the profession.

<sup>7</sup> <http://www.minedu.govt.nz/~media/MinEdu/Files/TheMinistry/Consultation/WorkforceAdvisoryGroup/EducationWorkforceForumReportApril2011.pdf>

There was also a clear view that the Council should have a role as an advocate for the profession, with a related view that the Council should be independent and free from perceptions of political interference.

This view was confirmed in July 2012 by participants at a seminar hosted by the Teachers Council to meet the Chief Executive of the newly-established General Teaching Council of Scotland.

During the course of this Review, and as reported throughout, the Review Committee tested the current legislation, structure, role, functions and performance of the Council. This comparison led us to conclude that more than a lift in the Council's performance and interim changes to its governing legislation would be needed to support "a culture of change" and achieve the Government's vision:

*"a more flexible, skilled and culturally intelligent professional education workforce will deliver better and more equitable outcomes for every learner. Government's vision for the education workforce is to lift the quality and status of teaching and improve the retention of high quality teachers and education leaders as a key strategy to improve learner outcomes and address issues of equity."*

(NZTC Review 2012, Terms of Reference)

## Sector views on a professional teaching body

### Extracts from written submissions

In a written submission, the **New Zealand Educational Institute** (NZEI Te Riu Roa, the primary and early childhood teachers' union) advocated an independent teaching council with functions and powers similar to the current Council but strengthened in areas of public advocacy for education and for the profession and which has a governing body with a majority of teachers, some public members who represent the public interest and no representation from any national organisation. It sees the new council as having "a voice that is not constrained by political, industrial or sectoral perspectives".

**The New Zealand School Trustees' Association** (NZSTA, the school employers' association) advocates for an "independent body under statute similar to the current legal and medical professional bodies, ie as a statutory body with its own separate legislation".

**Post Primary Teachers' Association** (PPTA, the secondary teachers' union) "would prefer the Council to become a statutory authority. This

would be in line with the status of similar professional bodies both in New Zealand and internationally, encourage teachers to feel greater ownership of the Council and enable it to better fulfil its leadership role”.

**Te Tari Puna Ora o Aotearoa/NZ Childcare Association** is seeking a professional body “that must be:

- visible and has a high public profile, actively promoting the profession
- highly ethical and focused on the public good, setting high standards for professional competence and conduct and actively holding its members to account
- future thinking, actively recruiting new members and supporting the development of professional leaders.”

### The Review Committee’s comments

Almost everything we heard and read reinforced the merits of a professional teaching body. Although there were differences of view over how retention of the Council’s present statutory functions might best be accommodated in future, there was virtually no sector view that did not advocate a professional teaching body in some form or another.

We found strong support for a body that would be open to teachers from all sectors and career stages and would be overtly respectful of the public interest and able to articulate and uphold high standards for the profession.

Very few of those we met appreciated that if an independent body were to have regulatory powers—notably registration and disciplinary functions—it must be based in statute; however, after discussion none saw this as an insuperable barrier to improved professional status for teaching.



## Part B:

# Statutory framework and legal status

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The most recent legal provision for teachers to be registered came in 2002, when the Teachers Council was established by an amendment to the Education Act 1989, following the disestablishment of the Teacher Registration Board.

The purposes, accountability, governance and functions of the Teachers Council are primarily addressed in two statutes: the Crown Entities Act 2004 and the Education Act 1989.

Other relevant legislation includes: the Official Information Act 1982; the Privacy Act 1993; the State Sector Act 1988; the Human Rights Act 1993; the Bill of Rights Act 1990; and the Ombudsmen Act 1975.

The structural and governance arrangements for the Council are set out in Part 10, s 139AC to s 139 AH of the Education Act 1989. As defined in Part 10A, s 139AA of the Education Act, the Council's purpose as an Autonomous Crown Entity is "to provide professional leadership in teaching, enhance the professional status of teachers in schools and early childhood and contribute to a safe and high quality teaching and learning environment". The Council's registration functions are detailed in Part 10, s 120 to s 139 of the Education Act.

The legislation governing the Council is highly detailed, with aspirational statutory goals like "professional leadership", "meaningful" professional engagement and professional regard. The implications of this are discussed in Part C of this report under Professional Leadership by the Teachers Council.

Although the activities and functions of an Autonomous Crown Entity should be carried out at arm's length from the Government, open communication must be maintained with the Minister, who has a strong interest in ensuring that the entity achieves its objectives and manages any risks to the Crown.

The Teachers Council has the same degree of statutory independence from Ministers as other Crown entities and is not a Crown Agent. It is nonetheless subject to the oversight of the Treasury, the high-level oversight of the State Services Commission, annual auditing on behalf of Parliament by the Audit Office and monitoring, as a Crown entity, by the responsible agency—the Ministry of Education—which is specifically staffed to carry out this function.

## Governance

### Membership of the Council

As set out in s 139AD of the Education Act 1989, the Council's governing body is specifically mandated. The Council consists of 11 members:

- three registered teachers elected from each of their sectors by early childhood, primary and secondary teachers
- one principal elected by school principals
- two ministerial appointees nominated by the two major school unions
- one ministerial appointee nominated by the future employers of registered school teachers, as represented by the New Zealand School Trustees' Association
- four other ministerial appointees on whose attributes, skills or qualifications the Act is silent. One of these is appointed by the Minister to chair the Council.

The Council is serviced by a Director and in 2011/12 had a staff of 40. It meets for two days each month. Minutes are taken to record decisions. Council members participate in disciplinary proceedings and in some operational activities.

There is no provision for early childhood service or Māori-medium employers to nominate a Council member but, as prescribed in law, there are two mandatory advisory bodies – the Māori-medium Advisory Group and the Early Childhood Advisory Group.

There is no comparable advisory committee for teacher educators or Pasifika or teacher trainees, although the establishment of these is within the Council's gift.

In addition, there are two legally-mandated standing committees, for audit and risk management and professional leadership, as well as two statutory bodies charged with conduct and discipline management: a Complaints Assessment Committee (CAC) and a Disciplinary Tribunal (DT).

### Roles and functions

Parts 10 and 10A of the Education Act contain a complex mix of Teachers Council functions: registration, professional leadership, advocacy, programme approvals for other agencies and institutions, disciplinary and professional practice, standard setting, research and any others conferred by the Minister.

Although no hierarchy is signalled in the Act, some of the 13 functions set out in Part 10A, s 139AE take precedence in the Council's work.

As paraphrased by the Council in its 2012/15 *Statement of Intent*,<sup>8</sup> its purpose is:

<sup>8</sup> [http://www.teacherscouncil.govt.nz/pubres/corporatepubs/SOI\\_2012FINALWEB.pdf](http://www.teacherscouncil.govt.nz/pubres/corporatepubs/SOI_2012FINALWEB.pdf)



“...to provide professional leadership in teaching, enhance the professional status of teachers in schools and early childhood education and contribute to a safe and high quality teaching and learning environment for children and other learners.” (p5)

The Council describes its main functions as:

- setting the standards for entering the teaching profession and maintaining membership
- setting the requirements for and approving initial teacher education programmes
- carrying out processes for efficient registration of teachers
- carrying out processes for investigating and dealing with issues of competence and conduct of teachers
- commissioning or carrying out research to support quality teaching and the other functions of the Council
- communicating with the profession to support teachers’ knowledge and understanding of the standards and commitments of the teaching
- consulting on policy developments.

In relation to professional leadership, the proscribed functions of the Teachers Council have remained the same since it was established. Section 139AE of Part 10A of the Education Act (1989) could be read as a legal description of how this leadership might be manifest. The Teachers Council is required to:

- i) determine standards for registration and professional practice
- ii) establish and maintain standards for the qualifications leading to registration and approval to practise
- iii) develop a code of ethics for teachers
- iv) exercise disciplinary functions relating to misconduct and reports of teachers’ convictions.

### Relationship between the Minister of Education and the Teachers Council

The Minister of Education meets with the Chair and Director of the Teachers Council as required and the Council is “continuously monitored” by the Ministry of Education on the Minister’s behalf.

The Minister has the power to influence the membership of the Council by virtue of the statutory authority to select amongst nominated candidates. The Minister also influences the priorities and strategic direction of the Council through a *Letter of Expectations* sent to it every year and translated into its annual *Statement of Intent*. The Council reports to the Minister quarterly and in its *Annual Report* against that Statement. The Council is expected to highlight progress and risk.

### The Minister's Letter of Expectations

The Review Committee considered the last three Ministerial *Letters of Expectations* for the fiscal years from 2010/11 to 2012/13. They build on each other and all have the same or similar provisions consistent with ongoing government policy. We looked at the most recent *Letter* (2012/13), how it was translated into the current Teachers Council *Statement of Intent* and the opportunities it gave external agencies, notably the Crown monitor (Ministry of Education), TEC and the Audit Office for useful ex post review and evaluation.

In her 2012/13 *Letter of Expectations*, the Minister noted the forthcoming Review of the Teachers Council and asked the Council to engage with and assist the Review so that recommendations could be made to achieve a strong professional body to strengthen the leadership of the profession.

The Minister focused the education portfolio on lifting achievement at all levels of the education system: "New Zealand cannot claim to have a world class education system while a significant part of our population is underserved ... the changes needed to lift education performance cannot be undertaken by the Government alone ...".

The Minister stated that key results sought from the education system were:

- increased participation in early childhood education
- increased proportion of 18-year-olds with NCEA Level 2 or equivalent
- increased proportion of 25- to 34-year-olds who achieve at least an NCEA Level 4 qualification.<sup>9</sup>

The Minister stated her expectation that, in addition to a continuing focus on improving the teacher workforce and as a key message, the Council would use its professional capability to contribute strongly to support and enhance the quality of early childhood teaching and increased participation in early childhood education and support schools in raising the literacy and numeracy of learners.

This support would be demonstrated by the Council's contributing to:

- strengthening accountability for outcomes
- using information for improvement, effective teaching practice and modern learning environments
- assisting efforts to make secondary school performance information widely available
- improving school-level reporting
- contributing to work on initial teacher education (ITE) and career paths for teachers
- considering the opportunities that will be provided by the Networks for Learning
- working collaboratively with education agencies.

<sup>9</sup> This is not within the range of the Teachers Council's influence.

The Minister also expected the Council to provide advice and assistance to the Government's internationally-focused growth strategy, welfare reforms, the Christchurch recovery, and meeting Auckland's social and economic needs.

The Minister strongly emphasised her ministerial predecessor's insistence on sector collaboration and information-sharing principally because these could "help ensure that your outputs are focused on that ultimate sector outcome [of "successful learners"] and good quality teachers have a direct impact on learner outcomes."

Associated with the June 2012 *Ministerial Inquiry*<sup>10</sup> report, the Minister expected to see a robust process of self-review and independent audit of the Council's business processes, with regular reporting on both strategic and organisational risks and the strategies employed to mitigate those risks."

### External monitoring

One question for the Review Committee was the extent to which the monitoring agency (Ministry of Education) established that the achievement of all these expectations was within the capability of the Council. This is discussed in more detail in Chapter 3 in relation to the roles of the Ministry of Education.

### Relationships with external organisations

Outside teacher registration, the Council's closest operational relationships are with the providers of initial teacher education (universities, wānanga, polytechnics and private training establishments); and teachers referred by a variety of complainants for disciplinary assessment. While maintaining a distance from the Crown's other education agencies, the Council has formal protocols with the Police and the Ministry of Education that serve to facilitate practical working links where relevant to their varied roles and functions.

### Sector views on the Teachers Council's governance

Opinions and submissions differed over whether or not the current statutory framework for the Teachers Council facilitated efficiency and effectiveness in the delivery of its core functions.

For example, one statutory function is to conduct approvals of teacher education programmes on the basis of proscribed standards. This is contentious. Major ITE providers do not think it is necessary for the Council to have this function. They challenge the Council's interpretation of the law.

The composition and electoral base for the membership of the Council was also raised in submissions. Some considered that the representative nature of the Council was desirable and effective; others were concerned that the legal structure made no provision for public interest representation.

<sup>10</sup> <http://www.minedu.govt.nz/theMinistry/EmergencyManagement/MinisterialInquiryPersonA.aspx>

### The Review Committee's comments

In our view, the Education Act poorly distinguishes the governance role that belongs to any Crown entity from the operational role that properly (and commonly, in both public and private sectors) belongs to the Chief Executive. In the Council's case, involvement by members of the governing council in operational matters, as facilitated by the legislation, not only blurs the lines of accountability, but also makes it difficult for the staff to carry out their executive functions.

Boards of governors should not be involved in organisational operation. Especially in a small organisation such as the Council, it is important to maintain a distance between strategic oversight and operational matters. This accountability risk runs alongside others, including the lack of public-interest representation on the Council and its complex and proscribed functions.

We support the call for a skills-based governance body<sup>11</sup> that includes professional educators—leaders and teachers who have the confidence of the profession and proven governance experience—with strong representation from the community of public interest.

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<sup>11</sup> Refer to <http://www.ssc.govt.nz/crown-entity-governance>; <https://www.iod.org.nz/Publications.aspx>

# Part C:

## Teachers Council Functions

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### Introduction

The functions of the Council are discussed in this section as follows:

- registration
- setting and monitoring standards
- multiple standards
- entry standards
- initial teacher education
- conduct and professional competence
- professional leadership by the Teachers Council.

### Registration

The State's most recent requirements for registering teachers were established in 2002 when the Teachers Council replaced the Teacher Registration Board. The registration (and deregistration) functions of that board were carried out by a staff of 14 and generally mirrored the functions of the then Director-General of Education. They did not include the professional leadership, disciplinary and research roles later entrusted to its successor.

Registration for teachers had been made compulsory in all state schools in 1996, followed by the same requirement in kura kaupapa Māori from 2005. The Teachers Council's statutory responsibility for registration is embedded in s 139AZD of the Education Act 1989. Inter alia, this explicitly requires the Council to establish a system for coordinating police vetting.

No person is lawfully entitled to be employed to teach in any New Zealand school unless they have a current registration and practising certificate issued by the Teachers Council. "Registration was established to ensure a minimum quality standard is applied to all teachers entering or currently teaching in the general education system of New Zealand."<sup>12</sup>

The Council's registration function dominates its organisation, expenditure, information "warehouse", education sector role, political reputation and public status. Some 47 percent of the Council's revenue goes to registration, 22 percent

<sup>12</sup> Rules for employing a registered teacher are set out in the Education Act 1989 Parts 7 and 10. There is limited provision for positions to be designated as appropriate for non-registered persons (see LATs below).

to professional standards (about half of that to teacher education for programme approvals) and the remainder to policy and strategic planning.

With respect to the employment of teachers, the Education Act 1989 is unambiguous: teachers must be registered and that registration must have been preceded by police vetting and other actions to ensure the registered person is of “good character and fit to be a teacher”.<sup>13</sup>

### Categories of registration

Currently there are three categories of registration:

- provisionally registered teachers who are usually newly qualified, ie beginning teachers, and have not yet met the Registered Teacher Criteria
- fully registered teachers who have been ‘meaningfully assessed’ against and met the Registered Teacher Criteria within the last three to five years
- teachers registered subject to confirmation who have met the Registered Teacher Criteria (or their equivalent), but for various reasons have not been able to be meaningfully assessed against them.

Apart from a Crown transfer of \$178,000 per annum, the Council’s main source of revenue is the mandatory three-yearly fee of \$220.80 paid by every registered teacher who wishes to maintain a practising certificate, whether in current employment or not.

In the past financial year, the Teachers Council received more than 45,000 applications for registration. Some 13,000 applications were approved in the category provisional or subject to confirmation; 26,684 met the requirements for full registration; and 4,674 applicants were approved for full registration from either provisional or subject to confirmation. (*Teachers Council submission to NZTC Review, 2012 refers*).

### Provisional registration

Provisional registration (ie initial registration) certifies that an appropriately trained person is of good character and fit to be a teacher, as defined in Part 1, s 123 of the Education Act 1989. This means that, in addition to any other matter the Council may take into account, a clean police vet has been obtained. While initially unlimited, provisional registration is now granted for five years but can be extended to a maximum of six.

In 2012, the Council published a policy document entitled *Good Character and Fit to be a Teacher Policy*. The introduction to this document states that the Council has a statutory responsibility under the Education Act 1989 to register suitable

<sup>13</sup> Education Act 1989, Part 7 s 78C-78CD cover the requirements for a police vet for any nonregistered teachers, other staff, contractors or other persons with unsupervised access to students.

applicants to the teaching profession. To fulfil this obligation the Council must be satisfied that an applicant is of good character and fit to be a teacher.

The requirements for good character and fitness to teach are not rigorous but they are crucial to the safety of children and others in the school and service community. They will have been met when the applicant has a police clearance for criminal convictions from the Licensing and Validation Service Centre (LVSC) of the New Zealand Police or the national police in any country where the applicant has spent a year or more in the last 10 years.

In addition, the applicant must have made a written statement (not a statutory declaration) about any dismissal from teaching, or had registration refused or cancelled in any country and have no detrimental physical or mental health condition. Finally, applicants must declare that they are not under investigation for any matters that may call into question whether they meet the Council's *Good Character and Fit to be a Teacher Policy*.

### **The good character requirement for registered teachers**

Section 139AZD of Part 10 A of the Education Act 1989 states that the Teachers Council must “coordinate the police vetting” trusted to establish whether a person is of “good character”. The Council carries out vetting through the LVSC.

Currently, the Applicant Declaration covers only convictions. There is no ability to discover any pending or emerging claims that may be taken against an applicant. We consider that a question to this effect could be useful in establishing the good character of an applicant.

### **Satisfactorily trained to teach**

As set out in the Council's February 2012 policy, “satisfactorily trained to teach” means the person has a tertiary qualification that includes sufficient elements of teacher education and has met the *Graduating Teaching Standards* (or equivalent).

These requirements will be met where the person has graduated from an approved initial teacher education programme including meeting the entry requirements for the programme; or has a New Zealand Qualifications Authority (NZQA) approved overseas qualification; or, where the Council exercises its discretion, has been accepted as “satisfactorily trained to teach”.

### **The “likely to be a satisfactory teacher” requirement**

The Teachers Council requirement that an applicant be “likely to be a satisfactory teacher” means that the person is “likely to meet all of the *Registered Teacher Criteria*” once they have had the opportunity to be “meaningfully assessed” against them.



As the June 2012 *Ministerial Inquiry* commented, this is an important requirement since it is the one that leads to the initial allocation of provisional registration and a practising certificate. It is based on the graduation certificate from an approved training institution, making this document an almost assured ticket into the profession and the sector.

To gain full registration, a teacher must have at least two years' teaching experience and, as attested by the principal of the school and one other senior teacher, have successfully completed a mentoring and induction programme.

If a teacher re-applies for provisional registration and a practising certificate after two years' employment as a teacher, he or she will need a 'testimonial' from his or her professional leader or some acceptable reason for not meeting all the Registered Teacher Criteria (RTC) after two years in a school.

Like the June 2012 *Ministerial Inquiry*, this Review Committee found that this attestation was not consistently reliable and did not constitute a sound, profession-wide basis for progression through a teaching career.

If principals and senior staff members are most likely to report positively when affirming provisional registration, when supporting an application for full registration, or when applying for Limited Authority to Teach (LAT), the Council needs to have a strong parallel quality assurance system.

Attestations for applications for progression as a registered teacher, renewal of practising certificates and LAT are a serious and critical gatekeeping function of principals. This is the point at which teachers can be identified as either in urgent need of professional learning and development or even unfit to continue in the profession.

### **Non-registration standards: Limited Authority to Teach**

Part 10, s 130A to s 130H of the Education Act allow for a person to be employed without registration as a teacher. This statutory provision is carefully detailed in Section Three of the Teachers Council's 2012 Registration Policy document.

The Teachers Council's policy is very clear: "LATs cannot be used to circumvent the purposes of the Act or the registration requirements in the Act" (as set out, for instance in s 120A (1) and (2)) and "are only to be used on a temporary basis by schools...". "Temporary" is defined as one, two or three years and the criteria for Council's approval are clearly specified. The Teachers Council registration policy states that a LAT can be approved for a "professional leader" for up to one year and will be considered on a case-by-case basis.

Part 10, s 130A of the Education Act 1989, and the sections following, apply exclusively to an individual person or applicant for a particular type of vacancy in a particular school. A LAT explicitly refers to an individual person and is peculiar



to a specific position in a specific institution. Thus, apart from an exception when a LAT teacher, such as a music specialist, is moving between schools, the LAT is not transferable.

The Review Committee learned that the individual candidate for a LAT and the Teachers Council staff may often negotiate the LAT between them. We consider that in all cases the principal should be actively engaged in LAT applications.

For LATs, as for other registration applications, heavy reliance is placed by the Teachers Council on documentary attestations and written endorsements from referees, none of which has to be in the form of a statutory declaration.

### Sector views of registration

As we found from the written submissions (*see Appendix B*) there is agreement in the sector that a process for the registration of members of the teaching profession is essential.

Everyone the Review Committee met accorded the highest value to child safety. We found universal support for any rules and provisions needed to ensure that anyone working with or near children and young people in any education setting would be demonstrably trustworthy.

For some submitters and people we met, however, the process of seeking and gaining initial registration and re-registering was a source of frustration. They reported inflexible administration and a conservative design in the teacher registration requirements.

There was a view that the current registration categories did not take into account the large part-time component of the teaching workforce or the different modes in which teachers worked, such as teacher educators, owners of early childhood services and, of particular importance, relief teachers. Furthermore, submitters argued that the Council was not providing a satisfactory service for its members; instead its processes for registration and re-registration were viewed as too technical and compliance-focused.

There were also concerns about the robustness of the process, with some people calling for registration standards to be raised. Some thought teachers should be independently assessed against the Registered Teacher Criteria, while others thought this should be school or service-based, conducted by the principal or professional leader but undertaken in a much more rigorous manner than is common practice now.

There is an issue, too, that registration can be difficult in some early childhood services because the teachers cannot find a registered mentor to sign the required attestation. For example, one submitter called for ways to enable teachers to become registered in home-based settings.

This discontent appears to have diverse origins. It includes those who are seriously worried about how far the Teachers Council recognises and accepts accountability for registering and disciplining teachers who may jeopardise child safety; those who advocate, enable and provide for Māori education and language interests; Pasifika leaders who seek visible recognition of their children's varied safety, educational and language needs; university-based initial teacher education providers; those who seek to promote innovation and creativity, for example alternative education programmes; and those who are tracking the changing demographics and varied strength of employee attachment to the full-time education workforce.

Emerging over recent years in the early childhood sector has been a strong ethnically-distinct demand for whānau-led or aiga-led centres, where te reo Māori or one of the Pasifika languages is the medium of communication. Again it was considered that current registration and LAT provisions do not recognise the expertise in these services.

Some respondents were critical of the fact that specialist knowledge of teachers who were not trained was only recognised as a LAT option, arguing that there needed to be an alternative for those with expertise, such as chefs, musicians, high-level IT experts and automotive mechanics.

Those advocating more experimental school settings, including partnership (charter) schools, are looking for flexibility to employ a wider range of skilled, knowledgeable and 'safe' teaching staff.

Finally, for teacher trainees and beginning teachers the Review Committee talked to, registration was "a piece of cake", a "dream ride" and "not exacting". Their concerns lay with the lack of practical experience they had before getting registration, the "scary" risks of not finding competent, accessible mentors for their initial years in employment and the even scarier prospect of being unable to find a permanent teaching job after making such a large personal investment.

## The Review Committee's comments

### Registration

No submitter or person we met questioned the Council's current ability to manage the register of teachers efficiently—a marked improvement on how this was carried out by the Council in its first few years.

As with other professions, teacher registration or accreditation gives right of entry into the profession and endorses the member as a professional teacher who is trained and qualified.

**Separating registration from authority to practise**

We do not agree with current practice of registering a teacher and simultaneously giving or affirming their authority to practise (ie the concurrently-issued practising certificate).

We consider that the authority to practise within a specific scope of practice must be clearly distinguished from registration as a member of the profession.

Entry into the profession is a key quality assurance mechanism and a way to ensure only those who can demonstrate their expertise in relation to the Registered Teacher Criteria should be given entry.

The scope of practice needs to be clearly defined by the employers so that job applicants or a teacher seeking renewal of his or her practising certificate can be assessed against agreed standards.

Many submitters called for the granting of a practising certificate to be a robust professional process with some form of national moderation so that consistency of judgement could be assured. The Review Committee concurs with this.

**Eligibility to be employed to support student learning**

The Review Committee considers that the current range of registration categories is too restrictive and fails to reflect the wide range of contexts in which students learn.

We strongly support the need for teachers to be registered or accredited as members of the teaching profession.

Nonetheless, we also consider that there should be a wider range of employment opportunities for experts to support students' learning, for example: language specialists, musicians, IT specialists, scientists and researchers with specialist knowledge of teaching and learning. If recognised in some way by the Teachers Council, their expertise could make an important contribution to children's learning.

Any such expert employee should have well-defined specifications for their employment to ensure they have the empathy and dispositions needed to work with children and young people, the expertise required and that they are "safe".

We do not think the current LAT category captures this need, because a LAT attaches to a position not a person, is deemed temporary, is peculiar to one institution at any time and is not transferable.

The Committee advocates a cautious approach to flexibility in employment and recognises that this is especially relevant to as yet untested boutique developments such as partnership (charter) schools in New Zealand.

We fully acknowledge that great care will be needed in specifying the evaluation criteria and quality assurance processes to enable nationally-consistent judgements to be made about those applying for employment to support student learning.

## Recommendations

**F. The Review Committee recommends that:**

- (i) appropriately trained and qualified people be registered for as long as they meet the required professional standards and wish to pay for the right of registration
- (ii) the right to practise is renewed regularly as with current practising certificates; and that
- (iii) in future the concept of “subject to confirmation” will not relate to registration but to the practising certificate.

**G. The Review Committee recommends that the right to practise be specified within a clearly identified scope of practice, noting that this might include practice in early childhood, primary, kura kaupapa Māori, secondary, community-based education, teacher education or some other form of tertiary teaching.**

**H. The Review Committee recommends that the Teachers Council strengthen the quality assurance processes it uses when approving practising certificates, and require evidence of ongoing learning and development.**

**I. The Review Committee recommends that teachers' duty to maintain their ongoing professional learning be supported in the same way that professional clinicians are supported in the health sector.**

**J. The Review Committee recommends that the New Zealand Teachers Council evaluate the strength and integrity of the quality assurance processes for appraisal and monitoring, including those at early childhood service and school level.**

**K. The Review Committee recommends that:**

- the Teachers Council give active consideration to the definition of a broad employment category of Authority to Educate for those with proven expertise deemed important for student learning
- such employees would not be members of the teaching profession but would be able to make a professional contribution, complementing the expertise of teachers and providing expertise that enriches the learning opportunities of students
- this Authority to Educate would be updated regularly as with the current practising certificate of a registered teacher.

## Setting and monitoring standards

The Teachers Council has responsibility for:

- setting robust standards for entry to the profession
- setting and monitoring standards for registration, ongoing performance and professional development.

There are currently two sets of professional standards for teachers. One set, the Professional Standards, is embedded in the collective employment agreements (CEA) negotiated between the Ministry of Education and each of the teachers' unions. Compliance with the CEA is the responsibility of the teachers' employers and individual employees.

The other—the Registered Teacher Criteria (RTC)—is controlled by the Teachers Council. These were developed by the Council and are being progressively implemented between 2010 and 2013.

The RTC set out what beginning teachers need to work towards in order to gain full registration and the levels of expertise that experienced teachers need to demonstrate in order to maintain a practising certificate.

There are many similarities between the RTC and the Professional Standards and at the time the RTC were being developed there was considerable support for a single set of standards, but to date no one has been able to broker this.

The Teachers Council publication *Guidelines for Induction and Mentoring and for Mentor Teachers* outlines the relevant expectations and principles and is designed to assist employers in assessing teachers against the RTC.

### Eligibility for professional registration

Graduating Teacher Standards (GTS) were developed by the Teachers Council in consultation with the sector as a means of ensuring more consistency in the quality of all graduates from all initial teacher education programmes.

The GTS relate to professional knowledge, professional practice and professional values and relationships.

Teacher education providers must demonstrate that new teaching programmes, and those for which they are seeking re-approval, align with the GTS as part of the approval process for their programmes. The Teachers Council reapproval process occurs every six years.

More importantly, the decision that a graduate has met the GTS lies with the ITE provider and currently there is no moderation of how these standards are applied. The decision by the ITE provider enables the graduate to apply to the Teachers Council for provisional registration and so seek employment as a teacher.

Provisionally registered teachers, usually beginning teachers, undertake ‘advice and guidance’ programmes to assist in the development of the competencies required for full registration. The induction and mentoring provision for beginning teachers in the school sector is well regarded internationally.

## Multiple standards

It was evident that multiple standards are complex and challenging for appraisal and competence purposes. The Review Committee found strong support for the RTC and for settling on just one set of standards. There was also endorsement of the Teachers Council’s role in setting and monitoring standards throughout a teaching career; it was viewed as an essential role for a professional body.

However, in practice, many schools use the Professional Standards to approve teachers’ registration applications because salary progression is viewed with more importance than registration.

It is also evident that teachers and principals are quite confused about the different sets of standards and requirements. Those who do understand the different purposes tend to look at them together for appraisal purposes so that gaining and maintaining registration can be carried out alongside appraisal.

As identified in the 2011 OECD<sup>14</sup> report, the two sets of standards send conflicting messages and “risk weakening the alignment between initial teacher education, teacher registration, teacher appraisal, professional development and career structure that common reference standards seek to achieve” (p77).

Although we found general support for the generic nature of the RTC, there was also a call for differentiation so the varied scope of teaching practice could be captured. Examples given included for teaching in specialist areas such as immersion and bilingual settings in te reo and Pasifika languages, for leadership and teacher education.

There was support for the advice and guidance programmes available for beginning teachers in the schools sector.<sup>15</sup> However, in its recent national evaluation of teaching practice, *Teaching as Inquiry: Responding to Learners*, the Education Review Office (ERO) reported that support is needed to strengthen schools’ performance management systems. This has significant implications for the professional development available to individual teachers.

<sup>14</sup> <http://www.oecd.org/newzealand/49681441.pdf>

<sup>15</sup> In the same vein the early childhood education sector called for the government to contribute to the development of provisionally registered early childhood teachers’ professional development through the reinstatement of the Provisionally Registered Teachers fund (discontinued for most services in 2011). They also thought that accountability for this funding would need to be strengthened.

## Entry standards

A major issue for this Review to consider was how easy it was to enter the teaching profession.

It is widely acknowledged that one significant way to improve the effectiveness of teaching is to improve the quality of applicants to the profession. For instance, research at the influential Australian Grattan Institute reinforces this idea and echoes the diverse international experience of countries such as Finland and high performing systems in Southeast Asia. (Grattan Institute: *What Teachers Want*, 2010)

Currently in New Zealand, academic standards are set by individual universities and there is no common set of criteria for entry to either undergraduate or graduate teacher programmes, except in a very general sense.

The Teachers Council's general policy on entry to teaching programmes is as follows:

NZTC General Policy on Entry to Teaching Programmes	
Aspect	Requirement
Entry under 20 years of age for Degree Programmes	University Entrance
Entry under 20 years of age for Diploma Programmes	University Entrance
Entry over 20 years of age	There would be requirements set by the ITE provider for the candidates to meet comparable literacy and numeracy requirements as those entering with University Entrance
Graduate Diploma Programmes	The New Zealand Teachers Council policy on entry to Graduate Diplomas of Teaching must apply, effective from 1 January 2011

Table 2: NZTC General Policy on Entry to Teaching Programmes

The Review Committee considers these increasingly inappropriate as minimal standards for entry to teaching.

The 2010 Education Workforce Advisory Group recommended—and the Committee strongly concurs—that teacher education become a post-graduate profession.



This would raise the bar for entry and send a long-overdue signal about expected quality of practitioners in the teaching profession.

Alongside more stringent entry criteria, the selection processes for entry need to be robust and ensure that, in addition to meeting high academic standards, applicants are able to demonstrate they have the dispositions, including empathy, known to be important for effective teachers.

Raising the bar for entry to teacher training would probably reduce numbers enrolled in initial teacher education and thereby create financial opportunities to increase the training investment in each trainee. We acknowledge that this is a complex issue for workforce planners as well as for those responsible for funding and delivering tertiary education. Nonetheless, we consider that if New Zealand is to be part of the community of high-performing countries, there are few other options.

Raising the entry threshold and taking a developmental approach to professional standards are important to any strategy to improve students' learning.

With the development and implementation of the Registered Teacher Criteria, the Teachers Council has laid a useful platform for the profession – but it is just a beginning. The Review Committee finds the evidence for inquiry-based developmental standards to be compelling and suggests that this approach be taken in the next iteration of standards development. (*See Appendix E*)

For every part of *The New Zealand Curriculum*, every child deserves to be taught by someone with deep knowledge and competence in that area. This does not mean that every primary school teacher must be equally competent and knowledgeable across the whole curriculum: in early childhood and school education, as in the health sector, there continues to be a place for the generalist. Nevertheless, because the knowledge and skills required of a teacher are becoming more complex and demanding, greater specialisation is inevitable. Both preliminary training and ongoing professional learning and development must provide opportunities for teachers to develop knowledge and skills in a range of areas, particularly in response to changes in government policy and workforce demand.

Greater diversification of teaching expertise could also provide opportunities for some teachers to develop expert knowledge in areas such as mentoring and appraisal so they can support the learning of their peers effectively.

There is a need to continue to focus on building sector expertise in appraisal and mentoring. Although the Teachers Council has undertaken some work in this area, knowledge of it in the sector is patchy. Given the importance of this work in building the teaching profession, sector-wide involvement is required from agencies and groups such as the Ministry of Education, the Education Review Office (ERO), principals' groups, unions and the Council.



## Recommendations

- L. The Review Committee recommends that the Minister of Education raise the threshold for entry to the teaching profession by making teacher education a post-graduate qualification.
- M. The Review Committee recommends:
- a) the development and adoption, over time, of a single set of teaching standards<sup>16</sup>
  - b) these standards would:
    - define the agreed scopes of practice
    - chart progression of teachers' expertise throughout their careers
    - capture teachers' contribution to the profession and students' well-being.

Overall, the Review Committee thinks that professional school and early childhood leaders should be more active and flexible in enabling teachers to be accountable for their own learning and development needs.

## Initial Teacher Education

The Teachers Council is responsible for the approval, review and monitoring of Initial Teacher Education (ITE) programmes in conjunction with other quality assurance bodies.

In New Zealand there are 26 providers of ITE (soon to be 27), delivered by seven universities, three wānanga, six polytechnics/institutes of technology and eight private training establishments. There are approximately 160 programmes across early childhood, primary and secondary sectors. The university sector produces the overwhelming majority of graduates for the schooling sector and more than half of early childhood education graduates.

Programmes are variable in length: three- or four-year undergraduate bachelor programmes and one-year graduate diplomas.

Currently there is a moratorium on new programmes, sites and modes of delivery of ITE. Only the Minister of Education can grant exemptions to the moratorium.

The Council recently held a major review of the processes by which it approved, reviewed and monitored ITE programmes. This review made changes to the requirements for ITE programmes regarding such matters as programme entry, practicum blocks, visiting lecturers, visiting frequency, field and school-based programmes, associate teachers and relations between the ITE provider and practicum centres and schools. All ITE programmes must be aligned to the Graduating Teacher Standards (GTS).

<sup>16</sup> This would mean the movement of professional standards outside the framework of collective employment agreements while carefully retaining requirements for salary progression.

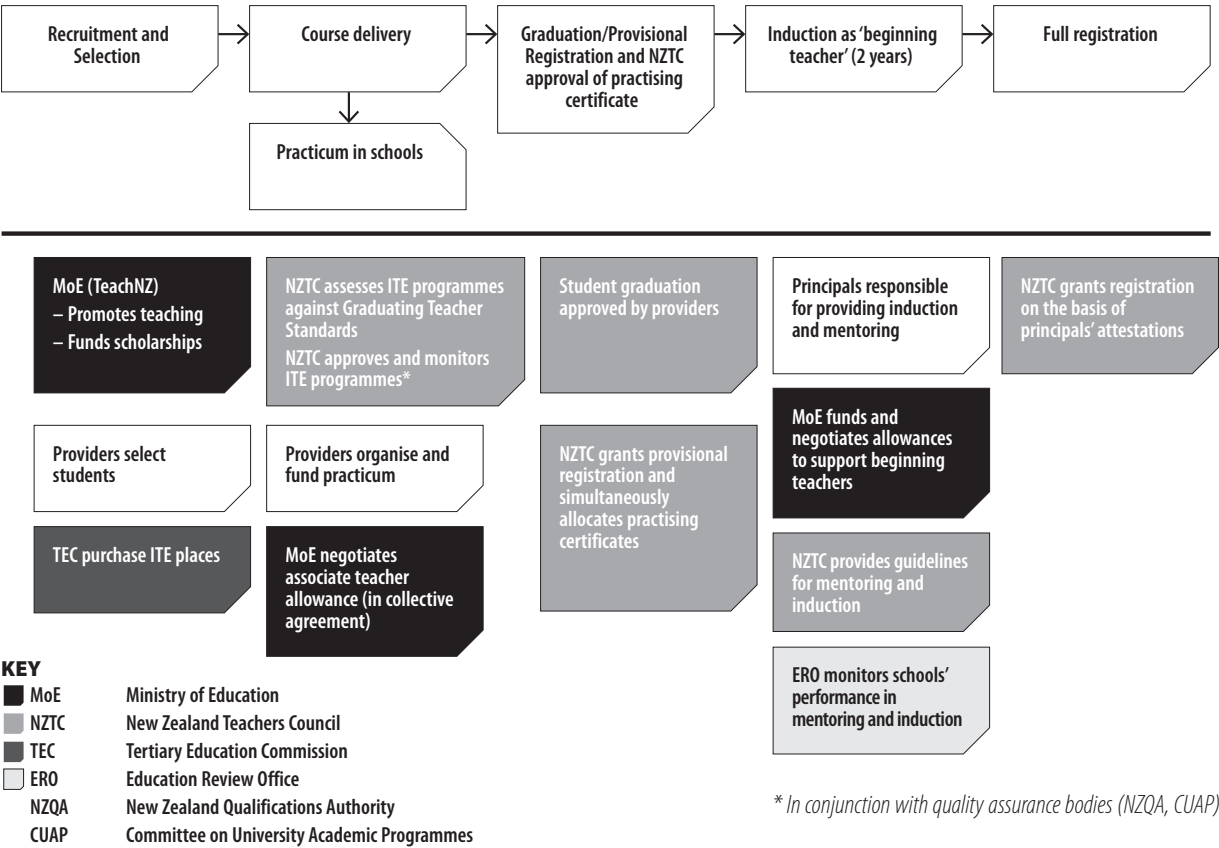
The approval panels include an independent chair, a staff member from the Teachers Council, a Māori representative, two teachers, two teacher educators and one staff member from the particular institution. All approval, review and monitoring processes are based on full cost-recovery from the ITE provider.

It should be noted here that the Office of the Auditor-General has recently reported on the institutional arrangements for registering and appraising teachers.<sup>17</sup> This report sets out in detail the arrangements for initial teacher education, entry and graduation standards and the role of providers and monitors.

The Ministry of Education has embarked on a work programme that includes four areas in which it believes changes are needed that will strengthen the teaching profession. These are: leadership in the profession; ITE; professional leadership in schools; and more effective career pathways for teachers. It has recently developed two discussion papers: *Initial teacher education outcomes* (Graeme Aitken, Claire Sinnema and Frauke Meyer) and *Learning to practice* (Helen Timperley).

These papers will help inform discussion with the education sector, and especially the teaching profession, about what is expected from ITE graduates and what it takes to prepare them to meet professional expectations.

Initial teacher education system



17 <http://www.oag.govt.nz/2012/teachers/docs/teacher-training.pdf>

## Sector views of the role of the Teachers Council in initial teacher education

Initial teacher education has long been a contested area in New Zealand, with concern about the variable quality of student teachers and considerable dissatisfaction with ITE in all sectors. There is also a wide range of views about the role the Teachers Council plays in ITE.

The university-based ITE providers argue that the approach taken by the Council is compliance-focused, costly and does not acknowledge university-based quality assurance processes. They consider that matters such as entry and selection criteria, curriculum, assessment and staffing are the proper responsibility of the contracted training institution. They are concerned that current systems risk duplication of process and lack innovation. In particular, they criticise the quality of the relationship between the Council and the Committee on University Academic Programmes (CUAP) – the Council's major service supplier.

This is not a criticism to be dismissed. Since they produce most of New Zealand's teacher education graduates, it is not unreasonable to expect the Council to build and maintain a strong business-like relationship with them.

Some submitters commented that the university approach to ITE placed too much emphasis on theory at the expense of practice; others claimed it did not reflect the reality of teaching in schools.

The Review Committee was made well aware of demand for ITE providers to maintain stronger links with early childhood services and schools and for them to be more responsive to the demands of practice. We noted that the Education Work Advisory Group had made a clear call for much stronger links between ITE providers and mentors and others working in or for schools to support newly graduated teachers.

Other teacher educators are interested in more negotiation with the Council over the selection of monitors and processes for peer review.

NZQA, which, in conjunction with the Teachers Council, approves all non-university sector programmes, is satisfied with its current approach. Private training establishments (PTEs), wānanga and polytechnics produce only a small percentage of all teacher trainees and most of these are later employed in the early childhood sector.

## Initial teacher education partnerships

From beginning teachers to research academics, we found strong support among the people we met for initial teacher education to be the joint responsibility of practitioners and academics in higher education institutions. This would not only

provide richer experiences for the novice teacher but would also ensure a dynamic context for this formative phase of their professional development.

It is important that the progress of a trainee from the point of admission to an ITE programme to full registration as a practising teacher be as coherent as possible from the trainee's point of view. Any significant barriers or gaps in their pre-employment training, induction and mentoring will sooner or later have a negative impact on the students of newly graduated teachers.

It is possible we might see the initial year or two in the classroom becoming the joint responsibility of the provider and the employer, with beginning teachers carefully mentored until they are able to demonstrate competence against the Registered Teacher Criteria.

### **21st century standards for teacher preparation**

There is recognition from many perspectives that teaching is complex and that the context in which teachers are operating is changing (*see Appendix E*). To educate teachers in the 21<sup>st</sup> century, teacher preparation should include:

- accountability on the part of programme providers for ensuring that graduates have the required competencies
- more emphasis on guided practice for trainee teachers in classroom settings
- more mentoring for new teachers, including greater involvement of teacher preparation institutions in schools
- a wider pedagogical repertoire among trainee teachers, including cooperative and inquiry-based learning, information and communication technology in all coursework and the use of student assessment and data to guide instruction
- greater understanding of local and global cultures and communities
- research skills to diagnose and solve classroom problems based on evidence. (*Asia Society, 2012*)

### **The Review Committee's comments**

The contested nature of ITE was certainly evident in this review. The Review Committee also saw evidence of much high-quality research and practice throughout the country.

It is clear that if the Teachers Council is to have a leadership role in the area of ITE it needs stronger professional links with the teacher education sector. Feedback willingly sought and provided from all perspectives would give the Council useful information on the ITE programmes it approves, including their worth to teacher trainees.

Programme approval by the Council is contentious. The Committee considers that an outcomes model is preferable, with the provider required to demonstrate how the graduate has met the agreed standards.

We consider that, in the interim, the Council should continue to have responsibility for programme approval until robust progressive standards are developed with nationally-agreed processes for assessment and moderation.

## Recommendations

N. The Review Committee recommends that:

- the Teachers Council lead the ITE community to develop a nationally-moderated process for evaluating trainees' achievements against standards for qualifications that lead to provisional registration; and that
- once implemented, the Teachers Council control entry into the profession through this mechanism and not through the current process of programme approval, which would no longer be needed.

## Conduct and professional competence

The disciplinary function of the Teachers Council is set out in Part 10A, s 139AQ of the Education Act 1989. This provides for the establishment of two disciplinary bodies, both of which may have members who are not members of the Council, but must include at least one member who is. Both may operate in panels and more than one panel can be operating at any one time.

This is largely a complaints-based process. Complaints of misconduct by a teacher must go in the first instance to the teacher's employer unless one of a list of exceptions set out in s 139 AR subsections 2 (a) to (d) applies.

There is reliance on two sub-sets of the Teachers Council itself: the Complaints Assessment Committee (CAC) and the Disciplinary Tribunal, both of which are dominated by teachers and their unions and offer no effective opportunity for the community voice to be invited or considered.

The CAC comprises four panels—soon to be five—each of which has four members, with a quorum of three. The panels are geographically-based and, in addition, a national panel has been set up to deal with particularly complicated, difficult, or lengthy matters.

Every mandatory report, or complaint about a conduct matter, or report of a conviction is referred to one of the CAC panels.

The CAC is a screening body and decides if the matter requires further action and what that action should be. The CAC investigates the matter and makes a decision, which includes:

- dismissing the matter, or resolving to take it no further
- referring the teacher to a competency review
- referring the teacher to an impairment process (being defined as any impairment that may adversely affect the teacher’s ability to perform the functions required as a teacher)
- by agreement, censuring the teacher, imposing conditions suspending the teacher’s practising certificate, or annotating the register and, as a matter of the CAC’s own discretion
- referring the matter to the Disciplinary Tribunal.

After a complaint about competence has been received, the Teachers Council undertakes an investigation and provides a report for the Competence Advisory Group (CAG), a separate advisory group. This is convened by a Council member and consists of senior teachers. As a result of an investigation the following might occur: no further action; a cancellation of registration; or an attempt to reach an agreement with the teacher, which could include an advice-and-guidance programme designed to improve the teacher’s competence.

As advised in the Council’s written submission to the Review Committee, “most major decisions on competence are made by the Council”.

The Disciplinary Tribunal is an independent body set up in accordance with the Education Act 1989 and has powers that include the ability to censure a teacher, impose conditions on a teacher’s practising certificate, impose a fine of up to \$3,000, and/or cancel a teacher’s registration. Decisions made by the Tribunal may be appealed in the District Court.

It would be inappropriate for any decisions to be made by the Council after the Disciplinary Tribunal has reached its lawful conclusion.

### **The legal framework for disciplinary matters**

The vexed issue of a teacher’s competence is unhelpfully described in the Act: the Council is required to “exercise the functions in (Part 10A) relating to teacher competence” [s 139AE j) refers.] Statutory provision for review of competence by the Council is set out in Part 10A, s 139 AZC, AZCA and s 139AZCB.

Although “serious misconduct” is defined in the interpretation section of Part 10A, the term “competence” is not. The words “competence” and competency are used interchangeably, although being competent is not the same as possessing a particular competency or skill.

This becomes all the more problematic when referring to the collective employment agreements negotiated between the Ministry of Education and the teachers’ unions. For instance:



- The Primary Teachers Collective Employment Agreement, which covers most school teachers, links matters of discipline and competence as part of an agreed process for handling complaints. It defines “matters of competency” as those which cause concern in respect of any employee who fails, for instance, to meet the provisional beginning, fully registered, assistant or deputy principal professional standards in schedules 2 and 3 of that contract.
- The Secondary Teachers Collective Employment Agreement links “Teacher conduct and discipline” but deals separately with “teacher competence”. The latter is specified as an employment not a professional condition, but the contract does not set out any of the attributes of competence, other than to state that any question of competence should be handled in a manner which seeks to protect the mana and dignity of the teacher concerned.
- The three principals’ collective agreements have a different take again on how matters of discipline, complaint, conduct, competence and competency are to be handled by the parties.

There is much scope for confused accountabilities in the linking of conduct, behaviour, complaints, competence and ‘impairment’.

Certainly the rules published by the Teachers Council and the processes and committee structures for discipline in the Act do not assist in clarifying such important matters as: the individual teacher’s accountability in terms of behavioural conduct or teaching practice, any physical and health conditions which may impair teaching practice, or other aspects of employment in the school community, including alcohol or substance abuse, criminal and other convictions which reflect poorly on the profession.

### Sector views of disciplinary procedures

There were strong views about the work of the Teachers Council in the area of conduct and professional competence.

Those who had been on one of the Council’s panels generally supported the processes used. They endorsed the involvement of a legal advisor but recommended that members of the public be involved.

Some questioned the involvement of Council members on these committees saying it compromised their role as governors and that, given their governance commitments, it was often difficult to find times to meet which meant the cases took too long to complete.

Many submitters and those interviewed by the Review Committee said the process was too cumbersome, too time-consuming and far too lengthy. There was a view that the time given to teachers to improve (up to 40 weeks) was far too long and was unfair both to the schools and students. There were concerns, too, that the processes had led to few de-registrations. In fact, only 10 percent of all complaints referred initially to the CAC have been referred to the Disciplinary Tribunal.

A major early childhood service provider submitted that “such cases need to be dealt with in a more timely manner and the safety and well-being of children at centres/schools is the only consideration when decisions are made about individuals who are not competent, confident and emotionally stable teachers continuing to be able to teach in an education setting”.

Others we talked to did not like the fact that the Teachers Council is bound to repeat a process that is required of the employer. This was viewed as inappropriate and that the threshold for reporting was too low.

The Review Committee was openly told that, in practice, employers and the unions worked together to try to prevent reporting to the Council and that the reporting requirement was used as a lever to settle a dispute.

### The Review Committee’s comments

It is arguable that issues of conduct should be the responsibility of a professional body — and that misconduct of a serious nature may lead to deregistration. The fact that there is no code of conduct for teachers could make employers’ assessment of professional conduct arbitrary and problematic.

A leading employment lawyer, with extensive experience in the school sector, told the Committee that “you can’t build a high performance culture in our schools with this statute” and suggested that terms used in the Act such as “impairment” are negative, out-of-date and devaluing.

The Review Committee considered arguments for taking competence out of the statute, on the grounds that: this is the employer’s responsibility; gives employers a way to opt out of their responsibilities and is an inappropriate way for employers to transfer HR management risk; and that employers in the early childhood and school sectors should take more responsibility for employment matters. However, we also recognise that employers need more support for building their knowledge of good HR practice.

One implication of a clearly articulated difference between registration and a practising certification is to afford a clearer trail for decisions about competence and conduct.



To a considerable extent, competence is about a teacher's ability to do the job. This is essentially an employment matter and the general legislation is clear about the processes entailed.

Conduct is more difficult, not only because there is currently no professional code of conduct, but also because the line between the two is not always clear. A professional body would certainly have a role here.

The reasons why relatively few serious matters progress immediately to the Disciplinary Tribunal were not clear to the Committee. We endorse the recommendation of the June 2012 *Ministerial Inquiry*<sup>18</sup> that a code of conduct be drawn up and promulgated as an essential guide to what constitutes acceptable and appropriate behaviour in the New Zealand teaching profession.

## Recommendations

- O. The Review Committee recommends the development of a Code of Conduct for all those employed in the early childhood education and school sectors.
- P. The Review Committee recommends that Part 10A, s 139AQ of the Education Act be reviewed so as to:
  - clarify the degree of severity entailed in breaches of conduct by teachers and
  - provide for immediate referral by the Complaints Assessment Committee to the Disciplinary Tribunal of any breach of conduct that, if prosecuted, would result in imprisonment.
- Q. The Review Committee recommends a review of the statutory framework for dealing with complaints about teachers' conduct and competence and the enacted processes to handle such disciplinary matters.

## Professional leadership by the Teachers Council

As stated in Part 10A, s 139AA of the Education Act 1989, the Council's purpose as an Autonomous Crown Entity is "to provide professional leadership in teaching, enhance the professional status of teachers in schools and early childhood education and contribute to a safe and high quality teaching and learning environment for children and other learners".

The terms of reference for the Review specifically directed the Committee to evaluate the capability and capacity of the Teachers Council to lead the teaching profession with respect to:

- developing and promoting the professional community of teachers
- promoting effective teaching practice and engaging meaningfully with membership

<sup>18</sup> Op cit.

- leading and promoting public discussion to raise the status, interest and informed debate of education issues.

This prompted us to look at the general question of ‘what is a profession?’ and what are typically regarded as the attributes of a profession, as set out in Part A of this chapter.

### **Teachers Council professional leadership activities**

The Council has undertaken its leadership role via a series of research and development activities associated with its statutory requirements. These have included:

- the development of a Code of Ethics/Ngā Tikanga Matatika
- the development of the Graduating Teacher Standards, the Registered Teacher Criteria and *Tātaiako (Cultural Competencies for Teachers of Māori Learners)*
- a programme of work on leadership in early childhood education
- a project building research based knowledge about te reo proficiency in Māori-medium education; and most recently
- a project that gives teachers guidance about how to establish ethical practice in the use of social media.

### **Professional leadership – a contested field**

The Committee investigated the contextual and organisational factors that facilitated or were detrimental to the performance of the Teachers Council in terms of its statutory leadership function.

Most importantly, we observed that the Council is not alone in the professional leadership field. For instance:

- The Ministry of Education’s positional status, preeminent advisory role and control over the allocation of one of the largest annual Votes approved by Parliament necessarily give it a very strong voice and institutional presence.
- ERO has significant powers of investigation and review, is a publisher of evaluative information about professional and governance performance and is widely-regarded as an authoritative voice on education matters.
- The two major teachers unions, to which most registered teachers belong, have a significant resource base, industrial importance and embedded membership network.
- Several others, such as the NZQA, the Tertiary Education Commission (TEC), the university-based academic community and the public media also compete for voice and leadership.

It is not just a crowded field but one where too few opportunities are taken for collective effort.

KEY TEACHERS COUNCIL FUNCTIONS	ORGANISATIONS										
	Teachers Council	Ministry of Education	NZQA	Tertiary Education Commission	ERO	Boards of Trustees	Principals	Unions	Initial Teacher Education Providers (ITEs)	New Zealand School Trustees' Association	Committee on University Academic Programmes
1. Professional leadership	●	●			●	●	●	●	●	●	
2. Encouraging best teaching practice	●	●			●	●	●	●	●	●	●
3. Registration	●					●	●				
4. Setting standards for entry to ITE	●								●		
5. Setting standards for registration and issuing Practising Certificates	●										
6. Setting standards for appraisal and progression	●	●				●	●	●			
7. ITE qualification standards & programme approval	●		●	●					●		●
8. Code of ethics	●					●	●	●			
9. Discipline, conduct, competence	●					●	●	●		●	
10. Vetting*	●					●			●		
11. Research priorities	●	●						●	●		

\* In conjunction with NZ Police

Table 3: Organisations involved in the Teachers Council's operating environment

Investment by the Council in the area of induction and mentoring has been relatively substantial. The impact, however, gained from the investment would have been stronger if there had been greater alignment in the work of the various agencies. Instead, the different agencies appear to work independently to achieve similar ends, sometimes at cross purposes.

### Relationship with the profession

Our terms of reference directed the Review Committee to investigate the capacity and capability of the Teachers Council to “engage meaningfully” with members of the teaching profession.

Despite initiatives taken by the Council to keep in touch with teachers, such as its weekly electronic newsletter to registered teachers, the Council does not have the capacity to engage “meaningfully” with the thousands of teachers on its register.

By way of comparison, both the Ministry of Education and the teachers' unions have mature and well-resourced capacity to engage with teachers.

### Ministry of Education links with practising teachers

For instance, the Ministry's regularly-published *Education Gazette* is found in most staffrooms or read online. Although it was not commended to the Committee as a professional journal, it is nonetheless a visible link between front-line teachers and the Government's chief education adviser.

School charter requirements and information about compliance responsibilities are continuously fed from the Ministry of Education to the school and early childhood sectors.

The development of extensive electronic networks and websites has added greatly to the means by which the government can keep in touch with teachers – even if it may be less of a two-way communication than some we met would have liked.

Numerous seminars, cross-sector fora, hui, contacts between regional Ministry of Education offices (eg special education advisers) and local schools and early childhood services all present the picture of a complicated, confident, well-resourced system for communication, instruction and advice. Whether this system does enough to feed teachers' interest in professional research and emerging debates over best practice, as contrasted with more prosaic employment and compliance matters, is a moot point.

But, clearly, the Council does not have the comparable capacity—or length of history—to develop and nurture such a complex cybernetic system of guidance, communication and feedback.

#### **Union links with practising teachers**

Again by way of comparison, as soon as teachers graduate and are registered to practice, they are actively encouraged to join their sector union. The PPTA and NZEI, as well as the various associations of principals and early childhood proprietors and managers, have well-established and highly-effective networks for supporting, advising and in some cases providing professional guidance and training for their members.

There is a branch of each teacher union in virtually every workplace where teachers are employed. In almost any situation where a union member needs support, legal advice or direct representation, union officials are readily at hand. The Teachers Council has no such distributed structure for engaging the profession.

The individual as well as the collective benefits of union membership are diverse and popular among many teachers. Participation in union activities immediately gives teachers access to an international community of the teaching workforce. Unions have provided numerous opportunities for members to prepare for changes in curriculum, the introduction of new assessment tools and so on.

Unions are free to speak out on any issue and to challenge any aspect of government policy. As part of the state sector, the Council is necessarily more restrained. Unlike union membership, registration as a teacher does not necessarily give beginning teachers access to a collegial professional community that speaks for them.

Although the Review Committee did not survey teachers on this matter, it became clear to us during our discussions and our reading of submissions, that the Council did not loom large in the daily life and work of teachers.

The membership fees for unions give them a financial resource base that far exceeds that of the Council, which is largely reliant on the triennial fee of \$220.80 per registrant.

If electoral participation is any indication of a teacher's engagement with an organisation explicitly identified as working in their interest, one would be concerned about the weak attachment of practising teachers to the Teachers Council.<sup>19</sup>

### **Bonding as a teaching profession**

If a professional body is to succeed in New Zealand, attachment to it must be wooed on the basis of the opportunity it gives teachers to pursue the public interest and the interests of young learners, and to encourage and support their own peers and to pursue their own professional interests as adult learners.

Membership of a profession generally offers status, market value, professional security, independence from current employment and a range of other benefits that include a public voice and face. Paradoxically, collective employment agreements with embedded professional standards, overlapping standards for entry, graduation and appraisal, and the absence of a distinctive voice and face, militate against a national body that attempts to offer teachers a similar range of professional benefit.

The complex historical networks, described above, will make it hard for the Ministry of Education and the teacher unions to step aside and for teachers to see themselves outside the immediacy of their own school or early childhood service as a member of a national profession.

Employment rights are not guaranteed by professional membership. However, the authority to register and to give the right to practise is within the gift of a self-regulating profession. This is of real private and public worth.

### **Sector views on the Council's performance in leading the profession**

The Review Committee sought sector views on how effectively the Teachers Council fostered and evaluated "effective education leadership" and invested in the modes of professional development most likely to produce sustained educational benefits for young children and all students.

Our discussions and the submissions we received provided some evaluative insights into how those engaged in education assess the Council's effectiveness as an overall leader in the sector.

<sup>19</sup> [http://www.electionz.com/NZTC/NZTC\\_2011\\_Resource\\_Page.pdf](http://www.electionz.com/NZTC/NZTC_2011_Resource_Page.pdf)

Since 2002, the Council has undertaken research in its specific areas of influence: ITE, induction and mentoring. Most people we spoke to were unaware of this work, although stakeholders who knew about the research programme were supportive and complimentary. One submission, for example, endorsed the innovative and collaborative research and pilot work in areas such as induction and mentoring.

Some thought the Council had shown leadership in the development and implementation of the Registered Teacher Criteria and in its support for beginning teachers through the development of processes for induction and mentoring.

However, several submitters and many of those we interviewed said there was no evidence that the Council was undertaking a leadership role. Some were dismissive in their comments while others lamented the fact that the Council merely reinforced government policy.

There was a call for the Council to have a strong public face and to be proactive in acting where a teacher was bringing the profession into disrepute and/or posing an immediate risk to the public.

There were also arguments supporting the Council's potential role in overseeing a truly independent think tank.

Comments were made that current communication with members was tokenism and that what was needed was a more interactive conversation that truly and constructively addressed the professional issues in teaching and education.

Other suggestions included the importance of drawing more usefully on the professional expertise of principals and the need for the Council to have a leadership role in professional learning and development.

### The Review Committee's comments

The Review Committee concludes that the Teachers Council does not have a distinctive brand or an effective public voice.

It has laid a solid platform for a professional body, but without significant change it will not be able to deliver what, in 2002, Parliament – and the profession – was looking for: a professional community of teachers, meaningful engagement by a professional body with members of the profession, active and informed public discussion, debate on education issues and a lift in the status of the profession.

The Council's website, [www.teacherscouncil.org.nz](http://www.teacherscouncil.org.nz), is well set out and informative. However, it is telling that the News and Events section contains only one media release from 2011 and none for 2012. Journalists told the Committee they would go to the Ministry of Education, ERO, NZSTA or the teacher unions

for an opinion on an education matter, and had to be prompted to mention the Teachers Council.

If the Council is to have an effective professional leadership role, several things must change. For instance, changes must be made to its governance arrangements and position in the institutional community of education agencies.

It must position itself to promote and speak out on major education issues, such as the impact of teaching practice on children's learning and development, how reliable HR capacity can help drive up performance, and what strategies are likely to optimise investment in formal education.

It must be sufficiently highly placed in the confidence of the key stakeholders (including the Government) to act as interlocutor and broker among increasingly diverse professional, commercial, community and cultural interests in education and other government agencies.

The Committee strongly holds the view that if New Zealand is to have a professional teaching body that is able to meet the expectations of the Government, the public and the profession, it will take more than amendments to the current legislation.





# **CHAPTER 3**

## **The institutional and labour market environment**



## Chapter 3:

# The institutional and labour market environment

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This chapter looks at:

- the education system, including the Ministry of Education, the Education Review Office, the New Zealand Qualifications Authority, the Tertiary Education Commission, Careers New Zealand, Education New Zealand and school boards of trustees
- the professional teaching workforce, including the Teachers Council's role in supporting the delivery of education services.

### Introduction

The Review Committee looked at the Teachers Council from two perspectives: its own performance since it was established a decade ago; and in relation to the institutional and labour market environment in which it now operates.

To be effective in leading the teaching profession, the Council needs to have developed its own 'brand', with established and respected institutional status, an informed and useful role in the teaching labour market and recognised professional voice and face in the public domain.

This analytical perspective allowed the Committee to foreground the statutory, structural and relationship factors that affect the Council's capacity and ability to deliver its mandatory functions.

Professional education leadership is a rich and contested prize. The statutory right to control the gateway to the large and influential education labour market is a unique state power.

Legal authority from Parliament to promulgate the standards required for participation in this labour market and to provide the services that equip candidates for participation, represents an unparalleled opportunity to influence, over time, the educational experiences of many thousands of teachers and their students and thence influence the socio-economic wellbeing of New Zealand.

However, the Committee found that apart from the utility of its well-maintained register, the Council has not established a publicly visible position in the central machinery or support for the generation of useful education workforce data. Furthermore, it does not seem to be sought out as a reliable, informed and trustworthy source of information and public comment on professional teaching issues.

## The Education System

The Education Act 1989 sets out the core responsibilities of agencies and parties in the education system. These institutional arrangements, including the Crown agencies responsible for the provision of schooling (boards of trustees), have remained more or less intact since then.

Seven education agencies are directly involved in the management of the New Zealand education sector. They are the Ministry of Education, the Education Review Office, the New Zealand Qualifications Authority, the Tertiary Education Commission, the New Zealand Teachers Council, Careers New Zealand and Education New Zealand. School education services are provided by locally elected boards of trustees; and early childhood education is provided by commercially-owned and community-owned services.

Ministerial portfolio responsibilities for education are divided among the Minister of Education (whose responsibilities include the Ministry of Education and the Education Review Office); the Minister for Tertiary Education; and three Associate Ministers, one of whom is also the Minister of Māori Affairs.

The Ministry of Education and ERO are core agencies (conventional Public Service departments and ministries). Their Chief Executives are appointed by the State Services Commission and, apart from non-departmental expenditure, have full accountability for all departmental/ministry staff and other resources within the scope of their annual Parliamentary Vote. The other agencies above are all Crown entities established by the Education Act 1989.

The Review Committee notes that the Teachers Council was a relative latecomer to central government and got off to a slow start in 2002 as it struggled to establish credible control over the processes for teacher registration – then its highest priority.

### The Ministry of Education

As stated in its 2012-17 *Statement of Intent*<sup>20</sup>, the Ministry of Education is the “lead advisor” to the Government across all sectors from early childhood to tertiary in the education system and has “a substantial operational role in supporting the sector to focus on equitable achievement for every learner” (p 5).

In respect of the tertiary sector, where early childhood and school teachers are educated and trained, the Ministry:

- advises the government on policy and funding settings that influence access to tertiary education by learners and the tertiary education offered by providers

<sup>20</sup> Ministry of Education Statement of Intent 2012-2017: <http://www.minedu.govt.nz/theMinistry/PublicationsAndResources/StatementOfIntent/SOI2012.aspx>

- supports the cross-government approach to developing skills and supporting research and innovation
- works with Treasury, the Ministry of Social Development and the Department of Inland Revenue on the student loan scheme.

The Ministry's Education Sector Leadership Board, which includes the Teachers Council, promises much.

Its functions are set out in the Ministry's *Statement of Intent*. They are to:

- provide formal oversight and collaboration on sector-wide strategy and delivery
- provide shared sector services and leadership development across those agencies
- provide formal oversight of significant programmes of work
- ensure that, where initiatives have an impact on multiple agencies, they are cost-effective, fit for purpose and on track
- encourage a shared view on the key outcomes that will enable the agencies to deliver collectively on government priorities
- actively work with the government education agencies to improve the efficiency and effectiveness of the total government spend on education.

In addition, and of most interest to this Review, the Ministry monitors the performance of the five education Crown entities, including the Teachers Council, on behalf of the two portfolio ministers.

These activities are designed to provide a strong collaborative network for policy design, policy implementation and implementation evaluation.

Over the past 20 years, the Ministry has moved to a more interventionist stance in respect of education service providers and related industries such as teacher training. Shifts in stance have affected the history of teacher registration and, for the past decade, the effective capability of the Teachers Council.

We focused on three particular aspects of the Ministry's relationship with the Council: (i) as a professional leader; (ii) as the Crown monitor; and (iii) as the administrator of the Education Act 1989.

## **Relationship between the Ministry of Education and the New Zealand Teachers Council**

### **Professional leadership**

The Ministry has long-established advisory and leadership roles, and for policy implementation is almost completely reliant on other agencies and service providers. This is most likely to be effective where its stakeholder relationships are respectful and carefully nurtured over time.

In the Review Committee's view, the quality of these relationships is especially important in relation to the education, training, employment, rewarding and performance of teachers.

Inevitably, it is difficult for a small centralised agency like the Council to acquire the status and public profile that could assist in its relationships with other education—and non-education—agencies and enable it to complement the Ministry's leadership position. There is considerable scope for a more collegial, mutually supportive and generous quality in the two agencies' relationship.

### **The Ministry's role as Crown monitor for the Teachers Council**

The Ministry's role as Crown monitor could well be strengthened. Sharpening its advice to Ministers in relation to the annual *Letters of Expectations* from Ministers and its monitoring role once the *Letters* have been translated into the annual *Statements of Intent*, could help produce higher quality performance and more useful outcomes.

The Teachers Council's current *Statement of Intent* does not present particularly challenging monitoring opportunities for the Crown monitor or for any of the other oversight agencies – notably the Treasury, State Services Commission and the Tertiary Education Commission. Beyond the aspirational language, the monitoring framework is almost silent on tough but achievable targets, with a heavy reliance on narrow quantitative measures and weak performance indicators.

Nor could the Committee find any publicly available reference to the oversight agencies' views on the comparative scale of the Council or the implications of this for its performance, vis-à-vis other larger Crown entities.

The purpose of a *Letter of Expectations* and the corresponding *Statement of Intent*, is critical to the exercise of ministerial responsibility. The two documents offer every Crown agency the opportunity to demonstrate how it will contribute to the purposes of democratic government. To serve this purpose, the two documents must actively inform the work of those Crown agencies.

For all Crown entities, advice on drafting *Letters of Expectations* and the accompanying *Statements of Intent*, and subsequent quality assurance monitoring, comes from the administering body, typically a public service department. Crown monitors and other officials advise ministers on entities' ability to deliver their expectations and ministers decide how far their expectations should be informed by that advice. For instance it would be appropriate for the Crown monitor to advise the minister on any aspect of governance which seemed to exceed the appropriate limit of strategic oversight and policy direction.

In the case of the Teachers Council, the Review Committee struggled to align information held by the Crown monitor and central agencies about the capacity and capability of the Council with the Minister's expectations.

For instance:

- in 2010/11 the Council had an income of less than \$6 million and a staff of 40.<sup>21</sup> Even high-performing crown agencies might find it hard to deliver their core business and meet challenging ministerial expectations on such a base
- Council members are without exception experienced in the delivery of education services but, so far as we could establish, none has any governance experience beyond that range. All are involved in the operational management of the business and the conventional distinction between governance and management is at best blurred
- although over the years the Council has invested in research, this has concentrated on honing its own registration and standard-setting tools and on building knowledge in areas such as appraisal and mentoring. It has not, however, undertaken the research on the labour market and wider socio-economic trends and issues needed to address Ministers' expectations
- numerical output percentages are not sufficient for reporting or tracking developmental opportunities, signalling significant risks or improving organisational performance.

The Committee found that, even with a lift in governance capacity and a more generous collegial context, the Council lacks the capacity and necessary scale, as a Crown entity, to rise to those expectations.

The consequences of under-performance in an agency with such a critical role in the education sector are not tolerable, given the importance of the Government's goals for improved student learning outcomes. Hence our recommendations for staged reform (*see Chapter 8*).

### **Administration of the Education Act 1989**

The Review Committee does not consider the legislative framework for the Teachers Council to be conducive to the kind of performance the Government seeks. In particular, the Education Act 1989 does not facilitate continuous improvement in the status or performance of the teaching profession.

For instance:

- the Act is outdated in its definition of teaching as "the instruction" of students. No high-performing country anywhere in the world now regards

<sup>21</sup> <http://www.teacherscouncil.org.nz/pubres/corporatepubs/annualreport2011.pdf>

or defines teachers merely as “instructors”. We note that the Council itself avoids this terminology, but curiously opts for wording no easier to defend, including: a teacher is one who “causes learning”, a teacher is one who “creates a coherent set of learning experiences”

- the definition of a principal as the professional leader of the staff in any particular school is tucked into an interpretation section (s 120) and makes no reference to the wider context of teaching as an internationally-recognised profession
- an interpretation section also describes all teachers as professional leaders, which is not helpful as a motivator for beginning teachers or as a fair description of the contribution made to their peers by many exemplary teachers
- the Act emphasises the rules, restrictions, sanctions and controls on teachers but is light on corresponding motivations and incentives
- it does not accommodate changing demands for variety in registration requirements; for instance, kaiako in kura kaupapa Māori, teacher educators and ICT specialists and so on.

## Key Recommendation

### C. The Committee recommends that the Minister of Education

- (a) review the utility, merits and risks of embedding definitions of ‘teaching position’ and ‘professional leader’ in Part 10, s 120 (Interpretation) of the Education Act 1989 and,
- (b) if it is decided to retain statutory definitions, take steps necessary to:
  - i) remove from Part 10, s 120 the Education Act 1989 the current definition of “a teaching position” as “a position in the general education system that requires its holder to instruct students”; and
  - ii) in any remaining definition of the role and function or position of school principals, to emphasise their two key roles as:
    - the professional leaders of schools’ teaching staff and
    - contributors to the national teaching profession.

## Education Review Office

The powers and functions of the Education Review Office are set out in Part 28 of the Education Act 1989. As was pointed out in the June 2012 *Ministerial Inquiry*, ERO does not specifically investigate or report, by individual service provider or nationally, on early childhood services’ and schools’ employment practices, such as the validation of job candidates’ references, qualifications or referees.

The Review Committee understands that this monitoring gap and the absence of any ERO evaluation of schools’ or services’ risk management capacity or performance, are likely to be addressed by ERO in future.



### Sharing evaluative information

We remain concerned that, apart from high-level chief executive meetings (such as the leadership board chaired by the Secretary for Education), there is no formal protocol between the Chief Executives of ERO and the Teachers Council to secure a regular supply (or mandated access to) ERO reports for the Teachers Council.

Given that ERO reports like *Teaching as Inquiry: Responding to Learners* (ERO, July 2012) speak directly to the Council's role, the Committee suggests that any such national professional teaching body should draw on ERO's reservoir of data and analysis about how the Council's policies on teaching work out in practice.

## Recommendation

- R.** The Review Committee recommends that, in relation to the human resource management capacity of the education labour market, the Chief Review Officer and the Director of the Teachers Council formalise a protocol for monitoring and reporting publicly on:
- a) the capacity and capability of the 7500 "professional leaders" in early childhood services and schools and
  - b) their ability to induct, mentor, appraise and report reliably on all beginning teachers and those seeking full registration.

### The New Zealand Qualifications Authority (NZQA)

NZQA's statutory functions give it a pivotal position on who enters and is empowered to operate in and benefit from public education. As a Crown Entity in the Crown Entities Act 2004, NZQA is governed by an independent board appointed by the Minister of Education.

NZQA's functions include:

- developing, registering and supporting the New Zealand Qualifications Framework; managing the external assessment of secondary school students (for NCEA and New Zealand Scholarship)
- moderating internal assessment activities for secondary students' work towards national qualifications
- quality assuring non-university tertiary education organisations and their courses
- moderating assessment activities and processes for national qualifications using Unit Standards for which NZQA is the standard-setting body
- maintaining effective liaison with overseas certifying and validating bodies in order to recognise overseas educational and vocational qualifications in New Zealand and achieve international recognition of New Zealand educational and vocational qualifications.



### NZQA's relationship with the Teachers Council

A 2003 Memorandum of Understanding between NZQA and the Teachers Council outlines the relationship between them. It is reviewed and updated regularly and expires in 2014. It allows for the exchange of information between the two agencies on:

- programme approval and accreditation
- evaluation of overseas teaching qualifications.

There is scope to reappraise the value added to the quality of teacher training services delivered by the large number of non-university teacher training providers. The Committee suggests that this evaluation be undertaken collaboratively by NZQA and the Teachers Council.

### Tertiary Education Commission

The Tertiary Education Commission (TEC) is a Crown Entity with the principal legislated function, under the Education Act 1989, to give effect to the Tertiary Education Strategy. The TEC does this by allocating government funding to tertiary education organisations through its Investment Plan process, monitoring the performance of tertiary education organisations and providing advice to the Government (including ownership advice) on the tertiary education sector.

The TEC allocates up to \$3 billion a year on behalf of the Government to fund tertiary education provision, including some \$150 million for teacher training.

The Review Committee was not able to find evidence of an accountability system for monitoring and evaluating the cost-effectiveness of this \$150 million investment in teacher training provision.

### Careers New Zealand

Careers New Zealand provides independent career information, advice and guidance, primarily through its website, which is targeted at an all-age clientele and allows access to information on training, occupations and labour market trends. Although Careers New Zealand does not promote any particular occupation, it is well placed to provide school students and adults with a comprehensive view of the teaching profession and the pathways into teaching.

We note that there is no formal relationship between the Teachers Council and Careers New Zealand.

## Education New Zealand

Education New Zealand (ENZ) is a new Crown entity established on 1 September 2012. It is of comparable size to the New Zealand Teachers Council. Its task is to deliver strategies, programmes and activities for promoting New Zealand education overseas. Although ENZ works with some other government agencies, specific Ministerial direction would be required for the Teachers Council to undertake overseas work.

## School boards of trustees

### **Fostering professional leadership**

School boards of trustees are well positioned to foster educational leadership, partly by ensuring that their own individual CEO/principals support and model this and partly by actively encouraging all of their teachers to press for a fully-professional education body.

### **Responsibility of boards of trustees to promote the public interest**

The State Sector Act 1988, Part 7A, s 77A(3) states that each [school] employer shall “ensure that all employees maintain proper standards of integrity, conduct and concern for the public interest; and the well-being of students attending the institution”.

Although the law requires employers to ‘ensure’ that all employees meet these standards, there is no indication of how the employers’ accountability might be monitored or of any consequences for boards’ failure to comply.

Even though the collective employment agreements include a specific reference to the good employer provisions of s 77A of the State Sector Act 1988, they do not refer to s 77A (3) above. This means that if the employer does not comply with that section then there are no sanctions or indeed any other professional incentive for teachers to give primacy to the public interest and the well-being of students.

The Review Committee is unaware of any national evaluation by ERO or any other government agency on how well school boards comply with their obligations under Part 7A, s 77A (3) of the State Sector Act 1988.

We referred to the 2010 handbook, published by the Teachers Council, *Registered Teacher Criteria*, to find what guidance it gave to teachers in respect to the public interest and the well-being of students. It states that the criteria have been developed for the profession for several purposes including “to strengthen public confidence in the profession”. We found no other reference in the handbook to the public interest or the well-being of students as set out in Part 7, s 77A(3) of the State Sector Act 1988.

Prima facie this allocates an important responsibility to boards of trustees, rather than to the teaching profession itself. But the Committee is not confident that employers are the appropriate authority for a duty that in other professions belongs to their members. This adds weight to arguments in favour of an independent self-regulating body for the teaching profession, not reliant on either employers or employment agreements to prompt teachers' commitment to the public interest.

#### **Other issues relating to boards of trustees**

School employers' HR capacity and capability is uneven. There is no reliable evaluation of the consistency or efficacy with which boards and principals hire, employ, appraise, promote, train or discipline registered teachers.

Nor is there any multi-year evaluation of the value added by the New Zealand School Trustees Association's (NZSTA) advice and guidance, or the value that could be added by more sophisticated and comprehensive HR services for school and service employers, notably principals and managers.

Until the Government is confident that boards and principals have developed sustainable capability for good HR management, one of the most cost-effective ways to drive up system performance would be to engage HR advisers with proven ability to work with the employers of a large, politically sensitive workforce. Such advisers could be based in regional centres and be able to work with clusters of trustees and principals.

ERO could be contracted to monitor and evaluate the value added by them and report at least three-yearly to the Minister on the outcomes. NZSTA could be contracted to nourish and support trustees as they gain experience in high quality HR management and encourage them to share experience and information regionally and through their annual national conferences.

#### **Who provides evaluations of professional teachers' practice?**

Direct accountability for monitoring, appraising and developing individual teachers' practice lies with their employers. They have the right to define the scope of practice for which a particular teaching employee will be held accountable. However, this is not straightforward:

- there is no professional code of conduct
- the complexities of managing professional performance, particularly where issues of competence arise, are exacerbated by the multiplicity of standards and collective employment agreements
- there is no external authority or agency that can provide quality assurance for the way school boards of trustees or their principals

monitor or appraise any registered teacher's practice, or how they use this information as productive feedback to individual teachers

- there is no readily accessible, purpose-designed HR advisory service that could provide much-needed support for boards and their principals. The demand for high-quality HR came to the Review Committee from many sources and strongly echoed the findings of the June 2012 *Ministerial Inquiry*.

## Recommendation

- S. The Review Committee recommends that, for all boards of trustees and early childhood services identified by ERO as needing additional support, up-to-date professional HR management advice be provided in order to improve their management of beginning and experienced teachers.
- T. The Review Committee recommends that the Teachers' Council be more involved in demand and supply workforce planning by the Ministry of Education, Treasury et al and, in particular, be well-informed about the extent to which shifts in the price/volume mix affect the demand for high quality entrance to and graduation from teacher training.

## The professional teaching workforce

### The Teachers Council's contribution to workforce planning

The Teachers Council is not just responsible for registering teachers, but also for encouraging their professional development and competence, regardless of where they are on the hierarchy of teaching positions.

Successive Ministers' *Letters of Expectations* and *Statements of Intent* refer to the Council's role in the teacher workforce. This led the Review Committee to assume that the Council would be well informed about the education labour market. Indeed, the scope of ministerial expectations would seem to make such an appreciation imperative.

The Council's own strategic approach to building the quality of teaching practice should provide a unique component in the Government's wider education workforce strategies, and the Council's standard-setting authority should enable it to complement work done by the Ministry of Education and the Tertiary Education Commission on price/volume policy settings and other labour market management tools.

The committee was interested in how the Council used available information on the future demand for professional principals and how teachers are adapting their practice to dynamic teaching environments or across sites.

In particular, we looked at how such data could be used by the Council to adjust

its own policy settings for managing the ITE entry and exit thresholds and for monitoring the progression of registered teachers.

The policy settings for managing the price/volume mix and teacher supply forecasts have implications for the Council's gatekeeper roles. These include questions about:

- the public and private costs of low thresholds for entry to and graduation from teacher training services
- the incentives for entering the profession when typically it takes four years for a beginning teacher to find a permanent full-time job
- opportunities for the Council to promote such policy priorities as greater teacher specialisation.

Council policies legitimate the supply of graduates from the 26 initial teacher education suppliers, and raising or lowering the entrance threshold has significant supply-side implications. For all ITE providers, the number of enrolled students is critical to their revenue base, which may weaken their incentives to raise entry and exit thresholds.

As with other tertiary programmes such as law, teacher-training students may not necessarily enrol with a determined intention to practise in that field but to acquire the collateral benefits of education in the associated disciplines.

Some entrants are vocationally committed to teaching as their first career choice and older entrants may be motivated to enter teaching because they are seeking to change to a more socially valuable career where they can "make a difference".

Recent New Zealand research demonstrates that for many new entrants, teaching as a career may have been a default option. Once graduated, newly qualified teachers may find it hard to enter a workforce that is arguably overfull. Yet in some curriculum areas there is a chronic shortage of suitably-trained, academically-qualified secondary school teachers.

Public leadership by the Council in relation to such facts would provide timely signals to potential entrants to teaching and to ITE providers.

Teaching is often publicly presented by teachers' own industrial representatives as socially important but undervalued (eg poor pay, unattractive working conditions, unsympathetic political and bureaucratic environment and increasingly hard-to-handle students). This does not attract or serve to retain teachers. Generation Y candidates who are not vocationally highly committed and have other professional career options may not see teaching as attractive.

Teacher recruitment campaigns must combat many negative messages. Potential candidates with highly valued skills (eg fluency in te reo or good qualifications in mathematics and science etc) have other local and international career options.

We consider that teaching must be re-positioned as a 21<sup>st</sup> century career with all the typical accoutrements of a trusted profession, sufficiently independent in terms of professional structure to provide both voice and face for the public interest in education.

The education workforce is dynamic in nature. For instance, the Committee was interested to learn that some 45 percent of all primary school teachers were employed on short-term, fixed contracts or in relieving positions. The number of part-time teachers has created a large reservoir in the education workforce.

The current registration criteria are too narrow to accommodate this major shift in supply and these figures show the need to give teachers the protection of a professional body in order to avoid casualisation of the workforce and to give all teachers up-to-date professional learning and development.

Principals typically make all but the most senior school appointments. They are relatively insensitive to price signals because all the key decisions on policies for workforce price/volume are made centrally. The fact that the system puts real decision-making on the price to be paid for professional teachers outside the scope of the boards' authority reduces the risks of employment decisions that face other employers more directly confronted by market conditions.

Workforce planning is a complex area where forecasting has proved to be very difficult, but it is critically important.

While the Teachers Council can do relatively little to influence the situation on its own it could work more effectively with government recruitment agencies. The Teachers Council could take the lead on the promotion of professional and public debate on:

- how to support continuous improvement in teaching practice in a flexible labour market
- how the centralised policy system for managing workforce demand and supply impacts on individual boards of trustees as employers
- how raising the threshold for entry to teaching could influence professional teaching practice
- how to improve the rigour and quality of attestation decisions made by principals when recommending renewal of teachers' registration and practising certificates
- optimising use of the "subject to confirmation" category as a trigger for employers to support part time/relieving teachers only if they have been offered and graduated from accessible, appropriately-targeted PLD programmes
- the need for teachers to be able to cope with the educational consequences of social and economic inequity



- an ageing and healthy workforce that may choose to remain employed in teaching, as is happening in other professions.

Overall, workforce planning should be an area of strong Council activity and leadership.

### **The Teachers Council's role in supporting the delivery of education services**

#### **Supporting the delivery of high-quality services that improve student learning outcomes**

The standards for registration do not explicitly reflect the Government's interest in improved student learning outcomes. Although such interest could be inferred from recent Council moves to expand the opportunities for professional learning and development in mentoring and appraisal, the Review Committee believes there should be a more explicit focus on the relationship between teaching quality and student learning and the Council's opportunities to influence this.

#### **Supporting the delivery of high quality early childhood education for young Māori**

The Teachers Council expresses its commitment to bicultural respect and Treaty "partnership". Unless these notions actually work to the benefit of all students they risk becoming mere shibboleths.

Theoretically at least, there is at present an unusually favourable opportunity for the Council to shape the future teaching workforce and drive up the performance of those involved in the first formative phase of Māori children's education.

*Te Tātaiako: Cultural Competencies for Teachers of Māori Learners*<sup>22</sup> enriches the resource base for those teaching in Māori-medium services, along with the Treaty rights and cultural aspirations already included in *Ngā Paearu mō ngā Pouako kua Rēhitatia: Registered Teacher Criteria New Zealand Teachers Council 2010*.

The Education Act 1989 explicitly recognises Māori interests in education throughout the pre-tertiary sector and, by virtue of its Crown entity status, the Teachers Council is governed by all the Treaty-related law. It is worth noting that there is no explicit provision for Māori representation on the Council. The Minister has the authority to appoint four Council members and at present one has an explicit Māori brief.

None of the Council's functions listed in s 139AE of the Act signals any particular reference to Māori learners or Māori teachers. However, under s 139AH (1) (b) the Council must "establish...a Māori-medium advisory group and "have regard to advice given by [that group] about any matter within its area of expertise".

<sup>22</sup> <http://www.minedu.govt.nz/~media/MinEdu/Files/TheMinistry/EducationInitiatives/Tataiako/TataiakoWEB.pdf>

This may not be enough as only a small percentage of Māori students are educated in Māori-medium settings.

It is hard to see real evidence of an undeviating focus on the school-based levers for improving student learning in the Council's criteria for registered teachers.

*Re professional knowledge and practice: Criteria: Work effectively within the bicultural context of Aotearoa New Zealand; Reflective question "In my teaching do I take into account the bicultural context of teaching and learning in Aotearoa New Zealand?"*

*Re professional relationships and professional values: Criteria: demonstrate commitment to bicultural partnership in Aotearoa New Zealand. Key indicator: Demonstrate respect for the heritages, languages and cultures of both partners to the Treaty of Waitangi....Acknowledge and respect the languages, heritages and cultures of all ākongā.*

RTC Handbook, Teachers Council 2010 p.14 and p.10

The committee suggests that the Teachers Council strengthen its quality assurance processes for monitoring the quality and outcomes of professional education and training for those working with all Māori learners.

### **Supporting the delivery of high quality early childhood education for young Pasifika children**

Since 1985, when the first Pasifika early childhood language centre opened in Auckland, more than 100 Pasifika centres, all urban, have been licensed (more than three percent of all New Zealand early childhood centres).

The quality of teaching in this culturally complex workforce has been systematically reviewed by the Education Review Office which reported in 2007 that:

- in Pasifika centres the "learning environments" were of mixed quality, with only about a quarter adequately resourced and furnished
- not all teaching employees met the qualification requirements formally introduced in 2005.

ERO expressed particular concern about the legal requirements not being met and the "provision and quality of advice and guidance programmes for provisionally registered teachers....". ERO reported that [in 2007] "significant levels of ongoing professional development "were required for teachers and managers".

The introduction to the 2007 ERO report focused on its usefulness for Pasifika parents – implying that accountability rested in part at least with them to take steps to demand better and a more equitable early childhood experience for their young children. (ERO. *The Quality of Education and Care in Pacific Early Childhood Services*, August 2007, p3)



An important emerging issue is the increasing Pasifika population in New Zealand. Figures from the City of Manukau Education Trust (COMET) report in November 2011 show that one in four babies now born in Auckland is Pasifika. Of the Pasifika five-year-olds starting school in 2010, 85 percent had attended formal early childhood education, compared to 98 percent of all Auckland children.<sup>23</sup> A related issue noted by COMET is the shortage of qualified Pasifika early childhood teachers in Auckland.

The Committee suggests that the Teachers Council give high and explicit priority to the quality and outcomes of professional education and training for those working in Pasifika-intensive schools and early childhood services.

### The Review Committee's comments

Assuming a relationship between the quality of students' learning and the quality of teaching, the Review Committee expected to observe how, in its professional leadership role, the Council responded to data about the quality of school leavers' qualifications. We noted, for instance, that:

- most school students—including Māori and Pasifika, who tend to leave with fewer formal qualifications—remain in school for at least one or two years longer than was the norm for their parents and certainly longer than their grandparents
- the stakes for those leaving school without any formal qualification—typically those from low income households—are far higher than at any other time in New Zealand's economic history
- most school students with some formal school-based qualification and those with tertiary qualifications, are likely to enter the paid labour market significantly later than their grandparents (whose life expectancy is now statistically at least the age of 82 for Pākehā and earlier, but rising significantly, for older Māori).

In the event, we found almost no evidence of public discourse or debate initiated by the Council on links between the quality of teaching practice and the quality of students' learning outcomes.

This is one of the most contentious issues for professional teachers and politicians. The possibility that there is no link is probably counter-intuitive to parents and students themselves. We regard the Council as having missed a vital opportunity to contribute to this debate.

There is political and community appetite for improving the consistency, equity and accessibility of high-quality public education. This will entail some adjustments to the policies and regulation of the teaching workforce.

<sup>23</sup> Sutton, A., COMET, and Airini, Dr, (Nov 2011) Education in the City: A snapshot of Pasifika Education in Auckland 2011.

It is already within the Council's gift to lift the entry thresholds, and to raise the professional standards for the education, training and qualifications of those authorised to be employed in the professional practice of teaching.

The Committee found that as the professional leader in the teaching workforce, the Council's role in education workforce planning has not been sufficiently developed and that its ability to foster professional and public debate on such matters as entry levels is inhibited by:

- its own governance capacity
- its place in the machinery of central government
- the poor quality of feedback systems that should support effective workforce planning in and around central government.

# CHAPTER 4

## Summary of key issues



## Chapter 4:

# Summary of key issues

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### What did the Review find?

The main problems are two-fold.

First, as currently structured, governed and positioned, the Teachers Council cannot effectively set and enforce clear standards for entry, progression and professional accountability with the full support of the profession. It has a unique role and purpose but currently these are not sufficiently differentiated from the work of government agencies and of industrial advocacy organisations.

Second, there is little likelihood of achieving and sustaining enduring strength in professional leadership by the Council merely through changes to its structure or legislation.

The institutional and labour market context for professional leadership in teaching is dominated by long-established players. There is no real space for an effective national body that provides a distinctive voice and face for teachers and gives priority to the public interest and interests of young learners over other considerations.

Creating room for a respected professional teaching body will happen only with a change in the culture of the education sector.

Enabling teachers to form their own national professional body will require generosity and trust by both government agencies and the unions.

### Capacity and capability of the Teachers Council

The Teachers Council is organisationally small but functionally important in the national education system. It plays a critical role in the performance of teachers.

The Review Committee concluded that, even if the Council's own performance in relation to registration, discipline and other functions were exemplary, its ability to provide professional leadership would be significantly constrained by its external environment.

The Council's status and capacity to lead the profession are affected by how far government agencies, unions, teacher education providers, the research community and teachers themselves acknowledge, respect and support its leadership role.

Although the Council has sufficient revenue from teachers' registration fees and modest government funding to maintain the registration system, it does not have the qualities of leadership, public reputation, positional confidence, quality assurance systems, or organisational capacity to build a strong professional community of teachers.

We question the quality of strategic governance, the clarity of distinction between governance and operational management and the depth of the Council's professional skill base.

The Council's efficiency and effectiveness are affected, beneficially or detrimentally, by the policy, institutional and labour market context. It is clearly a two-way street. The Council and the teaching profession should add value to the private and public interests of New Zealanders. The public context in which teachers work should add value to the profession.

The Council's legislative framework could be amended relatively easily, but at present it is not conducive to optimal performance as a professional leader.

## Standards

The Teachers Council has the legislative authority to control three of the most important points in the teaching profession:

- a) when a candidate presents for initial education and training as a teacher
- b) when a trainee graduates from that initial teacher education
- c) when a teacher applies to the Council for full registration.

The entry standards for ITE are not appropriate either as an indicator of the professional status of teaching or as a driver of the potential performance of New Zealand's education workforce.

Graduating standards govern eligibility for initial registration. The quality assurance processes for initial and ongoing registration and for granting practising certificates need to be strengthened so that they are more rigorous.

## Approval of initial teacher education programmes

Although the Teachers Council has the authority to approve ITE programmes, the Committee concluded that in the interim the Council should continue to provide ITE programme approvals until Ministers, sector leaders and teachers' employers have confirmed their confidence in the robustness of entry, graduation and registration thresholds for teachers to progress from teacher training to employment practice.

## Registration and discipline

The Council controls the initial and ongoing registration of teachers. It also has a professional discipline role. Accountability for both is shared with teachers' employers and school principals.

Cross-agency accountability for implementation of registration and disciplinary functions weakens the Council's authority and inhibits the development of high professional status for teaching.

The Committee concluded that it is time for the Teachers Council, in collaboration with the key stakeholders including school and early childhood service employers, to evaluate current arrangements for professional discipline.

## Barriers to improved professional teaching performance

Lifting teachers' performance is arguably the way to lift students' learning. The Review Committee's investigations identified current institutional, communication, methodological and other barriers that work against raising the quality of teaching practice.

The critical barriers discussed in this report are:

- inflexibility in registration
- lack of engagement by teachers with their own Council
- lack of feedback on teaching as a profession
- lack of "meaningful engagement" with the profession
- poor public policy implementation
- lack of HR capacity at school governance level
- the variable capacity of professional leadership in schools, including succession planning
- perverse financial incentives
- professional standards embedded in collective agreements
- culture of the education sector.

### Inflexibility in registration

At present, the Teachers Council offers four categories of legal authority to practise in a school or service:

- a) beginning (provisionally registered)
- b) fully registered
- c) subject to confirmation
- d) with limited authority to teach (LAT).

It is clear that these are no longer sufficient to accommodate the variety of demands for a more nuanced range of authorities to teach or provide relief teaching services.

Therefore, as set out in detail in Chapter 2, we have recommended that the approval categories for professional membership and authority to practise be expanded.

#### **Lack of engagement by teachers with their own Council**

The Review Committee was disappointed to find a lack of interest by teachers in the election of their own nominated Council members. For instance, in 2011, even though the Council itself introduced an accessible electronic voting system, the turnout for each category of teachers' representation was less than 14 percent of the eligible voters.<sup>24</sup>

In addition, we were interested to compare the membership fees for the Teachers Council (\$220.80 every three years, the equivalent of \$73.60 per annum) with those paid by the registered members of other professions in New Zealand. Annual fees for members of other New Zealand professions are as follow: registered nurses, \$110; professional engineers, \$418.60; lawyers, \$1451.30.

The Committee considers that the Teachers Council should review the current fee levels to bring them in line with other major state sector social service professions.

#### **Lack of feedback on teaching as a profession**

At present in New Zealand, there is no independent national body that can provide informed feedback on teaching as a profession.

For individual teachers, the value of feedback relies almost exclusively on the HR capacity of boards, principals and managers. In turn, the quality of this is affected by the usefulness of guidance or directives from the Secretary for Education and the New Zealand Schools' Trustees Association.

Presently there is no way to find out how well the 2500 or so school principals or those having a leadership role in early childhood perform as employers of professional staff.

Poor feedback systems are not peculiar to the education sector. This is little help to the performance of teachers or their students. The Committee strongly endorses what we understand to be moves in the education system at least to evaluate and substantially upgrade the quality of monitoring, feedback and performance reporting.

Furthermore, we note that there is no independent external public interest agency to investigate and report publicly on complaints about the quality of

<sup>24</sup> [http://www.electionz.com/NZTC/NZTC\\_2011\\_Resource\\_Page.pdf](http://www.electionz.com/NZTC/NZTC_2011_Resource_Page.pdf)

individual teachers or significant risks to students,<sup>25</sup> as the Health and Disability Commissioner does for patients and health service providers.

We would encourage consideration of the merits of such a development as the education profession moves towards establishing its own independent professional body.

Translated into the education sector, a similar commissioner would have the role of promoting and protecting the rights of education service consumers, and facilitating the fair, simple, speedy, and efficient resolution of complaints.

## Recommendation

- U. To increase political and public confidence in the profession's commitment to the public interest and the interests of student learners, the Committee recommends the establishment of an office comparable with that of the Health and Disability Commissioner. (HDC Act 1994).

### Lack of “meaningful engagement” with the profession

The Teachers Council does not have the capacity—or length of history—to develop and nurture a complex cybernetic system of control and feedback.

Compared with, say, the Ministry of Education, it lacks the means and the structure to manage complex networks of communication among schools, early childhood services and managers, school principals, training providers, teachers, academics, service providers. These networks provide the Ministry with well-established and authoritative opportunities to intervene in education activities and to obtain information critical to its policy and other key roles.

The major unions are possibly even better placed with highly effective networks for supporting, advising, representing and, in some cases, providing professional guidance and training for their members. They offer individual and collective benefits. Their financial resource base far exceeds that of the Council.

Among other things, the strength and visibility of the unions and the Ministry make it challenging for a much smaller agency to capture the hearts and minds of teachers.

### Poor public policy implementation

Well-intentioned policy initiatives may fail in the implementation for a range of reasons. Both implicit and overtly-expressed views in submissions and discussions referred to blurred accountability and poorly-managed risk-averse behaviour in relation to policies intended to lift principals' and teachers' performance.

In the end it is the students who unwittingly carry the burden of these opportunity costs.

<sup>25</sup> The Children's Commissioner reports to the Ministry of Social Development (CYFS) on the safety of children in care.



In the Review Committee's view, the Teachers Council could make better analytical use of its database and knowledge of teaching services and make a more proactive contribution to policy debates. In particular, it could comment, from a carefully-informed perspective, on where it thinks new policies might be at risk or could be strengthened to the benefit of teaching practice.

#### **Lack of HR capacity at school governance level**

School employers' HR capacity and capability is uneven. There is currently no reliable evaluation of the consistency or efficacy with which boards and principals hire, employ, appraise, promote, train or discipline registered teachers.

Nor is there any multi-year evaluation of the value added by NZSTA's advice and guidance, or the value that could be added by more sophisticated and comprehensive HR services for school and service employers, notably principals and managers.

Nothing in law, including s 76 of the State Sector Act 1988, prohibits the provision of top quality HR advice and guidance for centre and school employers. Without reliable HR expertise at school governance level the following questions arise:

- When and how does the Teachers Council satisfy itself that employing boards are following safe practices when recommending teachers for full registration or for renewal of registration?
- If a board decides to interview a candidate for a teaching position, how does it satisfy itself that the person before it is the same as the one who claims to have been registered by the Council?
- How, why and when do boards decide to make reference checks; who makes reference checks – a board member, the principal, a staff member?
- What steps do boards take to satisfy themselves as to the appropriateness, impartiality, veracity and relevance of the named referee(s)?
- What questions do boards or their representative(s) ask of referees? How frequently do boards go beyond checks with one or more of the named referees to make other inquiries?

#### **The variable capacity of professional leadership in schools, including succession planning**

The Committee saw this essentially as a question of succession planning.

We were interested in how the Council encourages high-quality performance by principals and how it supports teachers' employers in their responsibility to identify and motivate a strong recruitment stream for potential school principals and high performing teachers.

Again, as with feedback systems, we observed that difficulties in providing for "the care and nurture of baby mandarins" are not peculiar to education.

Before 1990 and the comparative separation of government agencies from a central employing authority, there were established means to identify and encourage potential successors to those in chief executive or other senior state sector positions, including teaching. There were, of course, risks in a system that could be simply self-perpetuating – as illustrated, for instance, by gender and ethnic disparities in the state sector. Nonetheless, there does not yet seem to be a successful bureaucratic system for managing newer demographic and structural risks in the education workforce.

Without such a system, the profession will not be capable of self-nourishment and over time will risk loss of its professional energy and public respect.

#### **Perverse financial incentives**

Registration is the key element in the employment processes that enable teachers to be paid. Teachers cannot be included in a school's staffing entitlement unless they are registered.

The Committee found that, like other employers, principals and boards look for every opportunity to exercise their own discretion and good judgment in relation to the management of staff. However, school funding is overwhelmingly formula-driven and staff are allocated based on school roll. We consider that this works against good HR management practice.

Therefore, we suggest that, in association with any review of school governance structures, the utility of school funding arrangements and their capacity to add value to the quality of leadership and teaching be evaluated.

#### **Professional standards embedded in collective agreements**

The Review Committee discussed the current collective employment agreements (CEA) with the unions, the Ministry of Education, the New Zealand School Trustees' Association, school trustees and practising teachers. We were particularly interested in their mixed functions (for example, job protection **and** the criteria for performance appraisal; recognition of employee rights **and** accommodation for professional risks).

Furthermore, they overlap with other key sector documents – notably the Teachers Council's Registered Teacher Criteria. In this mix of 'standards' it is hard to distinguish between:

- a) what relates exclusively to employment (and is thus, in effect, a function of a contract between each school and each teacher), and
- b) what is intended to represent and support the professional interests of teachers as members of an international profession.

We do not question the importance of collective employment agreements to protect employee rights and clarify their employment obligations.

We are, however, strongly of the view that nationally-negotiated employment agreements are not the ideal vehicle for framing performance appraisal standards and these should be removed.

### **Culture of the education sector**

The wider community values teachers; the socio-economic system relies on teachers; teachers themselves have the ability to change the life chances of their students.

The stakes for school leavers are probably higher now than they have ever been. The days when it was possible to thrive in the adult world without qualification or competence in even basic skills have gone.

This places a heavy burden of responsibility on professional teachers, their professional leaders, those who authorise them to engage in teaching practice and those who employ them for this purpose.

Despite a long history of government-sector consultation, the literature, submitters and those we met emphasised that, if teachers were to develop an assured and highly respected professional reputation, there must be a change in culture in the whole sector. All were au fait with the importance of sectoral culture. Many discussions turned on the cultural significance of statutory authority and positional power.

Less clear were the incentives for a cultural change for many of these stakeholders to cede any of their own positional power.

On one hand, as a collective professional workforce, teachers—and their own professional leaders—need to be willing to take on the role adopted by other influential and respected professional bodies. Teaching as a profession needs high levels of political and community respect. Countries such as Finland and those in Southeast Asia demonstrate the high status and sustained political and community regard that an independent professional teaching body can command. Professional bodies in different disciplines like law, medicine or engineering have acquired similarly high status here and overseas.

On the other hand, those who provide policy and other government functions and those who employ and manage teachers—notably early childhood service owners and school boards or trustees—would need to encourage any initiatives taken by teachers themselves in the direction of higher professional status.

They would need to form new links with teachers, education and research. Above all, they would need to collaborate more generously to accommodate moves by the teaching profession that aim to benefit the public interest and the interests of student learners.

We consider it is time for a more creative and collaborative approach by all the established players to the professional practice of teaching.

As quoted earlier, inherent in the definition of a profession is the concept that its members take responsibility for and give precedence to the welfare, health and safety of the community over other considerations. The Review Committee strongly advocates moves towards this as a key strategy for strengthening the education workforce.

# **CHAPTER 5**

## **Discussion of Options: Recommending change**



## Chapter 5:

# Discussion of options: Recommending change

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Cabinet directed the Review committee to identify:

- options for re-configuring the Teachers Council in order to best deliver these roles and functions and the associated implications (including legislative and financial implications)
- how changes proposed support the Government's wider work programme for strengthening the education workforce
- areas that require further investigation.

### Our approach to consideration of options

We were mindful of a State Services Commission publication on reviewing the machinery of government:

*Machinery of government changes do not tend to happen merely because of the existence of an abstract set of design criteria. Context is crucial. They tend to occur in response to perceived problems or inadequacies. Criteria may have a significant effect on the ultimate design, but other considerations will also be relevant such as political judgements about the suitability of different organisational forms, or practical considerations about the relative ease with which changes can be made.*

(Former State Services Commissioner DK Hunn (1997) in  
*Reviewing the Machinery of Government*, SSC, 2007)

In relation to consideration of realistic structural and other options for change (as in our terms of reference: "Reporting"), we were guided by:

- the literature on optimal characteristics of systems for educating and training, accrediting and developing teaching as a unique professional discipline
- submissions and views on structures, communication and feedback arrangements seen as most likely to achieve a distinctive "voice and face" for the teaching profession
- the formal advice of central agencies (State Services Commission, Treasury and DPMC) and the Ministry of Education on how to assess the organisational form of state agency best suited to carry out particular government functions.<sup>26</sup>

<sup>26</sup> <http://www.ssc.govt.nz/reviewing-mog>

**Managing the costs and risks of change**

The Review Committee was asked to consider the financial implications of any recommended changes. We have not undertaken any detailed costing, although we are well aware that financial and other costs are incurred with structural or legislative change, especially if the change process entails contentious issues.

Therefore, we gave preference to changes that:

- we believe would be most likely to further the Government's education purposes
- already have some sectoral impetus behind them
- could, as far as possible, be effected within the existing scope of the authority, powers and functions of key stakeholders, or by updating or improving existing policy settings, rules or guidelines and with minor adjustments to existing sources of revenue for a professional teaching body (for example, to put the current registration fee for teachers on a comparative basis with like state sector professionals such as nurses, whose annual registration fee is \$110).

**A performance lever**

Investment in PLD is potentially a key driver of high-quality professional teaching practice.

From the Government's point of view, the allocation of PLD funds to support the implementation of specific curriculum areas such as literacy and numeracy is an important lever for policy delivery.

From the individual employer's point of view, access to the PLD funds provides the opportunity for improving professional performance both across the school or service as a whole and in relation to particular specific curriculum and other needs.

From the individual teacher's point of view, access to funds that can support specific professional and developmental needs is both a way to demonstrate professional accountability and to improve career advancement.

The Review Committee advocates that consideration be given to the various ways in which each of these three interested groups can increase their access to PLD funds and accountability for their use. For example, if the Teachers Council had control of PLD investment funds it would need a clear decision framework and strong quality assurance processes to justify the direction and impact of funding to individuals, or for broader professional purposes such as the development of a code of conduct.

## Recommendation

### V. The Review Committee recommends that:

- a) the New Zealand Teachers Council or its successor be authorised to allocate professional learning and development funds currently held by the Ministry of Education. These could be directed to individual teachers or principals or for broader professional purposes such as improved delivery of curriculum priorities
- b) the decision to transfer PLD funds from the Ministry to the Teachers' Council would be conditional on:
  - i) the design of decision criteria
  - ii) an evaluation framework with good quality assurance processes
  - iii) the competence of the Council being demonstrably in line with the conditions set out in c) below.
- c) these conditions are that the Government is confident that either the Teachers Council or its successor can demonstrate:
  - i) high-quality strategic governance skills
  - ii) highly skilled and capable management capacity
  - iii) sustainable operational competence
  - iv) a sound appreciation of the implications of such a responsibility for public and professional accountability.

### The pace of recommended change

We found a widely-declared appetite for change – where change is sustainable, directed explicitly towards the benefit of learners, protective of the public interest and promoting high professional values and aspirations.

It is acknowledged that structural change is disruptive and not to be undertaken lightly, but this does not mean it is necessarily the option of last resort. What it does require is competent management of the diverse risks to key stakeholders, notably the Teachers Council, the Ministry of Education, unions, ITE providers, boards of trustees and other employers, and teachers themselves.

Often promising policy initiatives (including structural and other reforms) fail in implementation because of limited ex-ante evaluation, poor risk analysis and perceived indifference to critical stakeholder feedback.

It is for these reasons that our recommended options are, to some extent, evolutionary. They entail modest adjustments to the status quo to support the recommended transition team that, over the next three years or so, will stimulate and encourage the teaching workforce to achieve distinctive status as the leading professional educators' body.

### Evaluation criteria

The Review Committee asked various evaluative questions in assessing the merits of structural and other options:



- a) Would change in the Council's legislative, structural or governance framework, functions, service mix, accountability arrangements or funding deal appropriately with any identified:
  - structural weakness (a structure that is not fit for purpose; poorly designed or inappropriate regulatory framework; poorly defined or over-prescribed roles and functions)
  - awkward fit between the Council's status and comparative scale as an autonomous Crown Entity and its demonstrated capacity and capability
  - detrimental imbalance in delivery of core business (registration processing versus professional leadership)?
- b) Would short-term structural and legislative change driven by the government be more or less problematic and beneficial than change driven by the profession itself?
- c) Would change be helped if the transition were to be guided and stimulated by a team of educationists who were highly regarded by teachers, principals, service managers and other key stakeholders?
- d) How supportive would government, ITE providers, unions and education employers be with a shift towards greater accountability by the teaching profession for its own performance?
- e) Would shifting from a state-dominated regulatory agency to the more conventional professional status of an independent education council or society, with well-defined accountabilities, support the Government's strategy for improving learner outcomes and addressing issues of equity?

Based on these questions, the Committee considered seven different options and recommends the three we consider most likely to generate enduring benefit to students, their teachers and the public interest.

### Comparison of possible options

The seven options the Committee considered were as follows.

#### 1. Status quo: an Autonomous Crown Entity (ACE)

As discussed throughout this Review, we do not consider the status quo a feasible option for achieving the Government's strategic education goals.

#### 2. A modified Autonomous Crown Entity

We support this option for the medium term because legislative and other changes are needed to mitigate the deficiencies and limitations we found when applying our evaluative criteria.

The recommended interim changes to the Teachers Council will generate some challenges from the sector (for example, changing to a nominated system for membership of the Council). However, although necessary as a matter of some

urgency to improve the governance, focus, efficiency and professional support now provided by the Council, we do not consider these modifications will be sufficient over the long term.

### 3. Other Crown Entity options: (a) Crown Agent; (b) Independent Crown Entity (ICE)

(a) Prima facie, the **Crown Agent** option is attractive, largely because it gives the Minister responsible extensive powers to direct, monitor and re-direct service providers. This is directly comparable with the model of District Health Boards (DHBs) as Crown Agents, and significant shifts in relationships, labour market dynamics and the position of clinical leaders in health in recent years.

We eventually set this option aside because, inter alia, as Crown Agents:

- DHBs have moved more or less willingly to more efficient and effective shared services and regional cooperation, in marked contrast to education with its highly dispersed nature of small, self-governing service delivery agents
- health service delivery has a much stronger emphasis on population health than education, which has typically had a strong individual focus (arguably to the detriment of some student populations)
- the position of clinical leaders has shifted markedly in relation to strategic planning and operational/business managers.

Although health is a large state sector industry like education, there are material differences such as:

- the number and size of the employing bodies
- the much larger private sector with privately-owned medical centres
- the range of demand-driven services delivered
- the 24/7 service requirements
- the high entry standards for most professional clinicians
- the immediacy of risks to the patients
- the complexity of relationships between DHBs and a multitude of public, commercial and community providers
- the major impact on services of dictated price/volume mixes
- the existence of the Health and Disability Commissioner (HDC) to maintain a link between the consumers and their rights, and the service agencies.

Despite the comparative considerations that led the Committee to set aside the Crown Agent model, we consider that there is real scope for emulating in education the role and functions of the Health and Disability Commissioner.

**(b) Independent Crown Entity (ICE).** We were mindful of the State Services Commission's guidance on this option:

"An ICE is appropriate in cases where public confidence in decision-making is paramount, such that it demands a level of independence from Ministers for decision-making purposes that can be provided only where the decision maker is neither subject to influence or easy removal by ministers, nor required to give effect or have regard to the policies of the government of the day.

"Absolute public confidence is likely to be needed where significant coercive powers are exercised by the entity, its decisions are binding and the Crown is subject to its jurisdiction." (SSC 2007)<sup>27</sup>

Examples of an ICE include: the Commerce Commission, the Transport Accident Investigation Commission, the Accounting Standards Review Board, and the New Zealand Sports Drug Agency.

Transforming the Teachers Council into an ICE and simultaneously giving it more power over, say, the allocation of significant PLD funds, may increase its professional gravitas. However, in the Committee's view that would not serve either the purposes of a Minister (since it would be further removed from direct influence), or those of the profession itself (as it would remain an arm of the executive, like any other Crown agency).

In any case, we do not see a professional body of educators as an enforcement authority, but as a highly skilled, well-informed body representing a nurturing and enabling service for young learners.

#### **4. A conventional public service agency**

The Teachers Council could become a small public service agency or be set up inside a standard public service department, with clearly delineated functions of registration and discipline.

The Committee noted that in recent years a new business unit (the National Health Board) with planning, regulatory and funding roles, had been set up inside the Ministry of Health, although registration and discipline of health professionals are not its primary purpose. The transfer of the National Library into the Department of Internal Affairs is an example of a shift into a multifunctional agency. Similarly transferring the core business of the Teachers Council into, say, the Ministry of Education, might be feasible for some functions, such as the maintenance of a register.

However, a shift into the public service would not provide the teaching profession with its own voice or face. Indeed, we do not believe this would be acceptable to the teaching profession or other education stakeholders.

<sup>27</sup> Op cit.

The Committee also believes that reviving the former Teacher Registration Board's single function would be a backward step.

### **5. A fully privatised professional association**

As noted earlier in this Review, without a statutory base, the independent body would lack the appropriate legal authority to register or discipline members. The interest and massive investment by the State, the community and individual citizens in the quality and integrity of the education workforce is so great that we doubt there would be any public or political tolerance (or funding) for the potential risks of a fully privatised, unregulated, workforce.

We do not recommend consideration of this option.

### **6. Transition towards a professional body**

The Committee is recommending the establishment of a transition team, sponsored at high government level, for up to three years to assist the move to a professional body. This is discussed in detail in Chapter 6, Next Steps.

### **7. Statutory independence as a professional society/education council**

We propose the replacement of the current New Zealand Teachers Council with a new professional teaching body with a statutory base, within the wider reach of current legislation. This is discussed further in Chapter 6.

This body would have:

- a) as a primary obligation, promotion of the public interest
- b) a duty to the interests of the children and young people it teaches
- c) a duty to identify key public policy issues and lead professional and public debate on their implications for high quality teaching practice
- d) the capacity and capability to deliver registration, disciplinary and other conventional functions of any internationally highly regarded profession.

The Review Committee's recommendations on structural options

Autonomous Crown Entity (ACE)	Status quo, not recommended
Modified ACE	Recommended in the interim
Crown Agent	Not recommended
Independent Crown Entity	Not recommended
Public Service department/ transfer into a department	Not recommended
Fully privatised professional association	Not recommended
Transition towards a professional body	Recommended
Statutory independence as professional society/education council	Recommended

*Table 4: Recommendations on structural options*

# CHAPTER 6

## Next steps



## Chapter 6:

# Next steps

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After giving careful consideration to each feasible option, the Review Committee concluded that the best solution would be to establish a new professional teaching body, possibly called the Education Council of New Zealand or some such.

### *VISION*

*An independent professional body, with strong leadership, vision and energy, that is the voice and face of the teaching profession.*

A highly regarded professional teaching body with a statutory base would be sought out as the authority for the profession on the standards for practice and for development of the teaching profession.

It would nurture the communication and professional feedback systems that drive high-quality teaching practice. It would be respected because of its objectivity and would act as network interlocutor and broker of ideas.

Its role would be clearly differentiated from that of the education unions, employer associations such as NZSTA and from central government agencies. In time, it would be self-funding and self-regulating.

The Review Committee advocates a sustained lift in the quality of teaching practice and professional leadership by school principals.

Achieving this lift will have implications for the succession planning and recruitment of principals, as well as for their professional training and employment expectations. We do not believe this will happen through the Teachers Council alone, even with short-term (and necessary) changes to its structure and functions. Nor do we think it can happen by means of any centralised administrative process.

The status quo is not going to achieve the Government's goals for improved teaching or a lift in students' learning outcomes. An abrupt change in professional functions and structure, without changing some critical aspects of sectoral culture, will not generate sustained reform.

Our ultimate vision is for a professional teaching body that gives primacy to the public interest while representing the voice and face of teaching in New Zealand.

## Transition to a new professional educators' body

Transition to such a body will only work if it is carried out in respectful partnership with the sector, notably teachers themselves.

## Recommendation

W. The Review Committee recommends a three-stage shift from:

1. the Teachers Council, as an Autonomous Crown Entity whose first lawful duty is to the Minister, to
2. a transitional development actively led by New Zealand's leading education thinkers and practitioners, to promote and stimulate the professional leadership and support needed, to move to
3. a professional teaching body whose first duty is to the public interest and the interests of students, while, as a statutory body, retaining a transparent link with Parliament.

This will be a challenge for at least two reasons.

First, the precious cargo of education is our children. Since they represent our national future it is inevitable that there are high expectations and, often, anxiety about any agency outside the home that is entrusted with children's care and protection.

Second, formal schooling is more than care and protection. It is about the minds and aptitudes of children and young people. There are especially high expectations of the Government, officials and planners, school trustees, principals and early childhood leaders – and teachers.

The Review Committee acknowledges that the best of New Zealand teaching practice is among the best in the world.

What this Review advocates is a professional framework for shifting the range of ordinary capability further along the spectrum to exemplary, regardless of the level, setting or stage of teachers' progression.

### Issues and barriers

In some countries, trust in teachers is hard to find. In others, it appears to be settled and enduring. According to the OECD, New Zealand's education system is remarkable for the trust that the State and the electorate have in the local communities that run our schools and early childhood services.

But the stakes are high. The distributed nature of our school system, the strong sense of local school ownership and the demonstrable effect on students' learning of their early childhood and school experiences make it especially challenging to trust and enable principals and the teaching workforce to behave like an internationally-recognisable profession.

Any change in a structure or system generates risks to status, position, authority, duties, accountability, or power. In particular, system and structural changes entail change in familiar, established feedback arrangements.

It is precisely these sorts of risks that are entailed in a shift from the present arrangements to a new professional body embedded in statute.



In our view the risks are manageable and outweighed by the potential benefits for students' learning outcomes.

### Making a change in three stages

#### **Stage 1: Improving the base for professional development**

Currently, the Teachers Council has the statutory duty to lead the teaching profession. The notion of professionalism should be manifest in all the Council's work, but this is not realistic given that it is part of the machinery of government.

In addition, as discussed elsewhere in this Review, even if it were appropriately located as the professional leader, there are numerous reasons why the Council has been unable to do much more than deliver one vital part of a profession: registration of its members.

The legislative requirements for the Teachers Council and its interpretation of these have led its governing body to take an operational rather than a strategic position in areas such as discipline and approval of ITE programmes.

Thus the first phase of change will be to reconfigure or re-state the expectations of the Council as a standard-setting and regulatory body.

The Council's public assurance functions are necessary but not sufficient to deliver the kind of professional leadership expected by the Government and the public and espoused by teachers, their own industrial representatives and students themselves. Therefore, the Review Committee recommends several adjustments to the legislative and structural framework for the Teachers Council. (*See Chapter 8: Key Recommendations A, B and C.*)

We do not think that an abrupt shift in roles and relationships would achieve the Government's goals. In our view, there needs to be a transitional phase, sponsored at high political levels, to create a bridge between what we have now and a future state.

#### **Stage 2: Leading the transition**

##### **High level sponsorship**

We recommend that the transition team recommended in this Review be sponsored at high ministerial level.

Our reasons for recommending this are two-fold:

- i) first, to signal how highly the profession of teaching is valued and the socio-economic importance of realising the profession's potential for leadership in education.
- ii) second, to signal that Ministers have initiated the traverse and will enable the Council to use its best endeavours in servicing the transition.



### Transition team

This bridging task would be carried out by a team of the best, trusted and most forward-looking of our education thinkers and leaders.

These people must be capable of demonstrating exemplary thinking and, most importantly, be capable of successfully marketing the concept of teaching as the profession that gives primacy to the public interest and the interests of students over its own self interests.

They must have the proven ability to engage the minds and interest of other teachers, principals and those who are knowledgeable about teaching practice and what it takes to lift the quality of practice over all.

We propose a small, carefully-identified transition team, serviced by the Teachers Council, that would need just enough resources to enable it to:

- convene occasional discussion groups
- network with actively interested and thoughtful principals and teachers
- disseminate readily-accessible, easily-read articles on professionalism in teaching
- actively promote discussion about the evidence that informs good teaching practice and thereby feeds improved student outcomes.

Apart from the extensive research literature, there are numerous stores of local experience on which to draw for practical insight into the challenges of professional leadership, such as the Ministry of Education's practical website *Leadspace*, ERO's large evaluation database, the history of the development of te kōhanga reo and kura kaupapa Māori and the major principals' associations.

The process of transition will only work if it is carried out in respectful partnership with the sector, notably, teachers themselves. While it must have a base in education scholarship and remarkable professional leadership skill, the team must be able to deliver a specific piece of work in a collaborative way.

However—and we regard this as critical to a successful transition—the team would have a limited shelf life. We do not see it as having a permanent infrastructure, or enduring institutional status.

Far from sidelining any further engagement process and, in order to build on the base of evidence presented to this Review, we see consultation over the next three years as a transition team task.

The core task will be to encourage all teachers to support the establishment of the new professional body. Deeply-held values and attitudes about teaching will need to become more future-oriented. We expect the team would make extensive use of electronic media in working with teachers.

### Stage 3: Setting up a new statutory body for the teaching profession

The third stage—and the recommended goal of this Review—is a statutory professional teaching body.

On one hand, as discussed in Part A of Chapter 2, a profession is one that rears and nurtures its members, selecting them carefully, ensuring that they share a body of knowledge and agreed skills, understand and comply with a common set of ethical and behavioural codes, undertake ongoing learning and continue to hone their professional skills throughout their careers.

On the other hand, as an eminent jurist wryly remarked, “a profession is one that hunts and kills its own”. However sharp-edged that description, the Review Committee has noted from the evidence that the rigour and consistency with which all New Zealand professions actually manage their self-review and disciplinary processes is a matter of debate.

Nonetheless, the point is that members of the teaching profession must be willing and able to define and maintain very high standards of competence and conduct as a matter of their own duty to the public interest, their peers and the students they teach.

Enduring, highly regarded professions such as those found in law, medicine, nursing and engineering clearly struggle with the tension between self discipline and self review and how to maintain sufficient public trust to support their role as the voice of their members.

There is no easy answer to this and it would be inappropriate and premature for this Committee to attempt to specify all the organisational arrangements and nuances of authority and accountability that officials, teachers—and the proposed ministerial transition team—will have to address.

Given the magnitude of the State’s investment in education, it is important that, whether the Teachers Council continues in a modified form or is replaced by a more independent professional body, there still needs to be a transparent and durable link back from the profession to the government.

## Recommendation

X. The Review Committee recommends that, in addition to the conventional characteristics of any internationally-recognisable and highly regarded profession, the enabling legislation for the new Education Council of New Zealand (or chosen title) must clearly define:

- i) the obligation of this professional teaching body to promote the public interest
- ii) its duty to the educational interests of children and young people
- iii) its duty to identify key public policy issues and lead professional and public debate on their implications for high quality teaching practice.

# CHAPTER 7

## Conclusions



## Chapter 7:

# Conclusions

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The Review Committee's conclusions are based on the key issues set out in Chapter 5.

**1. In relation to the New Zealand Teachers Council itself**, drawing heavily on education sector research and submissions to the Review, we came to the following conclusions.

The status quo is not an option. Inter alia, the Education Act (1989) does not provide an efficient definition of the roles and functions expected of the Council.

In particular, the requirement for the Council's governors to be involved in operational matters inhibits their ability to exercise proper strategic governance.

If it were to retain its statutory leadership role, the Teachers Council would have to lift its performance in such areas as promoting effective teaching practice; leading and promoting public discussion; and raising the status and quality of informed debate on education issues.

The Education Act does not currently define an appropriate and deliverable professional leadership expectation for the Teachers Council, although such a role is central to the Council's statutory purpose as set out in Part 10, s 139AA.

The thresholds for entry to and graduation from initial teacher training and for progression as a registered teacher within a specific scope of practice are too low. This is detrimental to both the status of teaching as a profession and the quality of the education workforce. The standards need to be raised.

The Teachers' Council could be more usefully involved in demand and supply workforce planning and, in particular, the extent to which shifts in the price/volume mix suppress the demand for high quality entrance to and graduation from teacher training.

While the Graduating Teacher Standards and the Registered Teacher Criteria are well-supported by the sector, the quality assurance processes for approving a Practising Certificate need to be strengthened.

Further work needs to be done to develop standards that chart progression of teachers' expertise throughout their careers and their contribution to the profession and students' well-being.

The Council's registration regime does not reflect current needs and practice. We endorse registration of professional teachers while also recommending that adults

with expertise and dispositions known to support students' learning be given legitimacy.

The statutory framework for dealing with complaints about teachers' conduct and competence and the enacted processes to handle such disciplinary matters, are recommended for review.

**2. In relation to the wider institutional context** in which a professional teaching body operates, we came to the following conclusions.

Neither current accountability arrangements, nor the way PLD investment funding is handled, gives Ministers effective levers for improving the performance of teachers.

Except in schools with outstanding qualities of leadership by the principal and senior staff, current school governance arrangements are not capable of achieving a sustained lift in the performance of teaching staff.

In the structure of cross-agency communication at central government level and between central government and services agencies (including the profession of teaching) there is a conventional emphasis on the extent of authority and accountability for service delivery. Inter-agency structures and systems do not, however, place the same value on the importance of shared observation, agreed outcomes and feedback, which are essential to "the art of steering".

**3. In relation to the regulatory framework for the teaching profession,** we found the following.

The Education Act 1989 is outdated in its definition of teaching as "the instruction of students". No high performing country anywhere in the world now regards or defines teachers merely as "instructors". It should be noted that the Teachers Council itself variously defines a teacher as one who "causes learning" and one who "creates a coherent set of learning experiences".

The Act's definition of 'professional leaders' is limited to a description of their position as school managers. The definition of a principal as the professional leader of school staff is tucked into the interpretation section of Part 10, s 120 and makes no reference to the wider context of teaching as an internationally recognised profession. The same section also describes some teaching positions as being held by professional leaders. This is not helpful as a motivator for beginning teachers; nor is it a fair description of the contribution made to their peers by many exemplary teachers.

The Act emphasises the rules, restrictions, sanctions and controls on teachers. It does not adequately recognise the demand for more variety in scopes of practice (for instance, early childhood teachers, kaiāwhina, experienced carpenters, relievers, teacher educators).

The origins of the Education Act (1989) lie in 19<sup>th</sup> century models of schooling. Although amended over time, the Act still emphasises administrative arrangements, the allocation of duties and the limits to authority. It is almost silent on the legitimate scope for adaptive learning and the essentiality of feedback.

# CHAPTER 8

## Recommendations



## Chapter 8:

# Recommendations

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This chapter sets out the key recommendations of the Review Committee, and gathers together all recommendations made throughout the report, grouped by the chapter and headings under which they appear. Recommendations are labelled alphabetically, A to X.

### Executive Summary

### Key recommendations

- A. The Review Committee strongly endorses the recommendation of the final report of the Education Workforce Advisory Group (April 2010) that entry to the teaching profession be dependent on holding a postgraduate qualification.
- B. The Review Committee recommends that the Minister of Education  
Either:
  - a) amend the Education Act 1989, Part 10A, s 139AD so that all members of the governing body of the New Zealand Teachers Council are appointed directly by the Minister, with opportunities for nomination from members of the teaching profession
  - or
  - b) take steps to ensure that every person appointed to the governing body of the New Zealand Teachers Council be knowledgeable about education and have successful governance experience in other fields.
- C. The Review Committee recommends that the Minister of Education:
  - a) review the utility, merits and risks of embedding definitions of ‘teaching position’ and ‘professional leader’ in Part 10, s 120 (Interpretation) of the Education Act 1989 and
  - b) if it is decided to retain statutory definitions, take steps necessary to:
    - i) remove from Part 10, s 120 the Education Act 1989 the current definition of “a teaching position” as “a position in the general education system that requires its holder to instruct students”
    - ii) in any remaining definition of the role and function or position of school principals, emphasise their two key roles as:
      - the professional leaders of their own schools’ teaching staff
      - contributors to the national teaching profession.



- D. The Review Committee recommends that, by 2015 and subject to support by the profession, the Minister of Education disestablish the New Zealand Teachers Council and, under legislation with a wider reach:
- a) introduce legislation to establish a new professional teaching body and specify in the draft legislation that this body will:
    - i) be independent of ministerial direction, but informed by public education policy and best professional teaching practice
    - ii) be capable of identifying key public policy issues and lead professional and public debate on their implications for high-quality teaching practice
    - iii) be capable of publicly representing the voice and face of the teaching profession on education matters
    - iv) have statutory authority to register and discipline members of the profession
    - v) in addition to the conventional characteristics of any internationally highly regarded profession, have:
      - as a primary obligation, promotion of the public interest
      - a duty to the educational interests of children and young people
  - b) agree that the new professional body will be supported by the government for a specified setting-up period and, subsequently, resourced, largely or fully, by its members, as is the case for other major New Zealand professional societies.
- E. In order to deliver the new body, the Review Committee recommends that the Ministers of Education sponsor a transition team that has the following purposes:
- a) to publicise and foster public and professional teachers' interest in and debate on the implications for the education profession of issues such as:
    - i) changing regional demographics
    - ii) the increasing ethnic and cultural diversity of New Zealand's urban and metropolitan communities
    - iii) New Zealand's changing position in the global economy
  - b) to advocate for and encourage all teachers to support transition of the profession towards establishment of the statutory body set out in Recommendation D above
  - c) to enable leading educators to confer amongst themselves and with leading New Zealand and trans-Tasman academics and researchers as part of a professional community
  - d) to promote professional standards and succession plans for principalship in the New Zealand school sector
  - e) to engage actively in high-level consideration of key professional education issues, especially changing national and international experience

of how high-quality professional teaching practice can improve the learning outcome for every student.

The Review Committee further suggests that this team be serviced by the current New Zealand Teachers Council.

## Chapter 2, Part C

### Teachers Council Functions: Registration

F. The Review Committee recommends that:

- a) appropriately trained and qualified people be registered for as long as they meet the required professional standards and wish to pay for the right of registration
- b) the right to practise is renewed regularly as with current practising certificates, and that
- c) in future the concept of “subject to confirmation” will not relate to registration but to the practising certificate.

G. The Review Committee recommends that the right to practise be specified within a clearly identified scope of practice, noting that this might include practice in early childhood, primary, kura kaupapa Māori, secondary, community-based education, teacher education or some other form of tertiary teaching.

H. The Review Committee recommends that the Teachers Council strengthen the quality assurance processes it uses when approving practising certificates, and require evidence of ongoing learning and development.

I. The Review Committee recommends that teachers’ duty to maintain their ongoing professional learning be supported in the same way that professional clinicians are supported in the health sector.

J. The Review Committee recommends that the New Zealand Teachers Council evaluate the strength and integrity of the quality assurance processes for appraisal and monitoring, including those at early childhood service and school level.

K. The Review Committee recommends that:

- a) the Teachers Council give active consideration to the definition of a broad employment category of *Authority to Educate* for those with proven expertise deemed important for student learning
- b) such employees would not be members of the teaching profession but would be able to make a professional contribution, complementing the expertise of teachers and providing expertise that enriches the learning opportunities of students
- c) this *Authority to Educate* would be updated regularly as with the current practising certificate of a registered teacher.

## Chapter 2, Part C

**Teachers Council Functions: Entry standards**

- L. The Review Committee recommends that the Minister of Education raise the threshold for entry to the teaching profession by making teacher education a post-graduate qualification.
- M. The Review Committee recommends:
- a) the development and adoption, over time, of a single set of teaching standards
  - b) these standards would:
    - i) define the agreed scopes of practice
    - ii) chart progression of teachers' expertise throughout their careers
    - iii) capture teachers' contribution to the profession and students' well-being.

(This would mean the movement of professional standards outside the framework of collective employment agreements while carefully retaining requirements for salary progression.)

## Chapter 2, Part C

**Teachers Council Functions: Initial Teacher Education**

- N. The Review Committee recommends that:
- the Teachers Council lead the ITE community to develop a nationally-moderated process for evaluating trainees' achievements against standards for qualifications that lead to provisional registration, and that
  - once implemented, the Teachers Council control entry into the profession through this mechanism and not through the current process of programme approval, which would no longer be needed.

## Chapter 2, Part C

**Teachers Council Functions: Conduct and professional competence**

- O. The Review Committee recommends the development of a Code of Conduct for all those employed in the early childhood education and school sectors.
- P. The Review Committee recommends that Part 10A, s 139AQ of the Education Act be reviewed so as to:
- clarify the degree of severity entailed in breaches of conduct by teachers and

- provide for immediate referral by the Complaints Assessment Committee to the Disciplinary Tribunal of any breach of conduct that, if prosecuted, would result in imprisonment.

Q. The Review Committee recommends a review of the statutory framework for dealing with complaints about teachers' conduct and competence and the enacted processes to handle such disciplinary matters.

### Chapter 3, The institutional and labour market environment

## Education Review Office

- R. The Review Committee recommends that, in relation to the human resource management capacity of the education labour market, the Chief Review Officer and the Director of the Teachers Council formalise a protocol for monitoring and reporting publicly on:
- the capacity and capability of the 7500 "professional leaders" in early childhood services and schools and
  - their ability to induct, mentor, appraise and report reliably on all beginning teachers and those seeking full registration.

### Chapter 3, The institutional and labour market environment

## Boards of Trustees

- S. The Review Committee recommends that, for all boards of trustees and early childhood services identified by ERO as needing additional support, up-to-date professional HR management advice be provided in order to improve their management of beginning and experienced teachers.
- T. The Review Committee recommends that the Teachers' Council be more involved in demand and supply workforce planning by the Ministry of Education, the Treasury et al and, in particular, be well-informed about the extent to which shifts in the price/volume mix affect the demand for high quality entrance to and graduation from teacher training.

### Chapter 4: Summary of key issues

- U. To increase political and public confidence in the profession's commitment to the public interest and the interests of student learners, the Committee recommends the establishment of an office comparable with that of the Health and Disability Commissioner. (HDC Act 1994).

## Chapter 5: Discussion of options

### Recommending change

#### V. The Review Committee recommends that:

- a) the New Zealand Teachers Council or its successor be authorised to allocate professional learning and development funds currently held by the Ministry of Education. These could be directed to individual teachers or principals or for broader professional purposes such as improved delivery of curriculum priorities
- b) the decision to transfer PLD funds from the Ministry to the Teachers' Council would be conditional on:
  - i) the design of decision criteria
  - ii) an evaluation framework with good quality assurance processes
  - iii) the competence of the Council being demonstrably in line with the conditions set out in c) below
- c) these conditions be that the Government is confident that either the Teachers Council or its successor can demonstrate:
  - i) high-quality strategic governance skills
  - ii) highly skilled and capable management capacity
  - iii) sustainable operational competence
  - iv) a sound appreciation of the implications of such a responsibility for public and professional accountability.

## Chapter 6: Next steps

### Transition to a new professional educators' body

#### W. The Review Committee recommends a three-stage shift from:

1. the Teachers Council, as an Autonomous Crown Entity whose first lawful duty is to the Minister, to
2. a transitional development actively led by New Zealand's leading education thinkers and practitioners, to promote and stimulate the professional leadership and support needed, to move to
3. a professional teaching body whose first duty is to the public interest and the interests of students, while, as a statutory body, retaining a transparent link with Parliament.

## Chapter 6: Next steps

### **Setting up a new statutory body for the teaching profession**

- X. The Review Committee recommends that, in addition to the conventional characteristics of any internationally-recognisable and highly regarded profession, the enabling legislation for the new Education Council of New Zealand (or chosen title) must clearly define:
- a) the obligation of this professional teaching body to promote the public interest
  - b) its duty to the educational interests of children and young people
  - c) its duty to identify key public policy issues and lead professional and public debate on their implications for high quality teaching practice.

# CHAPTER 9

## Other Matters



## Chapter 9:

# Other matters

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Term of Reference 2 directs that the Review will make recommendations in respect of any other matters that the reviewers consider relevant to the question set out in earlier terms of reference. We raise questions about tertiary teaching and what we have called “the Auckland effect”.

### Tertiary teaching

The Education Act 1989 requires that all teachers employed in early childhood and school sectors have been specifically trained and registered to teach.

No-one teaching in a tertiary institution is required to be trained or qualified as a teacher of adults and there is no requirement for professional registration by tertiary teachers. Pedagogical qualifications or training for their lecturers and tutors could be to the benefit of tertiary students, particularly in the case of teacher training.

We suggest that any tertiary employee in a position that entails teaching, tutoring or lecturing to adults, especially in the faculties of education, be offered appropriate training and pedagogical qualifications that will assist them to enhance their students’ learning.

### The Auckland effect

In relation to the New Zealand Teachers Council Review, the Minister referred the Review Committee to the role of Auckland as ‘a powerhouse on its own’, which we took as a signal to pay attention to the impact of recent changes in Auckland’s city status on the provision of education in that region.

Furthermore, in her 2012/13 *Letter of Expectations* to the Teachers Council, the Minister stated that, amongst other relatively high level tasks, the Council should advise and assist with meeting Auckland’s social and economic needs. Hence the Committee sought comments on Auckland’s evolving role as a super city with a new education plan and often strident education demands.

However, few of those who talked to the Review Committee already knew about innovative school partnerships and initiatives such as the Manaiaikalani Education Trust in Tamaki.

We suggest that the Minister of Education and her Cabinet colleagues consider steps to popularise information about:

- what is beginning to happen in the “new Auckland”
- the impact it is already having on policy matters such as diversity in the registration, training and professional development of teachers, as discussed elsewhere in this report.



# **CHAPTER 10**

**Ministerial inquiry into  
the employment of a  
convicted sex offender in  
the education sector,  
June 2012**



## Chapter 10:

# Ministerial inquiry into the employment of a convicted sex offender in the education sector, June 2012

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### Term of Reference 3

The recommendations from the report of the June 2012 *Ministerial Inquiry* were referred to the Review Committee.

The report from this Inquiry lists a total of 35 recommendations. Advice to the Committee from the Ministry of Education was that the majority of the recommendations have been accepted with five complete, two in the process of being implemented, four partially accepted and three under current consideration.

Specific recommendations from the Ministerial Inquiry that were directed to the Teachers Council Review are set out below, with an indication of where they have been addressed in this New Zealand Teachers Council Review Report:

Part 2 (1): The Inquiry recommends that the forthcoming Review of the Teachers Council evaluate the merits and disadvantages of retaining dual approval by the NZTC for both professional education and registration standards for the teaching profession (Part 2, Section1).

*Addressed in NZTC Review*

Part 4 (2): The Inquiry recommends that the question of school boards' engagement in the design of entry standards for teacher trainees be considered as part of the forthcoming Teachers Council Review. (Part 4, Section 1)

*Addressed in NZTC Review*

Part 4 (5): The inquiry recommends that as part of the forthcoming review, the NZTC's current proposals for six-yearly surveys of teaching graduates be evaluated to test the sufficiency of assurance they would provide for the government, employers, school boards and other key stakeholders as to the quality of pre-employment teacher training. (Part 4, Section 1)

*This recommendation is not directly addressed in this NZTC Report, but we consider that the 'sufficiency of assurance' is covered in several parts of the Review Committee's report dealing with ITE and associated quality assurance arrangements.*

Part 4 (9) The Inquiry recommends that in the context of the forthcoming review of the Teachers Council, the Ministry of Education and the NZTC:

- review the policy framework for practising certificates
- revise these in light of the experience of other professionals where a graduate from, say, a specialist university programme (eg law or medicine) is employed on what is essentially an apprenticeship basis and supervised and mentored for a period before being granted a ‘practising certificate’ or professional ticket and, after further work experience, full registration. (Part 4, Section 3)

*Generally addressed in NZTC Review*

#### **Te Aho o Te Kura Pounamu: Correspondence School (Te Kura)**

The Ministerial Inquiry raised questions about the safety of children enrolled in Te Kura.

*Although not directly addressed in this NZTC Review, we note that changes to provision of distance learning for the students enrolled in Te Kura have recently been announced. We refer the matter directly to Te Kura’s governing body for consideration.*

#### **HR management and capability in the school sector**

We note that a number of the concerns raised in the Ministerial Inquiry have been taken up, with explicit action plans, in the recently released *White Paper on Vulnerable Children* (11 October 2012).

However, the Inquiry’s concerns about the quality of trustees’ and principals’ employment capability directly reflected the findings of this Review Committee. We were not persuaded that individual schools operating in their own, generally very small catchments, have the ability to keep up with best HR practice in various professional occupations including teaching.

# Acknowledgements

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We valued the advice of the Minister's Office staff, the high quality of the administrative support provided for the Review by staff in the Ministry of Education, the generosity with which senior managers, analysts and librarians responded to our requests for information, research material and verification of facts and managed our schedule of meetings in Wellington and Auckland. Thank you, too, to our editor and report coordinator, for her advice and encouragement.

The Committee greatly appreciated these significant contributions to the Review.

# APPENDICES



# Appendix A:

## Terms of Reference

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### Context and objectives for the Review

A more flexible, skilled and culturally intelligent professional education workforce will deliver better and more equitable outcomes for every learner. Government's vision for the education workforce is to lift the quality and status of teaching and improve the retention of high quality teachers and education leaders as a key strategy to improve learner outcomes and address issues of equity.

In 2010 the Education Workforce Advisory Group recommended a focus on five key areas in order to achieve that vision: teacher education; recognition, reward and progression; professional leadership; cultural diversity; and Māori-medium and Māori education.

To support a culture of change in the profession, the Advisory Group recommended refocusing the New Zealand Teachers Council (NZTC) as the professional body for the teaching profession.

On 28 September 2011 Cabinet Social Policy Committee agreed that work be undertaken to give effect to the Education Workforce Advisory Group's four key areas for change to assist with lifting the status and quality of teachers and outcomes for every learner: initial teacher education; professional leadership in schools; career pathways for teachers; and leadership of the profession [SOC Min (11) 20/3 refers].

As part of a work programme to support a culture of change through strengthening leadership of the profession, Cabinet agreed to a review of the NZTC to ensure that it:

- sets and enforces clear standards for entry, progression and professional accountability
- has the full support of the profession
- is clearly differentiated from government and industrial advocacy organisations.

### Background: The New Zealand Teachers Council

The New Zealand Teachers Council (NZTC) is an autonomous Crown Entity for the purposes of s 7 of the Crown Entities Act 2004, established under Part 139AC of the Education Act 1989.

The functions of NZTC (Part 139AE) are:

- to provide professional leadership to teachers and others involved in schools and early childhood education
- to encourage best teaching practice
- to carry out the functions under Part 10 relating to teacher registration
- to determine standards for teacher registration and the issue of practising certificates
- to establish and maintain standards for qualifications that lead to teacher registration
- to conduct, in conjunction with quality assurance agencies, approvals of teacher education programmes on the basis of the standards
- to develop a code of ethics for teachers, after consultation with the State Services Commissioner and after having regard to any code of conduct issued by him or her under s 57 of the State Sector Act 1988
- to exercise the disciplinary functions in this Part relating to teacher misconduct and reports of teacher convictions
- to set the criteria for reporting serious misconduct and for reporting on competence issues
- to exercise the functions in this Part relating to teacher competence
- to coordinate a system providing for the vetting by the Police of all teachers
- to identify research priorities and, where appropriate, to promote and sponsor research according to those priorities
- to exercise any other functions conferred on it by this Act, any other enactment, or the Minister in accordance with s 112 of the Crown Entities Act 2004.

## Terms of Reference

1. The review will investigate:
  - (a) the capability and capacity of the NZTC to lead the teaching profession with respect to:
    - developing and promoting the professional community of teachers
    - promoting effective teaching practice and engaging meaningfully with membership
    - leading and promoting public discussion to raise the status, interest and informed debate of education issues

- setting robust standards for entry to the profession
  - setting and monitoring standards for registration, ongoing performance appraisal and professional development
  - holding teachers to account in terms of competence and conduct
  - quality assurance/approval of teacher education programmes and graduate outcomes, including the effectiveness of its relationship with the universities and other providers of initial teacher education.
- (b) the effectiveness of the current legislative and structural arrangements in enabling the execution of the functions outlined in (a) having particular regard to:
- i) the powers and functions of NZTC and how these relate to the functions of other agencies
  - ii) the composition of the governing body and the approach to the selection/ appointment of its membership, including representation of the broader public interest
  - iii) the status of NZTC as an autonomous Crown Entity.
2. The review will make recommendations in respect of these matters and any other matter(s) that the reviewer(s) consider relevant to the foregoing questions.
3. The review will take account of the recommendations of the Ministerial Inquiry into the employment of a convicted sex offender in schools.

## Reviewer/Review process

The review will be carried out by a team of external, independent reviewers.

The reviewers will identify and access relevant evidence and material in relation to this matter and interview relevant people. These will include, but not necessarily be limited to:

- the Board of the NZTC, in their roles as NZTC board members and representatives of their organisations or constituencies
- the Chief Executive, senior members and staff of the NZTC
- Ministry of Education officials
- State Services Commission and the Treasury
- members of the profession
- representatives of other professional bodies
- other potential stakeholders of the Teachers Council such as employers, parents and the media.

The review process will involve the following milestone meetings:

- set-up prior to the review of source documents and engagement with relevant people



- testing and agreement of core issues
- development and discussion of options
- development of recommendations.

## Secretariat

Secretariat support will be provided by staff from the NZTC and the Ministry of Education. They will assist with:

- locating and collating evidence and information
- identifying relevant people and facilitating meetings and interviews
- maintaining records from interviews and meetings
- administrative support, including arranging travel and accommodation as required
- other tasks negotiated with reviewers within the terms of their contracts.

## Reporting

The review report and recommendations will be delivered to the Minister of Education within three months of the commencement date. Copies will be provided on this date to the Chair of the New Zealand Teachers Council and the Secretary for Education.

The report will identify:

- strengths and weaknesses of the current roles, functions and relationships of the NZTC
- changes necessary to ensure NZTC effectively sets and enforces clear standards for entry, progression and professional accountability; has the full support of the profession; and is clearly differentiated from government and industrial advocacy organisations
- ability to represent the public interest with regard to the quality of teaching
- roles and functions that should be retained, changes in roles and functions that should occur and new roles and functions required
- options for re-configuring the NZTC in order to best deliver these roles and functions and the associated implications (including legislative and financial implications)
- how changes proposed support the Government's wider work programme for strengthening the education workforce
- areas that require further investigation.

While the role and functions of the NZTC are the central focus of the review, the report to Government will also identify any wider policy implications arising from proposed changes to the NZTC.

## Confidentiality

The report and any products arising from the review will remain the property of the Minister of Education.

Members of the review team, secretariat and any others involved in the review are required to hold confidential any information that arises as a result of the review process until such time as the Minister of Education agrees to publish the report and/or the findings of the review.

The Official Information Act 1982 will apply without exception to the activities of the review.

## Appendix B:

# Summary of selected written submissions from national organisations

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*The Review Committee received 177 written submissions from individuals and groups. We have summarised some of the submissions from national organisations below.*

### New Zealand Teachers Council

The New Zealand Teachers Council submission argues that it is meeting the functions expected of it and outlined in the review terms of reference. The submission describes how the Council benchmarks its performance against other teacher registration bodies and the value for money it provides on Government's contribution of \$178,000 per year to the Council's income.

The Teachers Council believes that it must have a skill-based governance body with sufficient status to act as a professional body distinct from government or industrial organisations. It believes the Council must be made up of a majority of elected members with a balance appointed by the Minister of Education.

The submission outlines a range of activities the Teachers Council has undertaken that demonstrate its capacity and capability to lead the teaching profession and it describes how it is delivering the functions expected of it, including:

- redevelopment of its website to support building the community of teachers
- promoting effective teaching practice through workshops on induction and mentoring, implementation of the Registered Teacher Criteria (RTC) and competence processes and continuing to engage with teachers
- leading debate, within the boundaries of its dual role as professional body for teachers and regulatory authority, by articulating the complex and important nature of teaching
- setting standards for entry to the profession and the establishment of a public national register of teachers based on a clear set of criteria for initial and ongoing registration

- supporting improvement in teacher appraisal against the RTC
- working closely with a range of agencies to share data and information to gain assurance over the registration status of all teachers with a practising certificate and those entering the profession from other jurisdictions
- undertaking work to move towards one set of standards – incorporating the Professional Standards in the collective agreements with the RTC.

The submission describes the current conduct and impairment processes operating through the Complaints Assessment Committee (CAC) and the Disciplinary Tribunal.

The submission describes the way matters of teacher competence are dealt with including the operations of a Competence Assessor making recommendations to the Competence Advisory Group and then to the CAC if appropriate.

The Council also decides teachers' registration cases including decisions based on evidence that "calls into question their good character and/or fitness to teach".

The New Zealand Teachers Council submission states the Council's commitment to ensuring that initial teacher education qualifications are of high quality and describes the processes it uses to approve, monitor and review these qualification programmes.

The Council suggests there are areas of its legislative and structural arrangements that could be made more effective including:

- the powers and functions of the Teachers Council and how these relate to the functions of other agencies
- the composition of the governing body and the approach to selection and appointment of its membership
- the status of the Teachers Council as an Autonomous Crown Entity.

The submission does not make specific recommendations for change in these areas.

In conclusion the submission argues that the Teachers Council is meeting its current expected functions and "is poised to fully realise the Minister's ambition of a strong professional body able to advocate for high quality teaching within a clearly defined regulatory framework."

The submission contains an appendix that sets out the activities it has undertaken to deliver its leadership function.

### Alternative Education National Body (AENB)

This submission focuses on the difficulties teachers in the alternative education (AE) sector face in gaining and maintaining registration.

The AENB believes the Teachers Council should be working collaboratively with teachers/the profession “having teachers’ interests as a key motivation”.

AENB states that the Teachers Council rules for settings appropriate to gain registration do not adequately reflect the range of settings in which teachers work. The Teachers Council is not seen as being sufficiently future-focused to be able to accommodate the changing teaching landscape (citing the emergence of charter schools and the expansion of Youth Guarantee providers as examples).

It thinks this is out of step with Ministry of Education policy that provides funding for pedagogical leaders in alternative education settings, which it presumes is to perform the roles that the Teachers Council says are absent in those settings.

As AE teachers work with some of the most at-risk students, the targets of government’s priority goals, they should be better supported to join the profession.

AENB suggests that the Teachers Council requirements for ITE do not include sufficient focus on the requirements of working with students in AE settings.

AENB believes that there should be a representative from its body on the Teachers Council.

### Association of Heads of Independent schools of NZ (AHIS)

AHIS submitted that there was no real evidence of any substantive professional leadership activity by the New Zealand Teachers Council including promoting a professional community of teachers, promoting effective teaching practice, promoting public discussion to raise the status, interest and informed debate of educational issues.

It has capacity and capability to set standards for entry to the profession and has done this well. Similarly for registration standards, but the Council is inhibited by confusion created by other standards in the collective agreements as well as standards for practising certificate maintenance so the system is “clunky, especially for identifying competency issues”.

AHIS is concerned that the Teachers Council has often not-deregistered a teacher deemed incompetent by AHIS—because they have said that “in some instances, independent schools set higher standards”.

AHIS questions the Council’s capability and capacity to monitor appraisal and PLD—a role more commonly delegated to school leaders. It notes that the Council expects professional leaders in schools to “hold teachers to account in terms of conduct and competence”.

AHIS believes there is little awareness of the way the Council provides quality assurance of ITE programmes so has no comment on this activity of the Council.

AHIS believes it is unfortunate that representation of the independent schools sector is not required on the Council.

AHIS believes the status of the New Zealand Teachers Council as an autonomous Crown Entity would be “severely undermined” if unregistered teachers were allowed to teach in schools, eg as in Partnership Schools.

Overall AHIS believes that the Teachers Council is unresponsive to the profession and does not provide an appropriate level of response to teachers’ queries on even relatively simple matters.

**Association of Proprietors of Integrated Schools (APIS)**  
*(In conjunction with the New Zealand Catholic Education Office)*

The APIS submission strongly supports the need for high professional standards that give the public confidence the profession is acting in the best interests of the nation as a whole. APIS suggests that the profession has not always acted in a manner that provides a sufficient level of confidence.

APIS argues that the New Zealand Teachers Council has not achieved a sufficiently high profile to drive the profession to higher standards and that it is not able to implement quality control at the school level where it is most needed.

APIS also believes there is a perception that poorly performing teachers are “tolerated in the profession”.

APIS recommends changing the membership structure of the Council to strengthen its public accountability. Sixty percent of its members should be elected and the others need to represent the public interest—being drawn from significant stakeholders, such as business and community groups.

APIS recommends strengthening the requirements for initial teacher education and entry to the profession to ensure not only academic but necessary dispositional characteristics are met.

Any inefficiencies or unnecessary processes that make the reporting of conduct and competence issues too cumbersome should be addressed. Principals/local employers must be able to make robust decisions without fear of undue pressure to either find against or in favour of the teacher in question.

Finally APIS suggests there are some valuable lessons to be learnt from the clarity of role and functions that were demonstrated by the preceding Teacher Registration Board and the way it implemented high standards for teachers with strict enforcement of sanctions—removal of a practising certificate.

### City of Manukau Education Trust (COMET)

COMET supports the continued existence of the Teachers Council as the standard-setting body for the profession. It suggests this role could be strengthened by improvements to the criteria for registration and the processes for appraisal of teachers against those criteria.

COMET recommends the Teachers Council bring together the three sets of standards currently used for different purposes: Registered Teacher Criteria (RTC); the Tātaiako dimensions; and the criteria in the collective agreements.

It recommends establishing a system of external moderation of teacher competence to support that undertaken by school principals.

It recommends greater differentiation of the RTC to recognise particular specialities teacher and school leaders perform—these include particular categories of registration for principals and for teachers working in immersion and bilingual settings. It also recommends specific performance standards be included to clarify “the skills needed to support learners who are currently underserved by the education system, particularly Māori and Pasifika learners.”

### New Zealand Association of Intermediate and Middle Schools (NZAIMS)

NZAIMS says that teachers should feel they are valued members of a professional body, and recommends that:

- the Teachers Council be an independent body
- the independent Teachers Council act as the ‘gate-keeper’ for both entry to the profession and the quality of ITE
- an independent Teachers Council be resourced to lead PLD for the profession
- teacher and principal appraisal processes be included in the registration and re-registration process
- the internal systems of the Teachers Council, eg CAC, be reviewed for effectiveness and transparency.

NZAIMS believes that the current communication approaches and the low level of understanding by teachers of the Council’s functions and operations mean that it is generally regarded as a “tri-annual nuisance”.

NZAIMS suggests that there is “a chasm and culture of distrust, scepticism, and breakdown in relationships between the teaching workforce, governance and the Ministry of Education.” Because of the poor relationship between the sector and the government/Ministry and apathy with the unions, NZAIMS believes that the “time is right for leadership, and an independent NZTC would be well placed to take this mantle”.



## NZEI Te Riu Roa

NZEI Te Riu Roa recommends using this review as an opportunity to develop an independent teaching council with:

- statutory authority status
- financial independence from the government
- functions and powers relating to both the regulatory and aspects so a professional base supports the licensing for the profession
- functions and powers similar to the current NZTC but strengthened in the area of public advocacy for education and for the profession
- a governing body with a majority of registered teachers, and with public members who represent the public interest, and no representatives from any national organisations.

NZEI has been a supporter of the New Zealand Teachers Council but believes the time is right to move to a new form for the professional leadership body to reflect the mood / state of the profession.

NZEI contends there needs to be a body with sufficient independence to be “with, by and for teachers, working together with the public in advocating for teaching and for learners”.

It believes the Council should change its name to ‘teaching’ rather than ‘teachers’—to emphasise teaching and learning at the heart of what it does and the focus on the public protection of safety and quality. This would help engagement with any new body.

A major frustration is the lack of engagement with teachers and in the public debate about educational policy issues—NZTC is constrained by its Crown Entity status—it doesn’t challenge government policy and is therefore largely anonymous.

The profession needs to continue to raise the standards of entry, continuance and exit. NZEI believes the Teachers Council does this effectively in the main and that the current RTCs are fit for purpose and should not be changed.

The NZEI believes the Teachers Council should be changed only in so far as its professional voice and leadership functions and role are strengthened. In the first place this requires it to be significantly more independent from government. NZEI believes the profession is ready for this change; to be given the greater autonomy from government that other professions receive, it supports an approach like the Scottish Teachers Council. An informed and politically-neutral body could provide leadership in the public debate. It could take a view on educational issues beyond the political electoral cycle and on innovative, future-oriented approaches to the education system.



NZEI believes the membership of the Council should be predominantly registered practising teachers but should have a ‘sizable provision for public representation’.

NZEI suggests removing any national body representation (eg unions and employers).

It suggests that there could be an expanded role for advisory groups to lead debate on professional issues related to specific parts of the education sector eg, early childhood education, teacher education, professional leadership.

NZEI believes teachers would forego the government contribution to the Teachers Council revenue in favour of greater independence. It also believes that government should share in the resourcing of research projects of mutual interest.

NZEI also argues that there has been political interference in the use of the fees, as the unnecessary ‘imposition’ of the cultural competencies has required professional development in their use to be resourced from the registration fees teachers pay.

### **Current Strengths**

NZEI believes the current RTCs and registration processes are effective, notwithstanding the occasional frustrations of individual applicants. They support the single, aspirational set of standards covering all teachers.

It believes the Teachers Council has engaged in some valuable professional leadership activity including the development of the Code of Ethics, research into mentoring and coaching and the guidelines and resources that support registration. They support the Council’s work on lifting capability in appraisal and the professional development not regulatory approach to their work.

NZEI also supports the Council’s establishment of the CAC, Impairment Committee and Disciplinary Tribunal.

### **Current weaknesses**

Despite the above activity and NZEI’s promotion to its members, “many teachers remain oblivious to the positive work of the Teachers Council”. NZEI believes this is exacerbated by NZTC’s Crown Entity status which restricts the Council’s ability to speak out on professional matters and government education policy.

The Teachers Council needs to increase its promotion of the profession and examples of effective practices. It recommends the government provide additional funding for the Council to run professional development activities associated with its ‘projects’.

NZEI believes the Council should play a role in bringing together significant stakeholders to discuss and conduct labour market planning. This would help

reduce the mismatch between supply and demand and the resulting issues, particularly with new teachers being unable to find permanent employment.

NZEI believes the Teachers Council is viewed as “a regulatory bureaucracy” and that “teachers’ main contact is likely to be every three years when they re-apply for a practising certificate”.

*NZEI comment on specific aspects of the Teachers Council functions*

### **Registration**

NZEI strongly asserts the need for every teacher to be registered and that registration is the core business of the professional body. The NZEI strongly supports the current RTCs and recommends they be retained as is. They note their concern about the proposal in charter schools that non-registered people be employed to teach.

NZEI is cautious about the use of LATs and advocates that they be only for “short-term emergency cover”.

It believes all principals and professional leaders in early childhood settings must be registered teachers.

NZEI states it does not agree with what it sees as the Ministry of Education’s early childhood sector funding requirement for teachers to be ‘*qualified AND registered*’ and “strongly supports the Teachers Council’s approach” that registers teachers to teach in any sector.

NZEI notes some misunderstanding in the sector about the ‘subject to confirmation’ registration category and suggests there may be an opportunity to address this, but cautions against “tweaking just one aspect as there are other areas of concern”.

### **Initial Teacher Education**

NZEI supports the role of the Teachers Council in initial teacher education. It notes concerns with the ITE provision that include the large number of programmes offered and providers, which have implications on the quality of programmes. It is concerned about any proposed move to a post-graduate qualification requirement arguing that it will reduce the time available for practicum and to reflect on learning and practice.

### **Induction**

NZEI acknowledges the international respect for the induction model in New Zealand and the work the Teachers Council has done to support effective practice but believes it still lacks capacity to reach at sufficient depth into the profession. With reference to government policies in the early childhood sector,

NZEI states that the government should work with the Teachers Council to “ensure government resourcing supports, not hinders, the work of the professional registration body”.

### **Standards for progression**

NZEI believes the current RTC standards are appropriate for progression and should not be changed. NZEI cites the extensive consultation process that supported the development of the RTCs as evidence that the RTCs are fit for purpose. The NZEI acknowledges the issues created by dual standards—RTCs and professional standards embedded in collective agreements—and believes that a revised, independent teachers Council would provide “the opportunity to review and solve this dichotomy”.

### **Teacher appraisal**

NZEI supports the current RTC as appropriate for appraisal purposes.

### **Professional Development**

NZEI is “comfortable with the current requirements” as they relate to maintaining teacher registration and a practising certificate.

### **Accountability**

The NZEI believes the current Code of Ethics for teachers is sufficient to hold teachers to account in terms of their behaviour and does not support the June 2012 *Ministerial Inquiry* recommendation to develop a code of conduct for teachers.

NZEI strongly supports the current “by teachers, for teachers and with teachers” approach the Teachers Council takes to its disciplinary and competence functions. NZEI believes caution should be applied to any move to include non-education sector representatives on the CAC as they need to understand the context of teachers’ work to act appropriately.

### **NZEI Te Riu Roa, Executive of the Auckland Area Council**

The executive council argues that a “teacher’s council should by definition be “of, for and by” teachers. It states that the council should be an independent and self-regulating body and promotes the GTC of Scotland as a worthy model.

It believes the council should not be “constrained by political, industrial or sectarian perspectives” in advocating for students.

The executive argues that the Teachers Council should set standards based on professional not regulatory considerations.

The executive believes the current status of the Teachers Council as an autonomous Crown Entity compromises its ability to make decisions that are in the best interests of the profession.

## New Zealand Homebased Early Childhood Education Association (HECEA)

### **Current strengths of the Council**

Key concern is that the current approach of the Teachers Council to registration privileges centre-based practice and does not adequately represent the homebased care sector. HECEA acknowledges that discussion is under way at NZTC to address these concerns.

Members are keen to retain the Early Childhood Education Advisory Group in the Council and are reasonably happy with its regulatory and disciplinary functions, although most members “had little understanding of these roles”.

HECEA felt the professional leadership body should:

- promote the profession and be visible and easily accessible
- act ethically and focus on the public good
- demonstrate future thinking, actively recruiting new members and supporting professional leaders.

### **Membership**

Membership of the Council should primarily comprise teachers with representation from each sector including kura kaupapa Māori and the ITE sector. The Council requires some legal expertise.

### **Unique contribution**

The Teachers Council’s contribution is to:

- set standards for entry and ongoing registration
- provide advice to government on professional issues—non-political and evidence-based
- ensure the best people are recruited into teaching
- foster unified profession across all sectors
- recognise non-registered teacher roles that support learning.

### **Main beneficiaries of professional body**

Main beneficiaries of a professional body are the professionals themselves because of reputational advantage.

Learners also benefit from competent teaching and government through greater confidence in value for its investment.

### **Suggestions for improvement**

The Teachers Council should:

- be more active in requiring use of te reo me ona tikanga Māori by all teachers – ie in ITE programmes and setting of registration standards

- explore ways to enable teachers to become registered in homebased settings
- broaden access to PLD to include leaders and educators.

HECEA had no view on the Council's Crown Entity status.

### NZ Kindergartens Inc.

The Kindergartens Inc submission supports the Teachers Council view of the teaching profession as one of equal status across all sectors—early childhood, primary and secondary.

It is generally supportive of the work of the Teachers Council and points to recent activity related to development of the RTCs, guidelines and support for mentoring and induction as contributing to the professional community of teachers. It supports the Teachers Council's role in setting robust entry standards and in quality assuring ITE programmes (noting the challenge of dealing with many providers and programmes). And it believes the disciplinary and competence functions have been carried out to a reasonable and improving standard.

It feels there is a need to develop a clearer shared understanding of the role of the Teachers Council and that its structure needs to enable it to carry out all of its functions equally and in a timely way. Kindergartens Inc believes the Council has been too greatly focused on registration and regulatory functions.

Kindergartens Inc believes the promotion of educational leadership has been too school-sector focused. It suggests the Teachers Council look at establishing regionally-based teams of professional leaders to lead forums on specific cross-sector professional issues.

It would like the Teachers Council to be responsible for managing the professional development funding for teachers rather than the Ministry of Education.

The processes for ensuring registration standards have been met in order to renew practising certificates need to be improved and made more robust.

Kindergartens Inc believes there should be more effective processes that enable complaints about teachers to be heard by the Teachers Council and not settled 'out of court'.

The Teachers Council should lead debate about teaching—not education in its wider sense. Its Crown Entity status and roles need to provide for that. It needs to be sufficiently independent from government to be seen to be speaking without undue constraint from either government or other advocacy organisations including the unions.

Kindergartens Inc would like to see more early childhood representation on the Council and that the chair be elected to give it more independence from government.

It supports more effective collaboration with other government agencies especially the Ministry of Education and ERO.

### **New Zealand Partnership Schools/Kura Hourua Working Group**

The Working Group's submission builds on an earlier meeting they had with the Review Committee.

The main focus of the Working Group's submission is on encouraging the Teachers Council to recognise "additional pipelines into teaching" in their approach to teacher registration.

It notes that people with specific knowledge and expertise (but not formal teaching qualifications) already contribute to learning in tertiary settings and for students in START and Gateway programmes.

The Working Group believes the current approach "limits the opportunities for partnership schools to develop innovative approaches to learning". It argues that partnership schools should be able to draw on a wide range of people to support student learning, "but who are ineligible for the current registration process".

The Working Group also believes that the fundamental purpose of a Teachers Council is to "act on behalf of the public good"; specifically parents and students. They believe that to do this effectively the membership of the Teachers Council should not be based on representation by professional groups but should also include members of the wider public.

### **New Zealand Post Primary Teachers Association (PPTA)**

The PPTA sets out a view of professionalism based on a definition by Dr Southwick of the Australian Council of Professionals that underpins their submission.

#### **Professional leadership**

PPTA suggests the legislation should define a narrower professional leadership role for the New Zealand Teachers Council that is more appropriate to its resources and capacity. The PPTA argues that there are tensions in the NZTC's representation of all parts of the education workforce—early childhood through to tertiary. It should not be "expected to address and mediate these competing interests in regards to the profession's wider social role".

PPTA does acknowledge recent leadership contribution in areas relating to its regulatory functions.

They suggest the Teachers Council should become a statutory authority giving it more independence and greater credibility with teachers. Its leadership role should be restricted to those matters that support its quality assurance functions – setting and monitoring standards and acting appropriately when teachers do not adequately meet these.

This independence would support its taking a stronger stance on relevant matters than is possible when more closely controlled by government.

PPTA believes that the Teachers Council has only a secondary role to play in promoting the professional community of teachers. They do not support creating an artificial ‘community’ when these already appropriately exist in different forms for different purposes.

### **Standard-setting**

PPTA strongly supports the Teachers Council’s standard-setting role—for entry to the profession and for ongoing registration. It welcomes the NZTC’s recent work in encouraging more effective appraisal, recognising that many school leaders need support in this area.

PPTA argues, however, that the Council has “no capacity for leadership about professional development”. They suggest that a more independent body would be able to advocate for the increased resources the PPTA believes are required for professional development.

### **Conduct and competence**

The PPTA supports the Council’s statutory function in relation to conduct and believes its processes are operating effectively. PPTA does note concern that the complaints assessment committees may not have enough education sector knowledge in their membership.

It does not support the June 2012 *Ministerial Inquiry* recommendation to review the threshold for issues being elevated to the Disciplinary Tribunal. They regard the CAC as working well to resolve matters in a less costly and time-consuming way.

The PPTA does not suggest any change to the competence assessment function.

The PPTA strongly supports the Teacher Council continuing its role in quality assurance of initial teacher education (ITE) programmes. It argues that there is a resourcing constraint that prevents the Council from monitoring providers and programmes more effectively, following programme approval. It also argues against any move to a post-graduate requirement for ITE but says that government



strategies to lift the quality of teachers entering the profession are wider than the scope of this Review.

### **Legislative, structural and governance arrangements**

PPTA suggests that a lack of clarity and confusion between the roles and responsibilities of a range of government agencies—including the Ministry of education and ERO—have acted against the Council’s being able to function effectively.

The PPTA recommends increasing the size of the Council itself to provide more capacity to carry out a broader range of leadership functions (it notes its earlier comments about limiting the leadership function). PPTA recommends adding representation for the ITE sector and for secondary principals specifically.

It argues for continued union representation on the Council. PPTA believes this supports the Teachers Council by providing an opportunity for the Council’s messages to be passed on through the union’s networks in schools and to give the Council greater credibility with the sector. It does not believe the union view predominates in the Council’s business.

As noted above PPTA argues that the New Zealand Teachers Council become an independent statutory authority—to give it greater independence to speak out on government policy in matters of interest to the profession. PPTA suggests that an important role for the Council would be “acting as a respected and trusted broker (between government and the sector) and impartial communicator of information and advice”.

### **New Zealand Principals’ Federation (NZPF)**

NZPF believes the New Zealand Teachers Council plays a vital role in setting standards for teacher registration and issuing practising certificates. It supports the strengthening of its disciplinary function and highlights information sharing and communication among police, schools and the Council as an area to work on.

It also believes the Council could provide better support to principals in disciplinary matters. It supports the Teachers Council’s current research role.

NZPF believes the Teachers Council should be more independent from government than is permitted under its current Autonomous Crown Entity status. This would permit the Council to work more closely with the sector to strengthen standards for entry to the profession. NZPF supports better management of supply and demand of teachers.

It supports the Teachers Council acting as the “critic and conscience to independently inform debate on quality teaching and to openly advocate for improvements to the quality of teaching in New Zealand”.



It recommends the Teachers Council become an independent body with an elected board that comprises people from across the sector and the wider community elected by teachers. Representatives from sector groups should be restricted to membership of sub-committees.

It believes that strengthening the Teachers Council will contribute to the following government goals for the education workforce:

- lifting the status of the profession
- attracting and retaining qualified and highly-disposed people to teaching
- maintaining a high quality teaching workforce that will effect greater success for our young people.

NZPF would like the Council to be “more resilient to government pressure and interference so that certainty and confidence in the profession can be maintained”.

NZPF suggests further consideration should be given to the Teachers Council’s role in performance management and appraisal and expanding the representation and coverage to the tertiary sector.

### New Zealand School Trustees Association (NZSTA)

NZSTA states that if the Teachers Council is to be successful as the professional leadership body:

- the goal of all students being provided with the opportunity to achieve their potential must be the fundamental starting point
- its role, functions and activity must be aligned with the acknowledged criteria defining the profession
- tinkering with the idea of a professional body will not be enough.

NZSTA says that many of the current functions are not appropriate.

It believes the current legislative arrangements for the Teachers Council are a major barrier to its operating as an effective professional leadership body – it should be an independent statutory body under its own legislation.

NZSTA recommends that:

- NZTC is re-established as an independent statutory authority along the lines of the New Zealand Medical Council
- that its structure and purpose are clearly linked to the NAGs (especially those relating to educational success for all students) and to promoting the public interest and informed public debate
- the relevant legislation is reviewed to achieve these aims.

NZSTA presents Darrell Reeck’s definition of a profession as an appropriate underpinning for the Teachers Council. It also gives support for IPENZ Director

Andrew Clelland's 5-level hierarchy model for occupations that he presented at the New Zealand Teachers Council forum at the start of the review process.

If these criteria are applied, NZSTA argue, the profession and discussion it engages in would be centred on the needs of students rather than the vested interests of teachers, or groups of teachers. They describe this as redefining the purpose of the profession such that it is based on service to students' achievement.

NZSTA does not believe the Teachers Council has the capability or capacity to enable it to lead the profession and promote the community of teachers and effective practice.

NZSTA notes that most of the Teachers Council interactions with teachers are of a transactional nature. The professional community will require full commitment from teachers themselves and this will take considerable time and resource to develop from the current position.

Strengthening the robustness of the Teachers Council's quality assurance and standards enforcement process and performance will contribute to the above goals.

NZSTA supports a significant role for the Teachers Council in promoting and leading informed public debate on education matters: the Teachers Council should be repositioned to carry out this role.

NZSTA believes the Teachers Council needs to make more fundamental changes to its ITE quality assurance role and it quotes its own 2009 report that argues for "nationally consistent and robust standards that boards of trustees and schools can be confident will produce the high quality teachers we need. Robust external programme approval and monitoring common across all ITE providers is essential for accountability and quality assurance". NZSTA encourages the Teachers Council to include a greater voice from employers in the selection of candidates into ITE.

NZSTA is not confident that the Teachers Council's conduct and competence processes are effective, and seem at odds with those conducted by employers. It also believes the dual sets of standards (RTCs and professional) create unnecessary confusion and complexity.

NZSTA believes the Council membership and expectations should protect the public interest and the needs of employers better. It supports the idea that the Teachers Council become a more independent body, under statute, so long as it can meet the tests described by Clelland (noted earlier). They believe the Medical Council provides a potentially useful model.

### New Zealand Tertiary College

The New Zealand Tertiary College argues that the Teachers Council is not

applying standards appropriately when approving initial teacher education (ITE) programmes and therefore “does not consistently apply standards for registration” and that it does not exercise its mandate with respect to disciplinary functions nor does it communicate fairly or consistently with its stakeholders.

The Tertiary College submission outlines specific examples where it believes the Council has fallen short in the matters described above. It argues that these examples demonstrate that the Teachers Council is not following its own published requirements for approval of ITE programmes and that it “is not aligning its regulations with the Tertiary Education Strategy 2011-2015 of New Zealand.”

The Tertiary College’s submission argues that the Teachers Council has compromised the safety of young people in early childhood settings by making errors in decisions to retain particular teachers’ registration and that it has not communicated effectively or fairly with the Tertiary College on matters of interest to the Tertiary College.

The Tertiary College also argues that the Autonomous Crown Entity status of the Teachers Council means that private early childhood providers are unable to appeal against decisions of the Teachers Council. It recommends that the Teachers Council be brought under the control of the Ministry of Education or another department “so that its independent decision-making can be held to account”.

### NZ Union of Students Association (NZUSA)

NZUSA states that the New Zealand Teachers Council will not “be a ‘silver bullet for the education workforce”. It believes too much may be being asked of it. Also it points out that the Teachers Council website, at least, does not demonstrate adequate commitment to its professional leadership role, particularly regarding student and beginning teachers.

NZUSA believes the voice of student teachers is not given sufficient status in development and implementation of NZTC policy and operational functions.

NZUSA argues for representation on the Council as a key stakeholder. Also suggests the Review consider limiting the Teachers Council role to a more restricted regulatory role as is the case for the Social Workers Registration Board.

NZUSA appended a background paper on student teachers and teacher education it published in July 2012. This paper discusses NZUSA concerns about the lack of consistency in quality of ITE programmes across all providers and the possible move to a post-graduate ITE qualification requirement.

### Rural Education Activities Programme Aotearoa NZ (REAP)

REAP believes the New Zealand Teachers Council, with all its current functions,

is essential to support the relatively isolated rural education sector – particularly given the difficulties of recruitment into those areas.

It believes there is scope for the Council to represent the rural education sector better.

REAP would like the Council's registration requirements to provide a more effective way to permit teachers to leave traditional classroom settings to work for REAP without compromising their careers. This means providing pathways for these staff to retain their registration and regain a practising certificate more easily.

It believes the Teachers Council should become an autonomous, non-Crown, professional body akin to the Law Society or the Medical Association.

It believes the Teachers Council should be given a greater share of government funding to allocate as it sees fit. It believes the Council should fund support for provisionally-registered teachers and for implementation of the Registered Teacher Criteria.

REAP believes there is value in extending the LAT provision to support rural schools when they cannot recruit staff.

It also suggests the Council consider registration for the tertiary sector to ensure good quality provision for learners in those settings.

### Te Kōhanga Reo National Trust Board

The trust seeks the ability to set standards for and monitor the training of kaiako and whānau with regard to the application of Tohu Whakapakari (qualification for kōhanga reo). They do not believe it is appropriate for the Teachers Council to have this mandate.

Approval of this qualification is required for teachers in kōhanga reo to be recognised and permit the services to be funded as 'teacher led'. Kōhanga reo should be measured against culturally appropriate requirements and assessed by a body that understands that kaupapa—the Trust Board. The Teachers Council standards for qualification approval are not fit for purpose in the context of teachers in kōhanga reo.

### Te Tari Puna Ora o Aotearoa/NZ Childcare Association (NZCA)

NZCA believes that a professional leadership body should be:

- visible with a high public profile
- highly ethical and focused on the public good

- future-thinking supporting and developing new members and professional leaders
- comprise mainly elected teachers with equal representation across the sectors including kaupapa Māori settings
- feature appropriate legal expertise.

The Council should provide sound professional advice to government and the public.

It should set standards for entry and ongoing registration with professional development requirements to ensure currency of practice.

It should have disciplinary functions. It should promote teaching to ensure it is seen as a valuable career and that teaching is seen as ‘one profession’ across early childhood, primary and secondary settings.

NZCA consultation with its membership showed reluctance on the part of many teachers to pay the registration fee as they saw registration of little benefit to them and more a government requirement. They also expressed concerns for the lack of funding for provisionally-registered early childhood teachers in many settings.

NZCA members want the New Zealand Teachers Council:

- to be more active in setting and enforcing requirements for use of te reo me ona tikanga Māori by teachers
- to understand and promote the needs of Pasifika teachers better, noting the unintended consequences of the IELTS requirements, recommending a Pasifika advisory group in the Council be established
- to take a much more strategic professional leadership role, including promoting the profession as a valuable and respected career.

### Teacher Education Forum of Aotearoa New Zealand (TEFANZ)

The TEFANZ submission focuses on the quality assurance of initial teacher education (ITE), the role of the New Zealand Teachers Council as a standard-setting body and the composition of the governing body.

#### Quality assurance of initial teacher education (ITE)

TEFANZ supports the New Zealand Teachers Council having a role in quality assurance of ITE but believes it is currently enacted with too great a compliance focus. It suggests the Council requirements focus on technical matters and are overly prescriptive “which conflict with the concept of teacher educators as professionals and the notion of academic freedom embodied in the Education Amendment Act 1989.” It provided examples to support this argument.

#### A standard-setting body

TEFANZ supports the need for teacher registration but seeks an appropriate way for the role of teacher educator to be recognised within the registration system. This would enable teacher educators to be included in the “description of ‘teachers as professionals’.

### **Composition of the governing body**

TEFANZ recommends there be teacher education representation on the Council as a matter of urgency, and that the Council establish a teacher education advisory group.

It recommends there be a lay representative on the Council to serve the public interest.

TEFANZ recommends the New Zealand Teachers Council becomes an independent professional body funded from registration fees as is the case with the Medical Council. They argue that the current Crown Entity status prevents the Council fulfilling its professional leadership function. They acknowledge recent leadership activity of the Council, particularly in induction and mentoring.

They believe the work of the Council is undermined by multiple sets of teacher professional standards, ie the Ministry of Education’s standards contained in the collective agreements.

### **The Tertiary Education Union (TEU)**

The TEU supports the New Zealand Teachers Council continuing with its quality assurance and standard-setting functions and, limited to matters relating to its core functions, its professional leadership role.

### **Professional leadership**

If the Teachers Council were to become more independent in the future then there may be an opportunity to widen its professional leadership activities. But until then it should focus on matters relating to standards for entry and ongoing registration. Wider areas are, in the view of the TEU, rightly attended to by other organisations.

The TEU believes the Council has “worked diligently to take an active leadership role in significant areas of the profession”. For example, The TEU supports the Council’s insistence that visiting lecturers in ITE programmes be registered teachers as this “firmly centres the preparation to teach within the profession of teaching.”

However, the TEU believes the Council needs more independence from government so that it can “more actively critique government policy and strategy without ministerial constraint.”



### **Standard-setting**

The TEU strongly supports the Council's role in setting robust entry standards and insistence on compulsory registration for teachers suggesting that this is "fundamental to maintaining a world-class profession".

The TEU does not see any need for change to the Council's approach to controlling ongoing registration, performance appraisal and professional development but it does note the reliance on school-level capability for this to function effectively and suggests greater resourcing is needed to improve this.

The TEU recommends that the Teachers Council have greater power to ensure that providers of initial teacher education meet the required standards for programmes approved by the Council. It also suggests the Council should be able to recommend the number of provider institutes and programmes that are able to deliver ITE qualifications. The Teachers Council should "have the right to reject any initiatives which contravene quality assurance standards that the teaching profession demands and has agreed to."

### **Conduct and competence**

The Teachers Council should retain its role in conduct and competence but this only be exercised at the point of decision-making about de-registration—prior to that this is a local employment issue, based on the Council's standards.

### **Effectiveness of legislative and structural arrangements**

The Teachers Council should have greater independence from government but must have effective working relationships with key government agencies with greater clarity of respective roles and responsibilities.

The TEU does not support the view that the union voice dominates in the Teachers Council and believes union representation "provides real-life examples of the impact of the Teachers Council policy and strategy".

It does support the inclusion of ITE provider representation on the Council and a more specific sector principals' representation.

The TEU recommends making the Teachers Council a statutory authority to increase its independence for the reasons stated above.

### **Ministerial Inquiry**

In relation to the June 2012 *Ministerial Inquiry*, the TEU believes that there was a range of systemic failures for which the Teachers Council alone cannot be held responsible. It supports any positive moves to strengthen the Council's processes to ensure such incidents are less likely to happen again.

### Universities New Zealand – Te Pōkai Tara

The Universities New Zealand submission sets out the legislative mandate of the Committee on University Academic Programmes (CUAP) which is the body with authority delegated from Universities NZ to exercise its programme approval and moderation responsibilities.

The submission describes how the relationship with the Teachers Council has been formalised through a memorandum of understanding developed through negotiation over several years.

Universities NZ suggests that for the Teachers Council to fulfil its professional leadership function with respect to quality assurance of initial teacher education it will need to respect “the statutory responsibilities of other bodies (most notably CUAP and NZQA) and the autonomy of the provider institutions and (be) willing to work cooperatively with them”.

Universities NZ suggests that the Teachers Council approval processes do not fit well with the CUAP processes nor do they seek to build on the “well-established CUAP processes for continuous improvement.”

It would be willing to work with the Teachers Council to improve this relationship.

Universities NZ also recommends including representation from the universities on the Teachers Council.

### University of Otago College of Education

The submission from the Otago University College of Education argues that there is a tension between the New Zealand Teachers Council’s requirements for approval of initial teacher education programmes and the university approval processes. It suggests the Teachers Council could accredit providers rather than their programmes and accept the university quality assurance processes as sufficient. This would avoid the problems the university sees arise from unnecessary dual processes.

It “believes the Teachers Council should be an independent body funded by teachers for teachers”. It states that it is appropriate that this body should set standards for teacher registration but feels that there is confusion caused by the range of standards in use currently.

The College of Education highlights difficulties with the current registration categories that do not appropriately provide for teacher educators to be registered despite the requirement that staff visiting trainees in schools during practicum must be registered.



It also recommends that, for major providers of initial teacher education, the Council “establish a Teacher Education Advisory Group” to allow for input from the tertiary providers to the Council’s policies about initial teacher education.

The submission also raises the issue of the Council’s overly prescriptive numeracy and literacy requirements and argues for a more mutually-agreed monitoring approach than is currently required.

In summary the Otago University submission “advocates for a higher trust model for proven providers of ITE.” It would support an independent, teacher-funded professional body that values the “University teaching context and University-based ITE educators.

### University of Waikato Faculty of Education

The Waikato Education Faculty submission “supports the existence of the New Zealand Teachers Council as an independent statutory professional body funded by the profession”. The submitters also acknowledge the Council’s research and development work, including the induction and mentoring pilots.

In the view of the Faculty, the Council’s initial teacher education programme approval requirements:

- are overly technical and compliance-focused
- do not recognise or allow for the existing quality assurance processes the universities have in place for programme approval.

The submission uses the examples of the way the Teachers Council approval requirements dictate specific matters about a university entrance requirement, the English language requirements based on an IELTS test and the requirements for practicum components in programmes.

The submission also highlights the difficulty the Teachers Council has in carrying out its standard-setting functions with multiple standards in existence (ie Professional Standards in the collective agreements and the NZTC’s Registered Teacher Criteria).

The submission also argues for:

- representation of the ITE sector on the Council given the “place of ITE in the work of the NZTC”
- inclusion of laypeople on the Council to serve community interests
- it to be made an independent statutory professional body “in order to carry out its governance role effectively”.

### Victoria University of Wellington Faculty of Education

In its submission, Victoria University argues that the New Zealand Teachers Council is failing in its functions of setting and maintaining standards for initial teacher education qualifications and in the processes of approving those programmes. It does not think the Council has adequately “recognised the complexity of the standards-determining task”. It also believes the Council does not have processes to monitor and improve the variable interpretation of the standards, which undermines the status of the profession.

Victoria University believes the Ministry of Education and the Minister of Education are also failing to “put pressure on the New Zealand Teachers Council to behave as Parliament apparently intended.”

Victoria University suggests that neither the Graduating Teacher Standards nor the Registered Teacher Criteria have been clearly promulgated by the Teachers Council as standards for beginning and/or fully registered teachers.

It suggests the two sets do not logically follow on from each other, that they do not adequately recognise the pedagogical differences across the education sectors and that this allows for a wide variation of interpretation. The two sets do not differentiate between what is expected of a professional leader and what is expected of a teacher who “instructs students”, and they do not provide for the registration of teacher educators.

Victoria University also suggests that the ‘interim’ standards in the collective agreements for primary and secondary teachers “have more relevance than the GTS/RTCs when issues of employment and potential dismissal for poor performance are raised” and that this undermines the status of the Council’s standards.

Victoria University submits that the Teachers Council has not produced “standards for qualifications that lead to teacher registration” as it is required to do in the legislation. It argues that the guidelines for approval of programmes are not standards and in any case the document is “rather a mess”. The Teachers Council approval requirements focus unhelpfully on input requirements and do not support the university quality assurance processes.

It believes the Teachers Council has “never demonstrated any desire to work in conjunction with CUAP” despite being required in the legislation to do so and that this lack of collaboration prevents desired innovation in the programmes the university provides.

In conclusion Victoria University believes most of the problems are related to the capability or capacity of the Council and its employees to implement the legislation as intended. It also notes one serious deficiency in the legislation; the “omission of any university representatives or nominees on the Council (the Board)”.

## Appendix C: People we met

As directed by Cabinet, the Reviewers interviewed relevant people, some of whom we met on several occasions. They included, but were not necessarily limited to:

- members of the NZTC, in their roles as New Zealand Teachers Council members and representatives of their organisations or constituencies
- the Chief Executive, senior members and staff of the NZTC
- Ministry of Education officials
- State Services Commission, the Treasury and the Department of Prime Minister and Cabinet
- members of the profession
- representatives of other professional bodies
- other potential stakeholders of the Teachers Council such as employers, parents and the media.

Organisations and stakeholders	
New Zealand Teachers Council	Chair, council members, Chief Executive, staff and members of NZTC advisory committees
Ministry of Education	Secretary, Deputy Secretaries, Group Managers, Ministry staff
State Services Commission, Treasury, Department of Prime Minister and Cabinet	Senior managers and advisors
Government agencies	Education Review Office New Zealand Qualifications Authority Tertiary Education Commission
Early childhood sector	NZ Kindergarten Association Early Childhood Council NZ Homebased Early Childhood Association
Primary schools	Focus groups of principals, teachers, senior school staff, beginning teachers Individual school principals
Secondary schools	Focus groups of state, integrated and private school principals Individual school principals

Tertiary sector	ITE providers University vice-chancellors, deans of faculties AUT University CUAP Manukau Institute of Technology
Industrial and professional associations	NZEI PPTA NZSPC NZAIMS SPANZ New Zealand Principals' Federation NZSTA NZUSA
Representatives of other professional bodies	Law Society New Zealand Medical Council Nursing Council Social Workers IPENZ
Parents	Individual discussions
Education sector employers	Te Tari Puna Ora o Aotearoa/NZ Childcare Association Focus groups of school boards of trustees
Media	Radio and print journalists
Other stakeholders	Minister's Cross-sector Forum on Raising Achievement The NZ Model of Partnership School Working Group Pasifika Education Centre Raise Pasifika ACE Strategic Alliance Teach First NZ Business New Zealand
Others	General Teaching Council of Scotland Cognition Simpson Grierson, Auckland

*Table 5: Organisations and stakeholders that met with the NZTC Review Committee.*

## Appendix D:

# Professional bodies: roles and responsibilities

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### Law

The New Zealand Law Society is a body corporate (in legislation in the Law Practitioners Act 1982). Its representative functions are to represent its members and to serve their interests.

Regulatory functions are to:

- control and regulate practice in New Zealand of barristers and solicitors in the profession of law
- uphold the fundamental obligations imposed on lawyers
- monitor and enforce the provisions of the Act
- assist and promote the rule of law and reform of law

The Society also undertakes the following activities:

- regulate through issuing of practising certificates
- maintain a register
- make binding rules of practice
- discipline
- provide or arrange for services, education and training
- publish journals, pamphlets.

The Law Society is required to have a constitution that details the “rules” such as how a person can become a member, the ways they cease to be a member, and the approach to holding general meeting. The only specifications in the Act are to have a president and one or more vice presidents and an executive board (numbers are not specified). The appointment of the executive director is the responsibility for the Council and this person may be a member of the Law Society Council.

### Health practitioners

These include dental, midwifery, osteopathic and pharmacy councils, all of whom are covered by the Health Practitioners Competence Assurance Act (2003).

Each council is a body corporate and so a legal entity in its own right separate from its members, office holders and the Crown.

Their functions include:

- prescribing the qualifications required, accrediting and monitoring educational institutions and the courses of study
- authorising registrations and issuing annual practising certificates
- recognising, accrediting and setting ongoing programmes to support education and training of practitioners
- considering competence cases and notifying relevant agencies of a possible risk
- setting standards of practice, cultural competence and ethical conduct
- promoting public awareness of the responsibilities of the authority
- liaising with other health professional bodies.

From time to time, via Order in Council, the Governor-General may designate health services of a particular kind as a health profession. The organisation will be a body corporate.

The responsible Minister, by notice in *The Gazette*, has the authority to appoint a minimum of five and up to 14 members for any one authority. Prior to making the appointments, the Minister invites organisations and individuals to nominate candidates.

The Minister's authority is specified as follows: a majority of members must be health professionals; there must be two laypersons if the agency has eight or fewer members, and three laypersons (if there are nine or more members).

#### **Social workers (Social Workers Registration Act, 2003).**

The Social Workers Registration Board is a Crown Entity. The functions of the Board include:

- registration and the issuing of practising certificates
- recognition of educational qualifications
- competence and discipline
- establishment and maintenance of a code of conduct
- in consultation with providers, setting standards for education and training
- promoting the benefits of registration

- supporting employing agencies with procedures for dealing with complaints
- subject to the Act, disclosing to employers information about applicants for registration or about registered social workers
- advising government in areas related to regulation
- promoting and encouraging high standards of practice and professional conduct
- issuing and maintaining a code of conduct.

### **Members of the Social Workers Complaints and Disciplinary Tribunal**

Members are appointed by the Social Workers Registration Board. The Disciplinary Tribunal comprises: the chair and one or more deputies, at least one barrister or solicitor of the High Court of not less than seven years' practice; and five other members. The Minister appoints at least one lay person. It should be noted that a member of the Board is not eligible to be a member of the Tribunal.

### **Architects**

The New Zealand Registered Architects' Board is empowered under the Registered Architects Act, 2005. It is a body corporate and so a legal entity in its own right, separate from its members, office holders and the Crown.

### **Functions of the Board**

The functions of the Architects' Board are to:

- register and issue practising certificates
- investigate complaints and inquire into conduct and discipline
- provide information to the public about the registration process.

The Board must have at least six members and not more than eight. One member is appointed by the Governor-General on the recommendation of the Minister.

The Minister must recommend for appointment a maximum of four people nominated by the New Zealand Institute of Architects and a maximum of four others.

## Appendix E:

# Resource material

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### Who is employed in the education workforce?

Entry to teaching is open to all citizens and any person may apply for registration. There have been specific policy incentives to encourage Māori, Pasifika and other graduates into pre-tertiary teaching and from time to time there is expressed interest in increasing the numbers of men teaching in early childhood services and primary schools. Ministry of Education data show that in 2011 the workforce was distributed as below.

#### Early childhood teachers

At July 2011, 20,600 teaching staff were employed in 3,500 teacher-led early childhood services where 169,500 children were enrolled. [Note: this excludes parent-led/whānau-led play centres and kōhanga reo where there may be additional qualified staff.]

Sixty-nine percent were early-childhood-education-qualified and 71 percent were registered as teachers.

Over half the non-qualified staff employed in licensed services (virtually all of which are non-state owned) were studying for an early childhood qualification in one of the 21 listed ITE early childhood providers that offer both diplomas and bachelor degrees.

#### School teaching

In 2012 there were over 52,000 teachers in 2480 state and state-integrated schools and 2,848 in 87 private schools. The majority of state school teachers are employed in full-time positions.

#### Tertiary teachers

About 43,000 staff were employed in public tertiary institutions and government-funded private training institutions (the full-time-equivalent was 32,800 employees).

Tertiary teachers, tutors and lecturers are not required to be trained, qualified or registered for this work. Tertiary employees work in a wide variety of roles as professors, lecturers, tutors, researchers and teaching assistants.



## Current and emergent thinking about standards

Defining the scope and content of teacher and teaching standards is a challenge.

Klienhenz and Ingvarson (2007) distinguish three types of standards:

- standards as professional values, which they suggest unite people around shared ideas and values
- standards as a measure that enables judgments about teacher and student performance.
- standards that are content standards, used to describe the content and scope of teachers' work.

There are also differences in the purpose for standards. These can be regulatory, accountability-focused and developmental. Sachs (2011, p.5) describes development standards as having a student-centred approach to teaching and learning; involving systematic forms of monitoring for the purposes of accountability; a view that teachers should be career-long professional learners; and a commitment to teachers improving their professional knowledge and practice.

Commonly there are standards that capture the requirements at various stages of a teaching career: for entry into an ITE programme; for graduating from ITE; for entry into the profession and, in some jurisdictions, standards that capture the increasing expertise. The Australian Institute for Teaching and School Leadership (AITSL), for example, has a set of Professional Standards for Teachers: Graduate Teachers; Proficient Teachers; Highly Accomplished Teachers; and Lead Teachers.

The idea of teacher standards being linked to career progression was one recommendation of the recent OECD report on New Zealand education (Nusche et al, 2012). Similarly, the Workforce Advisory Groups (WAG 2010) proposed that recognition, reward and progression of teachers could best be provided through:

- career development opportunities aimed at supporting effective teaching and progression through the profession
- flexibility for principals to use resources at their disposal, such as salary units and non-contact time
- flexibility to provide opportunities for teachers to upskill and to reward their increased skill and capability
- clear standards against which effective, transparent and robust judgments of teacher capability and performance may be made.

The nature and usefulness of standards is contested and developing. Aitken, Sinnema & Meyer (2012), for example, suggest inquiry and practice-orientated standards where possessing particular knowledge, skills and dispositions is not treated as the standard. Instead the focus is placed on the way this expertise is activated and purposefully used.

The inquiry-based standards place the learner and successful learning as central driver for teaching. This resonates with the approach advocated by the Grattan Institute in its analysis of what we might learn from the best school systems in East Asia (2012). They argue that the high performing education systems select their policy interventions carefully and the primary goal is always improved learning. This has led to a priority being given to programmes that target the learner through teachers developing their knowledge of quality assessment, undertaking classroom observation, giving and receiving constructive feedback, working collaboratively and having ongoing professional learning (p18).

The effective use of standards requires a robust evaluative culture, where identified strengths and weaknesses are linked with individualised development plans. The OECD reported that teacher appraisal in New Zealand was commonplace if variable in implementation and that it was largely based on a high trust approach, seeking to identify areas for improvement. ERO reports deficits in linking teacher appraisal with professional learning and development (PLD) and under half of the principals considered appraisals as a source of information in planning schools' PLD. This lack of connection reduces the scope of appraisal to improve performance.

There is certainly scope to improve the links between teacher appraisal, PLD and school development. The role of the principal here is critical and there is “a need to develop the provision of opportunities for building the capability of school leaders in the effective implementation of teacher appraisal to improve the quality of professional practice and student outcomes” (Nusche et al, p.84). It is clear that appraisal and performance management should remain developmental and institution-based and that there needs to be greater expertise. ERO's work on increasing the evaluation capacity of schools and early childhood services is helpful in this regard, as is the ongoing work of the Teachers Council in the areas of appraisal and mentoring.

### Current and emergent thinking about ITE

Initial teacher education varies significantly across countries. However, OECD and other research has identified issues that are worth noting.

Education systems benefit from clear and concise profiles—standards—of what teachers are expected to know and be able to do in specific areas. Such profiles can guide initial teacher education, teacher certification, teachers' ongoing evaluation, professional development and career advancement and also be used to assess the effectiveness of these different elements.

Many countries have moved their initial teacher education programmes towards models that retain appropriate education theory but give high priority to in situ

experience. This approach is not about theory and practice, but about making explicit the formal theories espoused in the tertiary institutes and informal, experientially gained theories that often drive practice—and helping trainees to evaluate the effectiveness of these theories. In these programmes student teachers spend more time in the practical setting and get more and better support in the process.

This can include both extensive course work on how to teach—with a strong emphasis on using research based on state-of-the-art practice—and in some cases more than a year teaching in a designated school, associated with the university, during which time the teacher is expected to develop and pilot innovative practices and undertake research on learning and teaching.

There appears to be no single set of arrangements for ITE that is going to work—including programme order, time spent on one or another activity etc: it is about the coherence and alignment of the components based on well-understood principles for effective teacher learning.

The stages of initial teacher education, induction and professional development need to be interconnected to create a career-long learning framework for teachers.

In many countries, teacher education is not just providing sound basic training in subject matter knowledge, pedagogy related to subjects and general pedagogical knowledge; it also seeks to develop the skills for reflective practice and on-the-job research.

Increasingly, initial teacher education tends to place more emphasis on developing the capacity of student teachers to assess subject problems swiftly and accurately and to draw from a wide repertoire of possible solutions those that are appropriate to the diagnosis. Some countries train teachers in the research skills that will enable them to improve their practice systematically.

### International—the Singaporean Experience

The Singapore National Institute of Education (NIE) is the sole teacher training provider in Singapore.

Initial education in Singapore provides teachers with high subject content knowledge that is the equivalent of specialist degrees. For example, mathematics teacher graduates receive the equivalent mathematics education as a student in a straight mathematics degree at other universities.

The course is continually developing to improve the impact on school students' learning. In order to concentrate resources and have the necessary time for the development of core skills and practical knowledge, NIE has removed many electives such as the philosophy and history of education and curriculum and assessment design.

The course emphasises service to the profession, including significant community service and personal development that requires reflection on the choice of teaching as a career. These components of the course are important for retention and job commitment.

The ITE programme is centred on a set of three values – learner-centred, teacher identity and service to the profession and community. Specified knowledge and skills are then overlaid on these values.

# Glossary

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Acronym	Full name/phrase
AITSL	Australian Institute for Teaching and School Leadership
BoT	Board of Trustees
CEA	Collective Employment Agreement
CUAP	Committee on University Academic Programmes
DHB	District Health Board
ERO	Education Review Office
GTC	Graduate teacher criteria
HR	Human resources
ICT	Information communication technology
IELTS	International English Language Testing System
ITE	Initial teacher education
LVSC	Licensing and Validation Service Centre
MoE	Ministry of Education
NAGs	National Administration Guidelines
NCEA	National Certificate of Educational Achievement
NIE	Singapore National Institute of Education
NZEI	New Zealand Educational Institute
NZQA	New Zealand Qualifications Authority
NZSTA	New Zealand School Trustees' Association
NZTC	New Zealand Teachers Council
PLD	Professional learning and development
PPTA	Post Primary Principals' Association
PS	Professional Standards
RTC	Registered teacher criteria
SPANZ	Secondary Principals' Association of New Zealand
TEC	Tertiary Education Commission
TEFANZ	Teacher Education Forum of Aotearoa New Zealand
WAG	Workforce Advisory Group

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