

Summary of the Consultation Document

Proposed fees and levy

18 February 2022



**Teaching
Council of
Aotearoa
New Zealand**

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

Mihi | Acknowledgements

E ngā mana nui o te rau hihī

E ngā reo motoi kura o te rau hāhā

Ko ngā Huia Kaimanawa o tō takiwā

Kei ngā kaiako katoa

Kei ngā tumuaki me kaiarahi katoa

Kei ngā ropū whakahaere katoa

Nāu mai,

Kuhu mai ki tō whare

Ki tō whare ako

To whare āhuru

Tō whare hautūtanga

Ko te Whare o te Matatū tōna ingoa

Ko Matatū Aotearoa tōna tangata tiaki

Rarau mai koa.

To the esteemed ones

To the prized voices of the many

To the treasures of the many regions

To all teachers

To all principals and centre leaders

To all key stakeholders,

Welcome,

Enter into your house

Your house of learning

Your house of comfort

Your house of leadership

Te Whare o Te Matatū

Aotearoa | The House of the Teaching Profession is its name

The New Zealand Teaching Council is its guardian

Please take your rightful place.

Tēnā koutou, tēnā katoa mai



Nicola Ngarewa, Council Chair

Teaching Council of Aotearoa New Zealand

Our shared responsibilities to care for the teaching profession Te Whare o te Matatū

Kaiako kua ūtoka i te ngaiotanga, tūnga ki te whare ako, tau ana.

Teachers who belong to a profession will stand confidently in their house of learning.

Te Whare o te Matatū Aotearoa - the House of the Teaching Profession is a place for every teacher and a space where manuhiri | guests are welcomed and cared for.

This consultation process is your opportunity to contribute to decisions about how best to support the work of upholding the whare - your profession. Thank you for taking the time to share your views and ideas for how best to strengthen and secure this space for the benefit of kaiako | teachers and ākonga | learners.

The Teaching Council of Aotearoa New Zealand | Matatū Aotearoa as the kaitiaki | guardian for the teaching profession, welcomes you to Te Whare o te Matatū and encourages and guides you through it. Once you are inside your whare, it is our responsibility to support you to learn, teach, and lead wherever you work.

This whare is unique. It is your whare, and you stand inside because you are a qualified and registered teacher or holder of a Limited Authority to Teach. Many of you have already accepted our invitation and taken your place inside, often drawn in by initiatives such as *Rauhuia* | *The Leadership Space*, the Professional Growth Cycle, and *Unteach Racism*, which in 2021 saw more teachers engage with their professional body than ever before.

Our challenge is to continue building on the collaborative work that takes place within Te Whare o te Matatū, and to welcome you all along the way. The work we undertake together within the whare is supported by the contributions every teacher makes to the profession and to ākonga | learners.

This whare has room for every teacher. Our aim is for your whare to house thousands of teachers as our profession continues to grow each year.



Each element of the whare is needed for strength and stability

Each element of the whare is necessary to ensure its strength and stability (see the picture below). At the highest level, the whare reflects a partnership under Te Tiriti o Waitangi as represented in the maihi | barge board for each partner – tangata whenua and tangata tiriti.

The tekotekol carved figure at the top of the ridgeline depicts ako – the reciprocal relationship between teachers and learners – teachers are also learners and learners are also teachers. Placing ako at the top of the whare is significant because it is the reason the whare exists.

Within your whare, the tukutuku panels represent all the different groups that make up the teaching profession – reflecting that there is a place for everyone within the profession.

The whare is held up by ngā pou o te whare | the pillars of the house, which represent the work needed for a strong and effective profession. The four central pou represent the values of the teaching profession and the Council:

- **Whakamana** – empowering all learners to reach their highest potential by providing high-quality teaching and leadership
- **Manaakitanga** – creating a welcoming, caring, and creative learning environment that treats everyone with respect and dignity
- **Pono** – showing integrity by acting in ways that are fair, honest, ethical, and just
- **Whanaungatanga** – engaging in positive and collaborative relationships with our learners, their families and whānau, our colleagues, and the wider community.



These pou remind everyone who enters the whare of our collective primary purpose – to do all that we can together so ākonga | learners have the right support to achieve their aspirations and those of their whānau and communities.

As with any structure, each part, big or small, has a role to play in ensuring stability and endurance.

In this consultation, we emphasise the six other pou in the whare that represent our work to support you, the teaching profession, to be self-managing, taking collective responsibility for what is needed for high-quality teaching, learning and leadership. They also represent the functions we are legislatively mandated to undertake on the profession's behalf. These six pou are:

- **Pou Aro Whakamua** – steering the future direction of teaching
- **Pou Whai Rēhitanga** – becoming registered and certificated as a teacher
- **Pou Tikanga Matatika, Ngā Paerewa** – establishing and maintaining the Code of *Professional Responsibility* | *Ngā Tikanga Matatika mō te Haepapa Ngaioatanga* and *Standards for the Teaching Profession* | *Ngā Paerewa mō te Umanga Whakaakoranga*
- **Pou Here Tōmua** – establishing and maintaining standards for initial teacher education and undertaking Initial Teacher Education programme approvals
- **Pou Matatika** – ensuring high standards of ethical behaviour
- **Pou Mataara** – ensuring high-quality teacher practice.

These six pou are in the whare because they are the responsibility of the teaching profession. The Code | Ngā Tikanga Matatika and Standards | Ngā Paerewa, initial teacher education, competence and conduct processes and of course registration and certification. Who better to determine what is best for the profession, than the members of the profession itself?

Upholding the profession by strengthening and protecting the whare

As the kaitiaki | guardians for the teaching profession, the Council has a responsibility to Te Whare o te Matatū. We are responsible for the day-to-day running of the whare and decision-making about priorities for its care, including ensuring that the public's trust in the profession, and the mandate that trust confers is protected and strengthened.

To fulfil these responsibilities, we rely on the contributions you make, as a member of the teaching profession, to breathe life into the whare through your collaboration, involvement, engagement, and sharing of knowledge. In return, we must enhance the status of teachers, provide direction for teachers, look for ways to support the development of the profession using research and evidence about changes in society and technology, and protect the reputation of the whare.

Teachers and professional leaders also contribute to the whare by representing their colleagues on our Governing Council (our governing board); joining advisory groups such as the Pacific Education Steerage Group, Inclusive Education Advisory Group, Māori Medium Advisory Group, and the Early Childhood Education Advisory Group; serving on panels, participating in the co-design and implementation of projects such as *Unteach Racism*; and sharing their thinking through consultation and other engagement opportunities.

All the work the Council does on your behalf, other than government-funded projects, is achieved using the fees and levies you pay.

These fees and levies and the other contributions you make allow us to do the necessary work so Te Whare o te Matatū, the teaching profession, remains strong, effective, and trusted for the good of our mokopuna, tamariki, and rangatahi.

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Introduction to this summary document

This document summarises the Consultation Document: Proposed fees and levies (18 February 2022). The full consultation document sets out proposals for increased fees and new levies and on which your feedback is sought.

The [full consultation document](#) contains detailed information about actual and forecast costs and other options considered. We encourage you to read the full document as well as this summary.

This document summarises:

- how belonging to a profession confers both individual and collective rights and responsibilities
- explains how the Teaching Council of Aotearoa New Zealand | Matatū Aotearoa works on your and the teaching profession's behalf, to maintain and build trust in and capability of the profession
- the difference between fees and levies, why a new levy is proposed, and the process for fixing fees and imposing a levy
- the Council's approach to this consultation and developing the proposals, including co-design with stakeholders and using the whare as a metaphor for the teaching profession, reflecting all the elements that need to work together for a strong and stable profession
- why increased fees and a levy are needed - the current fee was set 12 years ago and has never been adjusted for inflation or to reflect the expansion of the Council's remit, which leaves it with a potential annual deficit to effectively perform its mandated functions
- the fees and levy proposed from July 2022 (see Table 2)
- how and when to provide feedback (see p 18) and how your information may be used.

Being part of a profession

Teachers are one of the most trusted professions in Aotearoa New Zealand. That trust comes from society's belief that teachers are knowledgeable, capable, and good people who behave ethically, protect the vulnerable, and are honest, and that systems and processes are in place to assure whānau | families and our communities of this. It also recognises the critical role teachers play in looking after our children and young people, supporting their wellbeing, and helping them gain the skills and knowledge they need to succeed.

Being part of a profession confers individual rights and responsibilities as well as a collective interest in being assured that the profession's overall integrity is being cared for to maximise the success of every ākonga | learner.

As members of the profession, individual teachers commit to uphold the *Code of Professional Responsibility* | *Ngā Tikanga Matatika* and *Standards for the Teaching Profession* | *Ngā Paerewa mō te Haepapa Ngaiotanga* and meet all other professional requirements.

Individual teachers have an interest in the collective responsibilities of the teaching profession. These responsibilities include the quality of initial teacher education, the quality of leadership for the profession, and transparent and fair processes for addressing individual teachers' behaviour that puts children, young people, or the profession at risk.

Council is the professional and regulatory body that works for you

The Council is your professional and regulatory body. We work with and for more than 140,000 registered and certificated teachers and holders of LATs, in early childhood, primary and secondary schooling and in English medium and Māori medium settings. For more about our approach to our regulatory responsibilities see the consultation document.

As a professional and regulatory body, the Council's purpose is to ensure safe and high-quality leadership, teaching and learning for children and young people across the education system. We do this by supporting teachers to be competent, fit to practice and accountable for the way they teach. In undertaking our responsibilities, we also aim to meet the expectations diverse communities have for a high-quality teaching profession. This public good responsibility recognises that a high-quality teaching profession is in the best interests of society.

Teachers are involved in everything we do. We bring teachers together for work such as designing the *Code | Ngā Tikanga Matatika and the Standards | Ngā Paerewa*, and the requirements for initial teacher education. Teachers sit on our conduct and competence panels, making professional judgements about their peers. They give advice on professional growth and other initiatives, represent their colleagues on advisory and reference groups, and shape our strategic plan. There is no other body that is empowered to enable teachers to manage their own profession and shape the future of teaching.

The Council is one part of the education system, and we work closely with teachers, leaders, teacher educators, education academics, the Ministry of Education, unions, associations, and other education organisations. A list of organisations the Council engages with can be found in the consultation document.

Individual contribution for the collective good

The Council is the only professional body responsible for setting expectations and direction for all teachers in all settings across the education sector. The Council's mandated functions capture the individual and collective responsibilities of being in a profession and reflect the expectations that whānau | families and communities have of the profession.

As members of the teaching profession, individual teachers contribute to maintaining and developing their profession through the fees and levy they pay the Council. The fees and levy are used to fund the work associated with an individual teacher being registered and certificated and being a member of a profession.

Council's functions are legislatively mandated

The Council's unique role in our education system is to ensure systems and processes are in place to maintain trust in teachers and the teaching profession, and to protect children and young people.

The Education and Training Act 2020 sets out functions the Council must perform. These include:

- provide direction for teachers
- enhance the status of teachers
- identify and disseminate best practice in teaching and foster the profession's continued development in light of research and evidence of changes in society and technology
- carry out functions related to teacher registration
- establish, maintain, and review criteria for teacher registration
- set standards for qualifications that lead to registration
- approve teacher education programmes
- establish and maintain standards for ongoing practice and criteria for the issue of practising certificates
- establish and maintain a code of conduct for teachers

- monitor and enforce requirements relating to mandatory reporting
- perform disciplinary functions relating to teacher misconduct and reports of convictions
- set criteria for reporting serious misconduct and competence issues
- perform functions relating to teacher competence
- co-ordinate police vetting of all teachers
- perform any other functions conferred on the Council by the Act or any other enactment.

With written approval from the Minister of Education, the Council may also:

- provide leadership to the education profession
- enhance the status of education leaders
- identify and disseminate best practice in education leadership.

Our work to deliver on these functions contributes to strengthening the teaching profession and assures our communities that ākonga | learners are supported by competent and effective teachers.

The Education and Training Act 2020 also empowers the Council to fix fees payable for:

- registration as a teacher
- issuing and renewing a practising certificate
- granting a LAT
- any other matter associated with the above such as supplying a copy of an entry on the register.

For the purpose of funding the Council's mandatory functions, the Act also empowers the Council to impose levies payable:

- by registered teachers
- by holders of a LAT

for applications for registration as a teacher or a LAT.

About fees and levies

Difference between a fee and a levy

In general, a **fee** is a defined payment from a specified party to another in return for the provision of a good or service. For teachers, an example of a fee is the payment teachers make to be registered or have a practising certificate issued or renewed.

A **levy** can be charged to a particular person or group for a specified purpose, but it is not necessarily for a specific good or service. For teachers, an example of a levy is the payment teachers make that is associated with the costs of the profession's conduct and competence functions. An individual teacher does not have a choice about receiving the service, so costs are shared across the profession. This also recognises it is in the profession's interests to retain responsibility for managing conduct and competence processes for its members.

Why a levy is proposed as well as a fee

This is the first time the Council is proposing to set a levy.¹ Amendments to the Education and Training Act 2020 in 2021 clarified that a levy is a more appropriate mechanism than a fee for recovering the costs of some Council services and activities.

¹ The levy is the combined total of costs allocated to the work associated with each mandatory function the Council is empowered to impose levies for.

The levy proposed reflects a change in the cost recovery mechanism. The Council is not charging for services or activities that were not previously charged for, other than new mandatory functions that it has become responsible for since fees were last set.

Process for fixing fees and imposing a levy

The Council fixes fees and imposes levies by notice. Before issuing a notice, the Council must consult registered teachers and holders of a LAT on proposed fees or levies.

The Council must receive the views presented to it with an open mind and give those views due consideration when deciding on the fees or levy. To this end, the Council is seeking your views on the proposals in the full consultation document and summarised in this document before making decisions on the level of fees and the levy to be charged to teachers and holders of LATs.

Fees fixed and the levy imposed by the Council must recover only the actual and reasonable costs incurred in performing its functions and powers.

Council's approach to this consultation

The Council carefully considered feedback from teachers and stakeholders about our approach to the previous consultation on fees. As a result, we ran a co-design phase with stakeholders before we started this consultation. During that phase, we sought stakeholders' input on how consultation should be undertaken and options for setting new fees and the levy that we would explore. This approach proved highly useful, allowing us to investigate the viability of a range of options put forward by stakeholders and to assess them using best practice criteria. A summary of this earlier feedback and a list of organisations that participated in the co-design phase is on our website.

Stakeholders urged the Council to reflect its partnership relationship under Te Tiriti o Waitangi and the diversity of the teaching profession in the consultation document and throughout its engagement with the profession. In response, we have used the whare model that will be familiar to teachers who have engaged with the Council on *Rauhuia | The Leadership Space* and other initiatives. The whare is a metaphor that allows us to reflect the strength and diversity of the profession and the variety of work the Council does to support and develop the profession.

In preparing this proposal, the Council has referred to guidance on setting fees, levies, and charges from The Treasury² and Auditor-General.³

Assessment of costs as actual and reasonable

Fees fixed and the levy imposed by the Council must recover only the actual and reasonable costs incurred in performing its functions and powers.

The Council used an independent external reviewer (Deloitte) to test whether the costs were actual and reasonable.

Deloitte reviewed the actual costs for 2020/21 and forecast costs for 2021/22 to 2024/25 and found them to be reasonable (for details, see the consultation document).

2 The Treasury. 2017. *Guidelines for Setting Charges in the Public Sector*. Wellington: The Treasury. www.treasury.govt.nz/publications/guide/guidelines-setting-charges-public-sector-2017-html

3 Office of the Auditor-General. 2021. *Setting and Administering Fees and Levies for Cost Recovery: Good practice guide*. Wellington: Office of the Auditor-General. <https://oag.parliament.nz/good-practice/good-practice-guides>

Reasons for proposed increase in fees and the levy

The individual contribution teachers make to the profession through the payment of fees allows the Council, working alongside the profession, to do the work necessary to strengthen and support it.

The Council's fees were last set in 2010, with no further changes in this amount to respond to any cost increases, including for annual inflation.

Since then, the Council's costs have continued to increase significantly due to:

- an expanded remit with new mandatory regulatory functions
- the impact of inflation
- a decreased threshold for referral of conduct matters to the Disciplinary Tribunal
- other cost drivers including changes to the governance model (a larger governing board), improvements in internal support capabilities, and the need to maintain acceptable levels of service to teachers and the public.

Legislative change so Council can charge fees and levies for all mandatory functions

In June 2021, the High Court, following a judicial review of the Council's earlier 2020 consultation on proposed fees, found the Council's power to charge fees for its services to the teaching profession had not been updated to reflect all its functions.

Following the Court's decision, the Education and Training Act 2020 was amended to enable the Council to set fees and impose levies for all its mandatory functions.⁴ That amendment took effect from 20 November 2021.

Council's expanded remit

Since fees were set in 2010, the Council's functions (other than its leadership functions) have expanded (for example, the additional requirement to provide direction for teachers and lift the status of the profession).

Note that costs associated with the leadership function (with agreement by the Minister of Education) are not included in the cost modelling or proposals, as they are not charged to teachers or LAT holders but may be funded separately by the Government.

Impacts of inflation

The Council's costs have also increased significantly due to the impact of inflation. Fees have not had an annual inflation adjustment.

A portion of the overall amount proposed for the fees and levy includes an adjustment to take account of inflation from 2010 to 2021. The current fee of \$220.80 including GST was set in 2010 and has not been adjusted in the last 12 years.

Over the period from the first quarter of 2010 to the second quarter of 2021, the Reserve Bank's inflation calculator showed general inflation (consumers price index) increased by 20.9 percent⁵ Over the same period, wages (as measured by the wages index) increased by 40.4 percent.⁶ Taking a weighted average of the two in line with the proportion of Council's salaries and wages to other costs (60 percent: 40 percent) gives a weighted average inflation rate of 33 percent.

⁴ The Ministry of Education's Departmental Report on the Education and Training (Teaching Council fees and levies) Amendment Bill to the Education and Workforce Select Committee details changes to the mandatory functions of the Teaching Council compared with its predecessors (see Appendix A of that report).

On this basis, if the 2010 fee were increased solely to reflect the increased cost to deliver Council goods and services, it would be about \$292.78. While this would have resulted in an increase in available operational funding for the Council, it would still fall short of meeting Council's actual and reasonable costs (given the expanded remit, for example).

Proposed fees and levy

The Council estimates that the current actual cost to undertake the work associated with its mandatory functions is **\$17.078 million** per annum.⁷ Deloitte confirmed this figure to be reasonable.

Fees paid by teachers provide annual revenue of about **\$8 million**, leaving the Council with a potential annual deficit of **\$9 million**. Currently the shortfall is being covered by transitional government funding, however once this funding is used, the Council would need to use reserves which would be insufficient over time.

The proposed fees and levy are summarised in Table 2.

The proposal includes a levy for holders of LATs because although holders of LATs are not registered teachers, they are part of the wider profession, with a responsibility to maintain professional standards of conduct and behaviour. They also have a collective responsibility to lift and maintain the status of the profession through the work they do in schools and kura.

Depending on the category, proposed fees (Proposals 1-6) range from \$42.99 to \$228.96 and the levy from \$114.42 to \$343.25 (see Table 2). These fees and the levy are estimated to cover the actual annual cost (about \$17 million) to the Council of performing its mandatory functions effectively and without reliance on government funding for them.

Your feedback is sought on the proposed fees and levy. For information about how and when to provide feedback, see p 18.

The consultation document also breaks down the proposed fees and levy by Council work areas associated with the mandatory functions and explains the modelling undertaken to determine these amounts.

No change is proposed to the duration of practising certificates issued or renewed - this will remain at three-years. LATs will continue to be issued for one, two, or three years.

5 Reserve Bank of New Zealand. No date. Inflation calculator (webpage). <https://www.rbnz.govt.nz/monetary-policy/inflation-calculator>

6 This figure is net of recoveries from cost awards and ongoing annual government grants of \$1.157m.

7 This figure is net of recoveries from cost awards and ongoing annual government grants of \$1.157m.

Table 1: Summary of proposals^[1]

Proposal 1: Set fees and the levy for teachers and holders of LATs (as set out in Table 2), to cover the Council's actual and reasonable operating costs

Proposal 2: Charge the same levy for for teachers and for holders of LATs

Proposal 3: Charge a higher fee for overseas teachers for registration and their first Tōmua | Provisional practising certificate to reflect the additional costs involved in evaluating their applications

Proposal 4: Charge a higher fee for Tōmua | Provisional or Pūmau | Full (Category Two) certificated teachers applying for a Tūturu | Full (Category One) practising certificate, to reflect the additional costs involved in evaluating those applications

Proposal 5: Continue to fund the cost of providing conduct and discipline functions collectively from all teachers and holders of LATs

Proposal 6: Continue to fund the cost of establishing standards for initial teacher education qualifications and approving ITE programmes collectively from all teachers and holders of LATs with ITE providers contributing towards approval, review and monitoring of their programmes.

Proposal 7: Explore the viability of a 'buy now pay later' instalment option for payment of fees and the levy

Proposal 8: Explore the viability of options to pay fees and the levy by instalment, in regular, small amounts

Proposal 9: Fix fees and the levy for a three-year period, with an allowance for expected inflation over the period.

Proposal 10: Increase the late fee from \$50 to \$100]

Notes

[1] For detailed proposals, refer to the full consultation document.

Table 2: Proposed fees and levy for teachers and holders of a Limited Authority to Teach (LAT)

For	Proposed fee payable	Proposed levy payable	Total proposed payable
Renewal of a practising certificate valid for 3 years ^[1]	\$128.96	\$343.25	\$472.21
Registration and Provisional practising certificate for graduates from an approved New Zealand Initial Teacher Education programme ^[2]	\$128.96	\$343.25	\$472.21
Registration and Provisional practising certificate for overseas-trained teachers ^[3]	\$228.96	\$343.25	\$572.21
A LAT valid for 3 years	\$128.96	\$343.25	\$472.21
A LAT valid for 2 years	\$85.97	\$228.83	\$314.80
A LAT valid for 1 year	\$42.99	\$114.42	\$157.41
A teacher holding a Provisional or Full (Category Two) practising certificate applying for a Full (Category One) practising certificate valid for 3 years ^[4]	\$228.96	\$343.25	\$572.21
Registration (only) for graduates from an approved New Zealand ITE programme ^[5]	\$128.96	-	\$128.96
Returning to Teaching in Aotearoa New Zealand Practising Certificate valid for 3 years ^[6]	\$128.96	\$343.25	\$472.21
Late Application Fee ^[7]	\$100.00	-	\$100.00

Notes

- [1] Applicable to any teacher renewing a current practising certificate, including Tiwhikete Whakaakoranga Tōmua | Provisional Practising Certificate, Tiwhikete Whakaakoranga Tūturu | Full (Category One) Practising Certificate, and Tiwhikete Whakaakoranga Pūmau | Full (Category Two) Practising Certificate.
- [2] Applicable to graduates from an approved New Zealand ITE programme who apply for Kaiako Whai Rēhitanga | Teacher Registration and a Tiwhikete Whakaakoranga Tōmua | Provisional Practising Certificate valid for three years.
- [3] Applicable to overseas-trained teachers who apply for Kaiako Whai Rēhitanga | Teacher Registration and a Tiwhikete Whakaakoranga Tōmua | Provisional Practising Certificate valid for three years. This includes applications made under the Trans-Tasman Mutual Recognition Agreement.
- [4] Applicable to teachers who are provisionally or fully certificated teachers who hold a Tiwhikete Whakaakoranga Pūmau | Full (Category Two) Practising Certificate and who now apply for a Tiwhikete Whakaakoranga Tūturu | Full (Category One) Practising Certificate valid for three years.
- [5] Applicable to graduates from an approved New Zealand ITE programme who apply for Kaiako Whai Rēhitanga | Teacher Registration only.
- [6] Applicable to registered teachers who are fully certificated but whose practising certificate has expired, who cannot meet satisfactory recent teaching requirements, and who are not able to renew using extension to teach provisions.
- [7] Applicable to any applicant who lodges their renewal application after the expiry date of their current practising certificate. (This applies to any teacher who is currently employed in a teaching position where they do not hold a current certificate of the kind required to legally undertake that role and applies for registration or certification.)

Payment option for fees and the levy

Proposal 7: explore the viability of a 'buy now pay later instalment option for payment of fees and the levy

As a solution for teachers who may want a payment by instalment option, we propose issuing a Request for Information to financial services providers as soon as possible to see what third party finance options (such as Afterpay) could be made available to teachers to address affordability (Proposal 7).

Proposal 8: Fix fees and the levy for a three-year period, with an allowance for expected inflation over the period.

The Council engaged external experts to undertake a comprehensive feasibility study including a survey of teachers on offering payment by instalments.

Overall, the study found that offering payments by instalment is legally and technically feasible. The key challenge would be the impact on the Council's cashflow from teacher fees and the levy during the transition from three-yearly lump-sum payments, including:

- a negative impact on Council's cashflow of an estimated \$24 million in the first three years
- the need to fund the cashflow shortfall in a sustainable way
- an increase in costs if borrowing was needed to cover the shortfall.

The Council would like to get further information on whether teachers would be interested in being able to pay by regular, small amounts (for example, the proposed fees and levy would be approximately \$6 if the instalment were by fortnight - for most teachers), The Council also wants to get further information on whether teachers would still be interested, even if there was an additional cost for this service (Proposal 8).

If there is sufficient interest in such an option, the Council will investigate its feasibility further.

Proposed period for setting fees and the levy

Proposal 9: Fix fees and the levy for a three-year period, with an allowance for expected inflation over the period.

The proposal is to set fees and the levy for three-year periods (Proposal 9). This approach differs from that in the previous consultations in 2017 and 2020 where we proposed increasing (or decreasing) fees annually to reflect the impact of inflation and changes in Council activities.

We propose a three-year period as the appropriate timeframe for cost recovery because within the three-year cycle of changes in registration/certification applications, peak years have around 15 percent more applications by volume than non-peak years. This has important implications for output costs when measured on an annual basis. It will mean that fees and the levy are set in a fair and equitable manner, and that every teacher will pay the same amount regardless of where they fall within the three-year cycle

Before the start of subsequent three-year periods, we would consider the impacts of inflation and changes in the operating model over the previous three years and forecast for the next three years. This information would be used to determine whether an increase or decrease in the fees and the levy would be fair and reasonable for the next three-year period.

Level of late fee payment

Proposal 10: increase the late fee from \$50 to \$100

Holding a current practising certificate is a legal requirement and professional responsibility. An increase of the current fee of \$50 to \$100 is proposed for teachers who lodge their renewal applications after the expiry date of their current practising certificate (Proposal 10).

The increase proposed is intended to serve as a further deterrent to those teachers who may not otherwise meet this obligation, as well as reflecting the costs associated with processing applications.

Other options not currently being consulted on

Two options to address affordability for teachers (raised by stakeholders during co-design) are not included as proposals in this consultation document because the Council considers it is not practical or economically feasible to progress them at this time. You may still provide feedback on these options (described below). As with all feedback received, the Council will receive feedback on these options with an open mind and give it due consideration before making final decisions on fees and the levy.

1. Tiered or variable fees and levies based on income - not included as a proposal

The Council considers it does not have power under the Education and Training Act 2020 to set fees and levies that differentiate between teachers and holders of LATs based on income. Therefore, no proposals to this effect have been included in the consultation document.

The Council has power to set fees and levies only within the limits set out in the Act. The Council does not consider the Act enables it to set variable fees and levies based on income as there is no express power or mechanism in the Act to do that (for example, the Council would need to have power to prescribe a percentage of income and would need to have a legal basis for collecting information about salaries from teachers).

2. Tiered or variable fees or levies based on practising certificate type or registration status - not included as a proposal

The Education and Training Act 2020 does allow the Council to set tiered or varied fees based on the circumstances in which a person's registration is made or the type of practising certificate held.

The Council's analysis indicated it could not currently do so cost-effectively and it would require some teachers to pay more to offset the loss in income. Additionally, the Council could not identify a sound rationale for any one practising certificate type to have a different share of the fees or levy than any other.

How and when to provide feedback

How to provide feedback

You can provide feedback on the proposed fees and the levy:

- through the online survey at <https://survey.publicvoice.co.nz/s3/2022feesconsultation> (preferred)
- by email in an attached Microsoft Word document or searchable PDF to feesconsultation@publicvoice.co.nz

Feedback is due by **5pm on Friday, 1 April 2022**. Feedback received after the deadline may not be considered unless a time extension has been previously agreed. Please email feesconsultation@publicvoice.co.nz to request a time extension.

We encourage you to read the full document as well as this summary.

Written submissions

If you prefer to make a written submission, please note whether you are responding as an individual or a group and include your contact details.

The proposals are:

Proposal 1: Set fees and the levy for teachers and holders of LATs (as set out in Tables 1 and 8), to cover the Council's actual and reasonable operating costs.

Proposal 2: Charge the same levy for for teachers and for holders of LATs.

Proposal 3: Charge a higher fee for overseas teachers for registration and their first Tōmua | Provisional practising certificate to reflect the additional costs involved in evaluating their applications.

Proposal 4: Charge a higher fee for Tōmua | Provisional or Pūmau | Full (Category Two) certificated teachers applying for a Tūturu | Full (Category One) practising certificate, to reflect the additional costs involved in evaluating those applications.

Proposal 5: Continue to fund the cost of providing conduct and discipline functions collectively from all teachers and holders of LATs.

Proposal 6: Continue to fund the cost of establishing standards for initial teacher education qualifications and approving ITE programmes collectively from all teachers and holders of LATs with ITE providers contributing towards approval, review and monitoring of their programmes.

Proposal 7: Explore the viability of a 'buy now pay later' instalment option for payment of fees and the levy.

Proposal 8: Explore the viability of options to pay fees and the levy by instalment, in regular, small amounts.

Proposal 9: Fix fees and the levy for a three-year period, with an allowance for expected inflation over the period.

Proposal 10: Increase the late fee from \$50 to \$100.

The questions in the survey are noted below – you can choose to respond to all or some of these or to provide any other feedback on the consultation document.

1. Do you agree with the cost assumptions set out in this document?
2. What do you think about the proposed increases to Teaching Council fees?
3. What do you think about the proposal to impose a levy to cover the cost of some of the Council's mandatory functions?
4. Are there other ways to allocate the fees?
5. Are there other ways to allocate the levy?
6. What do you think about the proposal that fees and the levy are set for a three-year period?
7. Is there another period that would be better for the fees and the levy?
8. What do you think about the proposal to allocate the levy equitably across practising certificate types and LATs?
9. Do you agree with the proposal that overseas teachers should pay a higher fee for registration and their first Tōmua | Provisional practising certificate to reflect the additional costs involved in evaluating their applications?
10. Do you agree with the proposal that Tōmua | Provisional or Pūmau | Full (Category Two) certificated teachers should pay a higher fee when applying for a Tūturu | Full (Category One) practising certificate, to reflect the additional costs involved in evaluating those applications?
11. Do you agree with the proposal that holders of a LAT pay the same levy as registered teachers?
12. Do you agree with the proposal that the Late Fee for a teacher to renew their practising certificate after the expiry date of their current certificate should increase from \$50 to \$100?
13. Would you be interested in being able to access a third-party user-pays financial service that allowed teachers to pay fees and the levy in instalments over a short timeframe (for example, around three months) if this option were available in the future?
14. Would you be interested in fortnightly payments by instalment in the future, subject to the Council being able to resolve any cost, technical and legislative issues from such an approach?
15. If there was an additional cost for this service, would you still be interested in this option?
16. Is there anything else the Council could do to make it easier for teachers to manage the cost of proposed higher fees and a levy?
17. What other comments would you like to make on the proposed changes overall? What other information do you need

Timeline for the consultation

The expected timeline for this consultation process and review is set out below in Figure 1:

Figure 1: Consultation and review timeline



How your feedback and information may be used

The Council will receive and analyse your feedback with an open mind and give it due consideration before decisions are made on fees and the levy.

Next steps after consultation and analysis – decision making and notification

Once all feedback has been analysed, the Council's Governing Council (its governing board) will discuss options and make final decisions on the level of fees and the levy and any other proposals, provided through the consultation. Decisions will be communicated to the teaching profession and the new rates for fees and the levy will be gazetted.

If a further period of consultation is required to seek feedback on new proposals that may arise out of this process, the Council will advise teachers of timings for this and provide the necessary information.

Consent to share non-personal information assumed

Once decisions are made, the Council will upload a summary of the themes from the feedback to its website.

The Council will consider you to have consented to its sharing anonymised information from your submission on its website unless you advise us otherwise.

Your feedback is considered official information, so may be the subject of a request under the Official Information Act 1982.

Private information – constraints on use

The Privacy Act 2020 establishes principles for the collection, use and disclosure of information about individuals by various agencies, including the Council. Any personal information you supply in providing feedback will be used only for the purpose of:

- making decisions in relation to the fees and levy proposals in this document
- to inform our approach to any future consultations on the fees and levies.



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